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of the

Senate of Maryland

2016 Regular Session

Volume II

Compiled and edited by:

Donald G. Hopkins Journal Clerk

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

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Annapolis, Maryland Monday, February 15, 2016 8:00 P.M. Session

The Senate met at 8:06 P.M.

Prayer by Elder-Dr. John O'Brien, New York Avenue Presbyterian Church, guest of Senator Jennings.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 220)

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

The Journal of February 12, 2016 was read and approved.

THE LINCOLN DAY ADDRESS

Given by the Honorable Steve Waugh

Lessons of History - Leading a Nation Divided

It is a great honor to present the Lincoln Day speech for the 2016 session of the Senate. On everyone's desk is a chronology of events leading up one of the seminal moments in the Civil War. Also on your desk is a copy of the resolutions this Senate passed in 1861 – and I'm asking 22 of you to participate in re—telling the story of the role of the Maryland General Assembly during the outset of the Civil War by playing the role of a specific senator and casting their votes on those resolutions, because from a modern day perspective it is hard to understand the historical legacies of this state. So I thought we would add some personal context that you may empathize with.

Maryland - A State Divided

In 1861, President Abraham Lincoln faced the storm of rebellion rolling across the country that divided family, friends and neighbors. There was a very real prospect that Maryland would join the Confederacy. Sympathies for the South ran high in some regions, with

accounts of smugglers from Southern Maryland crossing the Potomac River into Virginia to aid the Confederacy.

It's February 1861. Secessionists convene in Baltimore to consider options, but end without a declaration of secession. Lincoln travels secretly through Baltimore to be sworn into office. April 12th Fort Sumter is fired upon. A week later, the 6th Massachusetts Regiment is attacked while passing through the City. Soldiers open fire on a crowd: four soldiers and at least 12 civilians are dead, the first casualties in the Civil War, inspiring poetry and song. Governor Hicks and Mayor Brown order telegraph lines and bridges destroyed to prevent more Union troop movements through the City.

Maryland Governor Thomas Holliday Hicks calls a special session of the state legislature to convene April 26th, then decides to remove the Legislature from Annapolis, (swelling with Union troops and Confederate sympathies). The day before it convenes in Frederick, Lincoln writes a fateful letter to General Winfield Scott.

Maryland Takes a Side

The second day of the special session, the Senate acts to address the calls for secession from extremists:

VOTE #1 -

Senators, do you have the power to "commit this state to secession?" How do you vote?

"NO" - the vote is unanimous

The same day, General Winfield Scott announces the suspension of *habeas corpus*, by direction of the President.

You also vote to send commissioners to the President about the occupation by Federal troops; to Virginia to negotiate the protection of property in Maryland; and to Delaware, in regard to the arming of Free Negroes on the Maryland line.

May 13, Martial Law is declared. General Benjamin F. Butler entered Baltimore by rail with 1,000 Union soldiers; he occupies Federal Hill and points his cannon at the city. He suggests the commander of Ft. McHenry prepare to bombard Monument Square.

The next day you vote on Resolution #4 that affirms Maryland is a faithful member of the Union, but determined to have no part in the war against the Confederacy; that the present military occupation of Maryland is in flagrant violation of the Constitution, yet Maryland shall not secede.

Vote #2 -

Senators, does the State secede? How do you vote?

"NO"

Is the Union satisfied with your loyalty? No. In Baltimore, Major General Nathaniel P. Banks arrests the Mayor, the Marshal of Police, and three police commissioners.

The Legislature continues to find its middle path, demanding restitution for destruction of property on the Chesapeake and Ohio Canal by Southern Troops, while requesting the Governor return weapons to the State Armories taken from the uniformed companies of the State. Most importantly, on June 22 you vote remonstrating the Federals against the unlawful arrests of citizens—specifically a Member of the House of Delegates, arrested <u>in the presence of the Governor</u>— and that "the property of no man is safe; the sanctity of no dwelling is respected, and the sacredness of private correspondence no longer exists;"

You pass Resolution #14 on Federal Relations, which includes;

That we deem the writ of Habeas Corpus the great safe-guard of personal liberty, and we view with the utmost alarm and indignation the exercise of the despotic power, that has dared to suspend it in the case of John Merryman now confined in Fort McHenry.

When you return for the 3rd Special Session, the final 2 resolutions are presented August 7th, this time Resolution #15 uses the President's name directly – protesting against the unconstitutional and illegal arrests of the Mayor and police in Baltimore, "...without oath, warrant, presentment of a Grand Jury or lawful cause disclosed or trial had,"

Vote #3

Senators, does the State protest these proceedings? How do you vote?

"YES"

Aug 31, certain newspapers are suppressed in Baltimore. Yet on Sep 12th, the Editor of the Examiner writes to the Sec. State Seward to advise that of 22 senators only eight are loyal leaving 14 "...in whom I have no faith..."

Lincoln orders the arrest of Maryland legislators who are openly pro-South. Among them,

Alleghany County
Senator Thomas J. McKaig
St. Mary's County
Senator Oscar Miles
Senator Dr. A. A. Lynch
JOHN M. BREWER
S.P. CARMACK
Reading Clerk of the Senate
Committee Clerk of the Senate

Plus 25 Delegates, including the Speaker of the House. Many remain in jail for years.

President Lincoln – WHY DID YOU ARREST US?

DUKE THOMPSON DEFENSE OF PRESIDENT LINCOLN

Thank you Mr. Prosecutor for giving me the opportunity to speak at tonight's Assembly Session.

On March 4, 1861, I was inaugurated as the 16th President of The United States, at which time, the presidential oath became my highest priority.

After the war started, the geographical location of Maryland made it the most important state for The Union to keep. As well, Maryland had more contention among its citizens in regards to being pro-south or pro-Union than any other state in The Union.

One week into the war, on April 19, insurgents in Maryland attacked army recruits as they changed trains in Baltimore – 16 fatalities.

One week after that, The Maryland State Legislature scheduled a special meeting where a vote was probable on whether to arm the people of Maryland against The United States. Knowing this, I quickly sent a letter to the Commander in Chief of the US Armies:

My dear Sir: The Maryland Legislature assembles tomorrow at Annapolis; and, not improbably, will take action to arm the people of that State against the United States. The question has been submitted to, and considered by me, whether it would not be justifiable, upon the ground of necessary defense, for you, as commander in Chief of the United States Army, to arrest, or disperse the members of that body. I think it would not be justifiable; nor, efficient for the desired object.

I therefore conclude that it is only left to the commanding general to watch, and await their action, which, if it shall be to arm their people against the United States, he is to adopt the most prompt, and efficient means to counteract, even, if necessary, to the bombardment of their cities—and in the extremest necessity, the suspension of the writ of habeas corpus.

I hope, Mr. Prosecutor that it is clear that my actions were to do all that was possible to keep Maryland in the Union while at the same time respecting the legal actions of the Maryland State Legislature. The Legislature voted not to secede from The Union, and for that, I was pleased more than I can express to you. Of course, there were still insurgents in Maryland working to assist the so-called Confederacy.

There has been much discussion about the legitimacy of my suspension of the right to a speedy trial (the writ of habeas corpus). Article One, Section Nine of the U.S. Constitution states: "the privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion, the public safety may require it".

One of the first Marylanders to be arrested with the suspension of writ of habeas corpus was John Merryman on May 25, 1861. He had allegedly spoken openly of his support for the secessionist movement and he engaged in burning Union bridges, cutting Union telegraph lines, and recruiting and training soldiers for The Confederate Army.

In the months that followed, more Marylanders were arrested with the suspended writ. These included Maryland senators: Oscar Miles of St. Mary's County, Dr. A. A. Lynch of Baltimore County, and Thomas Franklin of Anne Arundel County. They would not pledge their loyalty to The Union, and would excite and encourage Maryland citizens to give assistance to and join the rebel cause.

In closing, Mr. Prosecutor, I stand here today and say with confidence that I would undoubtedly repeat the acts described herein if I was ever again to be the president of The United States with a situation of rebellion similar to that which was upon us in the Spring and Summer of 1861. My actions were done then as they would be done again with assured servitude and respect for the presidential oath: to preserve, protect, and defend The Constitution of The United States.

I thank you again for giving me this Opportunity to speak. May God Bless us All.

Most of the political prisoners were ultimately incarcerated at Ft. Lafayette, NY. Including our Baltimore Marshal of Police, George P. Kane. After almost 2 years in prison, upon his release on Jan. 6, 1863 he said:

"Without having been held upon any specific charge I am turned out of prison without any reason being assigned for it; and thus in my arbitrary arrest and release I illustrate the most flagrant violation of constitutional liberty.

"It would be unbecoming the dignity of the subject to cast abusive epithets upon the author of this gross outrage; but when allowed the opportunity I pledge myself under pain of the forfeiture of the good opinion you have always honored me with to show that all that is bad in a man, unpatriotic in a citizen and corrupt in an officer finds itself concentrated in this individual."

The Legacy

President Lincoln left a legacy of lessons in leadership that are as applicable today as in 1861. It is easy for us to admire his accomplishments – emancipation, the 13th, 14th and 15th Amendments, saving the Union – while perhaps we can appreciate why some folks were not so enthused with his tough decisions. Can you imagine the weight of the decision to arrest a legislature?

Today is a chance to revisit the dramatic events experienced by Marylanders 150 years ago. The fundamental legacy of Lincoln is embodied in a single word: freedom. Over 600 U.S. Colored Troops from St. Mary's County served in the war thanks to Lincoln's edict allowing both freemen and slaves to join the fight.

I want to recognize the bravery of two United States Colored Troops memorialized on a monument in St. Mary's County. Awarded the Medal of Honor, Sgt. James H. Harris and Pvt. William H. Barnes, were born slaves then protected their Nation from all enemies, foreign and domestic.

We need to strive to be worthy of these men. Lincoln's legacy is that we come to this chamber to be bold; in his words.

"The legitimate object of government, is to do for a community of people, whatever they need to have done, but can not do, at all, or can not, so well do, for themselves — in their separate, and individual capacities."

Thank you.

INTRODUCTION OF BILLS

Senate Bill 1005 – The President (By Request – Justice Reinvestment Coordinating Council)

AN ACT concerning

Justice Reinvestment Act

FOR the purpose of requiring the Division of Parole and Probation to conduct a certain risk and needs assessment on certain inmates and include the results in certain case records; establishing requirements for a certain case plan; requiring the Division of Correction to have a certain study conducted at certain intervals on a certain assessment tool for a certain purpose; increasing a certain monthly deduction allowed to an inmate of a State correctional facility whose term of confinement includes a certain sentence for a certain crime of manufacturing, distributing, dispensing, or possessing a controlled dangerous substance; increasing the maximum monthly deductions allowed to an inmate of a State correctional facility for manifesting satisfactory progress in certain work projects or programs; increasing the maximum number of diminution credits that an inmate of a State correctional facility may earn in a month; requiring the Division of Parole and Probation to administer a certain risk and needs assessment on a certain supervised individual; requiring the Division of Parole and Probation to supervise a certain individual based on the results of a certain risk and needs assessment; requiring the Division of Parole and Probation to develop an individualized case plan for each individual with a certain assessment; requiring the Division of Parole and Probation to modify the conditions of probation or suspension of sentence for the purpose of imposing certain graduated sanctions; requiring the Division of Parole and Probation to report to the court on certain graduated sanctions imposed under certain circumstances; expanding eligibility for certain earned compliance credits to a person incarcerated, on probation, or convicted in this State for violation of certain prohibitions relating to manufacturing, distributing, dispensing, or possessing a controlled dangerous substance; requiring the Maryland Parole Commission or the court to adjust the period of a certain supervised individual's supervision on a certain recommendation for earned compliance credits accrued under a certain program; requiring the Division of Parole and Probation to transfer a certain individual to a certain abatement status under certain circumstances; requiring the Division of Parole and Probation to inform a certain supervised individual of a certain transfer date at certain intervals; requiring the Division of Parole and Probation to notify the Maryland Parole Commission or the court of a certain impending transfer at a certain time; providing that a supervised individual who is on abatement may not be required to regularly report to a certain agent or pay a supervision fee; requiring the Department of Public Safety and Correctional Services to develop an automated application for the tracking and awarding of earned compliance credits by the Division of Parole and Probation; requiring the Division of Parole and Probation to use certain methods to aid and encourage a certain person to improve conduct and to reduce the risk of recidivism; requiring the Division of Parole and Probation to have an independent validation study conducted at certain intervals on its risk and needs assessment tool for a certain purpose; requiring the Division of Parole and Probation to require all parole and probation agents, Maryland Parole Commission members, and hearing officers to undergo certain annual training; requiring the Department of Public Safety and Correctional Services, by a certain date, to establish a program to implement certain sanctions for certain violations of conditions of community supervision by a certain individual; requiring the Department of Public Safety and Correctional Services to adopt certain policies and procedures to implement certain programs; requiring the Department to develop a certain matrix for a certain purpose; authorizing the Division of Parole and Probation to modify conditions of community supervision for a certain individual for the limited purpose of imposing certain sanctions; authorizing the Division of Parole and Probation to refer a certain individual to the court or the Maryland Parole Commission for additional sanctions; requiring the Division of Parole and Probation to issue a certificate of rehabilitation to a certain individual; providing that a certificate of rehabilitation precludes a licensing board from disqualifying an applicant from professional or occupational licensure or certification because of a certain criminal conviction; providing that an individual may receive only one certificate of rehabilitation under certain circumstances; requiring the Division of Parole and Probation to adopt regulations establishing an application and review process for a certificate of rehabilitation that allows certain parties to object to the issuance of the certificate of rehabilitation; altering the exclusive powers of the Maryland Parole Commission; requiring the Maryland Parole Commission to request that the Division of Parole and Probation conduct a certain investigation for an inmate in a local correctional facility; requiring the Maryland Parole Commission to request that the Division of Correction conduct a certain investigation for an inmate in a State correctional facility; requiring certain investigations to be submitted at certain times; requiring the Maryland Parole Commission to consider the results of a certain investigation, develop a certain case plan, and provide certain notifications to certain victims; providing that a certain inmate be released on administrative parole under certain circumstances; requiring that an inmate's debilitation or incapacitation be permanent to qualify for medical parole; requiring the Maryland Parole Commission to consider certain medical evaluations before granting medical parole; authorizing a parole commissioner to impose a certain period of imprisonment under certain circumstances; authorizing a commissioner to revoke certain diminution credits previously earned by a certain individual under certain circumstances; altering certain deductions from an certain inmate's earnings to be used for certain purposes;

altering a certain monthly deduction from postsentence confinement allowed to a certain inmate of a local correctional facility; altering certain penalties for possession of a controlled dangerous substance; altering certain penalties for possession of marijuana; requiring the court to order the Department of Public Safety and Correctional Services to evaluate a defendant for drug dependence and provide a certain assessment before imposing a sentence for possession of a controlled dangerous substance; requiring the Department of Public Safety and Correctional Services to evaluate a defendant and provide an assessment regarding drug treatment to certain parties; requiring the court to incorporate a certain assessment into a sentence for possession of a controlled dangerous substance in a certain manner; establishing that a court may impose certain mandatory minimum sentences only for certain drug offenses under certain circumstances; requiring the court to state on the record the reason for departing from certain mandatory minimum sentences; authorizing a certain person to apply to the court to modify or reduce a certain sentence under certain circumstances in a certain manner; increasing the amount of crack cocaine to be the same as the amount of powder cocaine that is required to trigger enhanced penalties for certain drug offenders; altering the penalties for theft, issuing or passing a bad check, credit card fraud, identity fraud, counterfeiting, and exploitation of a vulnerable adult; providing that a certain geriatric parole procedure does not apply to a certain sexual offender; altering the age and incarceration time served thresholds for eligibility for geriatric parole; requiring the State Commission on Criminal Sentencing Policy to review judicial compliance with certain guidelines for suspended sentences and include a suspended portion of a sentence in the determination of whether a sentence is compliant with certain sentencing guidelines; authorizing a court to impose a certain period of incarceration for a certain person who has violated a condition of probation under certain circumstances; requiring the Department of Health and Mental Hygiene to facilitate certain treatment without unnecessary delay and in no event later than a certain time period after a certain order; authorizing the court to require the Department of Health and Mental Hygiene to appear in court to explain a certain lack of placement under certain circumstances; establishing the Justice Reinvestment Oversight Board; providing for the membership, duties, staffing, procedures, and reporting of the Board; establishing the Performance Incentive County Grant Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Executive Director of the Governor's Office of Crime Control and Prevention 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; establishing the Local Government Justice Reinvestment Commission; providing for the membership, duties, staffing, procedures, and reporting of the Local Government Justice Reinvestment Commission; altering the penalties for certain traffic violations related to a driver's license; requiring the Governor's Office of Crime Control and Prevention, in consultation with certain departments, agencies, and persons, to conduct a certain analysis relating to offender treatment and to submit a certain report; stating the intent of the General Assembly that the Governor provide certain funding in the annual budget; requiring the Maryland Mediation and Conflict Resolution Office to conduct a certain study and submit a certain report with recommendations on or before a certain date; requiring the State Commission on Criminal Sentencing Policy to study how more alternatives to incarceration may be included in the sentencing guidelines and submit a report with recommendations on or before a certain date; requiring the Governor's Office of Crime Control and Prevention to conduct a certain study relating to restitution and victim services and submit a certain report; requiring the Governor to issue a certain order under certain circumstances; making conforming changes; altering certain definitions; defining certain terms; and generally relating to justice reinvestment.

BY repealing and reenacting, with amendments,

Article – Correctional Services

Section 3-601, 3-704, 3-707, 3-708, 6-101, 6-104, 6-111, 6-117, 7-205, 7-305, 7-309, 7-401, 7-504, and 11-504

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Correctional Services

Section 3–705, 3–706, 7–101(a) and (m), 7–103, and 7–301(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)

BY adding to

Article – Correctional Services

Section 6-119, 6-120, 6-121, 7-104, 7-301.1, and 9-614

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)

BY repealing

Article - Correctional Services

Section 11–604

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article - Criminal Law

Section 5-601

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

(As enacted by Chapter 4 of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article - Criminal Law

Section 5–601.1, 5–607, 5–608, 5–609, 5–609.1, 5–612, 7–104(g), 7–108, 8–106, 8–206, 8–207, 8–209, 8–301(g), 8–516, 8–611, 8–801(c), and 14–101

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 7–104(a) through (f), 8–301(a), (b), (b–1), and (c) through (f), and 8–801(a) and (b)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article - Criminal Procedure

Section 1–101(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)

BY adding to

Article - Criminal Procedure

Section 1–101(p)

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 6–209, 6–223, 6–224, and 11–819(b)

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 8-507

Annotated Code of Maryland

(2015 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement

Section 6-226(a)(2)(i)

Annotated Code of Maryland

(2015 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 6-226(a)(2)(ii)84. and 85.

Annotated Code of Maryland

(2015 Replacement Volume)

BY adding to

Article - State Finance and Procurement

Section 6–226(a)(2)(ii)86. Annotated Code of Maryland (2015 Replacement Volume)

BY adding to

Article – State Government

Section 9–3201 through 9–3212 to be under the new subtitle "Subtitle 32. Justice Reinvestment Oversight Board"

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 27–101(b)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 27-101(c) and (y)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY adding to

Article – Transportation

Section 27-101(gg)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

Senate Bill 1006 – The President (By Request – Justice Reinvestment Coordinating Council)

AN ACT concerning

Justice Reinvestment Act - Criminal Penalties

FOR the purpose of altering the penalty for second degree murder; repealing mandatory minimum sentences for certain offenses involving distribution of a controlled dangerous substance; altering the penalties for certain offenses involving distribution of a controlled dangerous substance; making a certain conforming change; and generally relating to second degree murder and crimes involving distribution of a controlled dangerous substance.

BY repealing and reenacting, with amendments,

Article - Criminal Law

Section 2–204, 5–607, 5–608, and 5–609 Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

BY repealing

Article – Criminal Law Section 5–609.1 Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

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

Senate Bill 1007 - Senator Peters

AN ACT concerning

Maryland Small Business Retirement Savings Program and Trust

FOR the purpose of establishing the Maryland Small Business Retirement Savings Program for eligible private sector employees; establishing the Maryland Small Business Retirement Savings Trust; establishing the Maryland Small Business Retirement Savings Board to implement, maintain, and administer the Program and the Trust; providing for the composition, chair, and staffing of the Board; providing for the powers and duties of the Board, including investing certain assets, adopting an investment policy, disseminating information to employers and employees, and submitting an annual audited financial report; requiring eligible employers to offer the Program and requiring eligible employees of participating employers to participate in the Program unless written notice to opt out is provided to the employer; authorizing certain eligible employees to participate in the Program in a certain manner; providing for the method of payment of certain expenses incurred by the Board as a result of administering the Program; requiring the Board to adopt certain regulations; prohibiting certain employers and the State from incurring certain liabilities regarding the Program and the Trust; requiring certain conditions to be met before any plan, trust, administrative arrangement, or investment offering may be implemented; providing for the expiration of terms of certain initial Board members; waiving a certain processing fee for the filing of certain documents by certain business entities under certain circumstances; defining certain terms; and generally relating to the Maryland Small Business Retirement Savings Program and Trust.

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 1–203(b)(3)(ii)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

Article – Corporations and Associations Section 1–203(b)(14) Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement)

BY adding to

Article – Labor and Employment

Section 12–101 through 12–502 to be under the new title "Title 12. Maryland Small Business Retirement Savings Program and Trust"

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)

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

Senate Bill 1008 - Senator Cassilly

AN ACT concerning

Drunk and Drugged Driving - Evidence of Blood Test

FOR the purpose of providing that, if a law enforcement officer testifies that the officer witnessed the taking of a blood specimen by a person who the officer reasonably believed was a qualified medical person, the officer's testimony shall be sufficient evidence that the person was a qualified medical person without testimony by the person who obtained the blood specimen; repealing certain procedures relating to the admissibility of evidence of a blood test in a prosecution for certain drunk or drugged driving offenses; altering a certain definition; and generally relating to the admissibility of evidence of a blood test in a prosecution for certain drunk or drugged driving offenses.

BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings

Section 10-304(a)(1)

Annotated Code of Maryland

(2013 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 10-304(a)(2) and (c)(1)

Annotated Code of Maryland

(2013 Replacement Volume and 2015 Supplement)

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

Senate Bill 1009 - Senators Benson, Kelley, Middleton, and Pugh

AN ACT concerning

Procurement - Prevailing Wage - Liquidated Damages

FOR the purpose of altering the circumstances under which a certain contractor is liable for certain damages and the amount of certain damages for which a certain contractor is liable when certain laborers or certain other employees are paid less than certain prevailing wage rates; and generally relating to the enforcement of the prevailing wage law.

BY repealing and reenacting, with amendments, Article – State Finance and Procurement Section 17–222 Annotated Code of Maryland (2015 Replacement Volume)

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

Senate Bill 1010 – Senator Hershey

AN ACT concerning

Environment - Municipal Water Supply Contamination - Remediation Costs

FOR the purpose of authorizing the Department of the Environment to use the Maryland Oil Disaster Containment, Clean—Up and Contingency Fund to pay any costs incurred by a municipality associated with the contamination of the municipal water supply caused by the action of an entity that receives funding from the State; requiring, if the Fund is used to pay certain costs, priority be given to costs associated with certain remediation projects that involve certain technology; requiring the Department to use money credited to the Fund to pay the costs of certain cleanup, corrective action, and treatment of contamination of the public water supply of the Town of Chestertown resulting from actions taken by the University of Maryland Medical Center at Chestertown on detection of a certain level of a certain contaminant in a certain well; and generally relating to the use of the Maryland Oil Disaster Containment, Clean—Up and Contingency Fund.

BY repealing and reenacting, with amendments,

Article – Environment Section 4–411(f) and (g) Annotated Code of Maryland (2013 Replacement Volume and 2015 Supplement)

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

Senate Bill 1011 - Senator Middleton

AN ACT concerning

Creation of a State Debt - Charles County - Indian Head Center for the Arts Renovation

FOR the purpose of authorizing the creation of a State Debt not to exceed \$130,000, the proceeds to be used as a grant to the Board of Directors of the Indian Head Center for the Arts, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1012 – Senator Conway

AN ACT concerning

Creation of a State Debt – Baltimore City – Woodbourne Center Vocational Program

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

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

Senate Bill 1013 - Senator Conway

AN ACT concerning

Creation of a State Debt - Baltimore City - Stony Run Path

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Directors of Strong City Baltimore, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1014 - Senator Pugh

AN ACT concerning

Maryland Clean Energy Jobs Act of 2016

FOR the purpose of establishing the Clean Energy Workforce Account in the Maryland Employment Advancement Right Now Program; providing for the funding of the Clean Energy Workforce Account; specifying the purpose for which the Clean Energy Workforce Account may be used; specifying the priority for grants awarded from the Clean Energy Workforce Account; requiring the Department of Labor, Licensing, and Regulation to include certain information about the Clean Energy Workforce Account in a certain annual report; altering the renewable energy portfolio standard percentage derived from solar energy for certain years; altering the renewable energy portfolio standard percentage derived from Tier 1 renewable sources for certain years; altering the minimum required percentage of Tier 1 renewable energy that must be derived from solar energy in the State's renewable energy portfolio standard in certain years; altering the minimum required percentage of energy that must be derived from Tier 1 renewable sources in the State's renewable energy portfolio standard in certain years; requiring an electric company to contract for certain renewable energy credits and electricity generated from certain Tier 1 renewable sources to meet a certain portion of the renewable energy portfolio standard for certain electricity suppliers beginning after a certain date; requiring an electric company to solicit bids for a certain contract from certain renewable energy facilities; requiring an electric company to use a competitive procurement process to award a certain contract; requiring that a term for a certain contract be for a certain minimum and maximum duration; authorizing an electric company to recover certain costs associated with this Act; altering the compliance fee for an electricity supplier that fails to comply with certain renewable energy portfolio standards for certain years; establishing certain compliance fees for an electricity supplier that fails to comply with certain renewable energy portfolio standards for certain years; altering the percentage of total annual electricity sales revenues based on which an electricity supplier may request a delay of certain solar energy requirements in the renewable energy portfolio standard; establishing the Clean Energy Business Development Account in the Small, Minority, and Women-Owned Businesses Account; providing for the funding of the Clean Energy Business Development Account; specifying the purpose for which the Clean Energy Business Development Account may be used; prohibiting funding from the Clean Energy Business Development Account from being limited to certain businesses; requiring the Maryland Energy Administration to use the Maryland Strategic Energy Investment Fund in a certain manner; requiring proceeds from a certain Public Service Commission order to be allocated in a certain manner; stating certain findings of the General Assembly; defining certain terms; providing for the application of this Act; making the provisions of this Act severable; and generally relating to clean energy jobs and the renewable energy portfolio standard.

Article – Labor and Employment Section 11–708.1 Annotated Code of Maryland (2008 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 11-709

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article - Public Utilities

Section 7–702, 7–703(b)(12), (13), (14), (15), (16), and (17), and 7–705(b) and (e)

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)

BY adding to

Article – Public Utilities

Section 7–703.1

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–1A–35, 9–20B–01, and 9–20B–05(f) and (i) through (l)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY adding to

Article – State Government

Section 9–20B–05(i)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

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

Senate Bill 1015 – Senator Waugh

AN ACT concerning

St. Mary's County - Alcoholic Beverages - Permits, Training, Prohibited Acts, and Violations

FOR the purpose of altering the serving size of a sample serving of beer permitted to be served to an individual by a holder of a Class BWTS beer and wine tasting or sampling permits in St. Mary's County; establishing a BWT beer and wine tasting

permit in St. Mary's County for a certain purpose; authorizing the Board of License Commissioners for St. Mary's County to issue the permit only to a holder of a certain license; providing for the application and fees for, maximum permit periods, and restrictions associated with the permit; requiring an applicant for an alcoholic beverages license in St. Mary's County to attend certain training within a certain time after the application is approved; providing that attendance at certain training does not fulfill a certain training requirement; prohibiting a person who operates a certain establishment in St. Mary's County without an alcoholic beverage license from knowingly allowing a customer to bring alcoholic beverages for consumption into, or on the grounds of, the establishment; authorizing the Board to impose a certain fine on a certain employee of a holder of an alcoholic beverage license for selling alcoholic beverages to certain individuals; and generally relating to the regulation of alcoholic beverages in St. Mary's County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 28–102 and 28–1306(a)

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 28–1306(f), 28–2501, and 28–2802

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

BY adding to

Article – Alcoholic Beverages

Section 28–1307 and 28–1411

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

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

Senate Bill 1016 – Senator Manno

AN ACT concerning

Maryland Wage Payment and Collection Law – Awards of Certain Fees and Costs and Prohibition Against Retaliation

FOR the purpose of authorizing the court, on a certain finding in an action on behalf of an employee for a violation of the Maryland Wage Payment and Collection Law, to award the Attorney General reasonable counsel fees and other costs; authorizing the court, on a certain finding in an action by an employee for a violation of the Maryland Wage Payment and Collection Law, to award the employee reasonable counsel fees and other costs; prohibiting an employer from taking certain adverse actions against

an employee under certain circumstances; establishing that a certain penalty applies to a violation of this Act; defining a certain term; clarifying certain language; and generally relating to the Maryland Wage Payment and Collection Law.

BY repealing and reenacting, with amendments,

Article – Labor and Employment Section 3–507 and 3–507.2 Annotated Code of Maryland (2008 Replacement Volume and 2015 Supplement)

BY adding to

Article – Labor and Employment Section 3–507.3 Annotated Code of Maryland (2008 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Labor and Employment Section 3–508(a) and (c)(1) Annotated Code of Maryland (2008 Replacement Volume and 2015 Supplement)

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

Senate Bill 1017 – Senator Pinsky

AN ACT concerning

Creation of a State Debt - Prince George's County - Maryland Multicultural Youth Centers

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Board of Directors of the Latin American Youth Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1018 - Senator Pugh

AN ACT concerning

Health Insurance - Specialty Drugs - Participating Pharmacies

FOR the purpose of altering the conditions under which certain insurers, nonprofit health service plans, or health maintenance organizations may require a covered specialty drug to be obtained through a pharmacy participating in the provider network of the insurer, nonprofit health service plan, or health maintenance organization; providing that certain provisions of law do not prohibit a manufacturer from establishing a certain network; altering the definition of "specialty drug"; providing for the application of this Act; providing for a delayed effective date; and generally relating to specialty drugs.

BY repealing and reenacting, with amendments,

Article – Insurance Section 15–847 Annotated Code of Maryland (2011 Replacement Volume and 2015 Supplement)

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

Senate Bill 1019 - Senator Pugh

AN ACT concerning

Family Law - Grandparent Visitation

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

BY repealing and reenacting, with amendments,

Article – Family Law Section 9–102 Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

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

Senate Bill 1020 - Senator Pugh

AN ACT concerning

State Board of Physicians – Authority to Adopt Regulations – Physician Licensing Reciprocity

FOR the purpose of authorizing the State Board of Physicians to adopt regulations that would allow the Board to license an applicant who is licensed as a physician in another state if the applicant meets certain qualification and licensing requirements and the state in which the applicant is licensed offers a certain reciprocal licensing process; and generally relating to physician licensing reciprocity under the State Board of Physicians.

BY adding to

Article – Health Occupations Section 14–307(j) Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement)

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

THE COMMITTEE ON FINANCE REPORT #9

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

Senate Bill 90 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Unemployment Insurance - Recovery of Benefits and Penalties for Fraud

SB0090/427071/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 90

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after "purposes;" insert "making a certain conforming change; defining a certain term;"; after line 12, insert:

"BY renumbering

Article – Labor and Employment

Section 8–101(t) through (aa), respectively

to be Section 8–101(u) through (bb), respectively

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 8–101(a) and 8–1301

Annotated Code of Maryland
(2008 Replacement Volume and 2015 Supplement)

BY adding to

<u>Article – Labor and Employment</u>

Section 8–101(t)

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)";

in line 15, after "Section" insert "8–201.1,"; in the same line, after "8–809" insert a comma; strike in their entirety lines 18 through 22, inclusive, and substitute:

"SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 8–101(t) through (aa), respectively, of Article – Labor and Employment of the Annotated Code of Maryland be renumbered to be Section(s) 8–101 (u) through (bb), respectively.";

and in line 23, strike "1." and substitute "2.".

On page 6, in lines 10, 12, and 16, strike "2.", "3.", and "4.", respectively, and substitute "3.", "4.", and "5.", respectively; and in line 14, strike "1" and substitute "2".

AMENDMENT NO. 2

On page 1, after line 25, insert:

"8-101.

- (a) In this title the following words have the meanings indicated.
- (T) "KNOWINGLY" MEANS, EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, HAVING ACTUAL KNOWLEDGE, DELIBERATE IGNORANCE, OR RECKLESS DISREGARD FOR THE TRUTH.

<u>8–201.1.</u>

- (a) <u>In this section, "knowingly" means having actual knowledge, deliberate ignorance, or reckless disregard for the truth.</u>
 - (b) An employer may not fail to properly classify an individual as an employee.

- [(c)] (B) (1) If the Secretary determines that an employing unit has failed to properly classify an individual as an employee, any and all contribution or reimbursement payments resulting from the failure to properly classify that are due and unpaid shall accrue interest as provided in paragraph (2) of this subsection.
- (2) An employer who fails to pay the contribution or reimbursement payments within 45 days shall be assessed interest at the rate of 2% per month or part of a month from the first due date following notice of the misclassification until the Secretary receives the contribution or payment in lieu of contributions and interest.
- [(d)] (C) The Secretary shall consider, as strong evidence that an employer did not knowingly fail to properly classify an individual, whether the employer:
- (1) (i) classifies all workers who perform the same or substantially the same tasks for the employer as independent contractors; and
- (ii) reports the income of the workers to the Internal Revenue Service as required by federal law; and
- (2) has received a determination from the Internal Revenue Service that the individual or a worker who performs the same or substantially the same tasks for the employer is an independent contractor.
- [(e)] (D) If the Secretary determines that an employing unit has knowingly failed to properly classify an individual as an employee, the employing unit shall be subject to a civil penalty of not more than \$5,000 per employee.
- [(f)] (E) (1) A person may not knowingly advise an employing unit or a prospective employing unit to take action for the purposes of violating this section.
- (2) A person found in violation of this subsection shall be subject to a civil penalty of not more than \$20,000.
- [(g)] (F) An employing unit found to have knowingly violated this section who has also been found previously to have knowingly violated this section by a final order of a court or administrative unit may be assessed double the administrative penalties set forth in subsection [(d)] (C) of this section for the new violation.

- [(h)] (G) (1) An employing unit may be assessed civil penalties by only one order of a court or administrative unit for the same actions constituting a knowing failure to properly classify an individual as an employee.
- (2) Notwithstanding paragraph (1) of this subsection, an employing unit may be ordered to make restitution, pay any interest due, and otherwise comply with all applicable laws and regulations by orders of a court, the Secretary, and all other relevant administrative units, including the Comptroller, the Workers' Compensation Commission, the Insurance Administration, and the Division of Labor and Industry.
- [(i)] (H) If the Secretary determines that an employing unit has failed to properly classify an individual as an employee, the Secretary shall promptly notify the Workers' Compensation Commission, the Division of Labor and Industry, the Insurance Administration, and the Comptroller.
- [(j)] (I) As authorized by State and federal law, units within the Department of Labor, Licensing, and Regulation and the Department of Budget and Management, the Secretary of State, the Comptroller, the Insurance Administration, and other State agencies shall cooperate and share information concerning any suspected violation of this title.
 - [(k)] (J) (1) The Secretary shall adopt regulations to carry out this section.
 - (2) The regulations shall:
- (i) require that the Secretary provide an employer with the factual basis for any violations charged;
- (ii) establish procedures regarding the audit process and any agency level review available before appeal; and
- (iii) provide guidance as to what constitutes the evidence relevant to the determination of whether an employer knowingly failed to properly classify an individual as an employee.".

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 277 - Senators Middleton and Mathias

AN ACT concerning

Motor Fuel Suppliers and Retail Service Station Dealers - Promotion - Sales

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 435 - Senators Norman, Cassilly, and Jennings

AN ACT concerning

Business Regulation - State and Harford County Juke Box Licenses - Repeal

<u>Favorable report adopted.</u>

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. 221)

ADJOURNMENT

At 8:50 P.M. on motion of Senator Pugh, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, February 16, 2016.

Annapolis, Maryland Tuesday, February 16, 2016 10:00 A.M. Session

The Senate met at 10:19 A.M.

Prayer by Pastor Brian Corrick, Gethsemane Baptist Church, guest of Senator Bates.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 223)

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 311 - The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
The Honorable Bernie Fowler, Sr.
in recognition of

32 years of service on the

Chesapeake Bay Commission and 50 years championing Chesapeake Bay and Patuxent River restoration.

The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 16th day of February 2016.

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 224)

Senate Resolution No. 261 - Senator Michael J. Hough:

Be it hereby known to all that The Senate of Maryland offers its sincerest congratulations to Brunswick Junior Railroaders Football Team in recognition of winning the 2015 "Battle in Rocky Top" 12u National Football Championship in Knoxville, TN.

> The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 16th day of February 2016.

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 225)

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #7

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

Senate Bill 120 - Senator Simonaire

EMERGENCY BILL

AN ACT concerning

Higher Education - Senatorial Scholarships - Awards

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 128 - Senator Serafini

AN ACT concerning

Maryland Higher Education Commission – Religious Educational Institutions – Authority to Operate

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 218 - Senators Conway, McFadden, and Nathan-Pulliam

AN ACT concerning

Higher Education – University System of Maryland and Morgan State University – Prohibition Against Inclusion

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 272 – Senators King, Currie, Edwards, Guzzone, Manno, Peters, Serafini, and Young

AN ACT concerning

Financial Aid – Deaf and Hearing Impaired Students – Out–of–State Institutions of Higher Education

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 312 – Senators King, Bates, Benson, Currie, Ferguson, Guzzone, Jennings, Kagan, Kelley, Madaleno, Middleton, Nathan-Pulliam, Pinsky, Pugh, Raskin, and Young

AN ACT concerning

Children – Family Child Care Homes and Child Care Centers – Advertising and Penalties

SB0312/864730/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 312 (First Reading File Bill) On page 1, in line 11, strike "or"; and in line 12, after "marshal" insert ", or a local fire marshal".

AMENDMENT NO. 2

On page 4, in line 19, after "**DEPARTMENT**;" insert "<u>AND</u>"; and strike beginning with "; **AND**" in line 21 down through "LAW" in line 23.

On page 7, in line 21, after "**DEPARTMENT**;" insert "<u>AND</u>"; in line 22, after "(II)" insert "<u>EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION</u>,"; strike beginning with "; AND" in line 23 down through "LAW" in line 25; after line 25, insert:

"(3) IF AN ADVERTISEMENT IS FOR MULTIPLE CHILD CARE CENTERS
OPERATED BY A SINGLE LICENSEE, THE ADVERTISEMENT SHALL STATE THE
LICENSE NUMBER OF AT LEAST ONE OF THE CHILD CARE CENTERS THAT THE
LICENSEE OPERATES.";

and in line 26, strike "(3)" and substitute "(4)".

AMENDMENT NO. 3

On page 5 in line 4, and on page 8 in line 1, in each instance strike "OR"; and on page 5 in line 5, and on page 8 in line 2, in each instance, after "MARSHAL" insert ", OR A LOCAL FIRE MARSHAL".

AMENDMENT NO. 4

On page 5, in line 18, strike "§ 5–552" and substitute "§ 5–552(A)".

On page 8, in line 25, strike "OR (E)"; and in the same line, strike "§ 5–582" and substitute "§ 5–582(A)".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 323 – Senators Pinsky, Raskin, Benson, Brochin, Conway, Currie, Feldman, Ferguson, Guzzone, Kagan, Kelley, King, Klausmeier, Lee,

Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Nathan-Pulliam, Peters, Pugh, Ramirez, Rosapepe, Young, and Zirkin

AN ACT concerning

Greenhouse Gas Emissions Reduction Act - Reauthorization

SB0323/824630/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 323

(First Reading File Bill)

On page 6, in line 18, strike "report" and substitute "<u>REPORTS</u>"; and in line 19, strike "2–1209" and substitute "**2–1211**".

The preceding amendment was read only.

Senator Hough moved, duly seconded, that the Bill and Amendment be laid over under the Rule.

The motion was adopted.

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

Senate Bill 404 – Senators Pinsky, Conway, King, and Madaleno

EMERGENCY BILL

AN ACT concerning

State Board of Education - State Superintendent of Schools - Appointment

Senator Jennings moved, duly seconded, to make the Bill and Report a Special Order for February 18, 2016.

The motion was adopted.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #8

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

Senate Bill 71 – Senator Young

AN ACT concerning

Public and Nonpublic Schools - Student Diabetes Management Program

SB0071/204832/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 71

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Senator Young" and substitute "Senators Young and Nathan–Pulliam"; in line 16, after "tasks;" insert "encouraging certain trained diabetes care providers in the Program to perform certain tasks;"; in line 18, strike "employees" and substitute "trained diabetes care providers"; and in line 21, after "circumstances;" insert "encouraging certain parents or guardians of a certain student to submit a Diabetes Medical Management Plan to the school under certain circumstances;".

AMENDMENT NO. 2

On page 5, strike in their entirety lines 1 through 5, inclusive, and substitute:

- "(5) (I) A TRAINED DIABETES CARE PROVIDER WHO PROVIDES
 DIABETES CARE SERVICES TO AN INDIVIDUAL IN ACCORDANCE WITH THE
 PROVISIONS OF THIS SECTION IS NOT CIVILLY LIABLE FOR ANY ACT OR OMISSION IN
 THE COURSE OF PROVIDING DIABETES CARE SERVICES IF:
- I. THE TRAINED DIABETES CARE PROVIDER IS ACTING IN GOOD FAITH WHILE PROVIDING DIABETES CARE SERVICES TO AN INDIVIDUAL WHO IS IN NEED OF DIABETES CARE SERVICES OR TO AN INDIVIDUAL BELIEVED IN GOOD FAITH BY THE TRAINED DIABETES CARE PROVIDER TO BE IN NEED OF DIABETES CARE SERVICES;
- 2. THE DIABETES CARE SERVICES ARE PROVIDED IN A REASONABLY PRUDENT MANNER; AND

- 3. THE DIABETES CARE SERVICES ARE PROVIDED TO THE INDIVIDUAL WITHOUT FEE OR OTHER COMPENSATION.
- (II) SUBPARAGRAPH (I) OF THIS PARAGRAPH DOES NOT AFFECT, AND MAY NOT BE CONSTRUED AS AFFECTING, ANY IMMUNITIES FROM CIVIL LIABILITY OR DEFENSES ESTABLISHED BY ANY OTHER PROVISION OF THE CODE OR BY COMMON LAW TO WHICH A VOLUNTEER MAY BE ENTITLED.".

On page 8, strike in their entirety lines 27 through 31, inclusive, and substitute:

- "(5) (I) A TRAINED DIABETES CARE PROVIDER WHO PROVIDES
 DIABETES CARE SERVICES TO AN INDIVIDUAL IN ACCORDANCE WITH THE
 PROVISIONS OF THIS SECTION IS NOT CIVILLY LIABLE FOR ANY ACT OR OMISSION IN
 THE COURSE OF PROVIDING DIABETES CARE SERVICES IF:
- 1. The trained diabetes care provider is acting in good faith while providing diabetes care services to an individual who is in need of diabetes care services or to an individual believed in good faith by the trained diabetes care provider to be in need of diabetes care services;
- 2. THE DIABETES CARE SERVICES ARE PROVIDED IN A REASONABLY PRUDENT MANNER; AND
- 3. THE DIABETES CARE SERVICES ARE PROVIDED TO THE INDIVIDUAL WITHOUT FEE OR OTHER COMPENSATION.
- (II) SUBPARAGRAPH (I) OF THIS PARAGRAPH DOES NOT AFFECT, AND MAY NOT BE CONSTRUED AS AFFECTING, ANY IMMUNITIES FROM CIVIL LIABILITY OR DEFENSES ESTABLISHED BY ANY OTHER PROVISION OF THE CODE OR BY COMMON LAW TO WHICH A VOLUNTEER MAY BE ENTITLED.".

AMENDMENT NO. 3

On page 6 in line 25, on page 7 in line 15, and on page 9 in lines 5 and 16, in each instance, strike "SHALL" and substitute "MAY".

On page 7, in line 31, after "NURSE," insert "IF APPLICABLE,".

On page 8, in line 12, strike "SHALL AGREE" and substitute "IS ENCOURAGED".

On page 9, in line 2, strike "SHALL" and substitute "<u>IS ENCOURAGED TO</u>"; and in line 8, after "NURSE" insert "<u>, IF APPLICABLE</u>".

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 145 – Senators Mathias and Eckardt

AN ACT concerning

Wicomico County Board of Education - Election and Appointment of Members

SB0145/384438/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 145

(First Reading File Bill)

On page 6, strike beginning with "BY" in line 11 down through "COUNCIL," in line 12.

On page 11, in line 16, strike "**30**" and substitute "<u>**60**</u>"; in line 17, strike "**30–DAY**" and substitute "<u>**60–DAY**</u>"; and after line 18, insert:

"(III) WHEN APPOINTING MEMBERS TO THE COUNTY BOARD, THE WICOMICO COUNTY COUNCIL SHALL ENDEAVOR TO ENSURE, TO THE EXTENT PRACTICIBLE, THAT THE COUNTY BOARD REFLECTS THE GENDER, ETHNIC, AND RACIAL MAKEUP OF THE COUNTY."

On page 13, strike beginning with "BY" in line 11 down through "COUNCIL," in line 12.

On page 16, in lines 1 and 8, in each instance, after "For" insert "the current system.".

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 217 - Senator Conway

AN ACT concerning

State Board of Physicians – Distribution of Fees by Comptroller – Loan Assistance Repayment for Physicians and Physician Assistants

SB0217/864939/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 217

(First Reading File Bill)

On page 2, in lines 9, 15, and 32, in each instance, strike "\$350,000" and substitute "\$400,000".

On page 4, in lines 2, 7, and 20, in each instance, strike "\$350,000" and substitute "\$400,000".

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 244 - Senator Mathias

AN ACT concerning

Somerset County Code of Public Local Laws - 2016 Edition - Legalization

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 314 – Senators Klausmeier, Currie, DeGrange, Eckardt, Guzzone, Kagan, Rosapepe, Salling, and Simonaire

AN ACT concerning

State Government - Financial Education and Capability Commission - Composition

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 317 – Senators Kelley, Bates, Conway, Currie, DeGrange, Feldman, Ferguson, Jennings, Kagan, Kasemeyer, King, McFadden, Nathan-Pulliam, Peters, Pinsky, Pugh, Raskin, Rosapepe, Salling, Waugh, Young, and Zirkin

AN ACT concerning

Coordinating Council for Juvenile Services Educational Programs – Membership

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #2

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

Senate Bill 185 – Senators Kelley, Kasemeyer, Madaleno, McFadden, Rosapepe, and Waugh

AN ACT concerning

Income Tax - Filing of Withholding Statements and Payment of Refund Claims

SB0185/999334/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 185

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "and Payment of Refund Claims"; strike beginning with "prohibiting" in line 5 down through "circumstances;" in line 6; strike beginning with "and" in line 7 down through "claims" in line 8; and in line 11, strike "and 13–905".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 3 through 32, 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 256 – Senators Currie, Benson, Peters, Ramirez, and Rosapepe

AN ACT concerning

Prince George's County – Property Tax Deferrals – Elderly and Disabled Homeowners

SB0256/569932/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 256

(First Reading File Bill)

On page 1, strike beginning with "a" in line 4 down through "paid" in line 5 and substitute "the interest payable"; and in line 5, after "deferrals" insert "may not exceed a certain rate of interest".

On page 3, in line 8, strike "SHALL BE" and substitute "MAY NOT EXCEED".

On page 4, in line 29, after the second "**OF**" insert "<u>**UP TO**</u>".

The preceding amendment was read and adopted.

FLOOR AMENDMENT

SB0256/453724/1

BY: Senator Muse

AMENDMENT TO SENATE BILL 256

(First Reading File Bill)

On page 1, in the sponsor line, strike "and Rosapepe" and substitute "Rosapepe, and Muse".

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 288 – Senator Kasemeyer

AN ACT concerning

Income Tax - Corporation Returns - Filing Date

SB0288/349037/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 288

(First Reading File Bill)

In line 22, strike the second "2016" and substitute "2015".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 296 - Carroll County Senators

AN ACT concerning

Carroll County - Public Facilities Bonds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 307 - Calvert County Senators

AN ACT concerning

Calvert County – Bonding Authority

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 343 – Senator Peters (Chair, Joint Committee on Pensions)

AN ACT concerning

Employees' and Teachers' Pension Systems – Reformed Contributory Pension Benefit – Eligibility Service 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:

Senate Bill 344 – Senator Peters (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System - Local Fire and Police System - Commingling of Assets

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 345 – Senator Peters (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Optional Retirement Allowances – Designated Beneficiaries

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 373 – Senator Peters (Chair, Joint Committee on Pensions)

AN ACT concerning

Teachers' Retirement and Pension Systems – Reemployment of Retirees – Clarification

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #4

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

Senate Bill 302 – Senators Raskin, Benson, Currie, DeGrange, Feldman, Kagan, Kelley, King, Klausmeier, Lee, Manno, Peters, Pinsky, Pugh, and Ramirez

AN ACT concerning

Aggressive Drunk Driving - Punitive Damages

SB0302/918076/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 302

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "with" in line 3 down through "breath" in line 4; in line 5, after "vehicle" insert ", 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,"; strike beginning with "authorizing" in line 12 down through "circumstances" in line 15 and substitute "limiting liability for punitive damages under this Act to the person operating or attempting to operate the motor vehicle"; in line 17, strike "who"; in line 18, strike "driving" and substitute "operating"; in the same line, strike "drive" and substitute "operate"; and strike beginning with "with" in line 18 down through "breath" in line 19.

AMENDMENT NO. 2

On page 2, in line 12, after "(1)" insert "(I)"; in line 14, strike "0.08" and substitute "0.15"; on page 2, in line 16, after the semicolon insert "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 in line 17, strike "5" and substitute "10".

AMENDMENT NO. 3

On page 3, after line 4, insert:

"(E) LIABILITY FOR PUNITIVE DAMAGES UNDER THIS SECTION SHALL BE LIMITED SOLELY TO THE PERSON OPERATING OR ATTEMPTING TO OPERATE THE MOTOR VEHICLE.".

AMENDMENT NO. 4

On page 3, strike in their entirety lines 5 through 12.

The preceding 4 amendments were read only.

Senator Reilly moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 107 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Military)

AN ACT concerning

Military Department - Summary Courts-Martial - Penalties

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

Senator Conway moved, duly seconded, to place **Senate Bill 107** 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

SB0107/543521/1

BY: Senator Cassilly

AMENDMENTS TO SENATE BILL 107

(Bill as Printed for Third Reading)

AMENDMENT NO. 1

On page 1, strike beginning with "authorizing" in line 4 down through "conditions;" in line 6.

AMENDMENT NO. 2

On page 2, in line 12, strike the brackets; and strike beginning with "; OR" in line 14 down through "CONDITIONS" in line 16.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 226)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #14

Senate Bill 97 – Chair, Finance Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Public Health - Opioid-Associated Disease Prevention and Outreach Programs

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

Affirmative – 41 Negative – 6 (See Roll Call No. 227)

The Bill was then sent to the House of Delegates.

Senate Bill 240 – Senator Kelley

AN ACT concerning

Maryland Insurance Commissioner - Responsibility for Holding Hearings

- Delegation

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

Affirmative – 47 Negative – 0 (See Roll Call No. 228)

The Bill was then sent to the House of Delegates.

QUORUM CALL

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

(See Roll Call No. 229)

ADJOURNMENT

At 11:13 A.M. on motion of Senator Pugh, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, February 17, 2016.

Annapolis, Maryland Wednesday, February 17, 2016 10:00 A.M. Session

The Senate met at 10:05 A.M.

Prayer by Lay-Servant Richard Wilson, John Wesley United Methodist Church, guest of Senator Serafini.

(See Exhibit A of Appendix III)

QUORUM CALL

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 231)

On motion of Senator Pugh it was ordered that Senators Cassilly, Conway, Jennings and Norman be excused from today's session.

The Journal of February 16, 2016 was read and approved.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 313 - The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Towson University
in recognition of

your 17th Tiger Pride Advocacy Day. We applaud the efforts of Towson University's students and gratefully acknowledge your spirit and dedication to your school. May it continue for another 150 years.

The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 17th day of February 2016.

Read and adopted by a roll call vote as follows:

Affirmative -43 Negative -0 (See Roll Call No. 232)

INTRODUCTION OF BILLS

Senate Bill 1021 - Senator Pugh

AN ACT concerning

Election Law - Change in Administrative Policy Affecting Voting Rights - Notice and Judicial Review

FOR the purpose of 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; authorizing a registered voter to seek judicial relief from an administrative change affecting voting rights adopted by the State Board that results or has the intent to result in the denial or abridgement of the right to vote on account of race, color, or disability; authorizing the Attorney General to seek judicial relief from an administrative change affecting voting rights adopted by a local board that results or has the intent to result in the denial or abridgement of the right to vote on account of race, color, or disability; providing for the procedures to be followed by the courts in reviewing requests for judicial relief under this Act; providing for the application of this Act; defining a certain term; and generally relating to notice and judicial review of changes in administrative policies affecting voting rights.

BY adding to

Article – Election Law

Section 1–101(b–1) and 1–305; and 12–301 and 12–302 to be under the new subtitle "Subtitle 3. Judicial Review of Change in Administrative Policy Affecting Voting Rights"

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article - Election Law

Section 16–201

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)

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

Senate Bill 1022 – Senators Manno, Feldman, Kagan, King, Lee, Madaleno, Raskin, and Zucker

Creation of a State Debt – Montgomery County – Jewish Foundation for Group Homes

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

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

Senate Bill 1023 – Senator Ramirez

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, for the purpose of this Act, a victim shall be considered to be helpful, 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 2015 Supplement)

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

Senate Bill 1024 - Senator Serafini

AN ACT concerning

Income Tax - Interest Rate - Wynne Case

FOR the purpose of repealing a requirement that the Comptroller set the annual interest rate on certain income tax refunds at a certain amount; requiring the Comptroller to pay taxpayers that received certain income tax refunds certain additional interest amounts; and generally relating to interest on certain income tax refunds.

BY repealing

Chapter 464 of the Acts of the General Assembly of 2014 Section 16

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

Senate Bill 1025 - Senator Edwards

AN ACT concerning

Allegany County - Video Lottery Terminals - Ownership Costs

FOR the purpose of altering the distribution of proceeds from video lottery terminals at a certain video lottery facility in Allegany County if the video lottery operation licensee owns or leases certain devices and equipment; and generally relating to the distribution of the proceeds from video lottery terminals at a video lottery facility in Allegany County.

BY repealing and reenacting, with amendments,

Article – State Government Section 9–1A–27(a)(7) and (c) Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement)

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

Senate Bill 1026 – The President (By Request – Workgroup on Public Safety and Policing) and Senators Pugh, Guzzone, McFadden, Miller, Ramirez, Raskin, and Zirkin

AN ACT concerning

Public Safety and Policing Workgroup - Recommendations

FOR the purpose of requiring a certain complaint against a law enforcement officer to be signed under the penalty of perjury instead of before an official authorized to administer oaths; authorizing an individual who has a certain video recording to file a certain complaint against a law enforcement officer; altering the time period within

which a certain complaint against a law enforcement officer may be filed; altering the number of days that a certain interrogation shall be suspended under certain circumstances; authorizing the appointment to a certain hearing board of a member of the public who has received certain training; requiring that, in the case of a complaint alleging brutality, a certain hearing board consist of certain members, chosen from a certain pool of law enforcement officers in a certain manner; requiring that a certain hearing be open to the public; removing the Police Training Commission from the Department of Public Safety and Correctional Services to become an independent unit in the Executive Department; renaming the Police Training Commission the Maryland Police Training and Standards Commission; repealing certain authority of the Secretary of Public Safety and Correctional Services; altering the composition of the Commission; requiring the election of a chair of the Commission; altering the powers and duties of the Commission; requiring the Commission to develop a certain reporting system by which certain law enforcement agencies shall report certain serious incidents and officer disciplinary actions; requiring the Commission, in consultation with the Department of Health and Mental Hygiene, to develop a certain hotline for certain purposes; requiring the Commission to establish a certain police complaint mediation program; requiring the Commission to develop best practices for the establishment and implementation of certain community policing programs and to develop a system by which each law enforcement agency annually files a certain description of the law enforcement agency's community policing program; requiring the Commission to review certain community policing programs and provide certain feedback regarding the programs; requiring the Commission to develop a certain uniform citizen complaint process; requiring the Commission to develop and administer a training program on the Law Enforcement Officers' Bill of Rights for certain citizens; adding the submission to a certain psychological evaluation to the requirements for certification as a police officer: prohibiting a law enforcement agency from requiring a certain individual to undergo certain additional training under certain circumstances; requiring each law enforcement agency to require a certain law enforcement officer to file a certain incident report at a certain time, with a certain exception; requiring each law enforcement agency to post certain policies and collective bargaining agreements on certain Web sites; requiring each law enforcement agency to establish a certain policy for counseling certain officers; requiring each law enforcement agency to adopt a certain community policing program and to post and file certain information about the program in a certain manner; requiring each law enforcement agency to annually report certain information to the Commission regarding certain officer-involved incidents and officer discipline; requiring each law enforcement agency to adopt a certain uniform complaint process and post a certain complaint process on its Web site under certain circumstances; establishing the Community Law Enforcement Program Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Executive Director of the Governor's Office of Crime Control and Prevention 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; requiring the Governor each fiscal year to include in the annual budget bill an appropriation of a certain amount to 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 Executive Director to establish a certain application procedure; requiring a local law enforcement agency that makes a certain application to provide the Executive Director with certain information; requiring the Executive Director to make certain grants to certain local law enforcement agencies in a certain manner; requiring local law enforcement agencies to submit certain proof to the Executive Director; providing that money distributed from the Fund is to supplement and not supplant any other funding; requiring the Governor's Office of Crime Control and Prevention and the Commission to provide certain technical assistance to certain law enforcement agencies; requiring the Executive Director to report to the General Assembly on or before a certain date on the distribution of money from 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; prohibiting a supervisor, an appointing authority, and the head of a certain law enforcement agency from threatening or taking certain retaliatory actions against a certain law enforcement officer who discloses certain information or seeks a certain remedy; providing that certain protections apply to certain disclosures only under certain circumstances; requiring a law enforcement agency to provide certain law enforcement officers a copy of a certain subtitle under certain circumstances; authorizing a certain law enforcement officer to file a civil action against a certain law enforcement agency for certain relief; authorizing the law enforcement officer to seek certain statutory damages instead of certain relief; providing that, under certain circumstances, the law enforcement agency has the burden of proving by clear and convincing evidence that certain personnel actions would have occurred despite a certain disclosure; requiring the trier of fact to consider certain factors in awarding certain statutory damages; authorizing the court to award certain relief and damages to the law enforcement officer under certain circumstances; requiring the court to issue a certain injunction under certain circumstances; authorizing a court to award certain attorney's fees and litigation expenses to a law enforcement agency under certain circumstances; providing that this Act may not be construed to diminish certain rights, privileges, or remedies; requiring the Attorney General to take certain actions for certain purposes; providing that this Act does not preclude certain actions or prohibit certain personnel actions; allowing a subtraction modification under the State income tax for certain income earned by certain law enforcement officers in certain political subdivisions under certain circumstances; requiring the Commission on certain dates to certify to the Comptroller the political subdivisions in which the crime rate exceeds the State's crime rate; providing for the continuity of the terms of office of certain appointed or elected persons; providing for the continuity of certain transactions, rights, duties, titles, and interests; providing for the continuity of the status of certain rules, regulations, and other associated duties and responsibilities affected by this Act; providing for the continuity of certain persons and schools certified by the Commission; providing for the application of this Act; defining certain terms; making conforming changes; and generally relating to public safety and policing.

BY repealing and reenacting, with amendments, Article – Correctional Services Section 2–201 Annotated Code of Maryland (2008 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article - Public Safety

Section 3–104(c) and (j), 3–107, 3–201, 3–202, 3–204, and 3–206 through 3–209

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

BY repealing

Article – Public Safety

Section 3-203

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

BY adding to

Article – Public Safety

Section 3–203 and 3–514 through 3–519; 3–801 through 3–806 to be under the new subtitle "Subtitle 8. Whistleblower Protections"; and 4–601 through 4–604 to be under the new subtitle "Subtitle 6. Community Law Enforcement Program Fund"

Annotated Code of Maryland

(2011 Replacement Volume and 2015 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)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)84. and 85.

Annotated Code of Maryland

(2015 Replacement Volume)

BY adding to

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)86.

Annotated Code of Maryland

(2015 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 10–207(a)

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)

BY adding to

Article – Tax – General Section 10–207(cc) Annotated Code of Maryland (2010 Replacement Volume and 2015 Supplement)

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

Senate Bill 1027 – Senator Zirkin

AN ACT concerning

Creation of a State Debt – Baltimore County – Jewish Community Center of Baltimore – Gordon Center

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

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

Senate Bill 1028 – Senator Pugh

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; 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 2015 Supplement)

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

Senate Bill 1029 - Senator Hough

EMERGENCY BILL

AN ACT concerning

Procurement – Prevailing Wage Rate – Applicability to Public School Construction Projects in Frederick County

FOR the purpose of providing that certain provisions of law governing the prevailing wage rate that became effective on a certain date do not apply to procurement contracts executed on or after the effective date of this Act for certain public school construction projects in Frederick County; authorizing Frederick County and certain contractors voluntarily to renegotiate and agree to be bound by the prevailing wage rate in effect on a certain prior date with regard to procurement contracts executed on or after a certain date for a certain public school construction project in Frederick County; making this Act an emergency measure; and generally relating to the applicability of certain provisions of law concerning the prevailing wage rate to certain public school construction projects in Frederick County.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 17–201
Annotated Code of Maryland
(2015 Replacement Volume)

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

Senate Bill 1030 - Senators Hough and Young

AN ACT concerning

Creation of a State Debt - Frederick County - Helen Smith Studio

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

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

Senate Bill 1031 - Senators McFadden and Peters

AN ACT concerning

Correctional Officers' Retirement System - DROP

FOR the purpose of establishing a Deferred Retirement Option Program (DROP) for certain members in the Correctional Officers' Retirement System; requiring the State Retirement Agency to request certain documentation from the Internal Revenue Service; making this Act subject to a certain contingency; and generally relating to establishing a DROP for members of the Correctional Officers' Retirement System.

BY renumbering

Article – State Personnel and Pensions Section 25–401.1 to be Section 25–401.2 Annotated Code of Maryland (2015 Replacement Volume)

BY adding to

Article – State Personnel and Pensions Section 25–401.1 Annotated Code of Maryland (2015 Replacement Volume)

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

Senate Bill 1032 – Senator Conway

AN ACT concerning

Health Occupations - Prohibited Patient Referrals - Exceptions

FOR the purpose of providing that certain prohibitions on referrals do not apply to a health care practitioner who has a certain beneficial interest or compensation arrangement that meets certain exceptions in federal law or regulation; providing that certain prohibitions on referrals do not apply to a health care practitioner who has a certain beneficial interest or compensation arrangement for which the federal Department of Health and Human Services has issued a certain waiver; limiting certain health care services permissible under a certain federal exception to certain in—office ancillary services; altering certain definitions; making a stylistic change; and generally relating to exceptions for prohibited patient referrals.

BY repealing and reenacting, with amendments, Article – Health Occupations Section 1–301 and 1–302 Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement)

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

Senate Bill 1033 - Senator Mathias

EMERGENCY BILL

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2015 – Worcester County – Delmarva Discovery Center and Museum

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2015 to add a grantee to certain grants; making this Act an emergency measure; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2015.

BY repealing and reenacting, with amendments, Chapter 495 of the Acts of the General Assembly of 2015 Section 1(3) Item ZA02(BC) and Item ZA03(BQ)

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

Senate Bill 1034 - Senator Mathias

AN ACT concerning

Creation of a State Debt - Worcester County - Delmarva Discovery Center and Museum

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Mayor and City Council of the City of Pocomoke and the Board of Directors of the Delmarva Discovery Center & Museum, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1035 – Senators Madaleno, Conway, Currie, Feldman, Ferguson, Gladden, Kagan, King, Lee, Manno, McFadden, Muse, Nathan-Pulliam, Peters, Pinsky, Pugh, Ramirez, Raskin, Rosapepe, and Zucker

AN ACT concerning

Transportation - Transit Service - State Grants and Farebox Recovery Rate

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; altering requirements for certain annual reports submitted by the Administration to certain committees of the General Assembly; repealing the requirement that the Administration increase a certain base fare on a biennial basis; repealing the requirement that the Administration increase certain fares for transit service under certain circumstances; altering a provision of law concerning the amount of a certain grant that the Department of Transportation is required to provide to the Washington Suburban Transit District for a share of the operating deficits of the regional transit system for which the District is responsible: altering certain definitions; altering provisions of law concerning certain annual grants by the State to Prince George's County and Montgomery County for eligible local bus service; repealing certain provisions of law that imposed certain limitations on the amount of the grants that the Department of Transportation is required to provide for certain eligible local bus service in Prince George's County and Montgomery County; and generally relating to State grants for certain local bus service and requirements for recovery of certain operating costs of certain public transit services from certain revenues.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 7–208, 10–205, and 10–207
Annotated Code of Maryland
(2015 Replacement Volume and 2015 Supplement)

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

Senate Bill 1036 - Senator Muse

AN ACT concerning

Criminal Law - Smoking Marijuana in Public - Penalty

FOR the purpose of repealing a civil fine for smoking marijuana in public; providing that smoking marijuana in a public place is a criminal misdemeanor; establishing a certain penalty; defining a certain term; and generally relating to marijuana.

BY repealing and reenacting, without amendments,

Article – Criminal Law
Section 5–601(a) and (b)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

(As enacted by Chapter 4 of the Acts of the General Assembly of 2016)

BY repealing

Article – Criminal Law Section 5–601(c)(4)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

(As enacted by Chapter 4 of the Acts of the General Assembly of 2016)

BY adding to

Article - Criminal Law

Section 5-601.2

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 10–201(a)(3)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

Senate Bill 1037 - Senator Muse

AN ACT concerning

Criminal Law - Synthetic Cannabinoids - Prohibition

FOR the purpose of authorizing a certain authorized provider to conduct research in the State with certain controlled dangerous substances not scheduled under federal law under certain circumstances; listing synthetic cannabinoids on Schedule I to designate controlled dangerous substances that may not be legally used, possessed, or distributed; defining a certain term; requiring the Department of State Police to report to the General Assembly on or before a certain date; providing for the termination of certain provisions of this Act; and generally relating to controlled dangerous substances.

BY repealing and reenacting, without amendments,

Article - Criminal Law

Section 5-101(a) and (e)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 5–101(ff), 5–304, and 5–402(d)

Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

BY adding to

Article – Criminal Law Section 5–101(ff) Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

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

Senate Bill 1038 - Senator Young

AN ACT concerning

Economic Development - Maryland Stadium Authority - Downtown Frederick Conference Center

FOR the purpose of authorizing the Maryland Stadium Authority to review certain matters and make certain recommendations relating to the Downtown Frederick Conference Center; authorizing the Authority to acquire by certain means a Downtown Frederick Conference site or an interest in the site; requiring the Authority to transfer certain lease payments to the Downtown Frederick Conference Facility Financing Fund under certain circumstances; requiring the Authority to submit a certain annual report, prepared in cooperation with the Office of the Comptroller and the Department of Budget and Management, to the Governor and the General Assembly; prohibiting the Board of Public Works from approving an issuance by the Authority of certain bonds under certain circumstances; requiring the Authority, with certain exceptions, to comply with certain requirements to finance certain site acquisition and construction activities; requiring the Authority to provide a financing plan containing certain information to the fiscal committees of the General Assembly by a certain time; requiring the Authority to obtain the approval of the Board of Public Works for certain matters; requiring the Authority to carry out certain tasks and secure certain agreements with certain parties containing certain terms to carry out the Authority's duties under this Act; establishing the Downtown Frederick Conference Facility Financing Fund as a continuing, nonlapsing fund; specifying the purpose of the Fund; requiring the Authority 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; defining certain terms; and generally relating to the financing and construction of the Downtown Frederick Conference Center.

BY renumbering

Article – Economic Development Section 10–601(r) through (ff), respectively to be Section 10–601(u) through (ii), respectively Annotated Code of Maryland (2008 Volume and 2015 Supplement)

BY adding to

Article – Economic Development Section 10–601(q), (r), and (s), 10–646.1, and 10–658 Annotated Code of Maryland (2008 Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Economic Development Section 10–601(q), 10–613(b), 10–618, 10–620(d), 10–625, 10–628(c), and 10–658 Annotated Code of Maryland (2008 Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Economic Development Section 10–620(a)(1) and 10–628(a) Annotated Code of Maryland (2008 Volume and 2015 Supplement)

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

Senate Bill 1039 - Senator Muse

AN ACT concerning

Drugged Driving or Operation of Vessel - Polysubstance Abuse

FOR the purpose of altering the elements of a certain drug—related driving offense and a certain drug—related operation of a vessel offense; eliminating a certain defense to certain offenses; altering certain criminal penalties for certain drug—related driving offenses and drug—related operation of a vessel offenses; requiring the Motor Vehicle Administration to suspend for certain periods the license of a person convicted of certain drug—related driving offenses; altering certain administrative penalties for certain drugged driving offenses; requiring a person who is convicted of certain drug—related driving offenses to undergo a mental health assessment and participate in certain programs under certain circumstances; making conforming changes to certain terminology; and generally relating to drugged driving and operation of a vessel.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings Section 10–302, 10–303(b), 10–305(b), 10–306(a)(1)(ii), and 10–308 Annotated Code of Maryland (2013 Replacement Volume and 2015 Supplement) BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 2–505(a) and (b), 2–507(a)(4), 3–211(e)(1) and (2), and 3–212(a)(4)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY repealing

Article - Criminal Law

Section 2–505(d)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 8–738

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY adding to

Article – Transportation

Section 11–109.1 and 27–101(j)(3) and (7)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 16–205(a), (b)(1), and (c), 16–205.1(a)(2), (b)(2) and (3)(viii)1., (c)(1), (d)(1), (f)(1)(i), (7)(i)1. and 2., and (8)(i)1. and 2., (ii)2. and 3., and (iii)3., (g)(2)(iii)2.B. and (3)(i)2., and (i), 16–402(a)(28) and (37), 18–105, 21–902(c) and (d)(1), 26–202(a)(3)(ii), 26–404(f)(2)(ii), 26–405, and 27–101(c)(24) through (26), (f)(1)(ii) and (2), (j)(3), (4), (5), and (6), (k), and (9)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY repealing

Article – Transportation

Section 27-101(c)(23) and (f)(4)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

Senate Bill 1040 – Senators Rosapepe, Feldman, Ferguson, Madaleno, Manno, McFadden, Pugh, and Raskin

Public Safety - Firearms - Terrorist Watchlist

FOR the purpose of prohibiting the Secretary of State Police from issuing a permit to carry, wear, or transport a handgun to a person who is on the Terrorist Watchlist; and generally relating to firearms.

BY repealing and reenacting, without amendments,

Article – Public Safety Section 5–301(a) and (d) Annotated Code of Maryland (2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety Section 5–306(a) Annotated Code of Maryland (2011 Replacement Volume and 2015 Supplement)

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

Senate Bill 1041 – Senators Rosapepe, Bates, Conway, Currie, Feldman, Ferguson, Guzzone, Kagan, Kelley, King, Lee, Madaleno, McFadden, Peters, Ramirez, Salling, Simonaire, and Zucker

AN ACT concerning

Education – Digital Equity for All Act

FOR the purpose of requiring the State Department of Education to develop and adopt certain infrastructure standards on or before a certain date; requiring certain local school systems to meet certain infrastructure standards and implement and consider certain policies related to certain digital devices for certain purposes on or before a certain date; establishing the Digital Equity for All Grant Program and providing for the purpose and duration of the Program; requiring the Department to administer the Program; authorizing the Department to establish certain policies, procedures, and regulations to implement the Program; requiring that certain funds for the Program be provided in the State budget in certain years; requiring the Department to submit certain reports on or before certain dates; defining certain terms; and generally relating to the Digital Equity for All Act.

BY adding to

Article – Education Section 7–121 Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement) Read the first time and referred to the Committee on Rules.

MESSAGE FROM THE HOUSE OF DELEGATES FIRST READING OF HOUSE BILLS

House Bill 70 – Delegate Luedtke

AN ACT concerning

Business Regulation - Billiard Table License - Repeal

FOR the purpose of repealing certain provisions of law relating to a license to keep a billiard table for commercial use in the State; and generally relating to a billiard table license.

BY repealing

Article – Business Regulation Section 17–501 through 17–505 and the subtitle "Subtitle 5. Billiard Tables" Annotated Code of Maryland (2015 Replacement Volume and 2015 Supplement)

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

House Bill 140 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

Security Systems Technicians and Agencies – Fees and Sunset Extension and Program Evaluation

FOR the purpose of altering the amount of the application fee for a license to engage in the business of providing security systems services; requiring a certain applicant to pay certain fees relating to a criminal history records check; altering the amount of a certain processing fee for a certain applicant for a certain license; altering the amount of a certain license renewal fee and a certain processing fee for a certain applicant for renewal; altering the amount of a certain registration application fee; altering the amount of a certain processing fee for a certain applicant for a certain registration; altering the amount of a certain registration renewal fee and a certain registration renewal processing fee; continuing the authority of the Secretary of State Police to license and regulate security systems agencies in the State and register security systems technicians and certain other individuals in accordance with the Maryland Program Evaluation Act (Sunset Law) by extending to a certain date the termination provisions relating to the statutory and regulation authority of the Secretary; requiring that a preliminary evaluation of the program to license and regulate security systems technicians and agencies and the statutes and regulations

that relate to the program be conducted in a certain year; and generally relating to security systems technicians and agencies.

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions

Section 18-303, 18-307, 18-3A-03, 18-3A-07, and 18-701

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 8–403(a)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 8-403(b)(52)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

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

House Bill 249 – Delegates Smith, Bromwell, Cluster, Folden, Hixson, Holmes, Jackson, Kipke, Knotts, Luedtke, Metzgar, Rey, Sanchez, Vogt, Waldstreicher, C. Wilson, and P. Young

AN ACT concerning

Members of the National Guard and Maryland Defense Force – Employment and Reemployment Rights – Enforcement

FOR the purpose of authorizing members of the National Guard and Maryland Defense Force whose employment and reemployment rights under a certain provision of law have been violated to bring a civil action for certain economic damages; authorizing a court to award certain damages, fees, costs, and other relief to members of the National Guard and Maryland Defense Force under certain circumstances; and generally relating to the enforcement of the employment and reemployment rights of members of the National Guard and Maryland Defense Force.

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 13–704

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

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

House Bill 290 – Delegates McCray, Barve, Brooks, Carter, Chang, Clippinger, Conaway, Frick, Glenn, Hayes, Haynes, Hill, Jalisi, Lierman, Lisanti, Luedtke, McIntosh, Moon, Morales, Oaks, Patterson, Platt, B. Robinson, Rosenberg, Sample-Hughes, Sydnor, Tarlau, Valderrama, Waldstreicher, M. Washington, West, and K. Young

AN ACT concerning

Labor and Employment – Apprenticeship Career Training in Our Neighborhoods (ACTION) Program – Establishment

FOR the purpose of altering and renaming the Construction Apprenticeship Assistance Program to establish the Apprenticeship Career Training in Our Neighborhoods (ACTION) Program; altering the purpose and method for administering the Program; requiring the Department of Labor, Licensing, and Regulation to administer the Program; establishing certain standards under which certain employers may be eligible to receive certain grants; requiring the Department, rather than the Secretary, to adopt certain regulations; altering a specification regarding the method for awarding certain grants to certain eligible employers and determining the amount of the grant for each eligible employer; repealing specifications regarding a certain maximum grant amount and the process for distributing certain grants; declaring the intent of the General Assembly that the Program receive certain funding on an annual basis; defining a certain term; and generally relating to the Apprenticeship Career Training in Our Neighborhoods (ACTION) Program.

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 11–601

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)

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

House Bill 306 – Delegates Smith, Barron, Cluster, Folden, Hixson, Holmes, Jackson, Kipke, Luedtke, Metzgar, Vogt, Waldstreicher, B. Wilson, and P. Young P. Young, Adams, Arentz, Aumann, Barkley, Branch, Brooks, Carey, Clippinger, Davis, Frick, Glenn, Impallaria, Kramer, Lisanti, Mautz, Valderrama, Vaughn, and C. Wilson

AN ACT concerning

Labor and Employment – Hiring and Promotion Preferences – Veterans and Their Spouses

FOR the purpose of authorizing employers to grant a preference in hiring and promotion to certain veterans, spouses of certain veterans, and surviving spouses of certain veterans; providing that granting a preference under this Act does not violate State or local equal employment opportunity laws; defining a certain term; and generally relating to hiring and promotion preferences for veterans and spouses.

BY adding to

Article – Labor and Employment Section 3–714 Annotated Code of Maryland (2008 Replacement Volume and 2015 Supplement)

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

House Bill 354 – Delegate Kramer

AN ACT concerning

Corporations and Real Estate Investment Trusts – Directors and Trustees – Duties and Immunity From Liability

FOR the purpose of clarifying the duties of a director of a corporation and the manner in which a director must act; clarifying that a director who acts in accordance with a certain provision of law shall have certain immunity from liability; clarifying that a director of a corporation is not required to act solely because of the effect the act may have on, or the amount or type of consideration offered or paid to stockholders in, certain transactions involving the corporation; clarifying that an act of a director of a corporation relating to or affecting certain transactions involving the corporation may not be subject to a certain duty or scrutiny; repealing a limitation on the enforcement of a duty of a director; clarifying that certain provisions of law are the sole source of duties of a director of a corporation to the corporation or its stockholders, and apply to any act of a director; clarifying the circumstances under which a director of a corporation is immune from certain liability; making certain provisions of law relating to certain duties and immunity from liability of a director of a corporation applicable to a trustee of a real estate investment trust; defining a certain term; providing for the application of certain provisions of this Act; making certain conforming and stylistic changes; and generally relating to directors of a corporation.

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 2–401(a), 2–405.1, and 8–601.1
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings Section 5–417 Annotated Code of Maryland (2013 Replacement Volume and 2015 Supplement)

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

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 323 – Senators Pinsky, Raskin, Benson, Brochin, Conway, Currie, Feldman, Ferguson, Guzzone, Kagan, Kelley, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Nathan-Pulliam, Peters, Pugh, Ramirez, Rosapepe, Young, and Zirkin

AN ACT concerning

Greenhouse Gas Emissions Reduction Act - Reauthorization

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (1) AND THE FAVORABLE REPORT.

SB0323/824630/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 323

(First Reading File Bill)

On page 6, in line 18, strike "report" and substitute "**REPORTS**"; and in line 19, strike "2–1209" and substitute "**2–1211**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0323/823122/1

BY: Senator Hough

AMENDMENTS TO SENATE BILL 323

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "to" insert "develop a plan to".

AMENDMENT NO. 2

On page 3, in line 5, after "SHALL" insert "DEVELOP A PLAN TO".

The preceding 2 amendments were read only.

Senator Waugh moved, duly seconded, to make the Bill and Amendments a Special Order for February 18, 2016.

The motion was adopted.

Senate Bill 302 – Senators Raskin, Benson, Currie, DeGrange, Feldman, Kagan, Kelley, King, Klausmeier, Lee, Manno, Peters, Pinsky, Pugh, and Ramirez

AN ACT concerning

Aggressive Drunk Driving - Punitive Damages

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (4) AND THE FAVORABLE REPORT.

SB0302/918076/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 302

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "with" in line 3 down through "breath" in line 4; in line 5, after "vehicle" insert ", 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,"; strike beginning with "authorizing" in line 12 down through "circumstances" in line 15 and substitute "limiting liability for punitive damages under this Act to the person operating or attempting to operate the motor vehicle"; in line 17, strike "who"; in line 18, strike "driving" and substitute "operating"; in the same line, strike "drive" and substitute "operate"; and strike beginning with "with" in line 18 down through "breath" in line 19.

AMENDMENT NO. 2

On page 2, in line 12, after "(1)" insert "(II)"; in line 14, strike "0.08" and substitute "0.15"; on page 2, in line 16, after the semicolon insert "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 in line 17, strike "5" and substitute "10".

AMENDMENT NO. 3

On page 3, after line 4, insert:

"(E) LIABILITY FOR PUNITIVE DAMAGES UNDER THIS SECTION SHALL BE LIMITED SOLELY TO THE PERSON OPERATING OR ATTEMPTING TO OPERATE THE MOTOR VEHICLE.".

AMENDMENT NO. 4

On page 3, strike in their entirety lines 5 through 12.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0302/163822/1

BY: Senator Reilly

AMENDMENT TO SENATE BILL 302, AS AMENDED

On page 2 of the Judicial Proceedings Committee Amendments (SB0302/918076/1), in line 1 of Amendment No. 2, strike "10" and substitute "7".

The preceding amendment was withdrawn.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 233)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #15

Senate Bill 90 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Unemployment Insurance - Recovery of Benefits and Penalties for Fraud

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

Affirmative – 43 Negative – 0 (See Roll Call No. 234)

The Bill was then sent to the House of Delegates.

Senate Bill 277 - Senators Middleton and Mathias

AN ACT concerning

Motor Fuel Suppliers and Retail Service Station Dealers - Promotion - Sales

Read the third time and passed by year and navs as follows:

Affirmative – 43 Negative – 0 (See Roll Call No. 235)

The Bill was then sent to the House of Delegates.

Senate Bill 435 - Senators Norman, Cassilly, and Jennings

AN ACT concerning

Business Regulation - State and Harford County Juke Box Licenses - Repeal

Senator Hershey moved, duly seconded, to make the Bill a Special Order for February 18, 2016.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 236)

ADJOURNMENT

At 11:20 A.M. on motion of Senator Pugh, seconded, the Senate adjourned until 10:00 A.M. on Thursday, February 18, 2016.

Annapolis, Maryland Thursday, February 18, 2016 10:00 A.M. Session

The Senate met at 10:13 A.M.

Prayer by Pastor Robert White, Christ Episcopal Church, guest of Senator Eckardt.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 238)

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 327 - Senator Delores G. Kelley:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Alpha Kappa Alpha Sorority, Incorporated
in recognition of

108 years of global support of human rights, educational opportunity, environmental justice and health care parity for underserved populations.

The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 18th day of February 2016.

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 239)

INTRODUCTION OF BILLS

Senate Bill 1042 - Senator Mathias

AN ACT concerning

Creation of a State Debt - Wicomico County - Ward Museum of Wildfowl Art

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Directors of The Ward Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1043 – Senator Jennings (By Request)

AN ACT concerning

Homeowners' Property Tax Credit - Eligibility - Cost-of-Living Adjustment

FOR the purpose of altering, for purposes of determining eligibility for a certain homeowners' property tax credit, certain limitations on a homeowner's combined net worth and gross income amounts for certain taxable years based on a certain cost-of-living adjustment percentage; requiring the State Department of Assessments and Taxation to determine a certain cost-of-living adjustment percentage by a certain date each year based on the increase in a certain consumer price index for a certain period; and generally relating to a certain homeowners' property tax credit.

BY repealing and reenacting, with amendments, Article – Tax – Property Section 9–104(k)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

Senate Bill 1044 - Senator Edwards

AN ACT concerning

Creation of a State Debt - Allegany County - Frostburg Museum Relocation Project

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Directors of The Frostburg Museum Association for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1045 - Senator Edwards

AN ACT concerning

Creation of a State Debt - Allegany County - Friends Aware Facility

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Directors of the Friends Aware, Incorporated for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1046 - Senator Ramirez

AN ACT concerning

Creation of a State Debt - Prince George's County - Joe's Movement Emporium

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

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

Senate Bill 1047 - Senator Lee

AN ACT concerning

Task Force to Study Recording Deeds for Victims of Domestic Violence

FOR the purpose of establishing the Task Force to Study Recording Deeds for Victims of Domestic Violence; 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 Recording Deeds for Victims of Domestic Violence.

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

Senate Bill 1048 - Senator Muse

AN ACT concerning

Creation of a State Debt - Prince George's County - Camp Springs Elks Lodge No. 2332

FOR the purpose of authorizing the creation of a State Debt not to exceed \$20,000, the proceeds to be used as a grant to the Board of Directors of the Camp Springs Lodge No. 2332, Benevolent and Protective Order of Elks of the United States of America, Incorporated for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1049 – Senator Muse

AN ACT concerning

Creation of a State Debt - Prince George's County - Piscataway Park

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

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

Senate Bill 1050 - Senator Muse

AN ACT concerning

Creation of a State Debt - Prince George's County - Accokeek Volunteer Fire Department

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Directors of the Accokeek Volunteer Fire Department, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1051 - Senator Raskin

AN ACT concerning

Creation of a State Debt - Montgomery County - Easter Seals Inter-Generational Center

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

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

Senate Bill 1052 – Senators Ferguson, Miller, Currie, DeGrange, Edwards, Guzzone, King, Madaleno, Manno, McFadden, Peters, and Serafini

AN ACT concerning

University of Maryland Strategic Partnership Act of 2016

FOR the purpose of creating a strategic partnership between certain higher education institutions to be called the University of Maryland; requiring each campus of the University of Maryland to have a president subject to a decision by the Board of Regents at a certain time; requiring the presidents to jointly operate and manage the University of Maryland; stating certain findings of the General Assembly; requiring the presidents to develop and implement a certain plan; requiring the presidents of certain campuses to perform certain duties; establishing a University of Maryland Joint Steering Council with a certain membership; requiring the Council to perform certain duties; establishing a Center for Maryland Advanced Ventures; requiring the Center to be located in Baltimore City; requiring the Center

to perform certain duties; requiring the Center to provide certain services to certain institutions: authorizing the Center to assess a certain fee for certain services: requiring the presidents to appoint an Executive Director of the Center; requiring the Executive Director of the Center to perform certain duties; authorizing the Maryland Technology Development Corporation to advise the Executive Director on the development of the Center; requiring the Governor to appropriate at least certain amounts to support the Center in certain fiscal years; establishing a University of Maryland Center for Economic and Entrepreneurship Development (UMCEED); requiring UMCEED to be located on a certain campus; requiring UMCEED to perform certain duties; requiring the presidents to appoint an Executive Director of UMCEED; requiring the Executive Director of UMCEED to perform certain duties; requiring the Governor to appropriate at least a certain amount to support UMCEED beginning in a certain fiscal year; repealing the requirement that certain institutions be considered a single institution for certain purposes; requiring the Consolidated Transportation Program to include certain information; requiring the University System of Maryland to locate a certain office in Baltimore City by a certain date; requiring ownership of a certain property to be transferred to the University of Maryland, College Park Campus by a certain date; requiring the submission of certain legislation if a certain decision is made by the Board of Regents; requiring the presidents of certain campuses to jointly develop certain plans; requiring the Governor to include a certain amount in a certain budget to construct a certain facility at the Universities of Shady Grove; requiring the Chancellor of the University System of Maryland to make a certain evaluation and recommendation by a certain date; providing that the University of Maryland Joint Steering Committee is the successor to a certain MPowering the State Steering Committee; providing that the University of Maryland is the successor of the University of Maryland, College Park and the University of Maryland, Baltimore; providing that certain names and titles of a certain unit and officials in laws and other documents mean the names and titles of the successor unit and officials; providing for the continuity of certain matters and persons; requiring the publisher of the Annotated Code, in consultation with, and subject to the approval of, the Department of Legislative Services, to make certain corrections; defining certain terms; repealing a certain definition; renumbering certain sections; making conforming changes; and generally relating to the strategic partnership between certain higher education institutions in Maryland.

BY renumbering

Article – Transportation Section 2–103.1(c)(3) through (7), respectively to be Section 2–103.1(c)(4) through (8), respectively Annotated Code of Maryland (2015 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Education Section 4–402(d)(1)(i), 10–209(d) and (f), 11–105(b)(5)(i) and (ii), 12–101(b), 12–104(b), 12–105(a)(2), 12–106(a)(1)(iii)1., 12–109(a) and (f)(3), 12–116(b) and (c), 13–101(d)(2), 13–102(d), 13–103(b), 13–104(c), 13–202(b), 13–204, 13-205(e)(4)(i), 13-301(d) and (r), 13-401(d)(3), 13-501(j), 13-503(b), 13–505(a)(2)(ii), 13–513(f) and (g), 13–601, 13–702(c), 13–703(b) through (d), 13-802(c)(2), 13-803(c)(2)(4),13-804(b), 17-302(d)(2), and 18–113(a)(2)(ii),18–304(b)(2)(ii), 18-404(c)(2), 18-503(b)(2), 18-506(a), 18-601(e)(2)(i), 18–603.1(d), 18-604(e)(2), 18-708(i)(1), 18-901, 18–2201(b)(2)(i), 18–2205(a)(2)(i)1., and 18–2901(e)(2)(iii)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article - Education

Section 10–209(e), 12–116(a), 13–103(a), 13–201(a), 13–505(a)(1), and 13–802(a)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY adding to

Article – Education

Section 12–104(b–1); 12–301 through 12–306 to be under the new subtitle "Subtitle 3. University of Maryland"; and 13–201(d)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 6-201(r)(12)(iv)1. and (ix)4.

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Agriculture

Section 9.5-202(a)(1)(v)

Annotated Code of Maryland

(2007 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 1-403(a)(2)

Annotated Code of Maryland

(2013 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article - Criminal Law

Section 4–208(a)(5)(iii)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article - Criminal Procedure

Section 2-101(c)(7) and 11-113(c)(3)(x)

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Economic Development

Section 10-455(a)

Annotated Code of Maryland

(2008 Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Economic Development

Section 10-455(b)(3) and (c)(3)(i)

Annotated Code of Maryland

(2008 Volume and 2015 Supplement)

BY repealing

Article – General Provisions

Section 1-116

Annotated Code of Maryland

(2014 Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – General Provisions

Section 7–316

Annotated Code of Maryland

(2014 Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 13–1101(hh) and 13–1303(c)

Annotated Code of Maryland

(2015 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Land Use

Section 1–208(a)

Annotated Code of Maryland

(2012 Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 4–11A–03(d), 4–11A–03.2(b)(6), 4–11C–01(c)(2)(i), and 8–2A–03(a)(3)(vi)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Natural Resources

Section 4–11A–03.2(a) and 4–11C–01(a)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Utilities

Section 9–201(a)

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Utilities

Section 9-201(b)(8)

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–603(b)(7), 9–1405(b)(7), 9–1406(c), 9–2203(e), and 9–2204(a) and (c)(3)(ii) and (iii)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 26–201(a)(5) and (b)(3) and 26–202(b)(1)(v)

Annotated Code of Maryland

(2015 Replacement Volume)

BY repealing and reenacting, without amendments,

Article - Transportation

Section 2–103(e) and 2–103.1(b)

Annotated Code of Maryland

(2015 Replacement Volume and 2015 Supplement)

BY adding to

Article – Transportation

Section 2-103.1(c)(3)

Annotated Code of Maryland

(2015 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 16–205.1(i)(3)(i)8.

Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

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

Senate Bill 1053 - Senator Gladden

AN ACT concerning

Creation of a State Debt – Baltimore City – Progressive Education Center Playground

FOR the purpose of authorizing the creation of a State Debt in the amount of \$150,000, the proceeds to be used as a grant to the Board of Directors of The Progressive Education Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1054 - Senator Mathias

AN ACT concerning

Commercial Northern Snakehead Bowfishing License - Establishment

FOR the purpose of establishing a commercial northern snakehead bowfishing license; authorizing a licensee to catch for sale northern snakeheads in certain waters of the State using a certain bow and arrow; prohibiting a licensee from fishing under the license under certain circumstances; establishing that an applicant for the license does not need to hold a tidal fish license to be eligible for the license; establishing a certain application process for the license; establishing the term of the license; establishing a certain annual fee for the license; prohibiting a licensee from transferring the license; requiring a licensee to possess the license while fishing for northern snakehead; establishing that a licensee is eligible to obtain a certain seafood dealer license; making certain conforming changes; and generally relating to the establishment of a commercial northern snakehead bowfishing license.

BY repealing and reenacting, with amendments,

Article – Natural Resources Section 4–701(a), (b)(1), and (d)(2)(ii)4. Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Natural Resources Section 4–701(d)(2)(i) Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

BY adding to

Article – Natural Resources Section 4–701.1 Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

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

Senate Bill 1055 – Senator Hough

AN ACT concerning

Frederick County - Public School Construction - State Funding

FOR the purpose of requiring additional State funding for certain public school construction projects in Frederick County that meet certain criteria; providing for the application of this Act; declaring the intent of the General Assembly; requiring the Governor to transfer certain funds to the Frederick County Board of Education under certain circumstances; and generally relating to school construction in Frederick County.

BY adding to

Article – Education Section 5–314 Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement)

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

Senate Bill 1056 - Senator Feldman

AN ACT concerning

Corporations – Formation of a Holding Company by Merger

FOR the purpose of establishing a process for the formation of a certain holding company through the merger of a Maryland parent corporation with or into a certain wholly owned subsidiary of the Maryland parent corporation; providing that a vote of the stockholders of the parent corporation is not necessary to authorize the merger under certain circumstances, unless the charter of the parent corporation expressly provides otherwise; requiring that the merger be approved by a majority of the entire board of directors of the parent corporation; establishing the conditions under which the merger may be effectuated; establishing the effects of the merger; authorizing a

merger of a parent real estate investment trust into a certain subsidiary real estate investment trust to be approved in a certain manner, under certain circumstances; defining a certain term; and generally relating to the establishment of a process for forming a holding company through a merger.

BY adding to

Article – Corporations and Associations Section 3–106.2 Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement)

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

Section 8-501.1(c)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

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

Senate Bill 1057 - Senator King

AN ACT concerning

Maryland Technology Development Corporation – Maryland Innovation Initiative – Financing Authority

FOR the purpose of authorizing the Maryland Innovation Initiative in the Maryland Technology Development Corporation to provide certain financing to certain universities or certain entities to promote the commercialization of certain intellectual property, assess certain issues, and pay certain costs; expanding the authority of the Corporation to use money in the Maryland Innovation Initiative Fund to provide certain financing; and generally relating to the financing authority of the Maryland Innovation Initiative.

BY repealing and reenacting, without amendments,

Article – Economic Development

Section 10–457(a)

Annotated Code of Maryland

(2008 Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

 $Article-Economic\ Development$

Section 10-457(e) and 10-458

Annotated Code of Maryland

(2008 Volume and 2015 Supplement)

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

Senate Bill 1058 - Senator Conway

AN ACT concerning

Workers' Compensation – Permanent Partial Disability – Baltimore City Deputy Sheriffs

FOR the purpose of providing for enhanced workers' compensation benefits for a Baltimore City deputy sheriff for a compensable permanent partial disability of less than a certain number of weeks; providing for the application of this Act; and generally relating to workers' compensation benefits for Baltimore City deputy sheriffs.

BY repealing and reenacting, with amendments,

Article – Labor and Employment Section 9–628(a) Annotated Code of Maryland (2008 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Labor and Employment Section 9–628(h) and 9–629 Annotated Code of Maryland (2008 Replacement Volume and 2015 Supplement)

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

Senate Bill 1059 – Senator Conway

AN ACT concerning

Baltimore City - Office of the Baltimore City Sheriff - Positions and Grievance Procedures

FOR the purpose of altering the number of certain positions to which the Baltimore City Sheriff is required to appoint employees; altering the number of certain positions to which the Baltimore City Sheriff may appoint employees; requiring the Baltimore City Sheriff to appoint a certain information technology specialist and a certain chief financial officer; increasing a certain annual expense allowance for certain deputy sheriffs; providing that, for the purposes of certain grievances concerning deputy sheriffs, the Baltimore City Sheriff shall be deemed the appointing authority; requiring the Baltimore City Sheriff to establish certain grievance procedures for certain matters and to submit the procedures to the Office of the Attorney General; requiring the Office of the Attorney General to review certain procedures for legal sufficiency; prohibiting the Baltimore City Sheriff from implementing or modifying certain procedures except under certain circumstances; providing that certain provisions of law concerning certain grievance procedures in the State personnel

management system do not apply to a deputy sheriff of Baltimore City; and generally relating to the Office of the Baltimore City Sheriff.

BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings Section 2–309(a) and (a–1) Annotated Code of Maryland (2013 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings Section 2–309(d) Annotated Code of Maryland (2013 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions Section 12–102 Annotated Code of Maryland (2015 Replacement Volume)

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

Senate Bill 1060 – Senator Conway

AN ACT concerning

Public Health - Opioid Maintenance Programs - Licensing

FOR the purpose of requiring that certain regulations adopted by the Secretary of Health and Mental Hygiene include a requirement that the process for approval of a license for an opioid maintenance program include an assessment of a certain catchment area, the number of existing slots in opioid maintenance programs in a certain catchment area and the number of individuals in need of certain services in a certain catchment area, the severity of drug—related crime in a certain catchment area, the at—risk population of opioid addiction in a certain catchment area, the need for an opioid maintenance program in a certain catchment area, and a requirement that the Secretary issue a certain report; altering a certain definition; defining a certain term; requiring the Secretary to adopt a certain regulation increasing a certain fee; making a conforming change; and generally relating to the licensure of opioid maintenance programs.

BY repealing and reenacting, without amendments,

Article – Health – General Section 7.5–401 and 21–2A–01(a) Annotated Code of Maryland (2015 Replacement Volume) BY repealing and reenacting, with amendments,

Article – Health – General Section 7.5–402 and 21–2A–01(g) Annotated Code of Maryland (2015 Replacement Volume)

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

Senate Bill 1061 - Senator Conway

AN ACT concerning

Natural Resources - Sunday Hunting - Statewide Authorization

FOR the purpose of repealing provisions of law that authorize Sunday deer hunting on private property in certain counties during certain times of the year under certain circumstances; authorizing a person to hunt deer on a Sunday, with certain exceptions, on private property during certain seasons and during certain times of the day; making conforming changes; making stylistic changes; and generally relating to Sunday deer hunting on private property in the State.

BY repealing and reenacting, with amendments,

Article – Natural Resources Section 10–410(a) Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

BY adding to

Article – Natural Resources Section 10–410.1 Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

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

Senate Bill 1062 - Senators Guzzone and Salling

AN ACT concerning

Enterprise Zones – Target Redevelopment Areas – Designation and Sales and Use Tax Exemption

FOR the purpose of authorizing a certain political subdivision to request that the Secretary of Commerce designate all or a part of a certain enterprise zone as a target redevelopment area for a certain period of time; providing that the request may be made on or before a certain submission date; requiring the Secretary to grant the

request under certain circumstances; authorizing a person to apply to the Department of Economic Competitiveness and Commerce to certify that a construction project located in a certain target redevelopment area is a project for which the purchase of certain construction material or warehousing equipment is entitled to a certain exemption from the sales and use tax; providing an exemption from the sales and use tax for certain construction material or warehousing equipment under certain circumstances; providing that a person who utilizes certain exempt construction material or warehousing equipment for a purpose other than for a certain project is guilty of a misdemeanor and subject to a certain penalty; defining certain terms; and generally relating to enterprise zones and the sales and use tax.

BY repealing and reenacting, without amendments,

Article – Economic Development Section 5–701(a), (d), and (f) Annotated Code of Maryland (2008 Volume and 2015 Supplement)

BY adding to

Article – Economic Development Section 5–706.1 Annotated Code of Maryland (2008 Volume and 2015 Supplement)

BY adding to

Article – Tax – General Section 11–232 and 13–1032 Annotated Code of Maryland (2010 Replacement Volume and 2015 Supplement)

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

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 404 – Senators Pinsky, Conway, King, and Madaleno

EMERGENCY BILL

AN ACT concerning

State Board of Education - State Superintendent of Schools - Appointment

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

Senator Pinsky moved, duly seconded, to make the Bill and Report a Special Order for February 19, 2016.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 240)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #16

Senate Bill 71 - Senator Young Senators Young and Nathan-Pulliam

AN ACT concerning

Public and Nonpublic Schools - Student Diabetes Management Program

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

Affirmative – 37 Negative – 10 (See Roll Call No. 241)

The Bill was then sent to the House of Delegates.

Senate Bill 107 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Military)

SECOND PRINTING

AN ACT concerning

Military Department - Summary Courts-Martial - Penalties

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

Affirmative – 47 Negative – 0 (See Roll Call No. 242)

The Bill was then sent to the House of Delegates.

Senate Bill 120 – Senator Simonaire

EMERGENCY BILL

AN ACT concerning

Higher Education – Senatorial Scholarships – Awards

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

Affirmative – 47 Negative – 0 (See Roll Call No. 243)

The Bill was then sent to the House of Delegates.

Senate Bill 128 – Senator Serafini

AN ACT concerning

Maryland Higher Education Commission – Religious Educational Institutions – Authority to Operate

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

Affirmative – 46 Negative – 0 (See Roll Call No. 244)

The Bill was then sent to the House of Delegates.

Senate Bill 145 – Senators Mathias and Eckardt

AN ACT concerning

Wicomico County Board of Education - Election and Appointment of Members

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

Affirmative – 47 Negative – 0 (See Roll Call No. 245)

The Bill was then sent to the House of Delegates.

Senate Bill 217 – Senator Conway

AN ACT concerning

State Board of Physicians – Distribution of Fees by Comptroller – Loan Assistance Repayment for Physicians and Physician Assistants

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

Affirmative – 47 Negative – 0 (See Roll Call No. 246)

The Bill was then sent to the House of Delegates.

Senate Bill 218 – Senators Conway, McFadden, and Nathan-Pulliam

AN ACT concerning

Higher Education – University System of Maryland and Morgan State University – Prohibition Against Inclusion

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

Affirmative – 43 Negative – 4 (See Roll Call No. 247)

The Bill was then sent to the House of Delegates.

Senate Bill 244 – Senator Mathias

AN ACT concerning

Somerset County Code of Public Local Laws - 2016 Edition - Legalization

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

Affirmative – 47 Negative – 0 (See Roll Call No. 248)

The Bill was then sent to the House of Delegates.

Senate Bill 272 – Senators King, Currie, Edwards, Guzzone, Manno, Peters, Serafini, and Young

AN ACT concerning

Financial Aid – Deaf and Hearing Impaired Students – Out–of–State Institutions of Higher Education

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

Affirmative – 47 Negative – 0 (See Roll Call No. 249)

The Bill was then sent to the House of Delegates.

Senate Bill 312 – Senators King, Bates, Benson, Currie, Ferguson, Guzzone, Jennings, Kagan, Kelley, Madaleno, Middleton, Nathan-Pulliam, Pinsky, Pugh, Raskin, and Young

AN ACT concerning

Children – Family Child Care Homes and Child Care Centers – Advertising and Penalties

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

Affirmative – 47 Negative – 0 (See Roll Call No. 250)

The Bill was then sent to the House of Delegates.

Senate Bill 314 – Senators Klausmeier, Currie, DeGrange, Eckardt, Guzzone, Kagan, Rosapepe, Salling, and Simonaire

AN ACT concerning

State Government - Financial Education and Capability Commission - Composition

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

Affirmative – 47 Negative – 0 (See Roll Call No. 251)

The Bill was then sent to the House of Delegates.

Senate Bill 317 – Senators Kelley, Bates, Conway, Currie, DeGrange, Feldman, Ferguson, Jennings, Kagan, Kasemeyer, King, McFadden, Nathan-Pulliam, Peters, Pinsky, Pugh, Raskin, Rosapepe, Salling, Waugh, Young, and Zirkin

AN ACT concerning

Coordinating Council for Juvenile Services Educational Programs – Membership

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

Affirmative -47 Negative -0 (See Roll Call No. 252)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #17

Senate Bill 185 – Senators Kelley, Kasemeyer, Madaleno, McFadden, Rosapepe, and Waugh

AN ACT concerning

Income Tax - Filing of Withholding Statements and Payment of Refund Claims

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

Affirmative – 47 Negative – 0 (See Roll Call No. 253)

The Bill was then sent to the House of Delegates.

Senate Bill 256 – Senators Currie, Benson, Peters, Ramirez, and Rosapepe Rosapepe, and Muse

AN ACT concerning

Prince George's County - Property Tax Deferrals - Elderly and Disabled Homeowners

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

Affirmative – 47 Negative – 0 (See Roll Call No. 254)

The Bill was then sent to the House of Delegates.

Senate Bill 288 – Senator Kasemeyer

AN ACT concerning

Income Tax - Corporation Returns - Filing Date

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

Affirmative – 47 Negative – 0 (See Roll Call No. 255)

The Bill was then sent to the House of Delegates.

Senate Bill 296 - Carroll County Senators

AN ACT concerning

Carroll County - Public Facilities Bonds

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

Affirmative – 47 Negative – 0 (See Roll Call No. 256)

The Bill was then sent to the House of Delegates.

Senate Bill 307 – Calvert County Senators

AN ACT concerning

Calvert County - Bonding Authority

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

Affirmative – 47 Negative – 0 (See Roll Call No. 257)

The Bill was then sent to the House of Delegates.

Senate Bill 343 – Senator Peters (Chair, Joint Committee on Pensions)

AN ACT concerning

Employees' and Teachers' Pension Systems – Reformed Contributory Pension Benefit – Eligibility Service Clarifications

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

Affirmative – 47 Negative – 0 (See Roll Call No. 258)

The Bill was then sent to the House of Delegates.

Senate Bill 344 – Senator Peters (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Local Fire and Police System – Commingling of Assets

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

Affirmative – 46 Negative – 0 (See Roll Call No. 259)

The Bill was then sent to the House of Delegates.

Senate Bill 345 – Senator Peters (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System - Optional Retirement Allowances - Designated Beneficiaries

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

Affirmative – 47 Negative – 0 (See Roll Call No. 260)

The Bill was then sent to the House of Delegates.

Senate Bill 373 – Senator Peters (Chair, Joint Committee on Pensions)

AN ACT concerning

Teachers' Retirement and Pension Systems - Reemployment of Retirees - Clarification

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

Affirmative – 47 Negative – 0 (See Roll Call No. 261)

The Bill was then sent to the House of Delegates.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 323 – Senators Pinsky, Raskin, Benson, Brochin, Conway, Currie, Feldman, Ferguson, Guzzone, Kagan, Kelley, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Nathan-Pulliam, Peters, Pugh, Ramirez, Rosapepe, Young, and Zirkin

AN ACT concerning

Greenhouse Gas Emissions Reduction Act - Reauthorization

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENTS (2) OFFERED FROM THE FLOOR BY SENATOR HOUGH.

FLOOR AMENDMENT

SB0323/823122/1

BY: Senator Hough

AMENDMENTS TO SENATE BILL 323

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "to" insert "develop a plan to".

AMENDMENT NO. 2

On page 3, in line 5, after "SHALL" insert "DEVELOP A PLAN TO".

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

Affirmative – 13 Negative – 34 (See Roll Call No. 262)

Read the second time and ordered prepared for Third Reading.

Senate Bill 435 – Senators Norman, Cassilly, and Jennings

AN ACT concerning

Business Regulation - State and Harford County Juke Box Licenses - Repeal

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

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

Affirmative – 47 Negative – 0 (See Roll Call No. 263)

The Bill was then sent to the House of Delegates.

QUORUM CALL

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

(See Roll Call No. 264)

ADJOURNMENT

At 11:14 A.M. on motion of Senator Pugh, seconded, the Senate adjourned until 11:00 A.M. on Friday, February 19, 2016.

Annapolis, Maryland Friday, February 19, 2016 11:00 A.M. Session

The Senate met at 10:57 A.M.

Prayer by Pastor Rick Wilson, Franklin Baptist Church, guest of Senator Norman.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 266)

On motion of Senator Pugh it was ordered that Senators Guzzone and Kagan be excused from today's session.

The Journal of February 18, 2016 was read and approved.

MESSAGE FROM THE EXECUTIVE

The Secretary of State appeared and delivered a Message from the Executive.

February 19, 2016

The Honorable Thomas V. Mike Miller, Jr. President
Maryland State Senate
State House
Annapolis, Maryland 21401

Dear Mr. President:

In accordance with Article II, § 13 of the Constitution of Maryland, I am pleased to submit the following appointment nominations for confirmation by the Maryland State Senate. These individuals bring exceptional knowledge and ability to the offices for which they have been nominated. I am confident they will provide the strength of experience and leadership to instill confidence among our citizens and ensure we succeed in our goals for Marylanders. I look forward to your favorable approval of these nominees. Thank you for your assistance and support.

Sincerely,

Lawrence J. Hogan, Jr. Governor

AFRICAN AMERICAN HISTORY AND CUL	TURE, COMMISSION ON
Edwin T. Johnston, Ph.D.	Appointment
4400 Mainfield Avenue, P.O. Box 24546	Member
Baltimore, Maryland 21214	Remainder of a term of 4 years from July 1,
Baltimore City/43	2012 and a term of 4 years from July 1, 2016
AGRICULTURAL AND RESOURCE-	BASED INDUSTRY DEVELOPMENT
CORPORATION (MARBIDCO), BOARD OF	DIRECTORS OF MARYLAND
John P. Jastrzembski	Reappointment
780 Bishop Walsh Road	Timber/Forest
Cumberland, Maryland 21502	Term of 4 years from July 1, 2016
Allegany/01	
APPALACHIAN STATES LOW-LEVEL RAI	DIOACTIVE WASTE COMMISSION
Clifford Seth Mitchell, M.D.	Appointment
10 E. Lee Street, #1909	Member
Baltimore, Maryland 21202	Term of 2 years from May 6, 2015
Baltimore City/46	
Albert J. Romanosky, M.D., Ph.D.	Appointment
107 Solomons Ridge Court	Alternate
Millersville, Maryland 21108	Term of 2 years from May 6, 2015
Anne Arundel/31	
APPRENTICESHIP AND TRAINING COUN	
Allen B. Clinedinst, III	Appointment
1912 Ridgewood Court	Employee Organization
Hampstead, Maryland 21074	Term of 4 years from July 1, 2014
Carroll/05	
Michelle L. Butt	Reappointment
11464 Old Frederick Road	Employer Representative
Marriottsville, Maryland 21104	Term of 4 years from July 1, 2016
Howard/09	
ARCHAEOLOGY, ADVISORY COMMITTEE	
Marian Craig Creveling	Reappointment
1707 Forestville Road	Member
Edgewater, Maryland 21037	Term of 3 years from July 1, 2016
Anne Arundel/30	
Robert D. Wall, Ph.D.	Reappointment
1602 Beechwood Avenue	Member
Catonsville, Maryland 21228	Term of 3 years from July 1, 2016
Baltimore County/12	

ARCHITECTS, STATE BOARD OF	
Kevin G. Sneed	Appointment
9215 Whitney Street	Architect
Silver Spring, Maryland 20901	Term of 5 years from July 1, 2014
Montgomery/20	Term of 5 years from oary 1, 2011
Paul D. Edmeades	Reappointment
1418 Saratoga Drive	Architect
Bel Air, Maryland 21014	Term of 5 years from July 1, 2016
Harford/34	
ARTS COUNCIL, MARYLAND STATE	
Aileen Carlucci	Appointment
2925 Cox Neck Road E	Member
Chester, Maryland 21619	Term of 3 years from July 1, 2016
Queen Anne's/36	
Shelley Cole Morhaim	Reappointment
11 Whitebridge Court	Member
Baltimore, Maryland 21208	Term of 3 years from July 1, 2016
Baltimore County/11	
Robinson S. Rowe	Appointment
3829 Park Lake Drive	Member
Rockville, Maryland 20853	Term of 3 years from July 1, 2016
Montgomery/19	
AUTOMOBILE INSURANCE FUND (MAIF)	, BOARD OF TRUSTEES OF MARYLAND
Ann Cox Ansel	Appointment
9327 Perglen Road	Insurance Industry Expertise
Baltimore, Maryland 21236	Term of 5 years from October 1, 2016
Baltimore County/08	
Robert L. McKinney	Appointment
48 East Montgomery Street	Public
Baltimore, Maryland 21230	Term of 5 years from October 1, 2016
Baltimore City/46	
AVIATION COMMISSION, MARYLAND	T .
Calvin D. Peacock	Appointment
5616 N. Nithsdale Drive	Member
Salisbury, Maryland 21801	Term of 3 years from October 1, 2015
Wicomico/37	
BLIND INDUSTRIES AND SERVICES OF M	
Melba J. Taylor	Reappointment
11902 Frost Drive	Member
Bowie, Maryland 20720	Term of 3 years from July 1, 2016
Prince George's/24	7
George H. Littrell, Jr.	Reappointment
5209 Reel's Mill Road	Member
Frederick, Maryland 21704	Term of 3 years from July 1, 2016
Frederick/03	

CANAL PLACE PRESERVATION AND DEV	ELOPMENT AUTHORITY
Janice S. Keene	Reappointment
101 Braddock Heights	Member
Frostburg, Maryland 21532	Term of 4 years from June 1, 2016
Allegany/01	
	BAYS, CRITICAL AREA COMMISSION FOR
THE	21118, 0141110121144211 0 0142118810111 0 14
Hon. Donald E. Sutton	Reappointment
P.O. Box 157	Kent – Appointed/Elected
Betterton, Maryland 21610	Term of 4 years from July 1, 2016
Kent/36	
Hon. Bob Culver	Appointment
125 North Division Street	Wicomico – Appointed/Elected
Salisbury, Maryland 21801	Term of 4 years from July 1, 2016
Wicomico/37	
Gary Mangum	Appointment
200 Bridgeview Lane	Queen Anne's – Citizen
Stevensville, Maryland 21666	Term of 4 years from July 1, 2016
Queen Anne's/36	
CHIROPRACTIC AND MASSAGE THERAP	Y EXAMINERS, STATE BOARD OF
Gloria W. Boddie–Epps	Reappointment
914 Cox Avenue	Consumer
Hyattsville, Maryland	Term of 4 years from July 1, 2016
Prince George's/47	Torm of Tyours from outy 1, 2010
CIVIL RIGHTS, COMMISSION ON	
Gina McKnight–Smith, Pharm.D.	Reappointment
8706 Winands Road	Member
Randallstown, Maryland 21133	Term of 6 years from July 1, 2015
Baltimore County/10	
Roberto N. Allen, Esq.	Appointment
804 Quincy Road	Member
Towson, Maryland 21286	Term of 6 years from July 1, 2015
Baltimore County/42	
DEAF, BOARD OF TRUSTEES OF THE MA	RYLAND SCHOOL FOR THE
Denise Gagnon Perdue	Reappointment
5112 Main Street	Member
Grasonville, Maryland 21638	Term of 6 years from October 1, 2016
Queen Anne's/36	,
Julie C. Bourne	Reappointment
9053 Major Smith Lane	Member – Deaf
Frederick, Maryland 21704	Term of 6 years from October 1, 2016
Frederick/3	
Jennifer L. Smart, Ph.D.	Reappointment
702 Sawyer Court	Member
Towson, Maryland 21286	Term of 6 years from October 1, 2016
Baltimore County/42	

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Stephen Hlibok	Reappointment
5911 Trumpet Sound Court	Member – Deaf
Clarksville, Maryland 21029	Term of 6 years from October 1, 2015
Howard/13	
Ricardo A. Hernandez	Reappointment
9828 Canal Road	Member
Montgomery Village, Maryland 20886	Term of 6 years from October 1, 2014
Montgomery/39	
DENTAL EXAMINERS, STATE BOARD OF	
Stefan N. Miller	Appointment
12206 Faulkner Drive	Consumer
Owings Mills, Maryland 21117	Term of 4 years from June 1, 2016
Baltimore County/11	
DIETETIC PRACTICE, STATE BOARD OF	
Concepcion Placiente	Reappointment
9107 Kilbride Road	Dietitian or Nutritionist – Consulting
Nottingham, Maryland 21236	Term of 4 years from July 1, 2016
Baltimore County/08	
Nancy H. Ferrone	Reappointment
2141 Kimrick Place	Dietitian or Nutritionist – Administrative
Lutherville, Maryland 21093	Term of 4 years from July 1, 2016
Baltimore County/11	
Ivis T. Forrester, Ph.D.	Reappointment
6210 Glen Falls Road	Dietitian or Nutritionist – Faculty
Reisterstown, Maryland 21136	Term of 4 years from July 1, 2016
Baltimore County/10	
DISTRICT COURT OF MARYLAND – DIST	
Hon. Devy Patterson Russell	Reappointment
5800 Wabash Avenue	Judge
Baltimore, Maryland 21215	Term of 10 years from February 10, 2016
Baltimore City/40	
	ISTRICT 10 – CARROLL AND HOWARD
COUNTIES	
Hon. Mary Cecilia Reese	Reappointment
3451 Courthouse Drive	Judge – Howard County
Ellicott City, Maryland 21043	Term of 10 years from April 21, 2016
Howard/09	
DISTRICT COURT OF MARYLAND – DISTRICT 12 – ALLEGANY AND GARRETT	
COUNTIES	
Hon. H. Jack Price, Jr.	Reappointment
123 South Liberty Street	Judge – Allegany County
Cumberland, Maryland 21502	Term of 10 years from March 31, 2016
Allegany/01	

ECONOMIC DEVELOPMENT COMMISSIO	ECONOMIC DEVELOPMENT COMMISSION, MARYLAND	
Elizabeth Rendon–Sherman	Appointment	
5105 Little Creek Drive	Member	
Ellicott City, Maryland 21043	Remainder of a term of 3 years from July 1,	
Howard/12	2016 and a term of 3 years from July 1, 2016	
Julia C. Lenzer	Appointment	
1155 Ripley Street, Apt. 1801	Member	
Silver Spring, Maryland 20910	Term of 3 years from July 1, 2016	
Montgomery/20		
	TION (MEDCO) BOARD OF DIRECTORS,	
MARYLAND		
Scott E. Dorsey	Reappointment	
10631 Pot Spring Road	Industrial Development	
Cockeysville, Maryland 21030	Term of 4 years from July 1, 2016	
Baltimore County/42		
David J. Schellhardt	Appointment	
24014 Burnt Hill Road	General Public	
Clarksburg, Maryland 20871	Term of 4 years from July 1, 2015	
Montgomery/15		
Tehma Hallie Smith	Appointment	
810 N. Luzerne Avenue	General Public	
Baltimore, Maryland 21205	Term of 4 years from July 1, 2016	
Baltimore City/45		
Richard G. Woo	Appointment	
11629 Scarlet Leaf Circle	Commercial Real Estate/Financing	
Germantown, Maryland 20876	Term of 4 years from July 1, 2015	
Montgomery/39		
ELECTRICIANS, STATE BOARD OF MAST	ER	
Paul (P.J.) Donaghue	Appointment	
116 Cooper Oaks Court	Electrician – Western Maryland	
Woodsboro, Maryland 21798	Term of 3 years from July 1, 2013 and a term	
Frederick/04	of 3 years from July 1, 2016	
ELEVATOR SAFETY REVIEW BOARD		
Charles E. Meeks, Jr.	Appointment	
601 S. Pacific Avenue	Elevator Manufacturing	
Ocean City, Maryland 21842	Term of 3 years from October 1, 2016	
Worcester/38		
Thomas C. Lindsay, Jr.	Appointment	
9 Ridout Road	Elevator Servicing	
Severna Park, Maryland 21146	Term of 3 years from October 1, 2016	
Anne Arundel/33		
Phylis A. Seman	Appointment	
2243 Schuster Road	Building Owner/Manager	
Jarrettsville, Maryland 21084	Term of 3 years from October 1, 2016	
Harford/07		

C. A. T.	[D
Steven A. Joss	Reappointment
5476 Wingborne Court	Public
Columbia, Maryland 21045	Term of 3 years from October 1, 2016
Howard/12	
Michael William Moran	Reappointment
1434 Saint Stephens Church Road	Elevator Interior Renovation Industry
Crownsville, Maryland 21032	Term of 3 years from October 1, 2016
Anne Arundel/33	
Robert L. Purkey	Appointment
12806 W. Old Baltimore Road	Municipal
Boyds, Maryland 20841	Term of 3 years from October 1, 2013 and a
Montgomery/39	term of 3 years from October 1, 2016
EMERGENCY NUMBER SYSTEMS BOARD	
Laura L. Herman	Appointment
3118 Woodspring Drive	MSP
Abingdon, Maryland 21009	Term of 4 years from July 1, 2013
Harford/34	
David W. Darrell	Appointment
118 Westwood Lane	County with less than 200k
Chestertown, Maryland 21620	Term of 4 years from July 1, 2014
Queen Anne's/36	
ENGINEERS, STATE BOARD OF STATION	NARY
Robert E. Bates	Appointment
15 Andrews Court	Stationary Engineer
Parkton, Maryland 21120	Term of 3 years from July 1, 2015
Baltimore County/07	
Brian Wodka	Appointment
808 Walker Station Court	Boiler Manufacturing/Design
Parkton, Maryland 21120	Term of 3 years from July 1, 2014
Baltimore County/42	,
ENVIRONMENTAL HEALTH SPECIALIST	S, STATE BOARD OF
Bertram F. Nixon	Appointment
2125 Misty Meadow Road	Health Specialist – Local Health
Finksburg, Maryland 21048	Term of 4 years from July 1, 2016
Carroll/05	
Yvonne S. DeLoatch	Appointment
200 Presstman Street	Health Specialist – Local Government
Baltimore, Maryland 21217	Term of 4 years from July 1, 2016
Baltimore City/44	
Karl A. Paige	Appointment
1606 Gleneagle Road	Consumer
Baltimore, Maryland 21239	Term of 4 years from July 1, 2016
Baltimore City/43	,

Amy M. Domish	Annaintment
Amy M. Parrish 2214 Bluebird Drive	Appointment
	Health Specialist – Private Individual
Westminster, Maryland 21157	Term of 4 years from July 1, 2014
Carroll/04 ENVIRONMENTAL SERVICE, MARYLAN	D.
,	
William B.C. Addison, Jr. 14540 Candy Hill Road	Reappointment Public Sector
Upper Marlboro, Maryland 20772	
Prince George's/27	Term of 4 years from July 1, 2016
Kevin Hedge	Appointment
809 Champions Court	Private Sector
Reisterstown, Maryland 21136	Term of 4 years from July 1, 2014
Baltimore County/10	Term of 4 years from only 1, 2014
ETHICS COMMISSION, STATE	
Geneau M. Thames	Appointment
708 Edgehill Drive	Appointment Member – Democrat
Bel Air, Maryland 21014	Term of 5 years from July 1, 2016
Harford/34	Term of 5 years from July 1, 2010
FIRE–RESCUE EDUCATION AND TRAIN	TNC COMMISSION
Bradley Scott Graham	Appointment
30 Barley Field Court	Public
· ·	
Comus, Maryland 20842 Montgomery/15	Term of 4 years from July 1, 2016
FISHERIES COMMISSION, ATLANTIC ST	TATES MARINE
Rachel A. Dean	Appointment
382 Dogwood Court	Governor's Appointee
Lusby, Maryland 20657	Term of 3 years from June 1, 2016
Calvert/29	Term of 5 years from bune 1, 2010
FORESTERS, STATE BOARD OF	
G. Jill Rhyne–Grey	Appointment
1309 North Road	Consumer
Severna Park, Maryland 21146	Term of 5 years from July 1, 2014
Anne Arundel/33	Term of 5 years from 5 dry 1, 2014
HAZARDOUS SUBSTANCE ADVISORY COUNCIL, CONTROLLED	
Kenneth George Younger	Appointment
8362 Williamstowne Drive	Public
Millersville, Maryland 21108	Term of 10 years from July 1, 2012
Anne Arundel/32	Total of 10 Journal only 1, 2012
HEALTH CARE COMMISSION, MARYLAN	ND
Randolph S. Sergent	Appointment
2513 Holly Springs Court	Payor
Ellicott City, Maryland 21043	Remainder of a term of 4 years from October
Howard/9	1, 2012 and a term of 4 years from October 1,
110,114140	2016
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HEATING, VENTILATION, AIR-C	CONDITIONING AND REFRIGERATION
CONTRACTORS, STATE BOARD OF	
Ezio S. Rebechi, Jr.	Reappointment
6736 Hunter Road	Master Contractor
Elkridge, Maryland 21075	Term of 3 years from January 1, 2016
Howard/13	,
HERITAGE AREAS AUTHORITY, MARY	LAND
Wayne E. Clark	Reappointment
3649 5th Street	President's Nominee
North Beach, Maryland 20714	Term of 4 years from October 1, 2016
Calvert/27	,
HIGHER EDUCATION LABOR RELATION	ONS BOARD, STATE
Aurora Carmichael	Appointment
519 Broad Creek Drive	Higher Education Expertise
Fort Washington, Maryland 20744	Remainder of a term of 6 years from July 1,
Prince George's/26	2011
HISTORICAL TRUST BOARD OF TRUST	TEES, MARYLAND
Laura Davis Mears	Appointment
11709 Gum Point Road	Member
Berlin, Maryland 21811	Term of 4 years from July 1, 2016
Worcester/38	
Franklin A. Robinson, Jr.	Appointment
P.O. Box 90	Member
Benedict, Maryland 20612	Term of 4 years from July 1, 2016
Charles/27	
INDUSTRIAL DEVELOPMENT FINANC	ING AUTHORITY, MARYLAND
Louna S. Primm	Reappointment
59 Rockland Road	Member
Westminster, Maryland 21158	Term of 5 years from July 1, 2015
Carroll/05	
Carla A. Nealy	Reappointment
15 Menteith Court	Member
Nottingham, Maryland 21236	Term of 5 years from July 1, 2014
Baltimore County/08	
Richard B. Deemer	Reappointment
2608 Ritchie Marlboro Road	Member
Upper Marlboro, Maryland 20774	Term of 5 years from July 1, 2011 and a term
Prince George's/25	of 5 years from July 1, 2016
INFANTS AND TODDLERS, INTERAGE	
Karen Larenas	Reappointment
8114 Mission Hill Place	Parent
Jessup, Maryland 20794	Term of 3 years from July 1, 2016
Howard/13	
Howard/13	

Contint II aline	Decompliatores
Curtisha Hopkins	Reappointment
1805 Village Square Court	Parent
Severn, Maryland 21144	Term of 3 years from July 1, 2016
Anne Arundel/32	
Mi Ji Kim	Reappointment
5910 Great Star Drive, Unit 202	Parent
Clarksville, Maryland 21029	Term of 3 years from July 1, 2016
Howard/13	
Natasha Ramberg	Reappointment
662 Saint Georges Station Road	Provider
Reisterstown, Maryland 21136	Term of 3 years from July 1, 2016
Baltimore County/10	
Janine Aughenbaugh	Appointment
4414 Falls Bridge Drive, Unit A	Provider
Baltimore, Maryland 21211	Term of 3 years from July 1, 2016
Baltimore City/41	
Mary L. O'Connor Leppert, M.B.	Reappointment
1403 Quick Fox Court	Provider
Eldersburg, Maryland 21784	Term of 3 years from July 1, 2016
Carroll/09	Term of 5 years from 5thy 1, 2010
Sarah C. James Nadiv	Appointment
5903 Eastcliff Drive	Personnel Preparation
Baltimore, Maryland 21209	
Baltimore City/41	Remainder of a term of 3 years from July 1,
Laura Barbee Matthews	2013 and a term of 3 years from July 1, 2016
	Reappointment Head Start
10006 Graystone Drive	
Upper Marlboro, Maryland 20772	Term of 3 years from July 1, 2016
Prince George's/27	D : 4 4
Shannon Z. McRae	Reappointment
5919 Theodore Avenue	DHR Foster Care
Baltimore, Maryland 21214	Term of 3 years from July 1, 2016
Baltimore City/45	D
Elizabeth Snyder	Reappointment
41685 Burnt Mill Drive	Parent
Hollywood, Maryland 20636	Term of 3 years from July 1, 2016
St. Mary's/29	The state of the s
Cynthia Bouchard	Reappointment
289 Scotts Glen	Provider
Glen Burnie, Maryland 21061	Term of 3 years from July 1, 2016
Anne Arundel/32	
Karen Mull	Appointment
2806 Moorgate Road	Parent
Baltimore, Maryland 21222	Term of 3 years from July 1, 2016
Baltimore County/06	

INTERIOR DESIGNERS, STATE BOARD OF CERTIFIED	
Jessica M. Boyd	Appointment
115 Schoolhouse Road	Interior Designer
Sykesville, Maryland 21784	Term of 3 years from July 1, 2016
Carroll/09	Term of a years from daily 1, 2010
Robyn I. Dubick	Reappointment
9630 Stirling Bridge Drive	Interior Designer
Columbia, Maryland 21046	Term of 3 years from July 1, 2016
Howard/13	
Karen C. Zopf	Reappointment
716 Hickory Lot Road	Interior Designer
Towson, Maryland 21286	Term of 3 years from July 1, 2015
Baltimore County/42	
Tanya M. Kriscumas	Appointment
2503 Gehb Avenue	Consumer
Baltimore, Maryland 21227	Term of 3 years from July 1, 2014
Baltimore County/12	
JUDICIAL DISABILITIES, COMMISSION O)N
Hon. Robert B. Kershaw	Appointment
111 North Calvert Street	Judge
Baltimore, Maryland 21202	Term of 4 years from January 1, 2016
Baltimore City/40	
Virginia Lee Fogle	Appointment
5312 Wye Creek Drive	Public
Frederick, Maryland 21703	Remainder of a term of 4 years from January
Frederick/3	1, 2013
LABOR RELATIONS BOARD, PUBLIC SCH	
Elizabeth M. Morgan, Ph.D.	Appointment
2657 Brook Valley Road	Public
Frederick, Maryland 21701	Term of 5 years from July 1, 2014
Frederick/03	
LABOR RELATIONS BOARD, STATE	T
Doris S. Mason	Appointment
2700 Willow Oak Drive, #411	Public To the Late 2016
Cambridge, Maryland 21613	Term of 6 years from July 1, 2016
Dorchester/37	OEDIDEOMODO MADVI AND
LEGAL SERVICES CORPORATION BOARI	
Sidney A. Butcher, Esq.	Appointment
7564B Stoney Run Drive	Attorney
Hanover, Maryland 21076	Term of 3 years from July 1, 2014
Anne Arundel/32 Hon. Mark F. Scurti	Pagnaintment
5800 Wabash Avenue	Reappointment
Baltimore, Maryland 21215	Attorney Term of 3 years from July 1, 2015
Baltimore City/41	Term of 5 years from 5 my 1, 2015
Dammure Ony/41	

M. Natalie McSherry, Esq.	Reappointment	
5705 Roland Avenue	Attorney	
Baltimore, Maryland 21210	Term of 3 years from July 1, 2015	
Baltimore City/41		
Corey J. Robey	Reappointment	
3711 Clydesdale Road Way	Nonlawyer	
Reisterstown, Maryland 21136	Term of 3 years from July 1, 2015	
Carroll/05		
OPEN MEETINGS LAW COMPLIANCE BOARD, STATE		
Rachel Shapiro Grasmick, Esq.	Reappointment	
7347 Wisconsin Avenue, Apt. 202	Member	
Bethesda, Maryland 20814	Term of 3 years from July 1, 2016	
Montgomery/18		
OPTOMETRY, STATE BOARD OF EXAMIN	IERS IN	
Rona Diane Pepper	Reappointment	
12206 Faulkner Drive	Consumer	
Owings Mills, Maryland 21117	Term of 4 years from June 1, 2016	
Baltimore County/11	,	
PHYSICIANS, STATE BOARD OF		
Arun Bhandari, M.D.	Appointment	
705 Fantail Court	Physician	
Annapolis, Maryland 21401	Term of 4 years from July 1, 2015	
Anne Arundel/30		
Damean W.E. Freas, O.D.	Appointment	
1705 Mansion Ridge Road	Physician – Governor's Discretion	
Annapolis, Maryland 21401	Term of 4 years from July 1, 2014	
Anne Arundel/33		
Jacek L. Mostwin, M.D.	Appointment	
6505 Darnall Road	Physician	
Baltimore, Maryland 21204	Term of 4 years from July 1, 2014	
Baltimore County/11		
Thomas M. Walsh, M.D.	Appointment	
113 River Run	Physician	
Queenstown, Maryland 21658	Term of 4 years from July 1, 2015	
Queen Anne's/36		
Moody D. Wharam, Jr., M.D.	Appointment	
4 Valley Ridge Court	Physician	
Timonium, Maryland 21093	Term of 4 years from July 1, 2014	
Baltimore County/11		
Kevin D. Pereira, M.D.	Appointment	
922 Dennisford Court	Medical School	
Cockeysville, Maryland 21030	Term of 4 years from July 1, 2015	
Baltimore County/11		

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Martha C. Schaerr	Appointment
17502 Bowie Mill Road	Consumer
Derwood, Maryland 20855	Term of 4 years from July 1, 2014
Montgomery/19	
Beryl J. Rosenstein, M.D.	Reappointment
3316 Woodvalley Drive	Medical School
Baltimore, Maryland 21208	Term of 4 years from July 1, 2015
Baltimore County/11	
Lisa A. Burgess, M.D.	Appointment
9755 Mill Centre Drive, Apt. 530	DHMH
Owings Mills, Maryland 21117	Term of 4 years from July 1, 2016
Baltimore County/10	
Edward J. Brody	Reappointment
101 Stratford Road	Public/Risk Management
Baltimore, Maryland 21218	Term of 4 years from July 1, 2014
Baltimore City/43	
PLUMBING, STATE BOARD OF	
Keith R. Horton	Reappointment
5223 Cedgate Road	Plumber – City
Baltimore, Maryland 21206	Term of 3 years from May 1, 2015
Baltimore City/45	
PORT COMMISSION, MARYLAND	
Christian R. Dean	Appointment
6 Quiet Stream Court, #D	Member
Timonium, Maryland 21093	Term of 3 years from July 1, 2016
Baltimore County/11	
PSYCHOLOGISTS, STATE BOARD OF	
Raj Razdan	Appointment
912 Chestnut Ridge Drive	Consumer
Lutherville, Maryland 21093	Term of 4 years from July 1, 2016
Baltimore County/11	
Reginald Nettles, Ph.D.	Appointment
6217 Ironwood Way	Psychologist – Services
Columbia, Maryland 21045	Term of 4 years from July 1, 2016
Howard/13	
PUBLIC DEFENDER, BOARD OF TRUSTE	ES OF THE OFFICE OF THE
Angela B. DiPietro, Esq.	Appointment
4856 Northampton Drive	1st Judicial Circuit
Salisbury, Maryland 21804	Term of 3 years from June 1, 2015
Wicomico/37	
Thy Christine Pham, Esq.	Appointment
948 Tioga Lane	5th Judicial Circuit
Crownsville, Maryland 21032	Remainder of a term of 3 years from June 1,
Anne Arundel/33	2013 and a term of 3 years from June 1, 2016
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Kevin B. Collins, Esq.	Appointment	
7108 Crabbury Court	At Large Seat	
Clarksville, Maryland 21029	Term of 3 years from June 1, 2015	
Howard/09	Term of 5 years from 5 due 1, 2015	
PUBLIC-PRIVATE PARTNERSHIP MARKETING CORPORATION, MARYLAND		
Julie M. Garner Appointment		
1023 Covington Street	Business	
Baltimore, Maryland 21230	Term to expire September 30, 2018	
Baltimore City/46	Term to expire september 50, 2010	
Paul B. Nolan	Appointment	
9029 Bronson Drive	Business	
Potomac, Maryland 20854	Term to expire September 30, 2020	
Montgomery/16	Term to empire september 50, 2020	
David Rodich	Appointment	
18902 Abbey Manor Drive	Labor	
Brookeville, Maryland 20833	Term to expire September 30, 2018	
Montgomery/14		
Leonard R. Raley	Appointment	
605 Crawfords Ridge Road	Not-for-Profit Organization	
Odenton, Maryland 21113	Term to expire September 30, 2020	
Anne Arundel/21	1 1	
Angela Sweeney	Appointment	
1200 Steuart Street, #1113	Marketing/Advertising	
Baltimore, Maryland 21230	Term to expire September 30, 2021	
Baltimore City/46		
Marcus T. Stephens	Appointment	
1200 Magnolia Road	Marketing/Advertising	
Silver Spring, Maryland 20905	Term to expire September 30, 2018	
Montgomery/14		
Laura M. Van Eperen	Appointment	
11211 River View Drive	Marketing/Advertising	
Potomac, Maryland 20854	Term to expire September 30, 2019	
Montgomery/16		
Keasha N. Haythe	Appointment	
8671 Camac Street	Economic Development	
Easton, Maryland 21601	Term to expire September 30, 2019	
Talbot/37		
Ammanuel Moore	Appointment	
1185 Granville Road	Economic Development	
Baltimore, Maryland 21207	Term to expire September 30, 2020	
Baltimore City/44		
RESIDENTIAL BOARDING EDUCATION PROGRAMS, BOARD OF TRUSTEES OF		
R. Christopher Rosenthal	Appointment	
61 Slama Road	Member	
Edgewater, Maryland 21037	Remainder of a term of 3 years from July 1,	
Anne Arundel/30	2013 and a term of 3 years from July 1, 2016	

Dawn Kirstaetter	Reappointment
1000 Fell Street, Unit 402	Member
Baltimore, Maryland 21231	Term of 3 years from July 1, 2016
Baltimore City/46	
Kevin Liles	Reappointment
75 Rockefeller Plaza, 32nd Floor	Member
New York, New York 20019	Term of 3 years from July 1, 2014
Nonresident	
G. William C. Whiting	Appointment
311 Chattolanee Hill	Member
Owings Mills, Maryland 21117	Term of 3 years from July 1, 2015
Baltimore County/11	
RETIREMENT AND PENSION SYSTEM	MS, BOARD OF TRUSTEES FOR THE
MARYLAND STATE	
David B. Hamilton	Appointment
1913 Ridge Road	General Public
Reisterstown, Maryland 21136	Term of 4 years from August 1, 2016
Baltimore County/11	
RURAL LEGACY BOARD, ADVISORY COM	MITTEE TO THE
Maureen V. Heimbuch	Reappointment
195 Harwood Road, P.O. Box 213	Business – Designate Chair
Harwood, Maryland 20776	Term of 3 years from July 1, 2016
Anne Arundel/33	
Frank E. Dudek	Appointment
19903 Mikes Way	Forest Industry
Parkton, Maryland 21120	Term of 3 years from July 1, 2016
Baltimore County/07	
SOCIAL WORK EXAMINERS, STATE BOAI	
Mark Lannon	Reappointment
17238 Little Antietam Road	LSW Associate
Hagerstown, Maryland 21742	Term of 4 years from July 1, 2016
Washington/2	
Letha Faye Meyer Moszer	Appointment
192 Hollywood Beach Road	LCSW – Social Work Education
Chesapeake City, Maryland 21915	Term of 4 years from July 1, 2016
Cecil/36	
STADIUM AUTHORTY, MARYLAND	
Jodi C. Stanalonis	Appointment
42142 Cider Lane	Member
Hollywood, Maryland 20636	Remainder of a term of 4 years from July 1,
St. Mary's/29	2012 and a term of 4 years from July 1, 2016
TEACHER EDUCATION BOARD, PROFESSIONAL STANDARDS AND	
John L. Mayo, Ed.D.	Appointment
11550 Crossroads Circle, #604	Maryland Public School Superintendents'
Middle River, Maryland 21220	Assn.
Baltimore County/07	Term of 3 years from July 1, 2016

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Daniel N. Lessard	Appointment
104 Coleman Drive	Maryland Public School Superintendents'
Chestertown, Maryland 21620	Assn.
Queen Anne's/36	Term of 3 years from July 1, 2016
Geralda Thompson	Appointment
8 Adams Ridge Court	Statewide Teachers' Org. with Non–Majority
Windsor Mill, Maryland 21244	Rep.
Baltimore County/10	Term of 3 years from July 1, 2015
Karen R. Saar	Appointment
621 East 34th Street	Statewide Teachers' Org. with Non–Majority
Baltimore, Maryland 21218	Rep.
Baltimore City/43	Term of 3 years from July 1, 2016
TOURISM DEVELOPMENT BOARD, MARY	TLAND
Heather Renz	Reappointment
507 Hilltop Drive	Food Service
Lutherville, Maryland 21093	Term of 3 years from July 1, 2015
Baltimore County/11	
Anthony Cohen	Reappointment
18733 Tanterra Way	Attractions
Brookeville, Maryland 20833	Term of 3 years from July 1, 2015
Montgomery/14	
TRANSPORTATION AUTHORITY, MARYL	AND
John F. Von Paris	Appointment
11730 Franklinville Road	Transportation Planning
Upper Falls, Maryland 21156	Term of 4 years from July 1, 2016
Baltimore County/07	
WATERWORKS AND WASTE SYSTEMS OF	PERATORS, STATE BOARD OF
Nancy A. Hausrath	Reappointment
13610 Scofield Road	Municipal Government
Flintstone, Maryland 21530	Term of 4 years from July 1, 2014
Allegany/01	
Sterling Bruce Darner	Appointment
6224 Harley Road	Agriculture
Middletown, Maryland 21769	Term of 4 years from July 1, 2016
Frederick/4	
WELL DRILLERS, STATE BOARD OF	
Heather A. Quinn	Appointment
1217 McKinley Street	DNR
Annapolis, Maryland 21403	Term of 2 years from July 1, 2014 and a term
Anne Arundel/30	of 2 years from July 1, 2016
Hahns S. Hairston	Reappointment
5943 Charles Street	Public
Baltimore, Maryland 21207	Term of 2 years from July 1, 2014 and a term
Baltimore County/44	of 2 years from July 1, 2016

T.1. m. cl. 1. c	
John T. Shannahan, Sr.	Reappointment
8101 Tricefield Road	Well Driller – Eastern MD
St. Michaels, Maryland 21663	Term of 2 years from July 1, 2014 and a term
Talbot/37	of 2 years from July 1, 2016
WOMEN, MARYLAND COMMISSION FOR	
Mythili Bachu	Reappointment
15014 Blackburn Road	Member
Burtonsville, Maryland 20866	Term of 4 years from July 1, 2015
Montgomery/14	
Betsy H. Ramirez	Reappointment
5828 Dewey Street	Member
Cheverly, Maryland 20785	Term of 4 years from July 1, 2016
Prince George's/47	
Nicole S.A. Ingram	Appointment
17624 Gettysburg Way	Member
Hagerstown, Maryland 21740	Remainder of a term of 4 years from July 1,
Washington/2	2013
Marylou N. Yam, Ph.D.	Appointment
100 St. Albans Way	Member
Baltimore, Maryland 21212	Term of 4 years from July 1, 2016
Baltimore City/43	
Deborah L. Cartee	Appointment
8028 Horicon Point Drive	Member
Millersville, Maryland 21108	Remainder of a term of 4 years from July 1,
Anne Arundel/31	2012 and a term of 4 years from July 1, 2016
BALTIMORE COUNTY, COMMUNITY CO	
Dr. Richard Manski	Appointment
7 Folly Farms Court	At Large
Reisterstown, Maryland 21136	Term of 5 years from July 1, 2014
Baltimore County/10	
Richard Yaffe	Appointment
3229 Hunting Tweed Drive	2nd Councilmanic District
Owings Mills, Maryland 21117	Term of 5 years from July 1, 2013
Baltimore County/11	
Jerry Gietka	Appointment
13405 Bladon Road	3rd Councilmanic District
Phoenix, Maryland 21131	Term of 5 years from July 1, 2014
Baltimore County/42	15111 62 6 3 6425 11611 6 412 1, 2011
Stephen J. Nolan, Esq.	Reappointment
303 Ivy Church Road	3rd Councilmanic District
Timonium, Maryland 21093	Term of 5 years from July 1, 2014
Baltimore County/42	Total of o yours from outy 1, 2011
James G. Gresham	Reappointment
4 Plum Tree Court	4th Councilmanic District
Randallstown, Maryland 21133	Term of 5 years from July 1, 2015
Baltimore County/10	Total of o years from only 1, 2010
Dammore County/10	

Erness Abron Hill, Ph.D.	Appointment
103 Persimmon Circle	4th Councilmanic District
Reisterstown, Maryland 21136	Term of 5 years from July 1, 2015
Baltimore County/10	remi of 5 years from 5 ary 1, 2015
Mary Margaret O'Hare	Appointment
3012 Summit Avenue	5th Councilmanic District
Baltimore, Maryland 21234	Term of 5 years from July 1, 2015
Baltimore County/42	rem of a years from oary 1, 2016
Gayle Johnson Adams	Appointment
357 Hopkins Landing Drive	6th Councilmanic District
Essex, Maryland 21221	Remainder of a term of 5 years from July 1,
Baltimore County/06	2011 and a term of 5 years from July 1, 2016
CARROLL COMMUNITY COLLEGE BOARD	
Mary Kay Nevius–Maurer	Appointment
2206 Old Fridinger Mill Road	Member
Westminster, Maryland 21157	Remainder of a term of 6 years from July 1,
Carroll/05	2011
FREDERICK COMMUNITY COLLEGE BOARD OF TRUSTEES	
Nicanor Diaz	Reappointment
8208 James Street	Member
Middletown, Maryland 21769	Term of 5 years from July 1, 2016
Frederick/03	
HOWARD COMMUNITY COLLEGE BOARI	O OF TRUSTEES
Felicita Sola–Carter	Appointment
4305 Snowdrop Court	Member
Ellicott City, Maryland 21042	Term of 6 years from July 1, 2014
Howard/09	
MONTGOMERY COLLEGE BOARD OF TRI	USTEES
Marsha S. Smith	Reappointment
2204 Eaglesham Court	Member
Olney, Maryland 20832	Term of 6 years from July 1, 2016
Montgomery/14	
SOMERSET COUNTY LIQUOR CONTROL	BOARD
Robert R. Hogg	Appointment
13957 Allen Road	Member
Princess Anne, Maryland 21853	Term of 4 years from June 1, 2015
Somerset/38	
George D. Tawes	Appointment
103 Williams Street, Unit 212	Member
Crisfield, Maryland 21817	Term of 4 years from June 1, 2015
Somerset/38	

The Message from the Executive, being of an Executive nature, was referred to the Committee on Executive Nominations.

INTRODUCTION OF BILLS

Senate Bill 1063 – Senator Madaleno

AN ACT concerning

Maryland Institute for Policy Analysis and Research Positions – Transfer to State Personnel Management System

FOR the purpose of requiring that, under certain circumstances, certain contractual employees of the Maryland Institute for Policy Analysis and Research be placed in certain positions in the Department of Health and Mental Hygiene; requiring that the employees be placed in the State Personnel Management System without further examination or qualification and with a certain salary level; requiring that certain transferred employees be appointed without prior service credit and serve a certain probationary period; and generally relating to the transfer of certain contractual employees of the Maryland Institute for Policy Analysis and Research to State positions in the Department of Health and Mental Hygiene.

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

Senate Bill 1064 - Senator Feldman

AN ACT concerning

Alcoholic Beverages - Issuance of Class A Licenses

FOR the purpose of specifying that with certain exceptions not more than one alcoholic beverages license may be issued in one jurisdiction to an individual or for a certain use; increasing, subject to certain conditions, the number of Class A alcoholic beverages licenses that may be issued in the State to any individual for a certain use; requiring a local licensing board to consider certain factors before issuing a certain license to an individual; prohibiting a holder of certain licenses from being designated a chain store, supermarket, or discount house by way of certain factors; affirming that no license under this Act will be granted as a matter of right; requiring that all applicants adhere to all local licensing regulations; and generally relating to retail alcoholic beverages licenses issued in the State.

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 4-203

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

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

Senate Bill 1065 – Senator Feldman

AN ACT concerning

Corporations - Maryland General Corporation Law - Miscellaneous Provisions

FOR the purpose of requiring the State Department of Assessments and Taxation to collect a certain additional fee for processing a certified list of certain charter documents or certificates of certain business entities on an expedited basis; altering certain requirements for the execution and signing of certain documents; prohibiting the charter or bylaws of a corporation from imposing liability on a certain stockholder for the attorney's fees or expenses of the corporation or any other party in connection with a certain claim; authorizing the charter or bylaws of a corporation, consistent with certain requirements, to require that certain claims be brought only in certain courts; prohibiting certain provisions of the charter or bylaws of a corporation from prohibiting certain claims from being brought in certain courts; altering the officers of a corporation required to countersign a stock certificate; authorizing the board of directors of a corporation to adopt a certain procedure by resolution unless the charter or bylaws provide otherwise; requiring a certain number of the last acting officers of a corporation, the charter of which has been forfeited for certain reasons, instead of the president or vice president, the secretary, and the treasurer, to sign and acknowledge articles of revival and file them with the Department; requiring that the directors manage the assets, rather than become the trustees of the assets, of a corporation for purposes of liquidating the assets when the corporation's charter has been forfeited; requiring the directors to take certain actions unless and until articles of revival are filed; repealing a provision of law authorizing the directors to sue or be sued in their own names as trustees; repealing a provision of law establishing that the director-trustees govern by majority vote; providing that forfeiture of the charter of a corporation does not subject a director of the corporation to a certain standard of conduct; authorizing a nonstock corporation to convert only into a certain foreign corporation; making certain provisions of this Act applicable to real estate investment trusts; making certain conforming changes; defining a certain term; and generally relating to the Maryland General Corporation Law and real estate investment trusts.

BY renumbering

Article – Corporations and Associations Section 1–101(p) through (cc), respectively to be Section 1–101(q) through (dd), respectively Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement)

BY adding to

Article – Corporations and Associations Section 1–101(p) and 2–113 Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement) BY repealing and reenacting, with amendments,

Article - Corporations and Associations

Section 1–203(b)(8), 1–301, 2–212(a), 2–514(a), 3–507(b)(1), 3–515, 5–207, and 8–601.1

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

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

Senate Bill 1066 - Senator Peters

AN ACT concerning

Economic Development – BRAC Revitalization and Incentive Zones – Extraordinary Development District

FOR the purpose of authorizing the Secretary of Commerce to designate, in a calendar year, an additional BRAC Revitalization and Incentive Zone that includes a certain development district in which a federal law enforcement agency is located; increasing the number of BRAC Zones a county may receive if the zone includes a certain development district; increasing the number of years the Secretary may designate a certain area as a BRAC Zone under certain circumstances; increasing the number of years a certain political subdivision may receive certain payments from the State for certain BRAC Zone property tax increments; increasing a certain limit on the amount of certain payments from the State under certain circumstances; providing for the application of certain provisions of this Act; defining a certain term; and generally relating to BRAC Revitalization and Incentive Zones.

BY repealing and reenacting, with amendments,

Article – Economic Development Section 5–1301 and 5–1304 Annotated Code of Maryland

(2008 Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article - Tax - Property

Section 2–222(a) through (c)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

Senate Bill 1067 – Senator Ferguson

AN ACT concerning

Creation of a State Debt - Baltimore City - Robert Long House

FOR the purpose of authorizing the creation of a State Debt not to exceed \$40,000, the proceeds to be used as a grant to the Board of Directors of The Society for the Preservation of Federal Hill and Fell's Point, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1068 - Senator Eckardt

AN ACT concerning

Alcoholic Beverages - Auxiliary Winery Permit

FOR the purpose of establishing an auxiliary wine permit; authorizing the Comptroller to issue the permit to a Class 4 limited winery for use at a location off the licensed premises anywhere in the State; providing that there is no limit as to the number of permits that may be issued to a single applicant; authorizing the holder of the permit to exercise the privileges with certain exceptions that are allowed at the premises for which the holder's Class 4 license is issued; requiring that an agent who is certified by an approved alcohol awareness program be present while a permit holder sells or provides samples of wine; requiring an applicant for a permit to submit a certain application to the Comptroller; providing for an annual permit fee; and generally relating to alcoholic beverages permits issued by the Comptroller.

BY adding to

Article – Alcoholic Beverages
Section 2–132.1
Annotated Code of Maryland
(As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

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

Senate Bill 1069 - Senator Middleton

AN ACT concerning

Public Utilities – Application for a Certificate of Public Convenience and Necessity – Public Notice

FOR the purpose of requiring the Public Service Commission to provide a weekly notice of a public hearing and an opportunity for public comment on a certain number of social media types and on the Commission's Web site with a certain frequency before the public hearing date; requiring the Commission, before a public hearing, to coordinate with a certain governing body or municipal corporation to identify certain options for providing notice of the public hearing; requiring that a certain informational sign be posted in a certain manner on the day of a public hearing; specifying the contents and size of a certain informational sign; and generally relating to public notice for an application for a certificate of public convenience and necessity.

BY repealing and reenacting, with amendments,

Article – Public Utilities Section 7–207(d) Annotated Code of Maryland (2010 Replacement Volume and 2015 Supplement)

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

Senate Bill 1070 - Senator Muse

AN ACT concerning

Certified Business Enterprises – Gaming and Lottery Control Commission Contracts – Preferences

FOR the purpose of establishing a certain preference program under the State procurement law for bids or proposals for goods or services for the Maryland Gaming and Lottery Control Commission that are submitted by prime contractors and include the use of certain certified business entities; providing for the assignment of certain additional points or percentage price reductions for bids or proposals submitted to the Commission that include the use of certain certified business entities; establishing certain eligibility requirements; limiting the additional points or percentage price reduction that may be assigned to a prime contractor for the use of certain certified business entities under certain procurements; and generally relating to the procurement of goods and services by the Maryland Lottery and Gaming Control Commission and the use of certified minority— and women—owned small, disadvantaged businesses.

BY adding to

Article – State Finance and Procurement

Section 14–701 through 14–703 to be under the new subtitle "Subtitle 7. Maryland Lottery and Gaming Control Commission – Preferences"

Annotated Code of Maryland (2015 Replacement Volume)

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

Senate Bill 1071 – Senator Muse

AN ACT concerning

Office of the Public Defender - Caseload Standards

FOR the purpose of providing that a certain defendant or party may not be provided a certain representation by certain personnel of the Office of the Public Defender if the representation would violate certain caseload standards; providing that, subject to funding in the State budget, a certain defendant or party shall be represented by a certain panel attorney; and generally relating to the Office of the Public Defender.

BY adding to

Article – Criminal Procedure Section 16–204(c) Annotated Code of Maryland (2008 Replacement Volume and 2015 Supplement)

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

Senate Bill 1072 – Senator Muse

AN ACT concerning

Juveniles - Restraint and Searches - Limitations

FOR the purpose of prohibiting the use of mechanical restraints by the Department of Juvenile Services on a child in the Department's custody except under certain circumstances; prohibiting the use of physical restraint by the Department on certain pregnant children and during labor, delivery, or postpartum recovery except under certain circumstances; authorizing a facility superintendent or the superintendent's superior to allow the search of a child under certain circumstances; authorizing a facility superintendent or the superintendent's superior to allow the use of mechanical restraints on a child under certain circumstances; authorizing a facility superintendent or the superintendent's superior to allow the use of physical restraint on certain pregnant children and during labor, delivery, or postpartum recovery under certain circumstances; allowing certain mechanical restraints to be used on a child; limiting the length of time the Department may use certain mechanical restraints on a child; and generally relating to the restraint and searches of a juvenile.

BY repealing and reenacting, with amendments, Article – Human Services Section 9–227 and 9–237(c)(9) and (10) Annotated Code of Maryland (2007 Volume and 2015 Supplement)

BY repealing and reenacting, without amendments, Article – Human Services Section 9–237(a), (b), and (d) Annotated Code of Maryland (2007 Volume and 2015 Supplement)

BY repealing

Article – Human Services Section 9–237(c)(11) Annotated Code of Maryland (2007 Volume and 2015 Supplement)

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

Senate Bill 1073 - Senator Muse

AN ACT concerning

Vehicle Laws - Right-of-Way Violations - Death or Serious Bodily Injury -Penalties

FOR the purpose of establishing a certain mandatory fine for a violation of certain right—of—way provisions that contributes to an accident that results in death or serious bodily injury of another; authorizing the issuance of a certain citation by a law enforcement officer; requiring the District Court to establish a uniform citation form; requiring that the citation contain certain information; requiring that a law enforcement agency provide a copy of a citation to a District Court with venue; requiring that the District Court issue a summons to appear for trial to a person charged; prohibiting the District Court from establishing a schedule for the prepayment of the fine specified on a citation issued under this Act; requiring certain notice to a person charged; and generally relating to penalties for violating certain right—of—way provisions under certain circumstances.

BY repealing and reenacting, without amendments,

Article – Transportation Section 27–113(a) Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation Section 27–114 Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

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

Senate Bill 1074 – Senator Klausmeier

AN ACT concerning

Baltimore County - Alcoholic Beverages - Licenses in Mixed-Use Developments

FOR the purpose of authorizing the Board of License Commissioners for Baltimore County to issue not more than a certain number of certain licenses that are to be located in a single election district and used for a mixed—use development; providing that this Act is an exception to a certain rule of the Board; and generally relating to alcoholic beverages licenses in Baltimore County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 13-102

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

BY adding to

Article – Alcoholic Beverages

Section 13–1602

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

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

Senate Bill 1075 – Senators Klausmeier and Feldman

AN ACT concerning

Public Service Commission - Electric Affordability Program - Study

FOR the purpose of requiring the Public Service Commission to study and make recommendations about the advisability of establishing an opt—in electric affordability program for certain customers of certain electric companies with certain characteristics and the advisability of allowing certain electric cooperatives to participate in the program; requiring the Commission to study and make recommendations about the manner in which a certain program should be conducted, including certain provisions, qualifications, and procedures; requiring the Commission to report certain recommendations by a certain date to the Senate Finance Committee and the House Economic Matters Committee; and generally relating to the affordability of electricity supply and services.

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

Senate Bill 1076 – Washington County Senators

AN ACT concerning

Washington County - Alcoholic Beverages - Population Ratio Quota - Classes of Licenses

FOR the purpose of prohibiting the Washington County Board of License Commissioners from issuing a Class A off—sale license, a Class B on— and off—sale license, or a Class D on— and off—sale license in an election district if the number of licenses exceeds the population ratio quota; authorizing the Board to issue a Class A off—sale license, a Class B on— and off—sale license, or a Class D on— and off—sale license in an election district if the number of licenses exceeds the population ratio quota under certain circumstances; altering a certain seating capacity requirement for a restaurant to be issued an on—sale license; 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

(As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 31–1601

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

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

Senate Bill 1077 – Washington County Senators

AN ACT concerning

Washington County - Alcoholic Beverages - License Renewal Procedures

FOR the purpose of specifying the filing period for a renewal of an alcoholic beverages license in Washington County; requiring a license holder to file an application to renew an annual license and the required documents by a certain date; altering the penalty for late filing of an application for a license renewal; prohibiting the Washington County Board of License Commissioners from renewing a license until the license holder pays certain taxes by a certain date and submits a certain certificate to the Board; specifying certain content of a license renewal application; authorizing the Board to issue renewed licenses for the following year during a certain time period; 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 (As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 31-1801, 31-1802, and 31-1803

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

BY adding to

Article – Alcoholic Beverages

Section 31-1803.1 and 31-1803.2

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

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

Senate Bill 1078 – Washington County Senators

AN ACT concerning

Washington County – Alcoholic Beverages – Class A Beer, Wine, and Liquor – License Fee

FOR the purpose of altering the annual license fee for a Class A beer, wine, and liquor license in Washington County; 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

(As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 31-901

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

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

Senate Bill 1079 – Washington County Senators

AN ACT concerning

Washington County - Alcoholic Beverages - Hotel and Motel Licenses

FOR the purpose of altering certain conditions under which the Board of License Commissioners of Washington County may issue a certain alcoholic beverages license to the owner of a hotel or motel; requiring the hotel or motel to have certain lobby facilities; requiring the hotel or motel to have a certain ballroom, conference room, or banquet room instead of certain dining facilities; altering the authority of the license holder under the license; authorizing the Board to adopt certain regulations; and generally relating to an alcoholic beverages license for hotels or motels in Washington County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 31–102 and 31–1903

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 31–903

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

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

Senate Bill 1080 - Senator Edwards

AN ACT concerning

Garrett County - Property Tax Exemption - Garrett College Business Incubator

FOR the purpose of authorizing the governing body of Garrett County to exempt from the county property tax certain real property in Garrett County that is owned by the Garrett College Board of Trustees and used as a certain business incubator; defining a certain term; providing for the application of this Act; and generally relating to an exemption from the property tax in Garrett County for certain real property used as a business incubator.

BY adding to

Article - Tax - Property

Section 7–511.1

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

Senate Bill 1081 - Senator Eckardt

AN ACT concerning

Mental Health – Voluntary and Involuntary Admissions – Certification by Psychiatric Nurse Practitioners

FOR the purpose of defining "psychiatric nurse practitioner" for purposes of certain provisions of law relating to the voluntary and involuntary admissions of individuals to certain facilities for the treatment of mental disorders; prohibiting a certificate signed by a psychiatric nurse practitioner for the involuntary admission of an individual to certain facilities for the treatment of a mental disorder from being used for an admission under certain circumstances; requiring a facility operated by the Department of Health and Mental Hygiene to receive and evaluate an individual, within a certain number of hours of notification by a psychiatric nurse practitioner, for an involuntary admission for the treatment of a mental disorder under certain circumstances; making a conforming change; and generally relating to the standards for voluntary and involuntary admissions to facilities for the treatment of mental disorders.

BY repealing and reenacting, with amendments, Article – Health – General Section 10–601, 10–616, and 10–619 Annotated Code of Maryland (2015 Replacement Volume)

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

Senate Bill 1082 – Senator Conway

AN ACT concerning

State Board of Dental Examiners - Ownership, Management, and Operation of a Dental Practice

FOR the purpose of altering a certain provision of law to exempt certain entities from the requirements of the Maryland Dentistry Act; prohibiting the State Board of Dental Examiners from requiring a person to be licensed by the Board to engage in certain activities in the State; prohibiting the Board from adopting regulations restricting certain activities; prohibiting certain persons from aiding or abetting the unauthorized practice of dentistry; establishing certain penalties for aiding or abetting the unauthorized practice of dentistry; altering certain penalties; exempting certain persons from certain penalty provisions; requiring the dentist and dental hygienist members of the Board to be appointed with the advice and consent of the Senate; repealing certain provisions of law that require certain lists to have certain numbers of names; repealing the requirement that the Board take certain actions when there is a vacancy on the Board; requiring the Office of Oral Health in the Department of Health and Mental Hygiene to include the exception provided for in a certain provision of this Act in a certain report; making conforming changes;

providing for the effective dates of this Act; providing for the termination of certain provisions of this Act; altering a certain definition; and generally relating to the ownership, management, and operation of a dental practice.

BY repealing and reenacting, with amendments,

Article – Health Occupations Section 4–101(l), 4–102, 4–202, 4–301, 4–601, and 4–606 Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations Section 4–201 and 4–602 Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General Section 13–2504 Annotated Code of Maryland (2015 Replacement Volume)

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

Senate Bill 1083 – Senator Conway

AN ACT concerning

Secretaries of Principal Departments – Supervision and Review of Decisions and Actions by Units Within Department

FOR the purpose of altering a certain provision of law to authorize the Secretary of Health and Mental Hygiene to disapprove or modify a certain decision or determination of a certain board or commission under certain circumstances; requiring the secretary of each principal department to be responsible for the supervision of certain units within the jurisdiction of the secretary; requiring the secretary to adopt certain regulations for the supervision of certain units within the jurisdiction of the secretary for certain purposes; requiring that the regulations specify certain decisions or actions that require review by the secretary, or the secretary's designee, certain review processes, and that the decisions or actions are not final decisions or actions until after a certain review; prohibiting a secretary from designating a certain individual as the secretary's designee; and generally relating to the powers and regulatory authority of secretaries of principal departments.

BY repealing and reenacting, with amendments, Article – Health Occupations Section 1–203(a) Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government Section 8–205(b) and 8–206 Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement)

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

Senate Bill 1084 - Senator Lee

AN ACT concerning

Adult Entertainment Establishments – National Human Trafficking Resource Center Hotline Information – Sign Posting Requirements

FOR the purpose of requiring the owner of a certain adult entertainment establishment to post a certain information sign in each restroom of the adult entertainment establishment in a certain manner; requiring a certain agency that determines a certain violation has occurred to notify the owner of the adult entertainment establishment or the owner's agent of the violation; providing that the owner is subject to a certain civil penalty if the owner does not post certain signs within a certain period of time after receiving a certain notice; defining certain terms; and generally relating to posting signs with information about the National Human Trafficking Resource Center Hotline in adult entertainment establishments.

BY repealing and reenacting, without amendments,

Article – Business Regulation Section 15–207(a) Annotated Code of Maryland (2015 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Regulation Section 19–103 Annotated Code of Maryland (2015 Replacement Volume and 2015 Supplement)

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

Senate Bill 1085 - Senator McFadden

AN ACT concerning

FOR the purpose of providing that a representative of a unit may request that the procurement officer for the unit direct the unit to make a certain payment to a subcontractor and to withhold or recover a payment from a contractor under certain circumstances; and generally relating to accelerated payments to subcontractors.

BY repealing and reenacting, with amendments, Article – State Finance and Procurement Section 15–103 and 15–226 Annotated Code of Maryland (2015 Replacement Volume)

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

Senate Bill 1086 – Senator McFadden

AN ACT concerning

Task Force to Study the Capital Needs of Disadvantaged, Minority, and Small Businesses in Maryland

FOR the purpose of establishing the Task Force to Study the Capital Needs of Disadvantaged, Minority, and Small Businesses 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 review, assess, and examine certain matters and make certain recommendations related to the capital needs of disadvantaged, minority, and small businesses in Maryland; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study the Capital Needs of Disadvantaged, Minority, and Small Businesses in Maryland.

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

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 76 – Chair, Judiciary Committee (By Request – Departmental – State Police)

AN ACT concerning

Department of State Police - Investigation Authority

FOR the purpose of expanding the authority of members of the Department of State Police to investigate and enforce certain violations within a municipal corporation under certain circumstances; and generally relating to the authority of the Department of State Police.

BY repealing and reenacting, with amendments,

Article – Public Safety Section 2–412 Annotated Code of Maryland (2011 Replacement Volume and 2015 Supplement)

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

House Bill 77 – Chair, Judiciary Committee (By Request – Departmental – State Police)

AN ACT concerning

Family Law – Missing Children – Reporting Requirements and Repeal of Advisory Council

FOR the purpose of requiring that certain data regarding a missing child be entered into a certain national database within a certain period of time after the receipt of certain information; repealing the requirement that a law enforcement agency enter certain data regarding a missing child into a certain State database; repealing the requirement that a certain law enforcement agency forward a certain copy of a missing persons report to the State Clearinghouse for Missing Children; repealing provisions providing for the appointment, responsibilities, and terms of a certain advisory council; and generally relating to missing children.

BY repealing and reenacting, with amendments,

Article – Family Law Section 9–402 and 9–403 Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

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

House Bill 78 – Chair, Judiciary Committee (By Request – Departmental – State Police)

AN ACT concerning

State Fire Marshal - Reporting Requirements - Repeal

FOR the purpose of repealing a requirement that certain fire investigation reports about chimney fires be filed with the State Fire Marshal; repealing a requirement that the

State Fire Marshal establish and maintain a repository of certain chimney fire reports; repealing a requirement that certain insurers report certain losses to the State Fire Marshal within a certain time period in a certain manner; and generally relating to the State Fire Marshal and fire investigation reporting.

BY repealing

Article – Public Safety Section 6–313 and 6–314 Annotated Code of Maryland (2011 Replacement Volume and 2015 Supplement)

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

House Bill 121 – Delegates Carozza, Anderson, Anderton, Atterbeary, Cluster, Otto, Reilly, Valentino-Smith, B. Wilson, and C. Wilson

AN ACT concerning

Criminal Law – False Statement Concerning Destructive Device or Toxic Material – Venue

FOR the purpose of adding an additional venue in which a person may be prosecuted for a false statement concerning a destructive device or toxic material; making certain stylistic changes; and generally relating to false statements concerning a destructive device or toxic material.

BY repealing and reenacting, without amendments,

Article – Criminal Law Section 9–504(b) Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law
Section 9–504(d)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

House Bill 191 – Delegate Dumais

AN ACT concerning

Child Support - Adjusted Actual Income - Multifamily Adjustment

FOR the purpose of altering the definition of "adjusted actual income" under the State child support guidelines; providing for the calculation of a certain allowance required to be deducted from adjusted actual income under the child support guidelines; requiring that the amount of a certain allowance be subtracted from a parent's actual income before the court determines the amount of a child support award; repealing a factor the court may consider in determining whether the application of the child support guidelines would be unjust or inappropriate in a particular case; and generally relating to child support.

BY repealing and reenacting, without amendments,

Article – Family Law Section 12–201(a) and (b) Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Family Law Section 12–201(c), 12–202(a), and 12–204(a) Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

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

THE COMMITTEE ON FINANCE REPORT #10

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

Senate Bill 147 – Senators Hough and Young

AN ACT concerning

Interagency Disabilities Board – Membership and Duties – Community Inclusion Training Oversight

SB0147/887479/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 147

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Young" and substitute ", Young, Astle, Benson, Feldman, Hershey, Jennings, Kelley, Klausmeier, Mathias, Middleton, Pugh, and

Reilly"; in line 2, strike "Interagency Disabilities Board" and substitute "Ethan Saylor Alliance for Self-Advocates as Educators"; in line 4, strike "Interagency Disabilities Board" and substitute "Steering Committee of the Ethan Saylor Alliance for Self-Advocates as Educators"; in line 5, strike "Board" and substitute "Steering Committee"; in the same line, after "review" insert ", or request that the Alliance review,"; in line 9, strike "Interagency Disabilities Board" and substitute "Ethan Saylor Alliance for Self-Advocates as Educators"; after line 9, insert:

"BY repealing and reenacting, without amendments,

<u>Article – Human Services</u>

Section 7–502(a)

Annotated Code of Maryland

(2007 Volume and 2015 Supplement)";

and in line 12, strike "7–128 and 7–131" and substitute "<u>7–503</u>".

AMENDMENT NO. 2

On pages 1 through 3, strike in their entirety the lines beginning with line 18 on page 1 through line 8 on page 3, inclusive.

On page 3, after line 8, insert:

"7–502.

(a) There is an Ethan Saylor Alliance for Self–Advocates as Educators in the Department.

7-503.

- (a) There is a Steering Committee for the Alliance.
- (b) The Steering Committee shall include the following members:
 - (1) the Secretary, or the Secretary's designee;
- (2) the Superintendent of the State Police, or the Superintendent's designee;

- (3) the Executive Director of the Police and Correctional Training Commissions, or the Executive Director's designee;
- (4) the Deputy Secretary for Developmental Disabilities in the Department of Health and Mental Hygiene, or the Deputy Secretary's designee; and
 - (5) the following individuals, appointed by the Secretary:
 - (i) <u>[a representative of People on the Go Maryland;</u>
- (ii) <u>a representative of the Maryland Developmental Disabilities</u>

 Council;
- [(iii)] (II) two representatives of community—based organizations that support people with intellectual disabilities and developmental disabilities;
- [(iv)] (III) four members of the public with knowledge of intellectual disabilities and developmental disabilities, including at least two self-advocates and a family member of an individual with an intellectual disability or developmental disability; AND
- **I**(v) <u>a representative of the Maryland Association of Boards of Education; and <u>a representative of the Maryland Association of Boards of Education</u></u>
- (vi) (IV) other members deemed necessary to carry out the work of the Steering Committee.
 - (c) A member appointed by the Secretary:
- (1) serves for a term of 3 years and until a successor is appointed and qualifies; and
 - (2) may be reappointed.
 - (d) A member of the Steering Committee:
- (1) may not receive compensation as a member of the Steering Committee; but

- (2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.
 - (e) The Steering Committee shall:
- (1) <u>develop parameters for the Alliance, including expected outcomes for</u> and evaluation of the Alliance;
 - (2) select entities to operate the Alliance through a competitive process;
 - (3) provide general oversight of the Alliance;
 - (4) approve the budget for the Alliance;
 - (5) review the Alliance's activities and outcomes; [and]
- (6) <u>develop recommendations for sustainability and expansion of the Alliance, including:</u>
 - (i) costs of sustaining and expanding the Alliance;
 - (ii) potential sources of funding for the Alliance; and
- (iii) compensation and supports for self-advocate [educators.] **EDUCATORS; AND**".

On page 3, in line 9, strike "(6)" and substitute "(7)"; and in the same line, after "REVIEW" insert ", OR REQUEST THAT THE ALLIANCE 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 Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 195 – Senators Ready and Bates

AN ACT concerning

Carroll County – State's Attorney's Office and Child Support Enforcement Administration – Transfer of Personnel

SB0195/257473/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 195

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "prohibiting" in line 14 down through "assignment;" in line 16 and substitute "requiring that certain transferred employees be given credit with the State for years of county employment for purposes of determining eligibility for participation as a retiree in the State Employee and Retiree Health and Welfare Benefits Program; requiring that certain transferred employees be subject to certain benefit selections in the Employees' Pension System; providing that certain transferred employees are not responsible for depositing the difference between certain member contributions and interest in the Carroll County Pension Plan and the Employees' Pension System for certain creditable service earned in the Carroll County Pension Plan; requiring a certain valuation to be performed by a certain actuary;".

AMENDMENT NO. 2

On page 2, after line 37, insert:

"(c) If an employee of the Office of the State's Attorney for Carroll County who provides services as an assistant State's Attorney under the 2016 agreement between the Child Support Enforcement Administration and the Office of the State's Attorney for Carroll County for the period between October 1, 2015, and June 30, 2016, both inclusive, is appointed by the Office of the Attorney General to continue providing services for the Child Support Enforcement Administration as a State employee on or after June 30, 2016, a Position Identification Number (PIN) shall be created for each transferred employee in a State classification commensurate with the employee's salary grade at the time of the transfer. The salary grade shall be determined using a salary based on the same hourly rate of salary of the employee at the time of transfer. Each transferred employee shall be given credit with the State for years of County employment for purposes of seniority including the determination of leave accumulation and determination of layoff rights under Title 11, Subtitle 2 of the State Personnel and Pensions Article.

- (d) Each transferred employee who is a member of the Carroll County Pension Plan on June 30, 2016, shall be given credit with the State for years of County employment for purposes of determining eligibility for participation as a retiree in the State Employee and Retiree Health and Welfare Benefits Program under § 2–508 of the State Personnel and Pensions Article, so that eligibility is based on the starting date for service with the Child Support Unit of the Office of the State's Attorney for Carroll County instead of the starting date of employment with the State.
- (e) Each transferred employee who is a member of the Carroll County Pension Plan on June 30, 2016, and who becomes a member of the Employees' Pension System of the State of Maryland in accordance with this Act shall be subject to:
- (1) the Alternate Contributory Pension Selection of the Employees' Pension System as provided under Title 23, Subtitle 2, Part III of the State Personnel and Pensions Article if the beginning date of the individual's employment with the Child Support Unit of the Office of the State's Attorney for Carroll County was on or before June 30, 2011; or
- (2) the Reformed Contributory Pension Benefit of the Employees' Pension System as provided under Title 23, Subtitle 2, Part IV of the State Personnel and Pensions Article if the beginning date of the individual's employment with the Child Support Unit of the Office of the State's Attorney for Carroll County was on or after July 1, 2011.
- (f) Notwithstanding § 37–203.1(a) of the State Personnel and Pensions Article, each transferred employee who transfers service credit from the Carroll County Pension Plan to the Employees' Pension System of the State of Maryland in accordance with this Act is not responsible for depositing in the annuity savings fund of the Employees' Pension System the difference between the member contributions at the rate provided for in the Carroll County Pension Plan, including interest on those contributions, and the member contributions at the rate provided for in the Employees' Pension System, including interest on those contributions of 5% per year compounded annually, for the individual's creditable service that was earned in the Carroll County Pension Plan.
- (g) The actuarial valuation required under § 37–205 of the State Personnel and Pensions Article for employees transferred under this Act shall be performed by the actuary designated by the Board of Trustees in accordance with § 21–125 of the State Personnel and Pensions Article.";

and in line 38, strike "(c)" and substitute "(h)".

AMENDMENT NO. 3

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

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 297 - Senator Madaleno

AN ACT concerning

Health Insurance - Habilitative Services - Period of Time for Coverage

SB0297/597879/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 297

(First Reading File Bill)

On page 3, in line 18, strike "October 1, 2016" and substitute "January 1, 2017".

The preceding amendment was read only.

Senator Middleton moved, duly seconded, to recommit the Bill.

The motion was adopted.

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

Senate Bill 336 – Senators Kelley, Astle, Benson, Feldman, Klausmeier, Middleton, and Pugh

AN ACT concerning

Hospitals - Designation of Lay Caregivers

SB0336/997370/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 336

(First Reading File Bill)

On page 1, in line 13, after "patient" insert "or the legal guardian of a patient".

On page 4, in line 25, after "PATIENT" insert "OR THE LEGAL GUARDIAN OF A PATIENT".

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 450 – Senators Kelley and Reilly

AN ACT concerning

Health Care Provider Malpractice Insurance - Scope of Coverage

SB0450/737874/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 450

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Reilly" and substitute "<u>, Reilly, Astle, Benson, Feldman, Hershey, Jennings, Klausmeier, Mathias, Middleton, and Pugh</u>".

AMENDMENT NO. 2

On page 2, in lines 17 and 19, strike "(1)" and "(2)", respectively, and substitute "(I)" and "(II)", respectively.

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 471 – Senator Pugh

AN ACT concerning

Commercial Law - Debt Settlement Services - Fund and Sunset Repeal

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 480 - Senators Astle, Bates, Klausmeier, and Middleton

AN ACT concerning

Public Utilities – Maryland Underground Facilities Damage Prevention Authority – Funding

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 691 – Senator Bates

AN ACT concerning

Public Health – Provision of Life–Preserving Health Care Services (Vulnerable Protection Act)

The bill was re-referred to the Committee on Judicial Proceedings.

THE COMMITTEE ON RULES REPORT #2

Senator Klausmeier, Chair, for the Committee on Rules reported favorably:

Senate Bill 506 – The President (By Request – Department of Legislative Services)

EMERGENCY BILL

AN ACT concerning

Annual Corrective Bill

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Klausmeier, Chair, for the Committee on Rules reported favorably:

Senate Bill 507 – The President (By Request – Department of Legislative Services)

EMERGENCY BILL

AN ACT concerning

Annual Curative Bill

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 969 - Senator Brochin

AN ACT concerning

Vehicle Equipment - Counterfeit and Nonfunctional Airbags - Prohibitions

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 971 – Senator Cassilly

AN ACT concerning

Criminal Procedure - Petition for Writ of Actual Innocence - Appeal Right

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 972 – Senators Peters, Astle, Bates, Cassilly, Currie, DeGrange, Eckardt, Edwards, Guzzone, Hershey, Jennings, King, Klausmeier, Madaleno, Manno, Ramirez, Simonaire, and Zirkin

AN ACT concerning

Creation of a State Debt - Dorchester County - Patriot Point

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 973 – Senators Madaleno and Conway

AN ACT concerning

Campaign Finance – Public Officials – Solicitation of Contributions or Donations

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 974 – Senator Pugh

AN ACT concerning

Arts and Entertainment Districts - Artistic Work - Eligibility

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

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 975 - Senator Lee

AN ACT concerning

Creation of a State Debt - Montgomery County - Friendship Heights Village Center The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 976 - Senator Peters

AN ACT concerning

Commercial Daily Fantasy Sports - Authorization and Regulation

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 978 - Senator Lee

AN ACT concerning

Child Custody - Legal Decision Making and Parenting Time

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 979 - Senator Peters

AN ACT concerning

Optional Retirement Program - Eligibility - Alterations

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 980 – Senator Miller

AN ACT concerning

Gaming - Traditional Noncommercial Fantasy Competitions - Clarification

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 982 – Senators Kasemeyer and Miller

AN ACT concerning

Maryland Private Equity and Venture Capital Authority

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 983 - Senator Zucker

AN ACT concerning

Creation of a State Debt - Montgomery County - Sandy Spring Museum

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 984 – Senator Zucker

AN ACT concerning

Creation of a State Debt - Montgomery County - Our House Youth Home

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 985 - Senator Zucker

AN ACT concerning

Creation of a State Debt - Montgomery County - Maydale Nature Center

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 986 – Senator Zucker

AN ACT concerning

Creation of a State Debt - Montgomery County - Olney Theatre Center

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 987 - Senator Zucker

AN ACT concerning

Creation of a State Debt - Montgomery County - Damascus High School Turf Field

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 988 – Senator Middleton

AN ACT concerning

Creation of a State Debt – Charles County – Maryland Veterans Memorial Museum Land Acquisition

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 989 – Washington County Senators

AN ACT concerning

Washington County Board of Education – Access to Public School Courses – Nonpublic School Students

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 991 – Senator Young

AN ACT concerning

Natural Resources - Wildlife Trafficking Prevention

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 992 – Senator Young

AN ACT concerning

Vehicle Laws - Giving Way to Overtaking Vehicles in the Left Lane

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 993 - Senator Young

AN ACT concerning

Procurement - Equal Pay Certificates - Requirement

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 994 – Senator Young

AN ACT concerning

Labor and Employment - Equal Pay for Equal Work - Revisions

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

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 995 – Senator Waugh

AN ACT concerning

St. Mary's County - Local Licenses - Repeal

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 996 - Senator Waugh

AN ACT concerning

St. Mary's County - Local Landlord and Tenant Law - Repeal

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 997 – Senator Waugh

AN ACT concerning

St. Mary's County – Metropolitan Commission Bonds – Extension of Maximum Maturity Date

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 998 – Senator Waugh

AN ACT concerning

St. Mary's County - Property Tax Credit - New or Expanding Businesses

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 999 – Senator Waugh

St. Mary's County - Keeper of the Jail - Repeal

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1000 - Senator Waugh

AN ACT concerning

St. Mary's County - Circuit Court Personnel - Repeal

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1001 - Senator Waugh

AN ACT concerning

St. Mary's County - Taxicabs - Repeal of Local Provisions

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

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1002 – Senators Hershey and Eckardt

AN ACT concerning

Creation of a State Debt - Caroline County - Sharp Road Community Park

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs and the Committee on Budget and Taxation:

Senate Bill 1003 – Senator Rosapepe

AN ACT concerning

Department of Information Technology - Data Sharing and Integration

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs and the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1004 – Senators Klausmeier, DeGrange, Edwards, Jennings, King, Mathias, Middleton, and Peters

AN ACT concerning

Gaming Payouts - Donation of Coins - Maryland Veterans Trust Fund

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1005 – The President (By Request – Justice Reinvestment Coordinating Council)

AN ACT concerning

Justice Reinvestment Act

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1006 – The President (By Request – Justice Reinvestment Coordinating Council)

AN ACT concerning

Justice Reinvestment Act - Criminal Penalties

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re—referred to the Committee on Budget and Taxation and the Committee on Finance:

Senate Bill 1007 - Senator Peters

Maryland Small Business Retirement Savings Program and Trust

The bill was re-referred to the Committee on Budget and Taxation and the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re—referred to the Committee on Judicial Proceedings:

Senate Bill 1008 – Senator Cassilly

AN ACT concerning

Drunk and Drugged Driving - Evidence of Blood Test

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1010 - Senator Hershey

AN ACT concerning

Environment - Municipal Water Supply Contamination - Remediation Costs

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1011 - Senator Middleton

AN ACT concerning

Creation of a State Debt - Charles County - Indian Head Center for the Arts Renovation

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1012 – Senator Conway

Creation of a State Debt – Baltimore City – Woodbourne Center Vocational Program

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1013 - Senator Conway

AN ACT concerning

Creation of a State Debt - Baltimore City - Stony Run Path

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1015 - Senator Waugh

AN ACT concerning

St. Mary's County - Alcoholic Beverages - Permits, Training, Prohibited Acts, and Violations

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1017 - Senator Pinsky

AN ACT concerning

Creation of a State Debt - Prince George's County - Maryland Multicultural Youth Centers

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1018 - Senator Pugh

Health Insurance - Specialty Drugs - Participating Pharmacies

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

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1019 - Senator Pugh

AN ACT concerning

Family Law - Grandparent Visitation

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1020 - Senator Pugh

AN ACT concerning

State Board of Physicians – Authority to Adopt Regulations – Physician Licensing Reciprocity

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1021 - Senator Pugh

AN ACT concerning

Election Law - Change in Administrative Policy Affecting Voting Rights - Notice and Judicial Review

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1022 – Senators Manno, Feldman, Kagan, King, Lee, Madaleno, Raskin, and Zucker

AN ACT concerning

Creation of a State Debt - Montgomery County - Jewish Foundation for Group Homes

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1023 - Senator Ramirez

AN ACT concerning

Victims and Witnesses – U Nonimmigrant Status – Certification of Victim Helpfulness

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1024 - Senator Serafini

AN ACT concerning

Income Tax - Interest Rate - Wynne Case

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1025 - Senator Edwards

AN ACT concerning

Allegany County - Video Lottery Terminals - Ownership Costs

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings and the Committee on Budget and Taxation:

Senate Bill 1026 – The President (By Request – Workgroup on Public Safety and Policing) and Senators Pugh, Guzzone, McFadden, Miller, Ramirez, Raskin, and Zirkin

AN ACT concerning

Public Safety and Policing Workgroup - Recommendations

The bill was re-referred to the Committee on Judicial Proceedings and the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1028 - Senator Pugh

AN ACT concerning

Motor Vehicle Insurance – Discrimination in Underwriting and Rating – Prohibitions

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

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1029 - Senator Hough

EMERGENCY BILL

AN ACT concerning

Procurement – Prevailing Wage Rate – Applicability to Public School Construction Projects in Frederick County

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

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1030 – Senators Hough and Young

AN ACT concerning

Creation of a State Debt - Frederick County - Helen Smith Studio

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1031 - Senators McFadden and Peters

AN ACT concerning

Correctional Officers' Retirement System - DROP

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re—referred to the Committee on Budget and Taxation:

Senate Bill 1033 - Senator Mathias

EMERGENCY BILL

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2015 – Worcester County – Delmarva Discovery Center and Museum

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1034 - Senator Mathias

AN ACT concerning

Creation of a State Debt – Worcester County – Delmarva Discovery Center and Museum

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1035 – Senators Madaleno, Conway, Currie, Feldman, Ferguson, Gladden, Kagan, King, Lee, Manno, McFadden, Muse, Nathan-Pulliam, Peters, Pinsky, Pugh, Ramirez, Raskin, Rosapepe, and Zucker

AN ACT concerning

Transportation - Transit Service - State Grants and Farebox Recovery Rate

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1036 - Senator Muse

AN ACT concerning

Criminal Law - Smoking Marijuana in Public - Penalty

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1037 - Senator Muse

AN ACT concerning

Criminal Law - Synthetic Cannabinoids - Prohibition

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1038 – Senator Young

AN ACT concerning

Economic Development – Maryland Stadium Authority – Downtown Frederick Conference Center

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

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1039 - Senator Muse

AN ACT concerning

Drugged Driving or Operation of Vessel - Polysubstance Abuse

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1040 – Senators Rosapepe, Feldman, Ferguson, Madaleno, Manno, McFadden, Pugh, and Raskin

AN ACT concerning

Public Safety - Firearms - Terrorist Watchlist

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1041 – Senators Rosapepe, Bates, Conway, Currie, Feldman, Ferguson, Guzzone, Kagan, Kelley, King, Lee, Madaleno, McFadden, Peters, Ramirez, Salling, Simonaire, and Zucker

AN ACT concerning

Education – Digital Equity for All Act

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1052 – Senators Ferguson, Miller, Currie, DeGrange, Edwards, Guzzone, King, Madaleno, Manno, McFadden, Peters, and Serafini

AN ACT concerning

University of Maryland Strategic Partnership Act of 2016

The bill was re-referred to the Committee on Budget and Taxation.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 404 - Senators Pinsky, Conway, King, and Madaleno

EMERGENCY BILL

AN ACT concerning

State Board of Education - State Superintendent of Schools - Appointment

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

Senator Pinsky moved, duly seconded, to make the Bill and Report a Special Order for February 23, 2016.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 267)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #18

Senate Bill 302 – Senators Raskin, Benson, Currie, DeGrange, Feldman, Kagan, Kelley, King, Klausmeier, Lee, Manno, Peters, Pinsky, Pugh, and Ramirez

AN ACT concerning

Aggressive Drunk Driving - Punitive Damages

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

Affirmative – 43 Negative – 1 (See Roll Call No. 268)

The Bill was then sent to the House of Delegates.

QUORUM CALL

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

(See Roll Call No. 269)

ADJOURNMENT

At 12:08 P.M. on motion of Senator Pugh, seconded, the Senate adjourned until 8:00 P.M. on Monday, February 22, 2016 in Honor of Harford County deputy sheriffs Mark Logsdon and Patrick Dailey.

Annapolis, Maryland Monday, February 22, 2016 8:00 P.M. Session

The Senate met at 8:04 P.M.

Prayer by Father Chris LaBarge, St. Francis DeSales Parish, 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. 275)

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 343 - Senator C. Anthony Muse:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Buffalo Soldiers
Chaplain Henry Vinton Plummer
Chapter – 9th and 10th Calvary Association
in recognition of
your faithful service and unselfish patriotism to the nation and community.
The entire membership extends its best wishes on
this memorable occasion and directs this resolution

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 276)

be presented on this 22nd day of February 2016.

INTRODUCTION OF BILLS

Senate Bill 1087 - Senator Edwards

AN ACT concerning

Creation of a State Debt - Garrett County - Friendsville Veterans Memorial

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Directors of the Garrett Memorial Veterans of Foreign Wars, Post 10077, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1088 – Harford County Senators

AN ACT concerning

Alcoholic Beverages – Harford County – License and Permit Fees and Repealing Obsolete Provisions

FOR the purpose of repealing certain provisions relating to alcoholic beverages in Harford County; altering the fees for certain alcoholic beverages licenses and permits in Harford County; and generally relating to the regulation of alcoholic beverages in Harford County.

BY repealing

Article – Alcoholic Beverages

Section 22-701 and 22-1304

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 22–801(a), 22–802(a), 22–803(a), 22–804(a), 22–805(a), 22–806(a), 22–807(a), 22–901(a), 22–902(a), 22–904(a), 22–905(a), 22–906(a), 22–907(a), 22–908(a), 22–909(a), 22–910(a), 22–1001(a), 22–1002(a), 22–1003(a), 22–1004(a), 22–1005(b), 22–1006(b), 22–1201(a), 22–1310(a), and 22–1311(a) Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

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Article – Alcoholic Beverages
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Section 22–801(d), 22–802(e), 22–803(d), 22–804(d), 22–805(c), 22–806(c), 22–807(c), 22–901(e), 22–902(g), 22–904(g), 22–905(e), 22–906(e), 22–907(e), 22–908(e), 22–909(e), 22–910(g), 22–1001(i), 22–1002(e), 22–1003(e), 22–1004(e), 22–1005(k), 22–1006(g), 22–1201(e), 22–1301, 22–1309, 22–1310(d), and 22–1311(e)
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Annotated Code of Maryland (As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

BY adding to

Article - Alcoholic Beverages

Section 22–1312

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

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

Senate Bill 1089 - Senator Simonaire

AN ACT concerning

Inheritance Tax - Exemption - Cousins

FOR the purpose of providing an exemption from the inheritance tax for property that passes to a cousin of a decedent if the decedent does not have certain surviving relatives; and generally relating to the inheritance tax.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 7–203(b)

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)

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

Senate Bill 1090 - Senator Simonaire

AN ACT concerning

Creation of a State Debt - Anne Arundel County - Sun Valley Park Playground

FOR the purpose of authorizing the creation of a State Debt in the amount of \$50,000, the proceeds to be used as a grant to the County Executive and the County Council of Anne Arundel County for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1091 – Senator Eckardt

AN ACT concerning

Wetlands and Waterways Program - Fee Reduction

FOR the purpose of reducing certain application and license fees under the wetlands and waterways program; and generally relating to the wetlands and waterways program.

BY repealing and reenacting, without amendments,

Article – Environment Section 5–203.1(a) Annotated Code of Maryland (2013 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment Section 5–203.1(b)(1) Annotated Code of Maryland (2013 Replacement Volume and 2015 Supplement)

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

Senate Bill 1092 – Senator Rosapepe

AN ACT concerning

Nursing Facilities - Quality Assessment - Modification

FOR the purpose of altering the applicability of a certain quality assessment imposed by the Department of Health and Mental Hygiene, and certain provisions of law relating to a certain quality assessment, to certain nursing facilities; and generally relating to a quality assessment on nursing facilities.

BY repealing and reenacting, with amendments,

Article – Health – General Section 19–310.1 Annotated Code of Maryland (2015 Replacement Volume)

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

Senate Bill 1093 - Senator Astle

AN ACT concerning

Public Health - Construction of Laws Governing Medical Cannabis - Liability for Costs Resulting From Use

FOR the purpose of providing that certain provisions of law may not be construed to require an employer, the Maryland Medical Assistance Program, or certain insurance carriers to pay for or reimburse a person for certain costs that result from an individual's use of medical cannabis in accordance with certain provisions of law; and generally relating to the construction of laws governing medical cannabis.

BY repealing and reenacting, with amendments,

Article – Health – General Section 13–3314 Annotated Code of Maryland (2015 Replacement Volume)

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

Senate Bill 1094 - Senator Astle

AN ACT concerning

Health - Recovery Residences - Certification

FOR the purpose of requiring the Department of Health and Mental Hygiene to approve a credentialing entity to develop and administer a certification process for recovery residences; requiring the certification entity to establish certain requirements and processes, conduct a certain inspection, and issue a certain certificate of compliance; providing that a certificate of compliance is valid for a certain period of time; authorizing the credentialing entity to revoke the certificate of compliance of a certain date, the credentialing entity to submit a certain list to the Department; requiring, on or before a certain date, the Department to publish on its Web site a certain list; prohibiting a person from advertising, representing, or implying to the public that a recovery residence is a certificate of compliance; establishing a certain civil penalty; requiring the Department to consider certain factors when setting the amount of a certain civil penalty; defining certain terms; and generally relating to the certification of recovery residences.

BY adding to

Article – Health – General Section 19–2401 through 19–2404 to be under the new subtitle "Subtitle 24. Recovery Residences" Annotated Code of Maryland (2015 Replacement Volume)

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

Senate Bill 1095 - Senator Astle

Creation of a State Debt - Anne Arundel County - Hammond-Harwood House Preservation

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

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

Senate Bill 1096 - Senator Nathan-Pulliam

AN ACT concerning

Child Abuse and Neglect - Information Regarding Parents Responsible for **Child Abuse or Neglect**

FOR the purpose of altering the circumstances under which the Executive Director of the Social Services Administration is required to provide to the Secretary of Health and Mental Hygiene certain information relating to individuals who, under certain circumstances, have their parental rights terminated or have been identified as responsible for child abuse or neglect; removing a time limitation on a certain requirement that the Secretary provide certain birth record information to the Executive Director; and generally relating to information regarding parents responsible for child abuse or neglect.

BY repealing and reenacting, with amendments,

Article – Family Law Section 5–715

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 4–222

Annotated Code of Maryland

(2015 Replacement Volume)

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

Senate Bill 1097 – Senators Mathias, Eckardt, Edwards, Hershey, and Middleton

Local Government Tort Claims Act - Regional Development Councils

FOR the purpose of altering the definition of a "local government" under the Local Government Tort Claims Act to include certain regional development councils; providing for the application of this Act; and generally relating to the inclusion of certain regional councils under the Local Government Tort Claims Act.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–301
Annotated Code of Maryland
(2013 Replacement Volume and 2015 Supplement)

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

Senate Bill 1098 - Senators Klausmeier, Bates, Nathan-Pulliam, and Pugh

AN ACT concerning

Creation of a State Debt – Baltimore City – Girl Scouts of Central Maryland Urban Program and STEM Center

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

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

Senate Bill 1099 – Senators Feldman, Kagan, King, Lee, Madaleno, Manno, Raskin, and Zucker

EMERGENCY BILL

AN ACT concerning

State Highway Administration - Watkins Mill Road Interchange Project

FOR the purpose of requiring the State Highway Administration to undertake all steps necessary to complete the Watkins Mill Road Interchange Project; specifying certain requirements for the Project; requiring the Governor to appropriate a certain amount of funding for the Project; stating the intent of the General Assembly; requiring the

Administration to submit an annual report to certain committees of the General Assembly; making this Act an emergency measure; and generally relating to the Watkins Mill Road Interchange Project.

BY adding to

Article – Transportation Section 8–657 Annotated Code of Maryland (2015 Replacement Volume and 2015 Supplement)

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

Senate Bill 1100 - Senator Gladden

AN ACT concerning

Family Law - Child Support - Age of Majority - Postsecondary Education

FOR the purpose of altering certain provisions of law defining the age of majority to provide that an individual who has attained the age of 18 years and who is enrolled for a certain number of credits in an institution of postsecondary education has a right to support and maintenance until the first of certain events occurs; defining a certain term; establishing that this Act shall be considered a material change in circumstances for purposes of modifying a child support order issued before the effective date of this Act; and generally relating to child support.

BY repealing and reenacting, with amendments,

Article – General Provisions Section 1–401 Annotated Code of Maryland (2014 Volume and 2015 Supplement)

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

Senate Bill 1101 – Senator Gladden

AN ACT concerning

Jurors - Qualification - Prior Conviction

FOR the purpose of repealing a requirement that an individual who has been convicted of a certain crime and received a certain sentence be disqualified from jury service; repealing a requirement that an individual who has certain pending criminal charges be disqualified from jury service; making conforming changes; and generally relating to jurors.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings Section 8–103 Annotated Code of Maryland (2013 Replacement Volume and 2015 Supplement)

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

Senate Bill 1102 – Senators Manno, Feldman, King, Lee, Madaleno, Raskin, and Zucker

AN ACT concerning

Creation of a State Debt - Montgomery County - Montgomery Hospice Casey House

FOR the purpose of authorizing the creation of a State Debt not to exceed \$120,000, the proceeds to be used as a grant to the Board of Directors of Montgomery Hospice, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1103 – Senators Manno, Ramirez, Mathias, and Peters

AN ACT concerning

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

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

BY adding to

Article – Tax – General Section 11–232 Annotated Code of Maryland (2010 Replacement Volume and 2015 Supplement)

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

Senate Bill 1104 – Harford County Senators and Senators Astle, Bates, Benson, Brochin, Conway, Currie, DeGrange, Eckardt, Edwards, Feldman,

Ferguson, Gladden, Guzzone, Hershey, Hough, Kagan, Kasemeyer, Kelley, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Muse, Nathan-Pulliam, Peters, Pinsky, Pugh, Ramirez, Raskin, Ready, Reilly, Rosapepe, Salling, Serafini, Simonaire, Waugh, Young, Zirkin, and Zucker

EMERGENCY BILL

AN ACT concerning

Transportation - Highways - Heroes Highway

FOR the purpose of requiring the State Highway Administration to dedicate a certain portion of Maryland Route 924 as Heroes Highway; making this Act an emergency measure; and generally relating to Heroes Highway.

BY adding to

Article – Transportation Section 8–657 Annotated Code of Maryland (2015 Replacement Volume and 2015 Supplement)

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

Senate Bill 1105 - Senator Raskin

AN ACT concerning

Creation of a State Debt - Montgomery County - Pinecrest Local Park Improvements

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Maryland–National Capital Park and Planning Commission for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1106 – Senators Simonaire, Astle, Cassilly, DeGrange, Jennings, Norman, Reilly, and Rosapepe

AN ACT concerning

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

FOR the purpose of establishing the Courthouse Dog and Child Witness Pilot Program in the circuit courts for Anne Arundel County and Harford County; establishing the purpose of the pilot program; requiring the Administrative Office of the Courts to develop a plan to implement the pilot program; requiring the Administrative Office of the Courts to establish certain standards for participants in the program; requiring the Administrative Office of the Courts to establish requirements that a party in a certain proceeding must follow; requiring the Administrative Office of the Courts to make information about the pilot program publicly available; requiring the Administrative Office of the Courts to report annually to the Governor and General Assembly; authorizing the Administrative Office of the Courts to adopt certain rules; providing for the termination of this Act; and generally relating to the Courthouse Dog and Child Witness Pilot Program.

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

Senate Bill 1107 – Senators Manno, Edwards, Feldman, Hough, King, Madaleno, McFadden, Serafini, and Young

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 (2010 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General Section 10–725(a)(7) Annotated Code of Maryland (2010 Replacement Volume and 2015 Supplement)

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

Senate Bill 1108 – Senators Salling, Bates, Eckardt, Guzzone, King, Lee, Middleton, Serafini, and Zucker

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 deposited into the Education Trust Fund; and generally relating to video lottery gaming in the State.

BY adding to

Article – State Government Section 9–1A–22.1 Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement)

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

Senate Bill 1109 - Chair, Finance Committee (By Request - Departmental - Aging)

AN ACT concerning

Division of Workforce Development and Adult Learning – Transfer of Senior Community Service Employment Program

FOR the purpose of requiring the Division of Workforce Development and Adult Learning to administer any community service employment programs delegated to the State under certain provisions of federal law; requiring the responsibility for carrying out the Senior Community Service Employment Program to be transferred to the Division on a certain date; requiring that certain appropriations be transferred to the Division on a certain date; providing for the transfer of certain functions, powers, duties, property, records, fixtures, credits, assets, liability, obligations, rights, and privileges; requiring that certain employees of the Department of Aging be transferred to the Division without diminution of their rights, benefits, employment, and retirement status; requiring that certain positions at the Department be transferred to the Division; requiring that certain participants of the Program be transferred to the Division without change or loss of rights or status; providing for the continuity of certain transactions affected by or flowing from this Act; providing for the continuity of certain laws, regulations, standards and guidelines, policies, orders and other directives, forms, plans, membership, contracts, property, investigations, administrative and judicial responsibilities, rights, and other duties and responsibilities; and generally relating to the transfer of the Senior Community Service Employment Program to the Division of Workforce Development and Adult Learning.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 11–103
Annotated Code of Maryland

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

(2008 Replacement Volume and 2015 Supplement)

Senate Bill 1110 – Senator Feldman

AN ACT concerning

Maryland Small Business Innovation Research and Technology Transfer Incentive Program and Fund

FOR the purpose of establishing the Maryland Small Business Innovation Research and Technology Transfer Incentive Program; specifying the purpose of the Program; requiring the Maryland Technology Development Corporation to administer the Program; authorizing a certain small business to apply to the Corporation for a grant under the Program to reimburse certain costs and to match certain funding awards, subject to certain limitations; requiring the Corporation to develop a certain grant application form; establishing certain requirements for a certain small business to qualify for a grant under the Program; establishing the Maryland Small Business Innovation Research and Technology Transfer Incentive Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Corporation 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 purposes for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; requiring interest earnings of the Fund to be credited to the Fund; exempting the Fund from a certain provision of law requiring interest earnings on State money to accrue to the General Fund of the State; requiring the Corporation to adopt regulations to implement and administer this Act; requiring the Corporation to report certain information in a certain annual report to the Governor, the Maryland Economic Development Commission, and the General Assembly; defining certain terms; and generally relating to the Maryland Small Business Innovation Research and Technology Transfer Incentive Program and Fund in the Maryland Technology Development Corporation.

BY adding to

Article – Economic Development

Section 10–4A–01 through 10–4A–09 to be under the new subtitle "Subtitle 4A. Maryland Small Business Innovation Research and Technology Transfer Incentive Program"

Annotated Code of Maryland (2008 Volume and 2015 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)

BY repealing and reenacting, with amendments, Article – State Finance and Procurement Section 6–226(a)(2)(ii)84. and 85. Annotated Code of Maryland (2015 Replacement Volume)

BY adding to

Article – State Finance and Procurement Section 6–226(a)(2)(ii)86. Annotated Code of Maryland (2015 Replacement Volume)

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

MESSAGE FROM THE HOUSE OF DELEGATES FIRST READING OF HOUSE BILLS

House Bill 11 – Delegate Hill

AN ACT concerning

Health Insurance - In Vitro Fertilization - Use of Spouse's Sperm - Exception

FOR the purpose of altering the circumstances under which certain insurers, nonprofit health service plans, and health maintenance organizations must provide benefits for certain expenses arising from in vitro fertilization procedures; providing a certain exception to the required use of a spouse's sperm to fertilize the oocytes of a patient whose spouse is of the opposite sex; providing for the application of this Act; and generally relating to health insurance coverage for in vitro fertilization procedures.

BY repealing and reenacting, with amendments,

Article – Insurance Section 15–810 Annotated Code of Maryland (2011 Replacement Volume and 2015 Supplement)

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

House Bill 22 - Delegate Krimm

<u>Interagency Disabilities Board</u> <u>Ethan Saylor Alliance for Self-Advocates as</u> <u>Educators</u> – Membership and Duties – Community Inclusion Training Oversight

FOR the purpose of altering the membership of the Interagency Disabilities Board Steering Committee of the Ethan Saylor Alliance for Self-Advocates as Educators; requiring the Board Steering Committee to review, or request that the Alliance review, the content and monitor the implementation of the training objectives and curriculum adopted by the Police Training Commission for a community inclusion training program at least once in a certain time period or more frequently if requested by the Commission; and generally relating to the membership and duties of the Interagency Disabilities Board Ethan Saylor Alliance for Self-Advocates as Educators.

BY repealing and reenacting, without amendments,

Article – Human Services
Section 7–502(a)
Annotated Code of Maryland
(2007 Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Human Services
Section 7–128 and 7–131 <u>7–503</u>
Annotated Code of Maryland
(2007 Volume and 2015 Supplement)

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

House Bill 105 - Delegate Clippinger

AN ACT concerning

Local Government - Clean Energy Loan Programs - Commercial Property Owners - Renewable Energy Projects

FOR the purpose of removing the limitation that renewable energy projects by commercial property owners financed through a certain clean energy loan program have an electric generating capacity of not more than a certain number of kilowatts; and generally relating to financing renewable energy projects on commercial property through clean energy loan programs.

BY repealing and reenacting, without amendments,

Article – Local Government Section 1–1101 and 1–1102 Annotated Code of Maryland (2013 Volume and 2015 Supplement) BY repealing and reenacting, with amendments,

Article – Local Government Section 1–1103 Annotated Code of Maryland (2013 Volume and 2015 Supplement)

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

House Bill 117 – Delegate Barron <u>Delegates Barron, Angel, Hammen, Hill, Kelly, McMillan, Oaks, Pena-Melnyk, K. Young, and West</u>

AN ACT concerning

State Board of Pharmacy - Licensure Requirements for Pharmacists - Proof of Proficiency in English

FOR the purpose of providing that, for applicants for a license to practice pharmacy, graduation from certain schools is acceptable proof of proficiency in the oral communication of the English language under a certain provision of law; and generally relating to licensure requirements for pharmacists.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 12-302(g)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

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

House Bill 119 – Delegate Reznik <u>Delegates Reznik, Hammen, Angel, Barron, Bromwell, Cullison, Hill, Kelly, Kipke, Krebs, McDonough, McMillan, Miele, Morgan, Morhaim, Oaks, Pena-Melnyk, Pendergrass, Rose, Saab, Sample-Hughes, West, and K. Young</u>

AN ACT concerning

State Board of Physicians – Licensing Exemption – Physicians With Traveling Athletic and Sports Teams

FOR the purpose of authorizing certain physicians, under certain circumstances, to practice medicine in the State without a license issued by the State Board of Physicians and without submitting to a criminal history records check while providing medical care to an athletic team's or a sports team's members, band members, cheerleading squad, mascot, coaches, and other staff; and generally relating to a licensing exemption for physicians with traveling athletic and sports teams.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 14–302

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

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

House Bill 131 - Delegates Waldstreicher, Moon, Kramer, and C. Wilson

AN ACT concerning

Commercial Law - Nondisparagement Clauses in Consumer Contracts - Prohibition

FOR the purpose of prohibiting a contract or a proposed contract for the sale or lease of consumer goods or services from including a provision waiving the consumer's right to make a certain statement; prohibiting a person from threatening or seeking enforcement of a certain contract provision; prohibiting a person from penalizing a consumer for making a certain statement; providing that a waiver of certain provisions of this Act is contrary to public policy and is void and unenforceable; providing for the construction and application of this Act; providing that a violation of this Act is an unfair or deceptive trade practice within the meaning of the Maryland Consumer Protection Act and subject to certain enforcement and penalty provisions; defining certain terms; and generally relating to nondisparagement clauses in consumer contracts.

BY adding to

Article – Commercial Law Section 14–1325 Annotated Code of Maryland (2013 Replacement Volume and 2015 Supplement)

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

House Bill 177 – Delegates Bromwell, Aumann, Brooks, Cluster, Folden, Grammer, Hettleman, Hornberger, Lafferty, Luedtke, Metzgar, Miele, Morgan, Morhaim, West, and C. Wilson

AN ACT concerning

Criminal Law - Prohibition on Marking Flags - Repeal

FOR the purpose of repealing a criminal prohibition on making certain markings on a certain flag for exhibition or display, publicly exhibiting a certain flag that has

certain marks, or displaying merchandise with a certain flag to advertise, decorate, or mark the merchandise; and generally relating to marking flags.

BY repealing

Article – Criminal Law Section 10–703 Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

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

House Bill 183 – Delegates Valentino-Smith, B. Wilson, Atterbeary, Barron, Beidle, Bromwell, Clippinger, Dumais, Folden, Fraser-Hidalgo, Hill, Jackson, Krimm, Lisanti, Patterson, Rosenberg, Smith, Sophocleus, Vallario, and C. Wilson, and Kittleman

AN ACT concerning

<u>Criminal Law Vehicle Laws</u> - Smoking Marijuana in Public and in Vehicles - Prohibition

FOR the purpose of prohibiting a person from smoking marijuana in a public place, with a certain exception; prohibiting a driver of a motor vehicle from smoking or consuming marijuana in the passenger area of the 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 adding to

Article - Criminal Law
Section 5-601.2
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article - Criminal Law Section 10-201(a)(3) Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation
Section 21–903
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

House Bill 186 – Chair, Health and Government Operations Committee (By Request – Departmental – Veterans Affairs) and Delegates Hammen, Angel, Barron, Bromwell, Cullison, Hill, Kelly, Kipke, Krebs, McDonough, McMillan, Miele, Morgan, Morhaim, Oaks, Pena-Melnyk, Pendergrass, Rose, Saab, Sample-Hughes, West, and K. Young

AN ACT concerning

Department of Veterans Affairs – Charlotte Hall Veterans Home Fund – Establishment

FOR the purpose of establishing the Charlotte Hall Veterans Home Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Secretary of Veterans Affairs to administer the Fund; prohibiting, except under certain circumstances, any unspent portions of the Fund from being transferred to or reverting to the General Fund of the State; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purposes for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; providing that money expended from the Fund for the Charlotte Hall Veterans Home is supplemental to, and is not intended to take the place of, funding that would otherwise be appropriated; requiring the Office of Legislative Audits to audit the accounts and transactions of the Fund as provided in a certain provision of law; defining certain terms; and generally relating to the Charlotte Hall Veterans Home Fund.

BY adding to

Article – State Government Section 9–912.2 Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement)

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

House Bill 305 – Delegates Smith, Barkley, Barve, Brooks, Carr, Clippinger, Davis, Frick, Glenn, Kelly, Korman, Kramer, Lisanti, Luedtke, McCray, A. Miller, Moon, Platt, S. Robinson, Valderrama, Waldstreicher, A. Washington, and C. Wilson

AN ACT concerning

Consumer Protection – Monitoring Consumer Behavior and Shopping Habits – Required Notice

FOR the purpose of prohibiting a merchant from using certain technology to monitor the behavior or shopping habits of a certain consumer unless the merchant provides a

certain notice in a certain manner; providing that a violation of this Act is an unfair or deceptive trade practice under the Maryland Consumer Protection Act and is subject to certain enforcement and penalty provisions; defining certain terms; providing for the application of this Act; and generally relating to merchants and the use of technology to monitor consumer behavior or shopping habits.

BY adding to

Article – Commercial Law Section 14–1325 Annotated Code of Maryland (2013 Replacement Volume and 2015 Supplement)

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

House Bill 342 – Delegates Carey and Davis

AN ACT concerning

Motor Fuel Suppliers and Retail Service Station Dealers - Promotion - Sales

FOR the purpose of authorizing a certain supplier of motor fuel to a retail service station to sponsor, promote, advertise, or otherwise perform or participate in games of chance at the retail service station if the retail service station agrees to participate; prohibiting a supplier of motor fuel authorized to conduct a game of chance from requiring a retail service station dealer to participate in the game of chance; repealing the prohibition on a supplier of motor fuel requiring a retail service station dealer to pay certain costs related to a game of chance; and generally relating to participation in games of chance by motor fuel suppliers and retail service station dealers.

BY repealing and reenacting, with amendments,

Article – Business Regulation Section 10–502 Annotated Code of Maryland (2015 Replacement Volume and 2015 Supplement)

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

House Bill 395 - Delegates Lafferty, Brooks, Carey, and Glenn

AN ACT concerning

Joint Insurance Association - Insurers - Notice

FOR the purpose of requiring certain insurers that deny certain coverage or that cancel or nonrenew certain policies or contracts for essential property insurance or homeowner's insurance to provide notice to applicants or insureds of the possible availability of certain insurance coverage through the Joint Insurance Association under a certain provision of law or through a certain plan; providing for the content and manner of providing the notice; providing for the application of this Act; and generally relating to essential property insurance and homeowner's insurance.

BY adding to

Article – Insurance Section 19–117 Annotated Code of Maryland (2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Insurance Section 25–406, 27–602(a) and (b), and 27–603(a) and (b) Annotated Code of Maryland (2011 Replacement Volume and 2015 Supplement)

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

House Bill 439 – Delegates Kramer and Fraser-Hidalgo

AN ACT concerning

Commercial Law - Consumer Protection - Door-to-Door Sales

FOR the purpose of altering the circumstances under which it is an unfair or deceptive trade practice under the Maryland Consumer Protection Act for a seller in a door—to—door sale transaction to fail to furnish a certain statement that specifies the time period in which a buyer has the right to cancel the transaction; elarifying when altering the circumstances under which it is an unfair or deceptive trade practice for a seller in a door—to—door sale transaction to fail to furnish a buyer with a certain "Notice of Cancellation" form; altering, under certain circumstances, the time period for cancellation of a door—to—door sale specified in a "Notice of Cancellation" form; specifying that, under certain circumstances, it is an unfair or deceptive trade practice for a seller in a door—to—door sale transaction to fail to obtain the signature of a buyer on a certain acknowledgment of the buyer's right to cancel or furnish to the buyer a copy of the written acknowledgment with the completed receipt or copy of the contract; altering a certain definition; defining a certain term; making stylistic changes; and generally relating to consumer protection and door—to—door sales.

BY repealing and reenacting, with amendments,

Article – Commercial Law Section 14–301 and 14–302 Annotated Code of Maryland (2013 Replacement Volume and 2015 Supplement) Article – Commercial Law
Section 14–302.1
Annotated Code of Maryland
(2013 Replacement Volume and 2015 Supplement)

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

House Bill 440 – Delegates Kramer and Fraser-Hidalgo

AN ACT concerning

Electric Companies – Installation of Solar Electric Generating Facility – Completion of Interconnection

FOR the purpose of requiring an electric company, subject to a certain provision, to complete interconnection of a customer—generator's solar electric generating facility with the electric company's distribution facilities by providing acceptance and final approval to operate within a certain period after completion of a certain installation process; requiring an electric company to complete certain interconnection requirements for a certain percentage of installation processes completed during a certain time in the electric company's service territory; specifying that the installation process includes an approved interconnection application, completion of the installation of the solar electric generating facility and certain required system upgrades, and completion of all necessary paperwork and documentation; defining a certain term; and generally relating to interconnection of a customer—generator's solar electric generating facility.

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7–306.1
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

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

QUORUM CALL

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

(See Roll Call No. 277)

QUORUM CALL

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

(See Roll Call No. 278)

RECESS

At 8:23 P.M. on motion of Senator Pugh, seconded, the Senate recessed until 8:30 P.M. on Monday, February 22, 2016.

AFTER RECESS Annapolis, Maryland Monday, February 22, 2016

At 8:25 P.M. the Senate resumed its session.

Prayer by Father Chris LaBarge, St. Francis DeSales Parish, guest of Senator Mathias.

(See Exhibit A of Appendix III)

The Honorable Thomas V. 'Mike' Miller, Jr.

*President, Maryland Senate

Presiding

Ceremony in honor of George M. Washington's Birthday in the Old Senate Chamber, Address given by Mary Ellen Barbera, Chief Judge Of Maryland Court of Appeals

WASHINGTON'S BIRTHDAY SPEECH

Ladies and gentlemen, this evening we are assembled in this historic and newly restored space to honor George Washington, father of our country, on the 284th anniversary of his birth. Tonight, we celebrate also the birth of our nation, which, by no small measure, occurred in this very room through the visionary and revolutionary actions of that great man, George Washington.

President Miller, Honorable Senators, and invited guests, it is an honor to address you this evening and a privilege to be part of this wonderful tradition. I am especially honored to be the first person to make this address in the Old Senate Chamber since its restoration to as it appeared in December 1783. The Maryland State Archives and the Friends of the Maryland State Archives are to be commended for this remarkable achievement of meticulous research and restoration.

As I suspect everyone here tonight knows, Annapolis was, for a brief time, the capital of the United States. The nation's first peacetime government, the Confederation Congress, met here from November 1783 to August 1784, and it is here, in this room, where one of the most important events in the history of democracy took place. I am, of course, referring to December 23, 1783, when George Washington resigned his military commission to Congress.

Tonight, the Chamber looks just as it did on that day. The mahogany chairs are arranged by delegation as they would have been. The portrait of the English statesman William Pitt, active proponent of colonial rights, hangs now over the fireplace as it did then.

This life size, bronze, nearly one-thousand pound statue of George Washington stands where we think he stood, facing the rostrum where the president of Congress, Thomas Mifflin, would have sat.

The other statue in this chamber is in the corner of the gallery above. There stands Molly Ridout, then one of the leading citizens of Annapolis, daughter of a provincial Maryland governor, and sister of a future mayor of Annapolis. Molly Ridout watched the ceremony from the gallery and wrote to her mother shortly afterwards. Hers is the only known description of the event by a private citizen.

Most of us first learn about George Washington in elementary school. All of us are familiar with the rough basics of Washington's best-known credentials: He was the commander of the Continental Army who won the Revolutionary War against almost overwhelming challenges and hardships. He was the first president of the United States. He did not chop down that cherry tree when he was six, but he did grow up to be a virtuous man who believed in reputation, honor, and honesty.

Historians have explored every aspect of George Washington's life and character, as well as his public acts and private thoughts. Tonight, I will focus on the significance of his act in this chamber a little more than 232 years ago.

We know that General Washington was on the road home to Mount Vernon in late December after fulfilling his wartime obligations. Before retiring to private life, however, he had a final task: To inform Congress of his resignation and to hand over control of the military to those representatives of the new democracy, control that General Washington could have used to rule the nation as a sovereign.

Eyewitness accounts tell us that Washington came to Annapolis accompanied by no army. Rather, he traveled by horseback with just two aides-de-camp down the post roads from New York to Annapolis. Washington was welcomed by a group of prominent citizens outside of town at a big oak tree, Three-Mile Oak, a local landmark so named for its distance from the State House. He was escorted into the capital city on a road named to commemorate the journey: Generals Highway.

Once in town, Washington sent a message to determine whether he might quietly deliver his resignation. The Congressional leaders quickly replied that they wanted a public presentation.

Annapolis rose to the occasion to welcome and honor Washington. On Monday afternoon, December 22nd, several hundred men attended a feast in Washington's honor held in the State House ballroom. One observer noted: "not a soul got drunk" despite the fact that there was "wine in plenty." In addition to the customary 13 toasts, Washington made a 14th toast. His toast was to: "Competent powers to congress for general purposes."

Later that evening, a ball was held in the same room, equally heavily attended. Every window in the State House glowed with candlelight, and the leading ladies and gentlemen were in their finest attire. Everyone wanted a chance to be in George Washington's presence, and perhaps shake his hand. General Washington danced all night, as one observer noted, to ensure that "all the ladies might have the pleasure of dancing with him."

The next day, at noon, the formal resignation took place before a quorum of Congress convened in this chamber. The chamber was filled beyond capacity with spectators, the men spilling into the adjacent areas. Molly Ridout and other ladies crowded the gallery because, according to custom, women were not allowed on the Senate floor.

General Washington entered, was introduced by the secretary, and was seated opposite the president of the Congress. Silence was ordered. Washington rose and bowed to the members of Congress, all of whom "uncovered" or tipped their hats to him.

General Washington read a short, two-page letter. It was reported that his hands were shaking as he did so. He then drew his commission from his pocket and handed it to the president of the Congress, Mr. Mifflin, who read a brief reply.

Dr. James McHenry, a former aide of General Washington and Maryland's representative at the Constitutional Convention, wrote to his fiancée: "The spectators all wept, and there was hardly a member of Congress who did not drop tears." The formalities completed, Congress adjourned.

In her letter to her mother, Molly Ridout wrote that "the General seemed so much affected himself that everybody felt for him," and she too reported that "many tears were shed" during the ceremony. Molly Ridout's words and those of Dr. McHenry convey the strong impression that the new citizens of the United States were well aware of this event's importance and felt a sense of history being made.

Now a private citizen, Mr. Washington bid each of the members farewell, left the building, mounted his horse, and rode away. As it was December 23rd, Washington hoped to traverse the 60 miles to Mount Vernon in time for Christmas dinner, having completed what he imagined might have been his last act in public life.

But, before Washington left this chamber, he folded the letter he had just read and handed it to a congressman, who treasured the letter as a keepsake, which his descendants then safeguarded for almost 230 years. Today that letter is displayed in a secure case under the State House dome where it can be viewed and treasured by all, now and into the future.

Some historians describe Washington's letter resigning his commission as the fourth most important document of America's founding, following the Declaration of Independence, the Constitution, and the Bill of Rights. In his letter, Washington wrote:

Happy in the confirmation of our independence and sovereignty, and pleased with the opportunity afforded the United States of becoming a respectable Nation, I resign with satisfaction the appointment I accepted with diffidence — a diffidence in my abilities to accomplish so arduous a task, which however was superseded by a confidence in the rectitude of our Cause, the support of the supreme power of the Union, and the patronage of Heaven.

In uttering those words and handing over his commission, George Washington ceded military power to the control of the newly minted government. He voluntarily relinquished the power he might have claimed, though he easily could have taken control of the new nation as its military sovereign. Washington chose, instead, to be the infant democracy's first citizen soldier.

In doing so, he ensured that the outcome of the war was not just a shift of power from one sovereign to another, but a true revolution. George Washington gave up his power and placed his trust in a civil government that would lead our nation, not by military force, but by the rule of law. His action allowed the incubation of a new democracy.

A few short years later, a nation of ideas would be born, transforming the concept of government forever. The framers of the Constitution would be able to create a government that divides the power to govern into three distinct branches, executive, legislative, and judicial, each with checks and balances to prevent the concentration of power in any one branch—or in any individual. For that, we thank and honor George Washington.

Our reliance upon the rule of law—upon our Constitution as the supreme law of the land—is the cornerstone of our democracy. It has proved to be an elegant system of government, both formidable and fragile, and has, nonetheless, endured.

Our Judiciary, too, has endured. The history of our courts in Maryland is long, stretching back to early colonial days. Maryland's court system was firmly in place when our nation was in its infancy, and lawyers and judges stood among the leaders of the Revolution, so it is likely that Maryland's top lawyers, judges, and future judges took part in the festivities marking Washington's momentous visit to Annapolis.

One such person likely to have participated was Robert Hanson Harrison, Chief Judge of the General Court of Maryland, who had been one of Washington's aides-de-camp during the Revolutionary War and, later, served as his military secretary. President Washington nominated Harrison for the Supreme Court of the United States in 1789, but he declined the nomination because of his poor health.

Then, as now, the judges of Maryland's Court of Appeals were drawn from all over the state: Chief Judge Benjamin Rumsey from Harford County; the Honorable Benjamin Mackall from Calvert County; the Honorable Thomas Jones from Baltimore County; the Honorable Solomon Wright from Queen Anne's County; and the Honorable James Murray from Dorchester County. They all traveled to Annapolis to hear arguments in the State House, the official home of the Court of Appeals from 1779 to 1903. We continue that tradition of traveling to Annapolis to hear arguments, just up the road.

Like the Legislative and Executive Branches of our Government, the Judiciary both honors its proud history and has evolved to maintain its relevance in the modern era.

Common to both are steadfast allegiance to the Constitution, to the rule of law, and to the ideas that gave birth to our democracy. At our best, we continue to be a nation of ideas.

It is just and proper, then, that, nearly three centuries later, we remember George Washington and gather here tonight to honor him on the 284th anniversary of his birth. His decisions and actions shaped our American democracy and governance by the rule of law. Generations later, we are the heirs of his vision of government. Indeed, his action in this chamber ensured the foundations of that civil government. As Molly Ridout wrote in 1783: "I think the world never produced a greater man, and very few so good."

To answer George Washington's 14th toast, I offer a 15th:

We have been entrusted with a profound and precious duty to serve our fellow citizens. May we share George Washington's unerring trust in our democracy. May we follow his example of integrity and vision. And may we act, as we are called so often upon to do, as he did: selflessly, in the interest of others, and for our common good.

I thank you and bid you good night.

ADJOURNMENT

At 8:55 P.M. on motion of Senator Pugh, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, February 23, 2016.

Annapolis, Maryland Tuesday, February 23, 2016 10:00 A.M. Session

The Senate met at 10:09 A.M.

Prayer by Reverend David Michaud, St. Peter's Episcopal Church, guest of Senator Mathias.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 281)

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

The Journal of February 22, 2016 was read and approved.

QUORUM CALL

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

(See Roll Call No. 282)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #20

Senate Bill 147 – Senators Hough and Young, Young, Astle, Benson, Feldman, Hershey, Jennings, Kelley, Klausmeier, Mathias, Middleton, Pugh, and Reilly

AN ACT concerning

<u>Interagency Disabilities Board</u> <u>Ethan Saylor Alliance for Self-Advocates as</u> <u>Educators</u> – Membership and Duties – Community Inclusion Training Oversight

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

Affirmative – 46 Negative – 0 (See Roll Call No. 283)

The Bill was then sent to the House of Delegates.

Senate Bill 195 – Senators Ready and Bates

AN ACT concerning

Carroll County – State's Attorney's Office and Child Support Enforcement Administration – Transfer of Personnel

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

Affirmative – 45 Negative – 0 (See Roll Call No. 284)

The Bill was then sent to the House of Delegates.

Senate Bill 336 – Senators Kelley, Astle, Benson, Feldman, Klausmeier, Middleton, and Pugh

AN ACT concerning

Hospitals - Designation of Lay Caregivers

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

Affirmative – 46 Negative – 0 (See Roll Call No. 285)

The Bill was then sent to the House of Delegates.

Senate Bill 450 – Senators Kelley and Reilly, Reilly, Astle, Benson, Feldman, Hershey, Jennings, Klausmeier, Mathias, Middleton, and Pugh

AN ACT concerning

Health Care Provider Malpractice Insurance - Scope of Coverage

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

Affirmative – 46 Negative – 0 (See Roll Call No. 286)

The Bill was then sent to the House of Delegates.

Senate Bill 471 – Senator Pugh

AN ACT concerning

Commercial Law - Debt Settlement Services - Fund and Sunset Repeal

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

Affirmative – 46 Negative – 0 (See Roll Call No. 287)

The Bill was then sent to the House of Delegates.

Senate Bill 480 – Senators Astle, Bates, Klausmeier, and Middleton

AN ACT concerning

Public Utilities – Maryland Underground Facilities Damage Prevention Authority – Funding

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

Affirmative – 46 Negative – 0 (See Roll Call No. 288)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #21

Senate Bill 506 – The President (By Request – Department of Legislative Services)

EMERGENCY BILL

AN ACT concerning

Annual Corrective Bill

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

Affirmative – 46 Negative – 0 (See Roll Call No. 289)

The Bill was then sent to the House of Delegates.

Senate Bill 507 – The President (By Request – Department of Legislative Services)

EMERGENCY BILL

AN ACT concerning

Annual Curative Bill

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

Affirmative – 46 Negative – 0 (See Roll Call No. 290)

The Bill was then sent to the House of Delegates.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 404 – Senators Pinsky, Conway, King, and Madaleno

EMERGENCY BILL

AN ACT concerning

State Board of Education – State Superintendent of Schools – Appointment

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

Senator Pinsky moved, duly seconded, to recommit the Bill.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 291)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #19

Senate Bill 323 – Senators Pinsky, Raskin, Benson, Brochin, Conway, Currie, Feldman, Ferguson, Guzzone, Kagan, Kelley, King, Klausmeier, Lee,

Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Nathan-Pulliam, Peters, Pugh, Ramirez, Rosapepe, Young, and Zirkin

AN ACT concerning

Greenhouse Gas Emissions Reduction Act - Reauthorization

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

Affirmative – 38 Negative – 8 (See Roll Call No. 292)

The Bill was then sent to the House of Delegates.

INTRODUCTION OF BILLS

Senate Bill 1111 - Senator Pugh

AN ACT concerning

Correctional Services - Inmate Savings Accounts

FOR the purpose of providing that, at the request of an inmate, a correctional facility in the Division of Correction may establish a certain savings account in the inmate's name in a certain banking institution; authorizing an inmate to transfer certain funds into a certain account; providing that certain funds shall be paid to the inmate on the inmate's release, less certain disbursements; defining a certain term; and generally relating to savings accounts for inmates.

BY repealing and reenacting, with amendments,

Article – Correctional Services

Section 3–609

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)

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

Senate Bill 1112 – The President (By Request – Departmental – Commerce)

AN ACT concerning

Income Tax - Aerospace, Electronics, or Defense Contract Tax Credit Program

FOR the purpose of allowing a certain qualified business entity operating a certain aerospace, electronics, or defense contract tax credit project to claim a credit against the State income tax; requiring the Department of Economic Competitiveness and Commerce to certify a business entity as a qualified business entity within a certain

period of time; providing that a project is eligible for designation by the Department as an aerospace, electronics, or defense contract tax credit project under certain circumstances; requiring a business entity to submit a certain application to the Department; providing that a qualified business entity may receive a certain number of designations for certain credit projects in a fiscal year; prohibiting the Department from approving designations that would result in certain total aggregate tax credits exceeding a certain amount in a fiscal year; requiring a qualified business entity to submit to the Comptroller a certain certification in order to claim a credit; providing for the calculation of the credit; providing that the credit earned by a qualified business entity for a project may not exceed a certain amount for a certain credit year; making the credit refundable; providing for the recapture of the credit under certain circumstances; requiring a qualified business entity to report certain information for a certain period of time to the Department; authorizing the Department to require the verification by a certain certified public accountant of certain information; providing that claiming a credit authorizes the Comptroller to share certain information with the Department; providing that certain information is subject to certain confidentiality requirements; requiring the Department to report certain information in a certain manner; requiring the Department to adopt certain regulations; defining certain terms; providing for the application of this Act; providing for the termination of this Act; and generally relating to the Aerospace, Electronics, or Defense Contract Tax Credit Program.

BY repealing and reenacting, without amendments,

Article – Economic Development Section 1–101(a), (c), and (f) Annotated Code of Maryland (2008 Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Economic Development
Section 2.5–109(a)(4)
Annotated Code of Maryland
(2008 Volume and 2015 Supplement)

(As enacted by Chapter 58 of the Acts of the General Assembly of 2015)

BY adding to

Article – Economic Development

Section 6–701 through 6–707 to be under the new subtitle "Subtitle 7. Aerospace, Electronics, or Defense Contract Tax Credit Program"

Annotated Code of Maryland (2008 Volume and 2015 Supplement)

BY adding to

Article – Tax – General Section 10–737 Annotated Code of Maryland (2010 Replacement Volume and 2015 Supplement) Read the first time and referred to the Committee on Rules.

THE COMMITTEE ON FINANCE REPORT #11

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

Senate Bill 390 - Senator Middleton

AN ACT concerning

Charles County Sheriff - Salaries and Collective Bargaining

SB0390/657275/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 390

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 12, after "time;" insert "<u>requiring the Sheriff and the County Commissioners</u>, under certain circumstances, to recognize certain exclusive representatives as of a certain date as the exclusive representatives of certain employees;".

AMENDMENT NO. 2

On page 10, in line 19, strike "CHOOSE" and substitute "<u>REQUEST</u>"; in line 20, after "ARBITRATORS" insert "<u>TO BE</u>"; and in line 24, strike "CHOSEN" and substitute "PROVIDED".

AMENDMENT NO. 3

On page 11, in line 16, strike "REVIEW" and substitute "REVISE".

AMENDMENT NO. 4

On page 14, in line 3, strike "IF" and substitute "SUBJECT TO SUBSUBSUBPARAGRAPH E OF THIS SUBSUBPARAGRAPH, IF"; and in line 6, after "E." insert "THE COUNTY COMMISSIONERS MAY NOT ACCEPT A RECOMMENDATION OF THE ARBITRATOR THAT REQUIRES AN APPROPRIATION OF FUNDS UNLESS THE COUNTY COMMISSIONERS AND THE SHERIFF FIRST AGREE ON THE FUNDING SOURCE FOR THE APPROPRIATION.

F.".

AMENDMENT NO. 5

On page 15, after line 2, insert:

"(XIV) IF THE PARTIES FAIL TO REACH A NEW AGREEMENT WITHIN THE 180-DAY TIME PERIOD UNDER SUBPARAGRAPH (XIII)2 OF THIS PARAGRAPH, THE TERMS AND CONDITIONS OF THE PRIOR COLLECTIVE BARGAINING AGREEMENT SHALL CEASE TO BE EFFECTIVE.";

and in lines 3 and 6, strike "(XIV)" and "(XV)", respectively, and substitute "(XV)" and "(XVI)", respectively.

AMENDMENT NO. 6

On page 15, after line 8, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That, if the sworn law enforcement officers or correctional officers of Charles County seek to collectively bargain under § 2–309(j)(5)(iii)3 of the Courts Article, as enacted by Section 1 of this Act, the Sheriff and the County Commissioners of Charles County shall recognize the exclusive representative of the sworn law enforcement officers or the exclusive representative of correctional officers as of September 30, 2016, as the exclusive representative of those respective employees unless the exclusive representative is decertified in accordance with § 2–309(j)(5)(v)4 of the Courts Article, as enacted by Section 1 of this Act.";

and in line 9, strike "2." and substitute "3.".

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 416 – Senators Salling, Bates, Eckardt, Edwards, Hershey, Manno, Norman, Rosapepe, Serafini, and Simonaire

AN ACT concerning

Transportation - Toll Transportation Facilities Project - Annual Pass

SB0416/837777/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 416

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Simonaire" and substitute "Simonaire, Astle, Benson, Feldman, Jennings, Kelley, Klausmeier, Mathias, Middleton, Pugh, and Reilly"; in line 2, after "Annual Pass" insert "—Study"; strike beginning with "establish" in line 3 down through "opportunity" in line 4 and substitute "study the feasibility of offering motorists, for each transportation facilities project, an option"; strike beginning with "providing" in line 6 down through "Authority" in line 7 and substitute "requiring the study to include a certain cost—benefit analysis; requiring the Maryland Transportation Authority to submit a report of its findings and recommendations from the study to certain committees of the General Assembly on or before a certain date"; in line 7, after "to" insert "a study on offering"; and strike in their entirety lines 9 through 18, inclusive.

AMENDMENT NO. 2

On page 1, in line 20, strike "the Laws of Maryland read as follows".

On pages 1 through 4, strike in their entirety the lines beginning with line 21 on page 1 through line 2 on page 3, inclusive, and substitute:

- "(a) (1) The Maryland Transportation Authority shall study the feasibility of offering motorists, for each toll transportation facilities project, an option to pay a flat fee for an annual pass to use the toll transportation facilities project.
- (2) The study required under this subsection shall include a cost-benefit analysis of the annual pass option described under paragraph (1) of this subsection that includes consideration of:
 - (i) the benefit to consumers;
- (ii) the programming and other costs necessary to implement the annual pass option; and

- (iii) the impact on toll revenues for affected transportation facilities projects.
- (b) On or before December 1, 2016, the Maryland Transportation Authority shall submit a report of its findings and recommendations from the study required under subsection (a) of this section, in accordance with § 2–1246 of the State Government Article, to the Senate Finance Committee and the House Environment and Transportation Committee."

On page 3, in line 4, strike "October" and substitute "June".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 434 – Senators Raskin, Klausmeier, Astle, Benson, Conway, Feldman, Guzzone, Kelley, King, Lee, Madaleno, Peters, Pugh, and Rosapepe

AN ACT concerning

Food Service Facilities - Automated External Defibrillator Program

SB0434/447875/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 434

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after "Guzzone," insert "Hershey, Jennings,"; in the same line, after "Madaleno," insert "Mathias, Middleton,"; in the same line, after "Pugh," insert "Reilly,"; after line 2, insert "(The Joe Sheya Act)"; and in line 4, after "and" insert ", beginning on a certain date,".

AMENDMENT NO. 2

On page 2, in line 2, after "AND" insert ", BEGINNING OCTOBER 1, 2017,".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 449 – Senators Kelley, Benson, Feldman, Jennings, Klausmeier, and Mathias

AN ACT concerning

Maryland Medical Assistance Program - Guardianship Fees - Income Deduction

SB0449/307273/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 449

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Income Deduction" and substitute "Personal Needs Allowance"; strike beginning with "deduct" in line 3 down through "service" in line 4 and substitute "include as part of the personal needs allowance"; and in line 7, strike "deductions" and substitute "the personal needs allowance".

AMENDMENT NO. 2

On page 3, in line 8, strike "DEDUCT AS A REMEDIAL SERVICE" and substitute "INCLUDE AS PART OF THE PERSONAL NEEDS ALLOWANCE"; in line 10, strike "DEDUCTIONS" and substitute "THE PERSONAL NEEDS ALLOWANCE"; and in lines 13 and 16, in each instance, strike "DEDUCTION" and substitute "PERSONAL NEEDS ALLOWANCE".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #5

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

Senate Bill 64 – Baltimore County Senators

AN ACT concerning

Baltimore County - Orphans' Court Judges - Compensation

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 66 – Senator Waugh

AN ACT concerning

Professional Corporations – Approval of Corporate Name by Licensing Unit and Professional Organization – Exemption

SB0066/208574/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 66

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after "physicians;" insert "establishing a certain exception;".

AMENDMENT NO. 2

On page 2, in line 2, strike "This" and substitute "(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THIS"; and after line 5, insert:

"(2) This section applies to a professional corporation in which a majority of stockholders are dentists licensed by the State Board of Dental Examiners."

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 187 – Senators Lee, Benson, Kelley, and Manno

AN ACT concerning

Criminal Procedure - Victim's Right to Restitution - Appeal

SB0187/408074/1

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 187

(First Reading File Bill)

On page 1, in the sponsor line, strike "Kelley, and Manno" and substitute "<u>Brochin, Cassilly, Gladden, Hough, Kelley, Manno, Muse, Norman, Ramirez, Raskin, Ready, and Zirkin".</u>

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 199 – Senators Brochin, Muse, Pinsky, Pugh, and Zirkin

AN ACT concerning

Transit and Transportation Service – Audio Recordings – Requirements and Limitations

SB0199/908774/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 199

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after "Pugh," insert "Ready,".

AMENDMENT NO. 2

On page 1, in lines 2 and 3, strike "Audio Recordings – Requirements and Limitations" and substitute "Activation of Audio Recording Devices – Prohibition"; and strike beginning with "requiring" in line 4 down through "regulations;" in line 15 and substitute "prohibiting the Maryland Transit Administration, on certain transit service vehicles equipped with an audio recording device, from activating the audio recording device; prohibiting a county or municipality, on certain transportation service vehicles equipped with an audio recording device, from activating the audio recording device;".

AMENDMENT NO. 3

On pages 2 through 5, strike in their entirety the lines beginning with line 19 on page 2 through line 25 on page 5, inclusive, and substitute:

"7–705.1.

IF A VEHICLE USED BY THE ADMINISTRATION TO PROVIDE TRANSIT SERVICE
IS EQUIPPED WITH AN AUDIO RECORDING DEVICE CAPABLE OF RECORDING ORAL
COMMUNICATIONS OF THE VEHICLE OPERATOR AND THE VEHICLE'S PASSENGERS,
THE ADMINISTRATION MAY NOT ACTIVATE THE AUDIO RECORDING DEVICE.

7-802.

IF A VEHICLE USED BY A COUNTY OR MUNICIPALITY TO PROVIDE TRANSPORTATION SERVICE IS EQUIPPED WITH AN AUDIO RECORDING DEVICE CAPABLE OF RECORDING ORAL COMMUNICATIONS OF THE VEHICLE OPERATOR AND THE VEHICLE'S PASSENGERS, THE COUNTY OR MUNICIPALITY MAY NOT ACTIVATE THE AUDIO RECORDING DEVICE."

The preceding 3 amendments were read only.

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

The motion was adopted.

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

Senate Bill 234 – Senator Hough

AN ACT concerning

Agreements to Defend or Pay the Cost of Defense - Void

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 241 – Senators Kelley, Benson, Conway, Currie, Madaleno, McFadden, Nathan-Pulliam, Rosapepe, and Young

AN ACT concerning

Real Property - Senior Apartment Facilities - Conversion

SB0241/668072/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 241

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "requiring" in line 9 down through "date;" in line 14; and strike beginning with "providing" in line 15 down through "State;" in line 16.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 6 through 13, inclusive; and in line 14, strike "(5)" and substitute "(3)".

On page 3, strike beginning with the colon in line 6 down through "**THE**" in line 7 and substitute "**THE**"; and strike beginning with the semicolon in line 9 down through "**\$1,000**" in line 12.

On pages 3 and 4, strike in their entirety the lines beginning with line 20 on page 3 through line 8 on page 4, inclusive.

On page 4, in line 9, strike "(F) (1)" and substitute "(D)"; 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 Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 278 – Senators Lee, Feldman, King, Manno, Nathan–Pulliam, Ramirez, Raskin, and Simonaire

AN ACT concerning

Criminal Law - Stalking and Harassment

SB0278/548970/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 278

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "and Harassment"; strike beginning with "repealing" in line 3 down through "services;" in line 5; in line 6, after "a" insert "malicious"; strike beginning with the first comma in line 8 down through "services" in line 9; and in line 12, strike ", 3–803, and 3–805".

AMENDMENT NO. 2

On page 1, in line 19, strike the brackets.

On pages 2 through 4, strike in their entirety the lines beginning with line 22 on page 2 through line 16 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:

Senate Bill 287 - Senators Hough, Cassilly, Mathias, Muse, and Ready

AN ACT concerning

Criminal Law – False Statement Concerning Destructive Device or Toxic

Material – Venue

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #6

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

Senate Bill 117 – The President (By Request – Maryland Judiciary)

AN ACT concerning

Judgeships - Circuit Courts and District Court

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #9

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

Senate Bill 169 – Senator Kagan

AN ACT concerning

Election Law - Local Vote-by-Mail Special Elections - Start of Canvassing

SB0169/254233/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 169

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute "Special Elections – Voting by Mail – Canvass of Votes"; in line 3, strike ", under certain circumstances,"; in line 4, after "ballots" insert "cast in a special election conducted by mail"; in the same line, after "time" insert "on the day of a special election"; in the same line, after the semicolon insert "authorizing the State Board of Elections to adopt regulations authorizing a local board to commence the canvass of vote—by—mail ballots before a certain time on the day of a special election; requiring the State Board to adopt regulations that provide for public observation of the canvass of vote—by—mail ballots and maintaining the secrecy of the election results until after a certain time on the day after a special election; altering the definition of "canvass" to include the canvass of vote—by—mail ballots;"; in line 8, strike "9–501(b) and (e)" and substitute "9–501 and 11–301(a–1)"; after line 10, insert:

"BY adding to

<u>Article – Election Law</u>

Section 9–506

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)";

and in line 13, strike "11-302(b)" and substitute "9-506 and 11-101(c)".

AMENDMENT NO. 2

On page 1, after line 19, insert:

"(a) This subtitle applies only to a special election that is not held concurrently with a regularly scheduled primary or general election.";

and after line 21, insert:

- "(c) A special election to fill a vacancy in the Office of Representative in Congress shall be conducted by mail if the Governor's proclamation issued under § 8–710 of this article directs that the election be conducted by mail.
 - (d) (1) In this subsection, "local special election" means a special election to:

- (i) fill a vacancy in the offices of county council member, chief executive officer, or county executive of a charter county if the charter of that county provides for special elections;
- (ii) fill a vacancy in the board of county commissioners of a code home rule county if a local law enacted by that county provides for special elections;
- (iii) fill a vacancy in the board of county commissioners of a commission county if a law provides for special elections;
- (iv) <u>fill a vacancy in a local board of education if State law provides</u> <u>for special elections</u>;
- (v) elect members of a charter board or submit a proposed charter to the voters for adoption or rejection in accordance with Article XI–A, § 1A of the Maryland Constitution; or
- (vi) submit a local law enacted by a code home rule county to the voters for adoption or rejection in accordance with § 9–313 of the Local Government Article.
- (2) A local special election shall be conducted by mail if the resolution of the county council or board of county commissioners establishing the date of the special election directs that the election be conducted by mail.".

On page 2, after line 4, insert:

"(f) Provisions of this article relating to the conduct of elections apply to a special election conducted under this subtitle, unless a law specifically relevant to a special election applies.";

and strike in their entirety lines 5 through 14, inclusive, and substitute:

"9**–506**.

(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A LOCAL BOARD MAY COMMENCE THE CANVASS OF VOTE-BY-MAIL BALLOTS AT 2 P.M. ON THE DAY OF A SPECIAL ELECTION.

- (B) THE STATE BOARD MAY ADOPT REGULATIONS AUTHORIZING A LOCAL BOARD TO COMMENCE THE CANVASS OF VOTE-BY-MAIL BALLOTS BEFORE THE TIME SPECIFIED IN SUBSECTION (A) OF THIS SECTION.
 - (C) THE STATE BOARD SHALL ADOPT REGULATIONS THAT PROVIDE FOR:
- (1) PUBLIC OBSERVATION OF THE CANVASS OF VOTE-BY-MAIL BALLOTS IN ACCORDANCE WITH § 11–301(A–1) OF THIS ARTICLE; AND
- (2) PROCEDURES FOR MAINTAINING THE SECRECY OF THE ELECTION RESULTS UNTIL AFTER 12 A.M. ON THE DAY AFTER A SPECIAL ELECTION.

[9–506.] **9–507.**

The State Board may adopt regulations as necessary to implement this subtitle.

11–101.

- (c) (1) "Canvass" means the entire process of vote tallying, vote tabulation, and vote verification or audit, culminating in the production and certification of the official election results.
- (2) For absentee ballots, the "canvass" includes the opening of any envelope accompanying an absentee ballot and the assembly and review of absentee ballots in preparation for vote tallying.
- (3) For provisional ballots, the "canvass" includes the review of the provisional ballot applications described in § 11–303 of this title and the assembly and review of provisional ballots in preparation for vote tallying.
- (4) For votes cast during early voting, the "canvass" includes the tabulation of votes cast during early voting.
- (5) FOR VOTES CAST IN A SPECIAL ELECTION CONDUCTED BY MAIL UNDER TITLE 9, SUBTITLE 5 OF THIS ARTICLE, THE "CANVASS" INCLUDES:

- (I) THE OPENING OF ANY ENVELOPE ACCOMPANYING A
 VOTE-BY-MAIL BALLOT AND THE ASSEMBLY AND REVIEW OF VOTE-BY-MAIL
 BALLOTS IN PREPARATION FOR VOTE TABULATION; AND
 - (II) THE TABULATION OF VOTE-BY-MAIL BALLOTS.

<u>11–301.</u>

- (a-1) (1) Subject to paragraph (3) of this subsection, a board of canvassers and the staff of a local board may be observed as they complete each part of the canvass by authorized observers designated under paragraph (2) of this subsection and any other individuals who wish to be present.
- (2) The following individuals or entities have the right to designate a registered voter as an observer at each counting center:
 - (i) a candidate;
 - (ii) a political party; and
- (iii) any other group of voters supporting or opposing a candidate, principle, or proposition on the ballot.
- (3) The State Board may adopt regulations prohibiting public observation of a part of the canvass only if prohibiting public observation is necessary to ensure:
 - (i) the integrity or accuracy of the canvass; or
 - (ii) that the canvass process is not impeded.
- (4) The State Board shall ensure that the requirements of this subsection are implemented uniformly and consistently by each local board.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 170 – Senators Kagan and Hershey

AN ACT concerning

Voter Registration – Affiliation With Political Party and Participation in Primary Election, Caucus, or Convention

<u>Favorable report adopted.</u>

FLOOR AMENDMENT

SB0170/444137/2

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 170

(First Reading File Bill)

On page 6, in line 7, strike "and" and substitute "for".

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 182 – Senators Mathias, Benson, Conway, and Rosapepe

AN ACT concerning

Public Safety - Rental Dwelling Units - Carbon Monoxide Alarms

SB0182/314031/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 182

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 27, after "wired" insert "OR PLUGGED".

AMENDMENT NO. 2

On page 4, strike beginning with ", AS" in line 26 down through "MONOXIDE;" in line 29 and substitute "OUTSIDE EACH SEPARATE SLEEPING AREA IN THE IMMEDIATE VICINITY OF THE BEDROOMS, AND ON EVERY LEVEL OF THE RENTAL DWELLING UNIT, INCLUDING BASEMENTS.".

On page 5, strike in their entirety lines 1 through 13, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 319 - Senator DeGrange

AN ACT concerning

State Lottery - Licensed Agents - Commissions

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 426 - Senator Astle

AN ACT concerning

Maryland Emergency Management Assistance Compact - City of Annapolis

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 431 - Senator Edwards

AN ACT concerning

Allegany County and Garrett County - Annual Financial Reports - Filing Date

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #10

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

Senate Bill 46 – Senator Reilly

AN ACT concerning

Anne Arundel County - Archery Hunting - Safety Zone

SB0046/554335/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 46

(First Reading File Bill)

On page 2, in line 8, strike "**50**" and substitute "**100**".

The preceding amendment was read and adopted.

Senator Astle moved, duly seconded, to make the Bill and Report a Special Order for February 24, 2016.

The motion was adopted.

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

Senate Bill 225 - Senator Simonaire

AN ACT concerning

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

SB0225/344733/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 225

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "Licenses –" insert "<u>Disabled Active Military</u>,"; in line 4, after the first "of" insert "<u>exempting a certain person serving in the armed forces of the United States from the requirement to obtain certain licenses to fish in certain waters of the State under certain circumstances;"; in line 13, after "to" insert "<u>Maryland residents who are</u>"; in line 14, after "Act;" insert "<u>making stylistic changes;</u>"; in line 18, after "Section" insert "<u>4–604(c)</u>,"; and in the same line, strike "4–745(e)" and substitute "<u>4–745(c) and (e)</u>".</u>

AMENDMENT NO. 2

On page 1, after line 23, insert:

"<u>4–60</u>4.

- (c) An angler's license is not required of the following:
- (1) The owner or tenant of land bordering on nontidal water, his spouse and children, or the spouse of any child who resides on the land with the owner or tenant when he fishes in nontidal water adjoining his land;
- (2) Any resident serving in the armed forces of the United States, while on leave in the State, during [his] THE RESIDENT'S leave period, if, while angling, [he] THE RESIDENT possesses a copy of [his] THE RESIDENT'S official leave [orders] ORDER;
- (3) ANY PERSON SERVING IN THE ARMED FORCES OF THE UNITED STATES WHO HAS A SERVICE-CONNECTED DISABILITY, IF, WHILE ANGLING, THE PERSON POSSESSES VALID MILITARY IDENTIFICATION;
- [(3)] (4) A person who fishes in nontidal waters of the State on free fishing days designated by the Secretary;

- [(4)] (5) A person holding a current resident consolidated senior sport fishing license issued under § 4–216 of this title;
- [(5)] (6) A person fishing in a free fishing area established under § 4–214(b)(2) of this title; or
- [(6)] (7) A person authorized by a disability exemption issued under § 4–217 of this title.".

On page 2, in line 30, strike "A" and substitute "ANY"; in line 31, strike "if" and substitute "IN THE STATE, DURING THE RESIDENT'S LEAVE PERIOD, IF, WHILE ANGLING,"; in the same line, strike "while fishing"; in line 32, strike "or"; and in line 33, after "(v)" insert "ANY PERSON SERVING IN THE ARMED FORCES OF THE UNITED STATES WHO HAS A SERVICE—CONNECTED DISABILITY, IF, WHILE ANGLING, THE PERSON POSSESSES VALID MILITARY IDENTIFICATION; OR

<u>(VI)</u>".

On page 3, after line 1, insert:

- "(c) A person may fish for finfish in the Chesapeake Bay or its tidal tributaries or in State waters of the Atlantic Ocean and coastal bays and their tributaries without a Chesapeake Bay and coastal sport fishing license if the person:
 - (1) Is under the age of 16;
 - (2) Possesses a valid commercial license;
- (3) Holds a valid tidal water sport fishing license issued by the State of Virginia, Potomac River Fisheries Commission, or District of Columbia, provided that this exemption shall not take effect until the Secretary has published notice in the Maryland Register of the Secretary's determination that the Virginia, Potomac River Fisheries Commission, or District of Columbia requirements for a tidal water sport fishing license are substantially similar to and reciprocal with the Chesapeake Bay and coastal sport fishing license requirements of this section;
- (4) <u>Is fishing pursuant to any special charter boat license issued under</u> subsection (d)(1) of this section;

- (5) Is on active duty with the armed forces of the United States;
 - (ii) <u>Is a resident of this State</u>;
 - (iii) Is on leave from the armed forces; and
- (iv) Has, while fishing, a copy of the person's official leave orders] IS

 A RESIDENT SERVING IN THE ARMED FORCES OF THE UNITED STATES WHILE ON

 LEAVE IN THE STATE, DURING THE RESIDENT'S LEAVE PERIOD, IF, WHILE FISHING,

 THE RESIDENT POSSESSES A COPY OF THE RESIDENT'S OFFICIAL LEAVE ORDER;
- (6) SERVES IN THE ARMED FORCES OF THE UNITED STATES AND HAS A SERVICE-CONNECTED DISABILITY, IF, WHILE FISHING, THE PERSON POSSESSES VALID MILITARY IDENTIFICATION;
 - [(6)] (7) Fishes on a free fishing day designated by the Secretary;
- [(7)] (8) Holds a current resident consolidated senior sport fishing license issued under § 4–216 of this title;
- [(8)] (9) Holds a current registration issued under subsection (d)(3) of this section; or
- [(9)] (10) Is fishing on a commercial fishing pier licensed under subsection (d)(4) of this section.".

AMENDMENT NO. 3

On page 3, in line 30, after "to" insert "Maryland residents who are".

AMENDMENT NO. 4

On page 3, in line 33 strike "2 years and 5 months" and substitute "<u>3 years</u>"; and in line 34, strike "December 31, 2018" and substitute "<u>June 30, 2019</u>".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 266 - Senators Salling, Astle, Jennings, and Waugh

AN ACT concerning

Natural Resources - Poaching Restitution Act of 2016

SB0266/874438/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 266

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "privately owned land" and substitute "<u>any land in the State</u>"; in line 4, after "restitution" insert "<u>and perform community service</u>"; strike beginning with "authorizing" in line 4 down through "circumstances;" in line 6; in line 9, strike "Office of"; in line 10, strike "Hearings" and substitute "<u>Office of the Courts</u>"; in line 11, strike "Office of"; in the same line, after "Administrative" insert "<u>Office of the Courts</u>"; in the same line, strike "Hearings"; in line 15, strike "privately owned" and substitute "<u>any</u>"; and in the same line, after "land" insert "<u>in the State</u>".

AMENDMENT NO. 2

On page 3, in line 22, strike "PRIVATELY OWNED LAND" and substitute "<u>ANY LAND</u> <u>IN THE STATE</u>"; strike beginning with "ON" in line 27 down through "LAND" in line 28; in line 30, after "\$5,000" insert "<u>, IN AN AMOUNT DEEMED REASONABLE BY THE COURT</u>"; and strike in their entirety lines 32 and 33, inclusive.

On page 4, strike in their entirety lines 1 and 2, inclusive; in line 3, strike "(3)" and substitute "(2)"; in line 6, strike "ON PRIVATELY OWNED LAND"; in line 8, after "\$10,000" insert ", IN AN AMOUNT DEEMED REASONABLE BY THE COURT"; strike in their entirety lines 10 through 13, inclusive; in line 30, strike "Office of"; and in line 31, strike "Hearings" and substitute "Office of the Courts".

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 401 – Senators Waugh and Middleton

AN ACT concerning

Charles County and St. Mary's County - Deer Management Permit - Firearms

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #11

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

House Bill 204 - Montgomery County Delegation

EMERGENCY BILL

AN ACT concerning

Montgomery County – Elections – Early Voting Centers MC 14-16

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #3

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

Senate Bill 8 - Senator Simonaire

AN ACT concerning

Anne Arundel County - Property Tax Deferrals - Payment Due Date

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 141 – Anne Arundel County Senators

AN ACT concerning

Anne Arundel County - Special Taxing Districts - Water or Wastewater Services

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 306 - Senators Madaleno and Middleton

AN ACT concerning

Agricultural Land Transfer Tax - Calculation

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 324 – Senators Miller, Astle, Benson, Conway, Currie, DeGrange, Feldman, Ferguson, Gladden, Kagan, Kasemeyer, Kelley, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Muse, Nathan-Pulliam, Peters, Pinsky, Pugh, Ramirez, Raskin, Young, and Zirkin

AN ACT concerning

Prince George's County Regional Medical Center Act of 2016

SB0324/109435/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 324

(First Reading File Bill)

On page 1, in line 4, strike "the Board of Directors of"; in line 5, after "System" insert "Corporation"; in line 8, strike "the Board of Directors of"; in the same line, after "System" insert "Corporation"; and in line 13, strike "making this Act subject to a certain contingency;" and substitute "requiring a certain allocation of capital funding for a certain purpose;".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 26 through 28, inclusive.

On page 3, in line 11, strike "THE BOARD OF DIRECTORS OF"; in the same line, after "SYSTEM" insert "CORPORATION"; strike beginning with "IN" in line 12 down through "(II)" in line 15; in line 17, strike "AND" and substitute "OR"; strike beginning with "IF" in line 18 down through "AS" in line 19 and substitute "\$30,000,000, IF"; in line 19, after "GRANT" insert "OF \$15,000,000 IS NOT PROVIDED IN A FISCAL 2016 DEFICIENCY APPROPRIATION"; in line 19, strike "THE BOARD OF DIRECTORS OF"; in line 20, after "SYSTEM" insert "CORPORATION"; in the same line, strike "2017," and substitute "2016"; strike beginning with "AN" in line 20 down through "\$15,000,000" in line 21; in line 22, strike "(III)" and substitute "(III)"; in line 24, strike "(IV)" and substitute "(III)"; in line 28, strike "THE BOARD OF DIRECTORS OF"; and in line 29, after "SYSTEM" insert "CORPORATION".

AMENDMENT NO. 3

On page 4, in line 16, strike "PREDECESSOR" and substitute "<u>AFFILIATED</u>"; strike beginning with "\$45,000,000" in line 21 down through "\$90,000,000" in line 22 and substitute "<u>\$67,500,000</u>"; and in line 23, strike "(III) \$8,000,000" and substitute "(II) \$48,000,000".

AMENDMENT NO. 4

On page 4, in line 9, after "SYSTEM" insert "CORPORATION"; in line 28, after "Commission" insert "shall"; in the same line, strike "priority" and substitute "timely consideration"; strike beginning with "before" in line 29 down through "applications" in line 30; and in line 30, after "make" insert "every effort to make".

AMENDMENT NO. 5

On page 5, strike beginning with "this" in line 1 down through "System" in line 3 and substitute a comma; in line 4, after "approved" insert ", the University of Maryland Medical System Corporation shall become the sole corporate member of Dimensions Health Care Corporation and as a result, the University of Maryland Medical System Corporation shall

<u>be responsible for the governance structure of the entity</u>"; strike beginning with "The" in line 4 down through "Assembly." in line 9; and strike beginning with "That," in line 10 down through "Act," in line 11 and substitute "That".

On page 5, after line 9, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That from the capital contributions made by the State allocated for the Prince George's County Regional Medical Center, not more than \$8,000,000 shall be allocated for the development and transformation plan for Laurel Regional Hospital.";

and in line 10, strike "4." and substitute "5.".

The preceding 5 amendments were read only.

Senator Jennings moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

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

Senate Bill 349 – Senator Edwards

AN ACT concerning

Maryland Income Tax Refunds – Allegany and Garrett Counties – Warrant Intercept Program

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 293)

ADJOURNMENT

At 11:15 A.M. on motion of Senator Pugh, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, February 24, 2016.

Annapolis, Maryland Wednesday, February 24, 2016 10:00 A.M. Session

The Senate met at 10:11 A.M.

Prayer by Pastor Kristi Kunkel, New Light Lutheran Church, guest of Senator Salling.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 296)

INTRODUCTION OF BILLS

Senate Bill 1113 - Senator Eckardt

AN ACT concerning

Talbot County - Deer Management Permit - Firearms

FOR the purpose of authorizing an individual who holds a Deer Management Permit in Talbot County to use certain firearms to hunt deer throughout the year under certain circumstances; authorizing the Department of Natural Resources to authorize an individual to hunt deer on Sundays in Talbot County under certain circumstances; and generally relating to hunting deer under a Deer Management Permit in Talbot County.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 10–415(d)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

Senate Bill 1114 - Senator Ramirez

Consumer Protection - Sale of Bedding by Merchants - Limitations

FOR the purpose of prohibiting a merchant from selling or offering to sell certain bedding to a consumer in the State unless a certain label is attached to the bedding; requiring a merchant who sells certain new bedding to a consumer in the State to indicate on a certain receipt that the bedding is new; prohibiting a merchant from selling certain bedding as new unless the bedding is made entirely from new material; prohibiting a merchant from using any false or misleading statement on a certain label; establishing a certain penalty; defining certain terms; and generally relating to the sale of bedding by merchants.

BY adding to

Article – Commercial Law Section 14–1316 Annotated Code of Maryland (2013 Replacement Volume and 2015 Supplement)

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

Senate Bill 1115 – Senators Brochin and Jennings

AN ACT concerning

Creation of a State Debt – Baltimore County – The Maryland Regional Agricultural Arena and Learning Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$375,000, the proceeds to be used as a grant to the Board of Directors of the Maryland Agricultural Resource Council for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1116 - Cecil County Senators

AN ACT concerning

Horse Racing - Fair Hill - Arabian Breed Racing Authorization

FOR the purpose of authorizing a licensee at the Fair Hill Natural Resources Management Area to conduct live racing of Arabian breed horses under certain circumstances; defining a certain term; and generally relating to horse racing at Fair Hill.

BY repealing and reenacting, without amendments,

Article – Business Regulation Section 11–701 through 11–704 Annotated Code of Maryland (2015 Replacement Volume and 2015 Supplement)

BY adding to

Article – Business Regulation Section 11–705 Annotated Code of Maryland (2015 Replacement Volume and 2015 Supplement)

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

Senate Bill 1117 - Senator Jennings

AN ACT concerning

Creation of a State Debt - Harford County - Rockfield Park Pavilion

FOR the purpose of authorizing the creation of a State Debt not to exceed \$116,000, the proceeds to be used as a grant to the Board of Commissioners of the Town of Bel Air for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1118 - Senator Eckardt

AN ACT concerning

Creation of a State Debt - Caroline County - Mt. Pleasant Heritage Preservation Community Education Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Board of Directors of the Mt. Pleasant Heritage, Preservation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1119 – Senator Rosapepe (By Request – Joint Committee on the Management of Public Funds) and Senators Benson and Madaleno

AN ACT concerning

State Treasurer - Supranational Issuers

FOR the purpose of authorizing the Treasurer to invest or reinvest certain funds in a certain obligation issued and unconditionally guaranteed by a supranational issuer; defining a certain term; and generally relating to the investment or reinvestment of certain funds by the Treasurer.

BY repealing and reenacting, with amendments, Article – State Finance and Procurement Section 6–222 and 8–131(g)(3)(v) Annotated Code of Maryland (2015 Replacement Volume)

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

Senate Bill 1120 - Senator Reilly

AN ACT concerning

Railroad Grade Crossings - Exempt Highway-Rail Grade Crossing Plaque

FOR the purpose of requiring the State Highway Administration to erect an exempt highway—rail grade crossing plaque at certain railroad grade crossings; specifying the design and placement of the plaque; exempting certain vehicles from the requirement to stop at certain railroad grade crossings if the railroad grade crossing has an exempt highway—rail grade crossing plaque; and generally relating to an exempt highway—rail grade crossing plaque at railroad grade crossings.

BY adding to

Article – Transportation Section 8–644 Annotated Code of Maryland (2015 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation Section 21–703 Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

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

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 120 – Delegates Krimm, Brooks, Carr, Chang, Ciliberti, Gutierrez, Hill, Jalisi, Jameson, Kelly, Korman, Kramer, Lierman, McCray, Patterson, B. Robinson, Smith, Vogt, West, K. Young, and P. Young

AN ACT concerning

State Budget - Department of Budget and Management - Statement of Dedicated State Funds

FOR the purpose of requiring the Secretary of Budget and Management to publish on the Department of Budget and Management's Web site a certain itemized statement, linked to the proposed State budget, of revenues collected by the State that are dedicated by law to a special fund; and generally relating to the Department of Budget and Management and the State budget.

BY adding to

Article – State Finance and Procurement Section 7–107 Annotated Code of Maryland (2015 Replacement Volume)

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

House Bill 192 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Juvenile Causes – Permanency Plans – Age Restrictions on Use of Another Planned Permanent Living Arrangement

FOR the purpose of providing that another planned permanent living arrangement may be a child's permanency plan only if the child is at least a certain age; and generally relating to permanency plans for the out—of—home placement of children.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings
Section 3–823(e)
Annotated Code of Maryland
(2013 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Family Law Section 5–326(a) and 5–525(f) Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

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

House Bill 686 – Delegates Hammen, Anderson, Branch, Busch, Carey, Carter, Clippinger, Conaway, Glenn, Hayes, Haynes, Lafferty, Lierman, Lisanti, McCray, McIntosh, Oaks, Pena-Melnyk, Pendergrass, B. Robinson, S. Robinson, Rosenberg, Smith, Sophocleus, Walker, M. Washington, West, and P. Young

AN ACT concerning

Department of Housing and Community Development – Strategic Demolition and Smart Growth Impact Fund – Establishment

FOR the purpose of establishing the Strategic Demolition and Smart Growth Impact 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 purposes for which the Fund may be used; specifying certain eligibility criteria for certain fiscal years for awarding grants and loans from the Fund; providing for the investment of money in and expenditures from the Fund; requiring interest earnings of the Fund to be credited to the Fund; beginning in a certain fiscal year, requiring the Governor to include in the annual budget bill an appropriation of a certain amount to the Fund for certain fiscal years and requiring the appropriation 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; requiring a certain amount appropriated in a certain supplemental budget for a certain program in the Department for a certain fiscal year to be appropriated to the Fund and allocated in a certain manner; and generally relating to the Strategic Demolition and Smart Growth Impact Fund in the Department of Housing and Community Development.

BY adding to

Article – Housing and Community Development Section 4–508 Annotated Code of Maryland (2006 Volume and 2015 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)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement Section 6–226(a)(2)(ii)84. and 85. Annotated Code of Maryland (2015 Replacement Volume)

BY adding to

Article – State Finance and Procurement Section 6–226(a)(2)(ii)86. Annotated Code of Maryland (2015 Replacement Volume)

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

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 199 - Senators Brochin, Muse, Pinsky, Pugh, and Zirkin

AN ACT concerning

Transit and Transportation Service – Audio Recordings – Requirements and Limitations

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0199/908774/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 199

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after "Pugh," insert "Ready,".

AMENDMENT NO. 2

On page 1, in lines 2 and 3, strike "Audio Recordings – Requirements and Limitations" and substitute "Activation of Audio Recording Devices – Prohibition"; and strike beginning with "requiring" in line 4 down through "regulations;" in line 15 and

substitute "prohibiting the Maryland Transit Administration, on certain transit service vehicles equipped with an audio recording device, from activating the audio recording device; prohibiting a county or municipality, on certain transportation service vehicles equipped with an audio recording device, from activating the audio recording device;".

AMENDMENT NO. 3

On pages 2 through 5, strike in their entirety the lines beginning with line 19 on page 2 through line 25 on page 5, inclusive, and substitute:

"<u>7-705.1.</u>

IF A VEHICLE USED BY THE ADMINISTRATION TO PROVIDE TRANSIT SERVICE IS EQUIPPED WITH AN AUDIO RECORDING DEVICE CAPABLE OF RECORDING ORAL COMMUNICATIONS OF THE VEHICLE OPERATOR AND THE VEHICLE'S PASSENGERS, THE ADMINISTRATION MAY NOT ACTIVATE THE AUDIO RECORDING DEVICE.

7-802.

IF A VEHICLE USED BY A COUNTY OR MUNICIPALITY TO PROVIDE TRANSPORTATION SERVICE IS EQUIPPED WITH AN AUDIO RECORDING DEVICE CAPABLE OF RECORDING ORAL COMMUNICATIONS OF THE VEHICLE OPERATOR AND THE VEHICLE'S PASSENGERS, THE COUNTY OR MUNICIPALITY MAY NOT ACTIVATE THE AUDIO RECORDING DEVICE."

The preceding 3 amendments were read only.

Senator Benson moved, duly seconded, to make the Bill and Amendments a Special Order for February 25, 2016.

The motion was adopted.

Senate Bill 324 – Senators Miller, Astle, Benson, Conway, Currie, DeGrange, Feldman, Ferguson, Gladden, Kagan, Kasemeyer, Kelley, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Muse, Nathan-Pulliam, Peters, Pinsky, Pugh, Ramirez, Raskin, Young, and Zirkin

AN ACT concerning

Prince George's County Regional Medical Center Act of 2016

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (5) AND THE FAVORABLE REPORT.

SB0324/109435/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 324

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "the Board of Directors of"; in line 5, after "System" insert "Corporation"; in line 8, strike "the Board of Directors of"; in the same line, after "System" insert "Corporation"; and in line 13, strike "making this Act subject to a certain contingency;" and substitute "requiring a certain allocation of capital funding for a certain purpose;".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 26 through 28, inclusive.

On page 3, in line 11, strike "THE BOARD OF DIRECTORS OF"; in the same line, after "SYSTEM" insert "CORPORATION"; strike beginning with "IN" in line 12 down through "(II)" in line 15; in line 17, strike "AND" and substitute "OR"; strike beginning with "IF" in line 18 down through "AS" in line 19 and substitute "\$30,000,000, IF"; in line 19, after "GRANT" insert "OF \$15,000,000 IS NOT PROVIDED IN A FISCAL 2016 DEFICIENCY APPROPRIATION"; in line 19, strike "THE BOARD OF DIRECTORS OF"; in line 20, after "SYSTEM" insert "CORPORATION"; in the same line, strike "2017," and substitute "2016"; strike beginning with "AN" in line 20 down through "\$15,000,000" in line 21; in line 22, strike "(III)" and substitute "(III)"; in line 24, strike "(IV)" and substitute "(III)"; in line 28, strike "THE BOARD OF DIRECTORS OF"; and in line 29, after "SYSTEM" insert "CORPORATION".

AMENDMENT NO. 3

On page 4, in line 16, strike "PREDECESSOR" and substitute "<u>AFFILIATED</u>"; strike beginning with "\$45,000,000" in line 21 down through "\$90,000,000" in line 22 and substitute "<u>\$67,500,000</u>"; and in line 23, strike "(III) \$8,000,000" and substitute "(II) \$48,000,000".

AMENDMENT NO. 4

On page 4, in line 9, after "SYSTEM" insert "CORPORATION"; in line 28, after "Commission" insert "shall"; in the same line, strike "priority" and substitute "timely consideration"; strike beginning with "before" in line 29 down through "applications" in line 30; and in line 30, after "make" insert "every effort to make".

AMENDMENT NO. 5

On page 5, strike beginning with "this" in line 1 down through "System" in line 3 and substitute a comma; in line 4, after "approved" insert ", the University of Maryland Medical System Corporation shall become the sole corporate member of Dimensions Health Care Corporation and as a result, the University of Maryland Medical System Corporation shall be responsible for the governance structure of the entity"; strike beginning with "The" in line 4 down through "Assembly." in line 9; and strike beginning with "That," in line 10 down through "Act," in line 11 and substitute "That".

On page 5, after line 9, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That from the capital contributions made by the State allocated for the Prince George's County Regional Medical Center, not more than \$8,000,000 shall be allocated for the development and transformation plan for Laurel Regional Hospital.";

and in line 10, strike "4." and substitute "5.".

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 46 – Senator Reilly

AN ACT concerning

Anne Arundel County - Archery Hunting - Safety Zone

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

Senator Simonaire moved, duly seconded, to make the Bill and Report a Special Order for February 25, 2016.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 297)

ADJOURNMENT

At 10:39 A.M. on motion of Senator Pugh, seconded, the Senate adjourned until 10:00 A.M. on Thursday, February 25, 2016.

Annapolis, Maryland Thursday, February 25, 2016 10:00 A.M. Session

The Senate met at 10:18 A.M.

Prayer by Monsignor Bruce Jarboe, St. Anne's Church, guest of Senator DeGrange.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 302)

INTRODUCTION OF BILLS

Senate Bill 1121 - Senator Serafini

AN ACT concerning

Health Insurance - Coverage of Air Ambulance Transport Services

FOR the purpose of requiring insurers, nonprofit health service plans, and health maintenance organizations that provide certain health insurance benefits under certain insurance policies or contracts to provide coverage for certain air ambulance transport services; requiring certain insurers, nonprofit health service plans, and health maintenance organizations that use a provider panel to ensure that provider panels include certain providers for a certain purpose; requiring certain insurers, nonprofit health service plans, and health maintenance organizations that use a provider panel to hold an insured or enrollee harmless for the amount of a certain bill under certain circumstances; requiring certain standards for certain insurers, nonprofit health service plans, and health maintenance organizations to include a certain requirement; providing for the application of this Act; defining certain terms; and generally relating to coverage of air ambulance transport services under health insurance.

BY repealing and reenacting, with amendments,

Article – Insurance Section 15–112(a) and (b) Annotated Code of Maryland (2011 Replacement Volume and 2015 Supplement)

BY adding to

Article – Insurance Section 15–850 Annotated Code of Maryland (2011 Replacement Volume and 2015 Supplement)

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

Senate Bill 1122 - Senator Klausmeier

AN ACT concerning

Mopeds and Motor Scooters - Failure to Carry Required Security - Penalty

FOR the purpose of altering the maximum penalty for failure to carry evidence of the required security while operating a moped or motor scooter.

BY repealing and reenacting, with amendments,

Article – Transportation
Section 17–104.1
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

Senate Bill 1123 - Senators Klausmeier, Raskin, and Lee

AN ACT concerning

Vehicle Laws - Passing Bicycles, Personal Mobility Devices, or Motor Scooters

FOR the purpose of repealing a certain exception to a certain requirement that a driver overtake and pass a bicycle, an electric personal assistive mobility device (EPAMD), or a motor scooter in a certain manner that applies when a highway lacks sufficient width; requiring a driver who passes a bicycle, an EPAMD, or a motor scooter in accordance with a certain provision of law to pass at a reasonable or prudent speed that is safe for existing weather, road, and vehicular or pedestrian traffic conditions; prohibiting a driver who passes a bicycle, an EPAMD, or a motor scooter in accordance with a certain provision of law from endangering, impeding, or interfering with the bicycle, EPAMD, or motor scooter, or any other traffic using the highway; making a technical correction; and generally relating to rules of the road for overtaking and passing bicycles, EPAMDs, and motor scooters.

BY repealing and reenacting, with amendments, Article – Transportation Section 21–1209 Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

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

THE COMMITTEE ON RULES REPORT #3

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1009 - Senators Benson, Kelley, Middleton, and Pugh

AN ACT concerning

Procurement - Prevailing Wage - Liquidated Damages

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

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1032 – Senator Conway

AN ACT concerning

Health Occupations - Prohibited Patient Referrals - Exceptions

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re—referred to the Committee on Budget and Taxation:

Senate Bill 1043 – Senator Jennings (By Request)

AN ACT concerning

Homeowners' Property Tax Credit - Eligibility - Cost-of-Living Adjustment

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1047 - Senator Lee

AN ACT concerning

Task Force to Study Recording Deeds for Victims of Domestic Violence

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1054 - Senator Mathias

AN ACT concerning

Commercial Northern Snakehead Bowfishing License - Establishment

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1055 - Senator Hough

AN ACT concerning

Frederick County - Public School Construction - State Funding

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1056 - Senator Feldman

AN ACT concerning

Corporations – Formation of a Holding Company by Merger

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1057 - Senator King

Maryland Technology Development Corporation – Maryland Innovation Initiative – Financing Authority

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

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1058 - Senator Conway

AN ACT concerning

Workers' Compensation – Permanent Partial Disability – Baltimore City Deputy Sheriffs

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

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1059 - Senator Conway

AN ACT concerning

Baltimore City – Office of the Baltimore City Sheriff – Positions and Grievance Procedures

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1060 – Senator Conway

AN ACT concerning

Public Health - Opioid Maintenance Programs - Licensing

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

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1062 – Senators Guzzone and Salling

Enterprise Zones – Target Redevelopment Areas – Designation and Sales and Use Tax Exemption

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re—referred to the Committee on Budget and Taxation:

Senate Bill 1063 - Senator Madaleno

AN ACT concerning

Maryland Institute for Policy Analysis and Research Positions – Transfer to State Personnel Management System

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1064 - Senator Feldman

AN ACT concerning

Alcoholic Beverages - Issuance of Class A Licenses

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

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1065 - Senator Feldman

AN ACT concerning

Corporations - Maryland General Corporation Law - Miscellaneous Provisions

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1068 - Senator Eckardt

Alcoholic Beverages - Auxiliary Winery Permit

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1069 - Senator Middleton

AN ACT concerning

Public Utilities – Application for a Certificate of Public Convenience and Necessity – Public Notice

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

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1071 - Senator Muse

AN ACT concerning

Office of the Public Defender - Caseload Standards

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1072 – Senator Muse

AN ACT concerning

Juveniles - Restraint and Searches - Limitations

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1073 - Senator Muse

Vehicle Laws - Right-of-Way Violations - Death or Serious Bodily Injury -Penalties

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1074 - Senator Klausmeier

AN ACT concerning

Baltimore County - Alcoholic Beverages - Licenses in Mixed-Use Developments

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re—referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1076 – Washington County Senators

AN ACT concerning

Washington County - Alcoholic Beverages - Population Ratio Quota - Classes of Licenses

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1077 – Washington County Senators

AN ACT concerning

Washington County - Alcoholic Beverages - License Renewal Procedures

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1078 – Washington County Senators

AN ACT concerning

Washington County – Alcoholic Beverages – Class A Beer, Wine, and Liquor – License Fee

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re—referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1079 – Washington County Senators

AN ACT concerning

Washington County - Alcoholic Beverages - Hotel and Motel Licenses

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1080 – Senator Edwards

AN ACT concerning

Garrett County - Property Tax Exemption - Garrett College Business Incubator

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1081 - Senator Eckardt

AN ACT concerning

Mental Health - Voluntary and Involuntary Admissions - Certification by Psychiatric Nurse Practitioners

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1082 – Senator Conway

AN ACT concerning

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

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re—referred to the Committee on Judicial Proceedings:

Senate Bill 1084 – Senator Lee

AN ACT concerning

Adult Entertainment Establishments – National Human Trafficking Resource Center Hotline Information – Sign Posting Requirements

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1088 - Harford County Senators

AN ACT concerning

Alcoholic Beverages - Harford County - License and Permit Fees and Repealing Obsolete Provisions

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1097 – Senators Mathias, Eckardt, Edwards, Hershey, and Middleton

AN ACT concerning

Local Government Tort Claims Act - Regional Development Councils

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1103 - Senators Manno, Ramirez, Mathias, and Peters

AN ACT concerning

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

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1104 – Harford County Senators and Senators Astle, Bates, Benson, Brochin, Conway, Currie, DeGrange, Eckardt, Edwards, Feldman, Ferguson, Gladden, Guzzone, Hershey, Hough, Kagan, Kasemeyer, Kelley, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Muse, Nathan-Pulliam, Peters, Pinsky, Pugh, Ramirez, Raskin, Ready, Reilly, Rosapepe, Salling, Serafini, Simonaire, Waugh, Young, Zirkin, and Zucker

EMERGENCY BILL

AN ACT concerning

Transportation - Highways - Heroes Highway

The bill was re—referred to the Committee on Finance.

MOTION

Senator Raskin moved, duly seconded, that the Senate receive in Open Session the following Report from the Committee on Executive Nominations.

The motion was adopted.

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #2

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.

Jamie Raskin Chair

Senate Executive Nominations Committee Report #2 February 25, 2016

Commerce, Department of

1. R. Michael Gill District 42

Secretary of Department of Commerce; appointed to serve at the pleasure of the Governor

Assistive Technology Loan Program Board of Directors

2. Joel Steven Zimba 2824 St. Paul Street, Apt. 1 Baltimore, MD 21218

District 43

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

Automobile Insurance Fund, Board of Trustees of the Maryland

3. Christopher Gude 8729 Chapel Hill Drive Ellicott City, MD 21043

District 9

Member of the Board of Trustees of the Maryland Automobile Insurance Fund; appointed to serve a term of five years from October 1, 2015

Aviation Commission, Maryland

4. Enrique M. Melendez 1901 McGuckian Avenue, Unit 419 Annapolis, MD 21401 District 30

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

Elevator Safety Review Board

5. Steven A. Joss 5476 Wingborne Court Columbia, MD 21045 District 12

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

Ethics Commission, State

6. Janet E. McHugh, Esq. 1709 Circle Road Ruxton, MD 21204 District 11

Member of the State Ethics Commission; appointed to serve remainder of a term of five years from July 1, 2013

7. Thomas Burk Smyth, Jr., M.D. 5 Buchanan Road Baltimore, MD 21212

District 11

Member of the State Ethics Commission; appointed to serve remainder of a term of five years from July 1, 2015

Heritage Areas Authority, Maryland

8. Janice Hayes–Williams 1180 Carinoso Circle Severn, MD 21144 District 32

Member of the Maryland Heritage Areas Authority; appointed to serve a term of four years from October 1, 2014

Infants and Toddlers, Interagency Coordinating Council for

9. Mary L. LaCasse 2 Hampshire Woods Court Towson, MD 21204

District 42

Member of the Interagency Coordinating Council for Infants and Toddlers; appointed to serve remainder of a term of three years from July 1, 2014

Judicial Disabilities, Commission on

10. Susan J. Matlick 6896 Mink Hollow Road Highland, MD 20777 District 13

Member of the Commission on Judicial Disabilities; reappointed to serve a term to expire October 19, 2018

Parole Commission, Maryland

11. Sharon Trexler Begosh 18922 Clover Hill Lane Olney, MD 20832 District 14

Member of the Maryland Parole Commission; appointed to serve remainder of a term of six years from January 1, 2013

12. David R. Blumberg 5405 Falls Road Terrace Baltimore, MD 21210 District 41

Chair of the Maryland Parole Commission; reappointed to serve a term of six years from January $1,\,2016$

13. John R. Greene, Jr. 3007 Clarkson Drive Abingdon, MD 21009 District 34

Member of the Maryland Parole Commission; appointed to serve remainder of a term of six years from January 1, 2013

Patuxent River Commission

14. Thomas J. Miller, Ph.D. 520 Swaggers Point Road Solomons, MD 20688 District 29

Member of the Patuxent River Commission; appointed to serve a term of four years from October 1, 2013

Police Training Commission

15. Charles H. Hinnant 1111 Cherrywood Avenue Cumberland, MD 21502 District 1

Member of the Police Training Commission; reappointed to serve a term of three years from June 1, 2015

Port Commission, Maryland

16. Brenda A. Dandy 11115 Old Carriage Road Glen Arm, MD 21057 District 42

Member of the Maryland Port Commission; appointed to serve a term of three years from July $1,\,2015$

Public Information Act Compliance Board, State

17. Rene' C. Swafford, Esq.

District 36

P.O. Box 392

Greensboro, MD 21639

Member of the State Public Information Act Compliance Board; appointed to serve a term to expire June 30, 2018

18. John H. West, III, Esq. 9 Bellemore Road

District 41

Baltimore, MD 21210

Chair of the State Public Information Act Compliance Board; appointed to serve a term to expire June 30, 2019

19. Darren Shay Wigfield

District 3

6920 Alex Court

Frederick, MD 21703

Member of the State Public Information Act Compliance Board; appointed to serve a term to expire June $30,\,2019$

Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors, State Commission of

20. Joseph L. Berk 1021 Cowpens Avenue Towson, MD 21286 District 42

Member of the State Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors; appointed to serve a term of three years from January 1, 2016

21. Terry R. Dunkin 801 Bacon Hall Road Sparks, MD 21152 District 42

Member of the State Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors; appointed to serve remainder of a term of three years from January 1, 2014

22. Harold H. Huggins 15112 Watergate Road Colesville, MD 20905 District 14

Member of the State Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors; appointed to serve a term of three years from January 1, 2016

23. Michael A. Picarello 17213 Whiteley Road Monkton, MD 21111 District 7

Member of the State Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors; appointed to serve a term of three years from January 1, 2015

24. Anatol L. Polillo 3706 Ednor Road Baltimore, MD 21218 District 43

Member of the State Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors; appointed to serve a term of three years from January 1, 2015

25. Helen Won7 Yellow Barn Court

District 11

Pikesville, MD 21208

Member of the State Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors; appointed to serve a term of three years from January 1, 2014

Real Estate Commission, State

26. James F. Wright, II P.O. Box 482

Denton, MD 21629

District 36

District 6

Member of the State Real Estate Commission; appointed to serve remainder of a term of four years from June 1, 2013

Residential Child Care Program Professionals, State Board for Certification of

27. Nicole Smith

1620 Sandy Hollow Circle Baltimore, MD 21221

Member of the State Board for Certification of Residential Child Care Program Professionals; appointed to serve a term of four years from July 1, 2015

Retirement and Pension Systems, Board of Trustees for the Maryland State

28. James C. "Chip" DiPaula 1249 Algonquin Road

Crownsville, MD 21032

District 33

Member of the Board of Trustees for the Maryland State Retirement and Pension Systems; appointed to serve a term of four years from August 1, 2015

29. Charles W. Johnson

District 43

3801 N. Charles Street

Baltimore, MD 21218

Member of the Board of Trustees for the Maryland State Retirement and Pension Systems; appointed to serve a term of four years from August 1, 2015

Social Work Examiners, State Board of

30. Gerard M. Farrell, (Ret.) 1728 Woodlore Road District 30

Annapolis, MD 21401

Member of the State Board of Social Work Examiners; appointed to serve remainder of a term of four years from July 1, 2013

31. Karen Lynn Richards

District 10

719 Cockeys Mill Road Reisterstown, MD 21136

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

Stadium Authority, Maryland

32. Joseph C. Bryce, Esq. 802 Vacation Drive

District 21

Odenton, MD 21113

Member of the Maryland Stadium Authority; reappointed to serve a term of four years from July $1,\,2015$

Stationary Engineers, State Board of

33. Gregory J. Denevan 3330 Locust Street Edgewater, MD 21037 District 30

Member of the State Board of Stationary Engineers; appointed to serve a term of three years from July 1, 2013

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.

Ethics Commission, State

S-1. Paul Marion Vettori, Esq. 3435 Nanmark Court Ellicott City, MD 21042

District 9

Member of the State Ethics Commission; reappointed to serve remainder of a term of five years from July 1, 2011

Fire-Rescue Education and Training Commission

S-2. Kathleen M. Hartley

District 38

11845 Peyton Court Bishopville, MD 21813

Member of the Fire–Rescue Education and Training Commission; reappointed to serve a term of four years from July 1, 2015

S–3. John D. Jerome

District 5

929 Gahle Road

Westminster, MD 21157

Member of the Fire–Rescue Education and Training Commission; reappointed to serve a term of four years from July 1, 2015

Infants and Toddlers, Interagency Coordinating Council for

S-4. Nancy J. Egan, Esq.

District 41

1004 Deer Ridge Drive

Baltimore, MD 21210

Member of the Interagency Coordinating Council for Infants and Toddlers; reappointed to serve a term of three years from July 1, 2015

S-5. Marcella Franczkowski

District 9

3005 Pebble Beach Drive

Columbia, MD 21042

Member of the Interagency Coordinating Council for Infants and Toddlers; reappointed to serve a term of three years from July 1, 2015

S–6. Brenda Hussey–Gardner, Ph.D. 12208 Linden Linthicum Lane Clarksville, MD 21029 District 13

Chair of the Interagency Coordinating Council for Infants and Toddlers; reappointed to serve a term of three years from July 1, 2015

S-7. Abila Tazanu, M.D. 12303 Starling Lane Laurel, MD 20708 District 23

Member of the Interagency Coordinating Council for Infants and Toddlers; reappointed to serve a term of three years from July 1, 2015

Judicial Disabilities, Commission on

S–8. Susan Hower Hazlett 2 South Bond Street

Bel Air, MD 21014

District 35

Judge of the Commission on Judicial Disabilities; reappointed to serve a term of four years from January 1, 2016

S–9. Richard M. Karceski, Esq. 9183 Furrow Avenue Ellicott City, MD 21042

District 9

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Member of the Commission on Judicial Disabilities; reappointed to serve a term of four years from January 1, 2016

Morgan State University Board of Regents

S–10. Linda J. Gilliam, D.M.D.

District 99

220 W. Rittenhouse Square, Unit 21–AC Philadelphia, PA 19103

Member of the Morgan State University Board of Regents; reappointed to serve a term of five years from July 1, 2015

S–11. Shirley Mahaley Malcolm, Ph.D.

District 13

12901 Wexford Park Court Clarksville, MD 21029

Member of the Morgan State University Board of Regents; reappointed to serve a term of five years from July 1, 2015

Residential Boarding Education Programs, Board of Trustees of

S-12. Earl Adams, Jr., Esq. 12603 LaGrange Court

District 26

Fort Washington, MD 20744

Member of the Board of Trustees of Residential Boarding Education Programs; reappointed to serve a term of three years from July 1, 2015

School for the Deaf, Board of Trustees of the Maryland

S–13. David Anthony Martin

District 3

504 Elm Street

Frederick, MD 21701

Member of the Board of Trustees of the Maryland School for the Deaf; reappointed to serve a term of six years from October 1, 2015

Tourism Development Board, Maryland

S-14. Rick Howarth

District 33

1807 Chaneys Grant Court

Crofton, MD 21114

Member of the Maryland Tourism Development Board; reappointed to serve a term of three years from July 1, 2015

Local Nominees

Please Note: Local Nominees are not required to appear before the Senate Executive Nominations Committee.

Allegany College Board of Trustees

L–1. James R. Pyles 47 LaVale Boulevard LaVale, MD 21502 District 1

Member of the Allegany College Board of Trustees; appointed to serve a term of six years from July 1, 2015

Anne Arundel Community College Board of Trustees

L-2. Sandra E. Moore

District 31

7902 Whites Cove Road Pasadena, MD 21122

Member of the Anne Arundel Community College Board of Trustees; appointed to serve remainder of a term of six years from July 1, 2013

Baltimore City Community College, Board of Trustees for

L-3. Moses Wamalwa

District 11

1906 Rambling Ridge Lane Baltimore, MD 21209

Member of the Board of Trustees for Baltimore City Community College; appointed to serve a term of one year from July 1, 2015

Baltimore County Board of Elections

L-4. Gloria Mason

District 10

9109 Sunset Ridge Road Randallstown, MD 21133

Member of the Baltimore County Board of Elections; appointed to serve a term of four years from June 1, 2015

Calvert County Board of Elections

L-5. Delores Hill Brown

District 27

10231 Three Doctors Road Dunkirk, MD 20754

Member of the Calvert County Board of Elections; appointed to serve a term of four years from June 1, 2015

L-6. Karen Ann DePaulo

District 27

12038 Steven Lane Dunkirk, MD 20754

Member of the Calvert County Board of Elections; appointed to serve a term of four years from June $1,\,2015$

L-7. Ceferino A. Epps 12112 Catalina Drive Lusby, MD 20657 District 29

Member of the Calvert County Board of Elections; appointed to serve a term of four years from June 1, 2015

L–8. Keith A. Lotridge 8431 Meadowview Circle

Owings, MD 20736

District 27

Member of the Calvert County Board of Elections; appointed to serve a term of four years from June 1, 2015

L–9. Jay W. Lounsbury 1900 Aberdeen Drive Dunkirk, MD 20754

District 27

Member of the Calvert County Board of Elections; appointed to serve a term of four years from June 1, 2015

Calvert County Board of License Commissioners

L-10. Robert D. Arscott, Sr. 3920 Buckboard Court Dunkirk, MD 20754

District 27

Chair of the Calvert County Board of License Commissioners; appointed to serve a term to expire June 5, 2017

L-11. Ruth N. Reid 3010 Ponds Wood Road Huntingtown, MD 20639 District 27

Member of the Calvert County Board of License Commissioners; reappointed to serve a term to expire June $5,\,2017$

L-12. John H. Smack 2641 Plum Point Road Huntingtown, MD 20639 District 27

Member of the Calvert County Board of License Commissioners; reappointed to serve a term to expire June $5,\,2017$

L-13. Beth E. Swoap 2118 Loblolly Lane St. Leonard, MD 20685 District 29

Member of the Calvert County Board of License Commissioners; reappointed to serve a term to expire June $5,\,2017$

Carroll Community College Board of Trustees

L-14. Sherri-Le White Bream 746 Winchester Drive

District 5

Westminster, MD 21157

Member of the Carroll Community College Board of Trustees; appointed to serve a term of six years from July 1, 2014

L-15. Kelley M. Frager

District 4

6170 Challedon Circle Mt. Airy, MD 21771

Member of the Carroll Community College Board of Trustees; appointed to serve a term of six years from July 1, 2015

Senator Raskin moved, duly seconded, to make the Report a Special Order for February 26, 2016.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 303)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #22

Senate Bill 8 - Senator Simonaire

AN ACT concerning

Anne Arundel County - Property Tax Deferrals - Payment Due Date

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

Affirmative – 47 Negative – 0 (See Roll Call No. 304)

The Bill was then sent to the House of Delegates.

Senate Bill 117 – The President (By Request – Maryland Judiciary)

AN ACT concerning

Judgeships - Circuit Courts and District Court

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

Affirmative – 46 Negative – 0 (See Roll Call No. 305)

The Bill was then sent to the House of Delegates.

Senate Bill 141 - Anne Arundel County Senators

AN ACT concerning

Anne Arundel County - Special Taxing Districts - Water or Wastewater Services

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

Affirmative – 47 Negative – 0 (See Roll Call No. 306)

The Bill was then sent to the House of Delegates.

Senate Bill 306 - Senators Madaleno and Middleton

AN ACT concerning

Agricultural Land Transfer Tax - Calculation

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

Affirmative – 47 Negative – 0 (See Roll Call No. 307)

The Bill was then sent to the House of Delegates.

Senate Bill 349 - Senator Edwards

AN ACT concerning

Maryland Income Tax Refunds – Allegany and Garrett Counties – Warrant Intercept Program

Senator Edwards moved, duly seconded, to place **Senate Bill 349** 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

SB0349/813521/1

BY: Senator Ready

AMENDMENTS TO SENATE BILL 349

(Bill as Printed for Third Reading)

AMENDMENT NO. 1

On page 1, in line 2, after "Allegany" insert ", Carroll,"; and in lines 6 and 7, in each instance, after "Allegany" insert ", Carroll,".

AMENDMENT NO. 2

On page 3, in lines 2 and 4, in each instance, after "City," insert "CARROLL COUNTY,".

AMENDMENT NO. 3

On page 4, in lines 26 and 28, in each instance, after "City," insert "CARROLL COUNTY.".

The preceding 3 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 390 - Senator Middleton

AN ACT concerning

Charles County Sheriff - Salaries and Collective Bargaining

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

Affirmative – 46 Negative – 0 (See Roll Call No. 308)

The Bill was then sent to the House of Delegates.

Senate Bill 416 – Senators Salling, Bates, Eckardt, Edwards, Hershey, Manno, Norman, Rosapepe, Serafini, and Simonaire Simonaire, Astle, Benson, Feldman, Jennings, Kelley, Klausmeier, Mathias, Middleton, Pugh, and Reilly

AN ACT concerning

Transportation - Toll Transportation Facilities Project - Annual Pass - Study

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

Affirmative – 47 Negative – 0 (See Roll Call No. 309)

The Bill was then sent to the House of Delegates.

Senate Bill 434 – Senators Raskin, Klausmeier, Astle, Benson, Conway, Feldman, Guzzone, Hershey, Jennings, Kelley, King, Lee, Madaleno, Mathias, Middleton, Peters, Pugh, Reilly, and Rosapepe

AN ACT concerning

Food Service Facilities – Automated External Defibrillator Program (The Joe Sheva Act)

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

Affirmative – 41 Negative – 6 (See Roll Call No. 310)

The Bill was then sent to the House of Delegates.

Senate Bill 449 – Senators Kelley, Benson, Feldman, Jennings, Klausmeier, and Mathias

AN ACT concerning

Maryland Medical Assistance Program – Guardianship Fees – Income Deduction Personal Needs Allowance

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

Affirmative – 47 Negative – 0 (See Roll Call No. 311)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #23

Senate Bill 169 – Senator Kagan

AN ACT concerning

Election Law - Local Vote-by-Mail Special Elections - Start of Canvassing
Special Elections - Voting by Mail - Canvass of Votes

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

Affirmative – 47 Negative – 0 (See Roll Call No. 312)

The Bill was then sent to the House of Delegates.

Senate Bill 170 – Senators Kagan and Hershey

AN ACT concerning

Voter Registration – Affiliation With Political Party and Participation in Primary Election, Caucus, or Convention

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

Affirmative – 47 Negative – 0 (See Roll Call No. 313)

The Bill was then sent to the House of Delegates.

Senate Bill 182 – Senators Mathias, Benson, Conway, and Rosapepe

AN ACT concerning

Public Safety - Rental Dwelling Units - Carbon Monoxide Alarms

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

Affirmative – 47 Negative – 0 (See Roll Call No. 314)

The Bill was then sent to the House of Delegates.

Senate Bill 225 - Senator Simonaire

AN ACT concerning

Hunting and Fishing Licenses – <u>Disabled Active Military</u>, Former Prisoners of War, Recipients of the Purple Heart Award, and Disabled Veterans

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

Affirmative – 46 Negative – 0 (See Roll Call No. 315)

The Bill was then sent to the House of Delegates.

Senate Bill 266 – Senators Salling, Astle, Jennings, and Waugh

AN ACT concerning

Natural Resources - Poaching Restitution Act of 2016

Senator Zirkin moved, duly seconded, to make the Bill a Special Order for February 29, 2016.

The motion was adopted.

Senate Bill 319 - Senator DeGrange

AN ACT concerning

State Lottery - Licensed Agents - Commissions

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

Affirmative – 47 Negative – 0 (See Roll Call No. 316)

The Bill was then sent to the House of Delegates.

Senate Bill 401 – Senators Waugh and Middleton

AN ACT concerning

Charles County and St. Mary's County - Deer Management Permit - Firearms

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

Affirmative – 47 Negative – 0 (See Roll Call No. 317)

The Bill was then sent to the House of Delegates.

Senate Bill 426 – Senator Astle

AN ACT concerning

Maryland Emergency Management Assistance Compact - City of Annapolis

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

Affirmative – 47 Negative – 0 (See Roll Call No. 318)

The Bill was then sent to the House of Delegates.

Senate Bill 431 – Senator Edwards

AN ACT concerning

Allegany County and Garrett County - Annual Financial Reports - Filing Date

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

Affirmative – 47 Negative – 0 (See Roll Call No. 319)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #24

Senate Bill 64 – Baltimore County Senators

AN ACT concerning

Baltimore County - Orphans' Court Judges - Compensation

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

Affirmative – 46 Negative – 0 (See Roll Call No. 320)

The Bill was then sent to the House of Delegates.

Senate Bill 66 – Senator Waugh

AN ACT concerning

Professional Corporations – Approval of Corporate Name by Licensing Unit and Professional Organization – Exemption

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

Affirmative – 47 Negative – 0 (See Roll Call No. 321)

The Bill was then sent to the House of Delegates.

Senate Bill 187 – Senators Lee, Benson, Kelley, and Manno Brochin, Cassilly, Gladden, Hough, Kelley, Manno, Muse, Norman, Ramirez, Raskin, Ready, and Zirkin

AN ACT concerning

Criminal Procedure - Victim's Right to Restitution - Appeal

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

Affirmative – 47 Negative – 0 (See Roll Call No. 322)

The Bill was then sent to the House of Delegates.

Senate Bill 234 – Senator Hough

AN ACT concerning

Agreements to Defend or Pay the Cost of Defense - Void

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

Affirmative – 47 Negative – 0 (See Roll Call No. 323)

The Bill was then sent to the House of Delegates.

Senate Bill 241 – Senators Kelley, Benson, Conway, Currie, Madaleno, McFadden, Nathan-Pulliam, Rosapepe, and Young

AN ACT concerning

Real Property - Senior Apartment Facilities - Conversion

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

Affirmative – 47 Negative – 0 (See Roll Call No. 324)

The Bill was then sent to the House of Delegates.

Senate Bill 278 – Senators Lee, Feldman, King, Manno, Nathan–Pulliam, Ramirez, Raskin, and Simonaire

AN ACT concerning

Criminal Law - Stalking and Harassment

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

Affirmative – 47 Negative – 0 (See Roll Call No. 325)

The Bill was then sent to the House of Delegates.

Senate Bill 287 - Senators Hough, Cassilly, Mathias, Muse, and Ready

AN ACT concerning

Criminal Law – False Statement Concerning Destructive Device or Toxic Material – Venue

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

Affirmative – 47 Negative – 0 (See Roll Call No. 326)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #1

House Bill 204 – Montgomery County Delegation

EMERGENCY BILL

AN ACT concerning

Montgomery County – Elections – Early Voting Centers MC 14–16

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

Affirmative – 47 Negative – 0 (See Roll Call No. 327)

The Bill was then returned to the House of Delegates.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 199 – Senators Brochin, Muse, Pinsky, Pugh, and Zirkin

AN ACT concerning

Transit and Transportation Service – Audio Recordings – Requirements and Limitations

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0199/908774/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 199

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after "Pugh," insert "Ready,".

AMENDMENT NO. 2

On page 1, in lines 2 and 3, strike "Audio Recordings – Requirements and Limitations" and substitute "Activation of Audio Recording Devices – Prohibition"; and strike beginning with "requiring" in line 4 down through "regulations;" in line 15 and substitute "prohibiting the Maryland Transit Administration, on certain transit service vehicles equipped with an audio recording device, from activating the audio recording device; prohibiting a county or municipality, on certain transportation service vehicles equipped with an audio recording device, from activating the audio recording device;".

AMENDMENT NO. 3

On pages 2 through 5, strike in their entirety the lines beginning with line 19 on page 2 through line 25 on page 5, inclusive, and substitute:

"7–705.1.

IF A VEHICLE USED BY THE ADMINISTRATION TO PROVIDE TRANSIT SERVICE
IS EQUIPPED WITH AN AUDIO RECORDING DEVICE CAPABLE OF RECORDING ORAL
COMMUNICATIONS OF THE VEHICLE OPERATOR AND THE VEHICLE'S PASSENGERS,
THE ADMINISTRATION MAY NOT ACTIVATE THE AUDIO RECORDING DEVICE.

7–802.

IF A VEHICLE USED BY A COUNTY OR MUNICIPALITY TO PROVIDE TRANSPORTATION SERVICE IS EQUIPPED WITH AN AUDIO RECORDING DEVICE

CAPABLE OF RECORDING ORAL COMMUNICATIONS OF THE VEHICLE OPERATOR AND THE VEHICLE'S PASSENGERS, THE COUNTY OR MUNICIPALITY MAY NOT ACTIVATE THE AUDIO RECORDING DEVICE.".

The preceding 3 amendments were read only.

Senator Zirkin moved, duly seconded, to make the Bill and Amendments a Special Order for March 1, 2016.

The motion was adopted.

Senate Bill 46 - Senator Reilly

AN ACT concerning

Anne Arundel County - Archery Hunting - Safety Zone

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.

QUORUM CALL

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

(See Roll Call No. 328)

ADJOURNMENT

At 10:58 A.M. on motion of Senator Pugh, seconded, the Senate adjourned until 11:00 A.M. on Friday, February 26, 2016.

Annapolis, Maryland Friday, February 26, 2016 11:00 A.M. Session

The Senate met at 11:09 A.M.

Prayer by Pastor Matt Fuhrman, Prince of Peace Lutheran Church, guest of Senator Klausmeier.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 330)

On motion of Senator Pugh it was ordered that Senators Benson, Muse, and Waugh be excused from today's session.

The Journal of February 25, 2016 was read and approved.

INTRODUCTION OF BILLS

Senate Bill 1124 – Senator DeGrange

AN ACT concerning

Scrap Metal Processor - Purchase of Scrap Metal - Hours of Operation

FOR the purpose of providing that a scrap metal processor may purchase scrap metal only during certain hours on certain days; providing an exception; defining certain terms; and generally relating to the times during which a scrap metal processor may purchase scrap metal.

BY repealing and reenacting, without amendments,

Article – Business Regulation

Section 17–1005(c)

Annotated Code of Maryland

(2015 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation Section 8–801 Annotated Code of Maryland (2015 Replacement Volume and 2015 Supplement)

BY adding to

Article – Transportation Section 8–807.1 Annotated Code of Maryland (2015 Replacement Volume and 2015 Supplement)

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

Senate Bill 1125 – Senator Ferguson

AN ACT concerning

Education - Maryland Extended Day and Summer Enhancement Programs Act

FOR the purpose of establishing the Maryland Extended Day and Summer Enhancement Program; requiring the State Department of Education (Department) to administer the program and consult with the Department of Natural Resources under certain circumstances; requiring the Department to develop a certain comprehensive plan on or before a certain date; requiring the Department to review and update a certain comprehensive plan annually; requiring the Department to use a certain framework to monitor and assess the quality of certain extended day and summer enhancement programs; establishing the Maryland Extended Day and Summer Enhancement Grant in the Program; requiring the Department to administer the grant program and establish certain policies for the administration of the grant program; authorizing the Department to award certain grants to certain local education agencies and certain nonprofit organizations to expand or create extended day and summer enhancement programs or to establish certain new partnerships; encouraging certain public schools to partner with certain nonprofit organizations to extend certain day and summer enhancement programs; providing for the qualification for a certain grant; providing for the allocation of a certain grant; providing that certain applications shall receive priority; requiring the Department to ensure that certain grantees will administer a certain grant under certain circumstances; requiring the Governor to provide a certain annual appropriation in the State budget for certain fiscal years; requiring grantees to provide certain programs and ensure that certain programs contain an educational component; requiring that certain educational programs are aligned with certain standards; requiring certain grantees to provide certain matching funds; requiring the Department to make a certain annual report on or before a certain date; requiring the Department to adopt certain regulations; defining certain terms; and generally relating to the Maryland Extended Day and Summer Enhancement Programs Act.

Article – Human Services

Section 8–1101 through 8–1107 and the subtitle "Subtitle 11. Maryland After–School and Summer Opportunity Fund Program"

Annotated Code of Maryland

(2007 Volume and 2015 Supplement)

BY adding to

Article - Education

Section 7–1701 through 7–1706 to be under the new subtitle "Subtitle 17. Maryland Extended Day and Summer Enhancement Program"

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

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

Senate Bill 1126 - Senators Pugh and Young

AN ACT concerning

Linking Youth to New Experiences (LYNX) High School - Pilot Program

FOR the purpose of establishing the Linking Youth to New Experiences (LYNX) High School pilot program at a certain high school in Frederick County; providing that the LYNX High School pilot program is a public school under the authority and supervision of the Frederick County Board of Education and the Frederick County Superintendent of Schools; providing for the purpose of the LYNX High School pilot program; requiring the County Superintendent, on or before a certain date, to develop and submit to the State Board of Education for review a certain plan that describes certain items; requiring the State Board to consult with the County Superintendent after a certain plan is received; requiring the State Board to grant the LYNX High School pilot program a waiver from certain regulations within a certain period of time in accordance with certain provisions of law and regulation; exempting the LYNX High School pilot program from certain provisions of law relating to student assessments; requiring, after the granting of certain waivers, the State Board and the County Superintendent to meet with representatives of the Apprenticeship and Training Council and the Division of Labor and Industry in the Department of Labor, Licensing, and Regulation regarding certain items; authorizing the LYNX High School pilot program to apply for and accept donations, grants, or other financial assistance from certain entities; requiring the County Superintendent to conduct an evaluation of the LYNX High School pilot program each year; requiring the County Superintendent to submit to the State Board a certain fiscal year evaluation report on or before a certain date each year; authorizing the LYNX High School pilot program to continue to operate until the County Superintendent sends the State Board a certain notice; defining certain terms; and generally relating to the LYNX High School pilot program in Frederick County.

Article – Education

Section 7–1701 through 7–1705 to be under the new subtitle "Subtitle 17. LYNX High School Pilot Program"

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

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

Senate Bill 1127 – Senator Kagan

AN ACT concerning

Business Regulation - Retail Service Station Dealers - Required Signs

FOR the purpose of altering the information about a certain measurement of certain gasoline that must be stated on a certain sign on the premises of a retail service station dealer to require that the highest price be stated in a certain manner; authorizing a certain sign to state the highest price for a certain measurement of certain other motor fuel products; repealing a certain exemption from a certain signage requirement for certain retail service station dealers; and generally relating to required signs at retail service stations.

BY repealing and reenacting, with amendments,

Article - Business Regulation

Section 10-315

Annotated Code of Maryland

(2015 Replacement Volume and 2015 Supplement)

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

Senate Bill 1128 - Senators Young and Hough

AN ACT concerning

Frederick County Sheriff - Collective Bargaining

FOR the purpose of providing that the County Executive of Frederick County may not be a party to certain collective bargaining agreements but may attend and participate in all collective bargaining sessions of certain deputy sheriffs and correctional officers of the Frederick County Sheriff's Office; and generally relating to collective bargaining rights of deputy sheriffs and correctional officers of the Frederick County Sheriff's Office.

BY repealing and reenacting, with amendments.

Article – Courts and Judicial Proceedings

Section 2-309(l)(5) and (6)

Annotated Code of Maryland

(2013 Replacement Volume and 2015 Supplement)

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

LETTERS OF REASSIGNMENT

ANNOUNCEMENT BY THE PRESIDENT

Senate Bill 1064 – Senator Feldman

AN ACT concerning

Alcoholic Beverages - Issuance of Class A Licenses

Reassigned to the Committee on Education, Health, and Environmental Affairs under Rule 33(d).

Read and ordered journalized.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 1 – Delegates Barve and Beidle, Beidle, Fraser-Hidalgo, Frush, Lam, McCray, Moon, Stein, Carr, Gilchrist, Healey, Holmes, Jalisi, Knotts, S. Robinson, and Szeliga

AN ACT concerning

Motor Vehicles - Special Registration Plates - Confederate Battle Flag

FOR the purpose of prohibiting the Motor Vehicle Administration from transferring to another vehicle a special registration plate that displays an emblem or a logo that depicts the Confederate battle flag; prohibiting the Administration from authorizing the display of an emblem or a logo that depicts the Confederate battle flag on special registration plates or a special registration plate; prohibiting the Administration from renewing the registration of a motor vehicle that displays an emblem or a logo that depicts the Confederate battle flag on its special registration plates or plate until the special registration plates or plate is returned to the Administration in exchange for substitute registration plates; and generally relating to the display on special registration plates of emblems or logos that depict the Confederate battle flag.

BY repealing and reenacting, with amendments, Article – Transportation Section 13–502.1 and 13–619 Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

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

House Bill 51 - Delegate O'Donnell

AN ACT concerning

Natural Resources - Aquaculture Coordinating Council - Membership

FOR the purpose of altering the membership of the Aquaculture Coordinating Council to include certain representatives of the nonprofit sector; making a stylistic change; and generally relating to the membership of the Aquaculture Coordinating Council.

BY repealing and reenacting, without amendments,

Article – Natural Resources

Section 4–11A–03.2(a)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 4–11A–03.2(b)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

House Bill 55 – Delegate Cluster

AN ACT concerning

Baltimore County - Education - WhyTry Program

FOR the purpose of establishing the WhyTry Program in Baltimore County; specifying the purpose of the Program; requiring the Baltimore County Board of Education to develop and implement the Program; requiring the Board of Education to select certain schools to participate in the Program; requiring the Program to include certain teachers who have received certain training; defining a certain term; providing for the termination of this Act; and generally relating to establishing the WhyTry Program in Baltimore County.

BY adding to

Article - Education

Section 7–208 Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement)

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

House Bill 57 - Delegate Cassilly

AN ACT concerning

Public Safety – Maryland Building Performance Standards – Adoption, Implementation, and Enforcement of Modifications

FOR the purpose of altering the period of time in which the Department of Housing and Community Development is required to adopt each subsequent version of the Maryland Building Performance Standards; altering the period of time in which a local jurisdiction is required to implement and enforce a modification of the Maryland Building Performance Standards adopted by the State; and generally relating to the Maryland Building Performance Standards.

BY repealing and reenacting, with amendments,

Article – Public Safety Section 12–503(a) and 12–505(a)(1) Annotated Code of Maryland (2011 Replacement Volume and 2015 Supplement)

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

House Bill 61 – Chair, Environment and Transportation Committee (By Request – Departmental – Environment)

AN ACT concerning

Environment - Solid Waste, Recycling, and Anaerobic Digestion

FOR the purpose of providing that a person may operate an anaerobic digestion facility only in accordance with certain requirements, regulations, orders, and permits; requiring the Department of the Environment to adopt regulations to implement certain provisions relating to anaerobic digestion, including establishing certain conditions on the operation and construction of anaerobic digestion facilities; establishing a permit system for anaerobic digestion facilities; requiring a certain permit for a certain sewage treatment works where anaerobic digestion takes place to include certain conditions relating to the anaerobic digester and related equipment and infrastructure; requiring the Department to impose certain conditions relating to anaerobic digestion on certain discharge permits; exempting

an anaerobic digestion facility located on a farm from certain permit requirements under certain circumstances; requiring the Department to adopt regulations relating to recycling facilities, including conditions for permit exemptions; providing that certain penalty provisions apply to violations of certain provisions, regulations, orders, or permits; altering certain definitions, including the definition of "solid waste" to include and exclude certain materials; requiring the Department to convene and consult with a certain workgroup in developing certain regulations; requiring the workgroup to include representatives of certain entities; defining certain terms; making stylistic changes; and generally relating to solid waste, recycling, and anaerobic digestion.

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–101(j), 9–204(d), 9–326(a), 9–1701, and 9–1725; the part immediately preceding Section 9–1707 to be the amended part "Part II. Recyclable Materials and Recycling Facilities"; and the part immediately preceding Section 9–1721 to be the amended part "Part III. Composting and Anaerobic Digestion"

Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Environment Section 9–1707(a)(1) and 9–1721 Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement)

BY adding to

Article – Environment Section 9–1713 Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement)

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

House Bill 62 – Chair, Environment and Transportation Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Natural Resources - Fishing and Hunting Licenses

FOR the purpose of altering the application and issuance requirements and procedures for certain fishing and hunting licenses and registrations; repealing a requirement that a complimentary angler's license be issued on a certain form; repealing certain provisions of law authorizing under certain circumstances the issuance of certain

duplicate angling licenses or stamps and hunting licenses; repealing the reimbursement standards and procedures applicable to agents of the Department of Natural Resources who have unsold angler's or hunting licenses; altering certain administrative penalties related to the unlawful use of an angler's or hunting license; repealing a provision of law that authorizes a person who is sport fishing in tidal waters of the State to possess evidence of a sport fishing license or registration instead of actual possession of the license or registration; repealing the requirement that an agent who sells Chesapeake Bay and coastal sport fishing licenses provide to the Department certain security; establishing a certain administrative penalty for an agent convicted of violating certain provisions of law related to the issuance of a Chesapeake Bay and coastal sport fishing license or registration; repealing the prohibition against issuing a hunting license without certain written consent to an applicant who is under a certain age; authorizing an agent who sells and issues nonresident senior hunting licenses to retain certain compensation; making certain stylistic changes and technical corrections; and generally relating to fishing and hunting licenses.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 4–604(d), (e), (g), and (h), 4–607(c), 4–611, 4–613, 4–713(a), 4–731(a), 4–745(a)(1) and (4), (b), (d)(3), and (e)(3), 10–301(d), (e), (f), (h), and (j), 10–302, 10–303(a), 10–307, 10–308.1(c), and 10–312

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY repealing

Article – Natural Resources Section 4–609, 4–614(d), and 10–305 Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Natural Resources Section 10–308.1(a) and (b) Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

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

House Bill 63 – Chair, Environment and Transportation Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Natural Resources – Fishing – Regulation and Use of Commercial Finfish Trotlines FOR the purpose of authorizing the Department of Natural Resources, in consultation with certain entities, to adopt regulations defining and governing the use of commercial finfish trotlines; establishing an exception to the prohibition against using more than a certain number of hooks or sets of hooks for each commercial rod or line by authorizing a tidal fish licensee to use a finfish trotline; providing for the termination of this Act; and generally relating to the regulation and use of commercial finfish trotlines.

BY repealing and reenacting, with amendments,

Article - Natural Resources

Section 4–221 and 4–710(h)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

House Bill 67 – Chair, Ways and Means Committee (By Request – Departmental – Office for Children)

AN ACT concerning

Maryland Infants and Toddlers Program - Composition

FOR the purpose of repealing the requirement for the Maryland Infants and Toddlers Program to include certain early intervention services provided or supervised by the Governor's Office for Children; and generally relating to the Maryland Infants and Toddlers Program.

BY repealing and reenacting, with amendments,

Article – Education

Section 8-416

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

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

House Bill 72 – Delegates Luedtke, M. Washington, Ebersole, Hixson, and Kaiser

AN ACT concerning

Education – Sexual Abuse and Assault Awareness and Prevention Program – Development and Implementation

FOR the purpose of requiring the State Board of Education and certain nonpublic schools to develop and implement a certain program relating to the awareness and prevention of sexual abuse and assault; requiring a certain program to be incorporated into the health curriculum of each county board of education and each nonpublic school; defining a certain term; and generally relating to sexual abuse and assault awareness and prevention programs in public and nonpublic schools in the State.

BY adding to

Article – Education Section 7–438 Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement)

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

House Bill 85 - Delegates Luedtke, Carr, Ebersole, Hixson, Tarlau, and Zucker

AN ACT concerning

Education - Children With Disabilities - Support Services - Parental Notification

FOR the purpose of requiring certain school personnel to provide the parents of a child with a disability certain written information that the parents may use to contact early intervention and special education family support services staff members and a brief description of the services provided by the staff members; requiring certain school personnel to provide a translator at a certain meeting for parents who require certain information to be translated into the parents' native language; requiring certain information to be provided to a parent in the parent's native language under certain circumstances; requiring a local school system to provide certain information at a certain time to the parents of a child who has an individualized education program developed in another school system; requiring a local school system to publish on its Web site certain information a parent may use to contact certain staff members and a description of the services provided by the staff members; specifying that a failure to provide certain information does not constitute grounds for a certain due process complaint; and generally relating to children with disabilities.

BY repealing and reenacting, with amendments,

Article – Education Section 8–405 Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement)

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

House Bill 86 – Delegates Luedtke, Carr, Cullison, Ebersole, Fraser-Hidalgo, Frick, Gutierrez, Moon, Morales, Patterson, Pena-Melnyk, Platt, Sanchez, and Zucker

AN ACT concerning

Special Education – Translations of Individualized Education Programs or Individualized Family Service Plans – Native Language

FOR the purpose of authorizing the parents of a child with a disability to request the translation into their native language of a completed individualized education program or a completed individualized family service plan under certain circumstances; requiring certain school personnel to provide the parents with a certain translation of a completed individualized education program or a completed individualized family service plan within a certain time frame; defining certain terms; and generally relating to individualized education programs and individualized family service plans.

BY repealing and reenacting, with amendments,

Article – Education

Section 8-405

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

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

House Bill 87 - Montgomery County Delegation

AN ACT concerning

Montgomery County Board of Education – Student Member – Voting MC 11–16

FOR the purpose of authorizing the student member of the Montgomery County Board of Education to attend an executive session of the Board of Education that relates to a certain matter; authorizing the student member of the Montgomery County Board of Education to vote on certain matters; and generally relating to the voting rights of the student member of the Montgomery County Board of Education.

BY repealing and reenacting, with amendments,

Article - Education

Section 3–901(e)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section 6-202(a)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

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

House Bill 90 – Delegate Lafferty

AN ACT concerning

On-Site Sewage Disposal Systems - Operation and Maintenance Costs -Low-Income Homeowners

FOR the purpose of requiring the Department of the Environment to assist, with money from the Bay Restoration Fund, low-income homeowners with authorizing certain fee revenue collected for the Bay Restoration Fund to be used for financial assistance to certain low-income homeowners for the cost, up to a certain percent, of certain operation and maintenance contracts for on-site sewage disposal systems that utilize nitrogen removal technology; requiring the Department or a local government to determine applicant eligibility and the amount of assistance to be provided; defining certain terms; and generally relating to on-site sewage disposal systems.

BY repealing and reenacting, without amendments,

Article – Environment

Section 9-1605.2(h)(1)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 9-1108 9-1605.2(h)(2)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY adding to

Article – Environment

Section 9-1605.2(h)(7)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

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

House Bill 107 – Delegates Rosenberg, Tarlau, and A. Washington

AN ACT concerning

Higher Education – Walter Sondheim Jr. Public Service Internship Scholarship Program – Scholarship Amount

FOR the purpose of establishing certain minimum and maximum scholarship award amounts for the Walter Sondheim Jr. Public Service Internship Scholarship Program; and generally relating to the Walter Sondheim Jr. Public Service Internship Scholarship Program.

BY repealing and reenacting, with amendments,

Article – Education Section 18–1702 Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement)

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

House Bill 112 – Delegates Jackson, Barron, Haynes, Healey, C. Howard, Jameson, Morales, and Patterson

AN ACT concerning

Election Law - Campaign Finance Entities - Activity and Forfeiture of Salary

FOR the purpose of authorizing a campaign finance entity to make a disbursement to compensate a responsible officer of the campaign finance entity only by check; requiring the treasurer of an authorized candidate campaign committee to provide certain individuals with a copy of a certain bank statement within a certain time period; requiring, under certain circumstances, a campaign finance entity to submit certain documentation to the State Board of Elections before making a disbursement for certain compensation; expanding the application of certain provisions of law regarding the forfeiture of salary by an individual holding public office in the State; requiring the State Administrator of Elections or the State Administrator's designee, rather than the State Board of Elections, to take certain action regarding the forfeiture of salary by certain individuals; making conforming changes; and generally relating to the activity of campaign finance entities.

BY repealing and reenacting, with amendments,

Article – Election Law Section 13–220(d) and 13–334 Annotated Code of Maryland (2010 Replacement Volume and 2015 Supplement) Article – Election Law Section 13–220(e) and 13–248 Annotated Code of Maryland (2010 Replacement Volume and 2015 Supplement)

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

House Bill 122 – Delegate Stein (Chair, Joint Committee on the Chesapeake and Atlantic Coastal Bays Critical Areas)

AN ACT concerning

Critical Area Commission for the Chesapeake and Atlantic Coastal Bays
– Membership From Ocean City

FOR the purpose of authorizing the Mayor of Ocean City to appoint a designee of the Mayor as a member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; establishing that a certain member of the Commission who is the Mayor of Ocean City or the designee of the Mayor is not subject to the advice and consent of the Senate; and generally relating to membership from Ocean City on the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays.

BY repealing and reenacting, without amendments,

Article – Natural Resources

Section 8–1803(a)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments.

Article – Natural Resources

Section 8–1804(a)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

House Bill 127 – Delegates Reznik, Buckel, Ebersole, Frush, Glass, Glenn, Grammer, Holmes, Hornberger, C. Howard, Kipke, Lam, Luedtke, Pendergrass, Valderrama, West, and K. Young

AN ACT concerning

Criminal Law - Gaming - Home Games

FOR the purpose of allowing an individual who is at least a certain age to conduct a home game involving wagering if the home game is conducted in <u>a</u> certain manner; and generally relating to gaming.

BY adding to

Article – Criminal Law Section 12–115 Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

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

House Bill 133 - Charles County Delegation

AN ACT concerning

Charles County – Annual Financial Report and Annual Audit Report – Filing Date

FOR the purpose of altering the date by which Charles County is required to file a certain financial report with the Department of Legislative Services and report the results of a certain audit with the Legislative Auditor; and generally relating to the date by which Charles County is required to file a financial report and the results of an audit.

BY repealing and reenacting, with amendments,

Article – Local Government Section 16–304 Annotated Code of Maryland (2013 Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Local Government Section 16–306 Annotated Code of Maryland (2013 Volume and 2015 Supplement)

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

House Bill 136 - Delegates Stein and A. Washington

AN ACT concerning

State Government – Financial Education and Capability Commission – Composition FOR the purpose of altering the composition of the Financial Education and Capability Commission; and generally relating to the Financial Education and Capability Commission.

BY repealing and reenacting, without amendments,

Article – State Government

Section 9-802

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9-803

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

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

House Bill 155 – Delegates Dumais, Anderson, Angel, Atterbeary, Chang, Cluster, Hettleman, Kittleman, Malone, McComas, Moon, Morales, Rosenberg, Sanchez, Smith, Sophocleus, Valentino–Smith, and B. Wilson

AN ACT concerning

Criminal Law - Stalking and Harassment

FOR the purpose of repealing the requirement that certain conduct be malicious in order to be prohibited conduct applicable to crimes related to stalking, harassment, and misuse of electronic communications or interactive computer services; prohibiting a person from engaging in a malicious course of conduct where the person intends to cause or knows or reasonably should have known that the conduct would cause serious emotional distress to another; and generally relating to stalking harassment, and misuse of electronic communications or interactive computer services.

BY repealing and reenacting, with amendments,

Article - Criminal Law

Section 3-802, 3-803, and 3-805

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

House Bill 171 – Delegate Dumais

AN ACT concerning

Judgments - Appeals - Supersedeas Bond

FOR the purpose of reducing the amount of a supersedeas bond required from certain appellants to stay the enforcement of a judgment in a civil action; providing for the application of this Act; and generally relating to supersedeas bonds.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 12-301.1

Annotated Code of Maryland

(2013 Replacement Volume and 2015 Supplement)

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

House Bill 237 – Delegates Smith, Anderton, Atterbeary, Carr, Carter, Conaway, Dumais, Fraser-Hidalgo, Kelly, Korman, Lierman, Luedtke, Moon, Morales, Platt, Proctor, Reznik, Sanchez, Sydnor, Waldstreicher, and M. Washington

AN ACT concerning

Courts - Prohibition Against Testimony by Convicted Perjurer - Repeal

FOR the purpose of repealing a certain prohibition on a person convicted of perjury from testifying in a proceeding; providing that evidence that a witness has been convicted of perjury shall be admitted for the purpose of attacking the credibility of the witness, regardless of the date of the conviction, under certain circumstances; making stylistic changes; and generally relating to testimony by a convicted perjurer.

BY repealing

Article – Courts and Judicial Proceedings

Section 9–104

Annotated Code of Maryland

(2013 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 10–905

Annotated Code of Maryland

(2013 Replacement Volume and 2015 Supplement)

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

House Bill 300 – Delegates Fennell, Luedtke, Ebersole, Hixson, Patterson, Tarlau, and M. Washington

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 deposited into the Education Trust Fund distributed in a certain manner; and generally relating to video lottery gaming in the State.

BY adding to BY repealing and reenacting, with amendments,

Article – State Government Section 9–1A–22.1 9–1A–26 Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement)

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

House Bill 319 – Delegates Jacobs, Arentz, Cassilly, Ghrist, Hornberger, S. Howard, Metzgar, Otto, and Sample-Hughes

AN ACT concerning

Oysters and Clams - Dredging by Auxiliary Yawl - Authorized Boats

FOR the purpose of clarifying that certain provisions of law governing dredging by use of an auxiliary yawl apply only to certain boats; establishing certain standards for dredge boats that harvest oysters and clams by use of an auxiliary yawl; repealing the requirement that certain persons attach certain numbers to certain boats in a certain manner; making certain stylistic changes; making a certain technical correction; and generally relating to oyster and clam dredge boats propelled by use of an auxiliary yawl.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 4–1013

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

House Bill 357 – Delegate Afzali

AN ACT concerning

Frederick County - Local Government Tort Claims Act - Notice of Claim

FOR the purpose of requiring notice of a claim against Frederick County under the Local Government Tort Claims Act to be given to the county solicitor or county attorney; and generally relating to notice of a claim under the Local Government Tort Claims Act.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–304
Annotated Code of Maryland
(2013 Replacement Volume and 2015 Supplement)

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

House Bill 358 – Delegates Jacobs, Arentz, and Ghrist

AN ACT concerning

Kent County - Prospective Employees and Volunteers - Criminal History Records Check

FOR the purpose of authorizing a certain officer in Kent County to request from the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services a State and national criminal history records check for a prospective county employee or volunteer; requiring that a certain officer submit certain sets of fingerprints and fees to the Central Repository as part of the application for a criminal history records check; requiring the Central Repository to forward to the prospective employee or volunteer and a certain officer the prospective employee's or volunteer's criminal history record information under certain circumstances; establishing that information obtained from the Central Repository under this Act is confidential, may not be redisseminated, and may be used only for certain purposes; authorizing the subjects of a criminal history records check under this Act to contest the contents of a certain printed statement issued by the Central Repository; requiring the governing body of Kent County to adopt guidelines to carry out this Act; defining a certain term; and generally relating to criminal history records checks.

BY adding to

Article – Criminal Procedure Section 10–233.2 Annotated Code of Maryland (2008 Replacement Volume and 2015 Supplement)

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

House Bill 383 – Delegates Busch and McMillan

AN ACT concerning

Maryland Emergency Management Assistance Compact - City of Annapolis

FOR the purpose of authorizing the City of Annapolis to participate in the Maryland Emergency Management Assistance Compact; and generally relating to the Maryland Emergency Management Assistance Compact.

BY repealing and reenacting, without amendments,

Article – Public Safety

Section 14–801(a) and 14–803(1) and (2)

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 14–801(e)

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

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

House Bill 389 – Delegates O'Donnell, Anderton, Arentz, Aumann, Cluster, Ghrist, Glass, Grammer, Hornberger, Jacobs, Kittleman, Krebs, Long, Malone, Mautz, McComas, McConkey, McKay, McMillan, Metzgar, W. Miller, Morgan, Otto, Rey, Rose, Saab, Shoemaker, Stein, Vogt, and West

EMERGENCY BILL

AN ACT concerning

Chesapeake and Atlantic Coastal Bays Critical Area Protection Program – Intrafamily Transfers

FOR the purpose of altering the definition of "immediate family" as it relates to intrafamily transfers of certain property authorized in a local jurisdiction's Chesapeake and Atlantic Coastal Bays Critical Area protection program; making this Act an emergency measure; and generally relating to the Chesapeake and Atlantic Coastal Bays Critical Area protection program.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 8-1808.2

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

House Bill 393 – Delegates Carter, Anderson, B. Barnes, Dumais, Lierman, Moon, Morales, Rosenberg, and Smith

AN ACT concerning

Award of Attorney's Fees and Expenses - Violation of Maryland Constitutional Right

FOR the purpose of authorizing a court to award to a prevailing plaintiff reasonable attorney's fees and expenses in certain actions seeking to remedy a violation of a Maryland constitutional right; authorizing a court to award reasonable attorney's fees and expenses to a prevailing defendant under certain circumstances; establishing that certain limits on attorney's fees under the Maryland Tort Claims Act do not apply to a certain award of attorney's fees and expenses; providing for the application of this Act; and generally relating to awarding attorney's fees and expenses in certain actions seeking to remedy a violation of a Maryland constitutional right.

BY adding to

Article – Courts and Judicial Proceedings

Section 3–2101 and 3–2102 to be under the new subtitle "Subtitle 21. Award of Attorney's Fees and Expenses – Violation of Maryland Constitutional Right"

Annotated Code of Maryland

(2013 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 12-109

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

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

House Bill 438 – Delegates Kramer and Fraser-Hidalgo

AN ACT concerning

Public Safety - Law Enforcement - Veterinary Care of Retired Law Enforcement K-9s Act

FOR the purpose of requiring certain State and local law enforcement agencies to reimburse individuals who take possession of dogs formerly used in law enforcement work under certain circumstances for certain veterinary treatment; specifying that the reimbursement may be only for certain veterinary treatment and may not exceed a certain amount of money; authorizing certain State law enforcement agencies to accept public donations for the payment of certain veterinary expenses; requiring certain State law enforcement agencies to hold certain donations in a separate account not subject to appropriation by the Governor; authorizing certain local law enforcement agencies to establish a separate fund to accept public donations for the payment of certain veterinary expenses; providing for the application of this Act; and generally relating to dogs formerly used for law enforcement work.

BY adding to

Article – Public Safety Section 3–514 Annotated Code of Maryland (2011 Replacement Volume and 2015 Supplement)

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

House Bill 496 – Delegate Krebs

AN ACT concerning

Ethics Commission, Commission on Judicial Disabilities, Judicial Ethics Committee, and Joint Ethics Committee – Duties

FOR the purpose of providing that the Judicial Ethics Committee as an alternative to the Commission on Judicial Disabilities or another body designated by a certain court, shall administer and implement certain provisions of law that apply to State officials of the Judicial Branch; making stylistic changes; and generally relating to duties of the Ethics Commission, the Commission on Judicial Disabilities, the Judicial Ethics Committee, and the Joint Ethics Committee.

BY repealing and reenacting, with amendments,

Article – General Provisions Section 5–104 and 5–819 Annotated Code of Maryland (2014 Volume and 2015 Supplement)

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

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #2

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.

Jamie Raskin Chair

Senate Executive Nominations Committee Report #2 February 25, 2016

Commerce, Department of

1. R. Michael Gill District 42

Secretary of Department of Commerce; appointed to serve at the pleasure of the Governor

Assistive Technology Loan Program Board of Directors

Joel Steven Zimba
 2824 St. Paul Street, Apt. 1
 Baltimore, MD 21218

District 43

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

Automobile Insurance Fund, Board of Trustees of the Maryland

3. Christopher Gude 8729 Chapel Hill Drive Ellicott City, MD 21043

District 9

Member of the Board of Trustees of the Maryland Automobile Insurance Fund; appointed to serve a term of five years from October 1, 2015

Aviation Commission, Maryland

4. Enrique M. Melendez 1901 McGuckian Avenue, Unit 419 Annapolis, MD 21401

District 30

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

Elevator Safety Review Board

5. Steven A. Joss 5476 Wingborne Court Columbia, MD 21045 District 12

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

Ethics Commission, State

6. Janet E. McHugh, Esq. 1709 Circle Road Ruxton, MD 21204 District 11

Member of the State Ethics Commission; appointed to serve remainder of a term of five years from July 1, 2013

7. Thomas Burk Smyth, Jr., M.D. 5 Buchanan Road Baltimore, MD 21212

District 11

Member of the State Ethics Commission; appointed to serve remainder of a term of five years from July 1, 2015

Heritage Areas Authority, Maryland

8. Janice Hayes–Williams 1180 Carinoso Circle Severn, MD 21144 District 32

Member of the Maryland Heritage Areas Authority; appointed to serve a term of four years from October 1, 2014

Infants and Toddlers, Interagency Coordinating Council for

9. Mary L. LaCasse 2 Hampshire Woods Court Towson, MD 21204

District 42

Member of the Interagency Coordinating Council for Infants and Toddlers; appointed to serve remainder of a term of three years from July 1, 2014

Judicial Disabilities, Commission on

10. Susan J. Matlick 6896 Mink Hollow Road Highland, MD 20777

District 13

Member of the Commission on Judicial Disabilities; reappointed to serve a term to expire October 19, 2018

Parole Commission, Maryland

11. Sharon Trexler Begosh 18922 Clover Hill Lane Olney, MD 20832 District 14

Member of the Maryland Parole Commission; appointed to serve remainder of a term of six years from January 1, 2013

12. David R. Blumberg 5405 Falls Road Terrace Baltimore, MD 21210 District 41

Chair of the Maryland Parole Commission; reappointed to serve a term of six years from January $1,\,2016$

13. John R. Greene, Jr. 3007 Clarkson Drive Abingdon, MD 21009 District 34

Member of the Maryland Parole Commission; appointed to serve remainder of a term of six years from January 1, 2013

Patuxent River Commission

14. Thomas J. Miller, Ph.D. 520 Swaggers Point Road Solomons, MD 20688

District 29

Member of the Patuxent River Commission; appointed to serve a term of four years from October 1, 2013

Police Training Commission

15. Charles H. Hinnant 1111 Cherrywood Avenue Cumberland, MD 21502 District 1

Member of the Police Training Commission; reappointed to serve a term of three years from June 1, 2015

Port Commission, Maryland

16. Brenda A. Dandy 11115 Old Carriage Road Glen Arm, MD 21057 District 42

Member of the Maryland Port Commission; appointed to serve a term of three years from July $1,\,2015$

Public Information Act Compliance Board, State

17. Rene' C. Swafford, Esq.

District 36

P.O. Box 392

Greensboro, MD 21639

Member of the State Public Information Act Compliance Board; appointed to serve a term to expire June 30, 2018

18. John H. West, III, Esq.

District 41

9 Bellemore Road

Baltimore, MD 21210

Chair of the State Public Information Act Compliance Board; appointed to serve a term to expire June 30, 2019

19. Darren Shay Wigfield

District 3

6920 Alex Court

Frederick, MD 21703

Member of the State Public Information Act Compliance Board; appointed to serve a term to expire June 30, 2019

Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors, State Commission of

20. Joseph L. Berk 1021 Cowpens Avenue Towson, MD 21286

District 42

Member of the State Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors; appointed to serve a term of three years from January 1, 2016

21. Terry R. Dunkin 801 Bacon Hall Road Sparks, MD 21152 District 42

Member of the State Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors; appointed to serve remainder of a term of three years from January 1, 2014

22. Harold H. Huggins 15112 Watergate Road Colesville, MD 20905 District 14

Member of the State Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors; appointed to serve a term of three years from January 1, 2016

23. Michael A. Picarello 17213 Whiteley Road Monkton, MD 21111 District 7

Member of the State Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors; appointed to serve a term of three years from January 1, 2015

24. Anatol L. Polillo 3706 Ednor Road Baltimore, MD 21218 District 43

Member of the State Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors; appointed to serve a term of three years from January 1, 2015

25. Helen Won7 Yellow Barn Court

District 11

Pikesville, MD 21208

Member of the State Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors; appointed to serve a term of three years from January 1, 2014

Real Estate Commission, State

26. James F. Wright, II P.O. Box 482

Denton, MD 21629

District 36

Member of the State Real Estate Commission; appointed to serve remainder of a term of four years from June 1, 2013

Residential Child Care Program Professionals, State Board for Certification of

27. Nicole Smith 1620 Sandy Hollow Circle Baltimore, MD 21221 District 6

Member of the State Board for Certification of Residential Child Care Program Professionals; appointed to serve a term of four years from July 1, 2015

Retirement and Pension Systems, Board of Trustees for the Maryland State

28. James C. "Chip" DiPaula 1249 Algonquin Road Crownsville, MD 21032 District 33

Member of the Board of Trustees for the Maryland State Retirement and Pension Systems; appointed to serve a term of four years from August 1, 2015

29. Charles W. Johnson 3801 N. Charles Street Baltimore, MD 21218 District 43

Member of the Board of Trustees for the Maryland State Retirement and Pension Systems; appointed to serve a term of four years from August 1, 2015

Social Work Examiners, State Board of

30. Gerard M. Farrell, (Ret.) 1728 Woodlore Road District 30

Annapolis, MD 21401

Member of the State Board of Social Work Examiners; appointed to serve remainder of a term of four years from July 1, 2013

31. Karen Lynn Richards

District 10

719 Cockeys Mill Road Reisterstown, MD 21136

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

Stadium Authority, Maryland

32. Joseph C. Bryce, Esq. 802 Vacation Drive

District 21

Odenton, MD 21113

Member of the Maryland Stadium Authority; reappointed to serve a term of four years from July 1, 2015

Stationary Engineers, State Board of

33. Gregory J. Denevan 3330 Locust Street Edgewater, MD 21037 District 30

Member of the State Board of Stationary Engineers; appointed to serve a term of three years from July 1, 2013

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.

Ethics Commission, State

S-1. Paul Marion Vettori, Esq. 3435 Nanmark Court Ellicott City, MD 21042

District 9

Member of the State Ethics Commission; reappointed to serve remainder of a term of five years from July 1, 2011

Fire-Rescue Education and Training Commission

S–2. Kathleen M. Hartley

District 38

11845 Peyton Court Bishopville, MD 21813

Member of the Fire-Rescue Education and Training Commission; reappointed to serve a term of four years from July 1, 2015

S-3. John D. Jerome

District 5

929 Gahle Road

Westminster, MD 21157

Member of the Fire-Rescue Education and Training Commission; reappointed to serve a term of four years from July 1, 2015

Infants and Toddlers, Interagency Coordinating Council for

S-4. Nancy J. Egan, Esq.

District 41

1004 Deer Ridge Drive

Baltimore, MD 21210

Member of the Interagency Coordinating Council for Infants and Toddlers; reappointed to serve a term of three years from July 1, 2015

S-5. Marcella Franczkowski

District 9

3005 Pebble Beach Drive

Columbia, MD 21042

Member of the Interagency Coordinating Council for Infants and Toddlers; reappointed to serve a term of three years from July 1, 2015

S–6. Brenda Hussey–Gardner, Ph.D. 12208 Linden Linthicum Lane Clarksville, MD 21029 District 13

Chair of the Interagency Coordinating Council for Infants and Toddlers; reappointed to serve a term of three years from July 1, 2015

S-7. Abila Tazanu, M.D. 12303 Starling Lane Laurel, MD 20708 District 23

Member of the Interagency Coordinating Council for Infants and Toddlers; reappointed to serve a term of three years from July 1, 2015

Judicial Disabilities, Commission on

S–8. Susan Hower Hazlett 2 South Bond Street

Bel Air, MD 21014

District 35

Judge of the Commission on Judicial Disabilities; reappointed to serve a term of four years from January 1, 2016

S–9. Richard M. Karceski, Esq. 9183 Furrow Avenue Ellicott City, MD 21042 District 9

Member of the Commission on Judicial Disabilities; reappointed to serve a term of four years from January 1, 2016

Morgan State University Board of Regents

S–10. Linda J. Gilliam, D.M.D.

District 99

220 W. Rittenhouse Square, Unit 21–AC Philadelphia, PA 19103

Member of the Morgan State University Board of Regents; reappointed to serve a term of five years from July 1, 2015

S-11. Shirley Mahaley Malcolm, Ph.D. 12901 Wexford Park Court

District 13

Clarksville, MD 21029

Member of the Morgan State University Board of Regents; reappointed to serve a term of five years from July 1, 2015

Residential Boarding Education Programs, Board of Trustees of

S-12. Earl Adams, Jr., Esq. 12603 LaGrange Court

District 26

Fort Washington, MD 20744

Member of the Board of Trustees of Residential Boarding Education Programs; reappointed to serve a term of three years from July 1, 2015

School for the Deaf, Board of Trustees of the Maryland

S–13. David Anthony Martin

District 3

504 Elm Street

Frederick, MD 21701

Member of the Board of Trustees of the Maryland School for the Deaf; reappointed to serve a term of six years from October 1, 2015

Tourism Development Board, Maryland

S-14. Rick Howarth

District 33

1807 Chaneys Grant Court

Crofton, MD 21114

Member of the Maryland Tourism Development Board; reappointed to serve a term of three years from July 1, 2015

Local Nominees

Please Note: Local Nominees are not required to appear before the Senate Executive Nominations Committee.

Allegany College Board of Trustees

L-1. James R. Pyles 47 LaVale Boulevard LaVale, MD 21502 District 1

Member of the Allegany College Board of Trustees; appointed to serve a term of six years from July 1, 2015

Anne Arundel Community College Board of Trustees

L-2. Sandra E. Moore

District 31

7902 Whites Cove Road Pasadena, MD 21122

Member of the Anne Arundel Community College Board of Trustees; appointed to serve remainder of a term of six years from July 1, 2013

Baltimore City Community College, Board of Trustees for

L-3. Moses Wamalwa

District 11

1906 Rambling Ridge Lane Baltimore, MD 21209

Member of the Board of Trustees for Baltimore City Community College; appointed to serve a term of one year from July 1, 2015

Baltimore County Board of Elections

L-4. Gloria Mason

District 10

9109 Sunset Ridge Road Randallstown, MD 21133

Member of the Baltimore County Board of Elections; appointed to serve a term of four years from June 1, 2015

Calvert County Board of Elections

L-5. Delores Hill Brown

District 27

10231 Three Doctors Road Dunkirk, MD 20754

Member of the Calvert County Board of Elections; appointed to serve a term of four years from June 1, 2015

L-6. Karen Ann DePaulo

District 27

12038 Steven Lane Dunkirk, MD 20754

Member of the Calvert County Board of Elections; appointed to serve a term of four years from June 1, 2015

L-7. Ceferino A. Epps 12112 Catalina Drive Lusby, MD 20657 District 29

Member of the Calvert County Board of Elections; appointed to serve a term of four years from June 1, 2015

L-8. Keith A. Lotridge 8431 Meadowyiew Circle District 27

Owings, MD 20736

Member of the Calvert County Board of Elections; appointed to serve a term of four years from June 1, 2015

L–9. Jay W. Lounsbury

District 27

1900 Aberdeen Drive Dunkirk, MD 20754

Member of the Calvert County Board of Elections; appointed to serve a term of four years from June 1, 2015

Calvert County Board of License Commissioners

L-10. Robert D. Arscott, Sr. 3920 Buckboard Court

District 27

Dunkirk, MD 20754

Chair of the Calvert County Board of License Commissioners; appointed to serve a term to expire June 5, 2017

L-11. Ruth N. Reid

District 27

3010 Ponds Wood Road Huntingtown, MD 20639

Member of the Calvert County Board of License Commissioners; reappointed to serve a term to expire June 5, 2017

L-12. John H. Smack

District 27

2641 Plum Point Road Huntingtown, MD 20639

Member of the Calvert County Board of License Commissioners; reappointed to serve a term to expire June 5, 2017

L-13. Beth E. Swoap 2118 Loblolly Lane St. Leonard, MD 20685 District 29

Member of the Calvert County Board of License Commissioners; reappointed to serve a term to expire June 5, 2017

Carroll Community College Board of Trustees

L–14. Sherri–Le White Bream 746 Winchester Drive

Westminster, MD 21157

District 5

Member of the Carroll Community College Board of Trustees; appointed to serve a term of six years from July 1, 2014

L–15. Kelley M. Frager 6170 Challedon Circle District 4

Mt. Airy, MD 21771

Member of the Carroll Community College Board of Trustees; appointed to serve a term of six years from July 1, 2015

STATUS: QUESTION IS WILL THE SENATE ADVISE AND CONSENT TO THE NOMINATIONS OF THE EXECUTIVE?

The President of the Senate put the following question: "Will the Senate advise and consent to the above nominations of the Executive?"

The above nominations of the Executive were all confirmed by roll call vote as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 331)

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #12

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

Senate Bill 226 - Senators Simonaire, Salling, and Waugh

AN ACT concerning

Professional Engineers – Engineering Documents Prepared at the Request of the State or Political Subdivision of the State – Signing and Sealing

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 281 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Military)

AN ACT concerning

State Government - Members of the National Guard - Active Duty - Employment Protection

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 393 – Senators Nathan-Pulliam, Benson, Eckardt, Klausmeier, Manno, and Middleton

AN ACT concerning

Maryland Nurse Practice Act – Peer Review and Advisory Committees and Penalties

SB0393/304432/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 393

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after "advice;" insert "providing that a member of a peer advisory committee is entitled to receive certain compensation and reimbursement for certain expenses;".

AMENDMENT NO. 2

On page 2, in line 23, before "THE" insert "(A)"; and after line 25, insert:

"(B) A MEMBER OF A PEER ADVISORY COMMITTEE IS ENTITLED TO RECEIVE:

(1) COMPENSATION, AS DETERMINED BY THE BOARD; AND

(2) REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.".

AMENDMENT NO. 3

On page 3, strike beginning with "(1)" in line 8 down through "a" in line 9 and substitute "A"; in line 10, strike "(E)" and substitute "(E-1)"; and strike in their entirety lines 13 through 16, 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 Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 460 – Senator Conway

AN ACT concerning

Health Occupations - Dental Hygienists - Local Anesthesia

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 469 - Senator McFadden

AN ACT concerning

State Board of Pharmacy - Licensure Requirements for Pharmacists - Proof of Proficiency in English

SB0469/354434/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 469

(First Reading File Bill)

On page 1, in line 5, after "from" insert "<u>a</u>"; and in the same line, strike "schools" and substitute "school".

On page 2, strike beginning with "UNDERGRADUATE" in line 12 down through "ENGLISH-SPEAKING" in line 13.

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 647 - Senators Klausmeier, Conway, Nathan-Pulliam, and Young

EMERGENCY BILL

AN ACT concerning

Physicians – Prescriptions Written by Physician Assistants – Preparing and Dispensing

SB0647/924033/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 647

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "Assistants" insert "or Nurse Practitioners"; in line 5, after "physician" insert "who complies with certain requirements"; in line 6, after "agreement" insert "or a nurse practitioner authorized to practice under a certain provision of law"; strike beginning with "if" in line 6 down through "requirements" in line 7; strike beginning with "delegation" in line 8 down through the first "and" in line 9; in line 9, after "dispensing"

insert "<u>by physicians</u>"; and in lines 9 and 10, strike "by physicians" and substitute "<u>written</u> <u>by physician assistants or nurse practitioners</u>".

AMENDMENT NO. 2

On page 3, in line 21, after "PHYSICIAN" insert "WHO COMPLIES WITH THE REQUIREMENTS OF ITEM (II) OF THIS PARAGRAPH"; in line 22, strike the second "A" and substitute ":

<u>1.</u> <u>A</u>";

strike beginning with "IF" in line 24 down through "PARAGRAPH" in line 25 and substitute "; OR

2. A NURSE PRACTITIONER AUTHORIZED TO PRACTICE UNDER TITLE 8, SUBTITLE 3 OF THIS ARTICLE".

The preceding 2 amendments were read and adopted.

Senator Nathan–Pulliam moved, duly seconded, to make the Bill and Report a Special Order for February 29, 2016.

The motion was adopted.

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

Senate Bill 825 – Senator Conway

AN ACT concerning

Health Occupations - Dental Hygienists - Administration of Nitrous Oxide

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #12

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

Senate Bill 275 - Senators Feldman, Astle, Kelley, and Klausmeier

AN ACT concerning

Railroad Company - Movement of Freight - Required Crew

SB0275/507371/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 275

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Klausmeier" and substitute "<u>Klausmeier</u>, <u>Middleton</u>, and <u>Mathias</u>"; in line 6, after the semicolon insert "<u>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; <u>providing for the abrogation of this Act under certain circumstances</u>; and strike in their entirety lines 8 through 12, inclusive, and substitute:</u>

"BY adding to

<u>Article – Labor and Employment</u>

Section 5.5–110(e)

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)".

AMENDMENT NO. 2

On page 1, in line 15, strike "Public Utilities" and substitute "<u>Labor and Employment</u>"; in line 16, strike "**9–404.**" and substitute "<u>5.5–110.</u>"; in line 17, strike "(A)" and substitute "<u>(E)(1)</u> <u>THIS SECTION APPLIES TO A TRAIN OR LIGHT ENGINE USED IN CONNECTION WITH THE MOVEMENT OF RAILROAD FREIGHT THAT SHARES THE SAME RAIL CORRIDOR AS A HIGH SPEED PASSENGER OR COMMUTER TRAIN.</u>

(2)";

and in lines 19 and 20, strike "(1)" and "(2)", respectively, and substitute "(I)" and "(II)", respectively.

On page 2, in lines 1 and 4, strike "(B)" and "(C)", respectively, and substitute "(3)" and "(4)", respectively; and in lines 6 and 7, strike "(1)" and "(2)", respectively, and substitute "(1)" and "(11)", respectively.

AMENDMENT NO. 3

On page 2, after line 9, insert:

"(5) A COUNTY OR MUNICIPAL CORPORATION MAY NOT ENACT AND ENFORCE MORE STRINGENT MEASURES REGARDING THE CREW REQUIREMENTS AUTHORIZED UNDER THIS SUBSECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That, if the Federal Railroad Administration issues a rule requiring two-person train crews on crude oil trains and establishing minimum crew size standards for most main line freight and passenger rail operations, within 5 days after the issuance of the rule, the Commissioner of Labor and Industry shall notify the Department of Legislative Services. On the date the Department of Legislative Services receives such notification, this Act shall be abrogated and of no further force and effect.";

and in line 10, strike "2." and substitute "3.".

The preceding 3 amendments were read only.

Senator Serafini moved, duly seconded, to make the Bill and Amendments a Special Order for March 1, 2016.

The motion was adopted.

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

Senate Bill 470 – Senator Reilly

AN ACT concerning

Surety Insurance - Application for Bonds

Senator Ramirez moved, duly seconded, to make the Bill and Report a Special Order for March 2, 2016.

The motion was adopted.

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

Senate Bill 750 – Senator Klausmeier

AN ACT concerning

Portable Electronics Insurance – Compensation of Vendor Employees – Repeal of Sunset and Reporting Requirement

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 811 – Senator Benson

AN ACT concerning

Electric Companies – Installation of Solar Electric Generating Facility – Completion of Interconnection

SB0811/817177/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 811

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "company" insert ", subject to a certain provision,"; in line 7, after "process;" insert "requiring an electric company to complete certain interconnection requirements for a certain percentage of installation processes completed during a certain time in the electric company's service territory;"; in line 9, after "facility" insert "and certain required system upgrades"; and in line 10, after "documentation;" insert "authorizing the Public Service Commission to waive a certain requirement under certain circumstances; defining a certain term;".

AMENDMENT NO. 2

On page 2, in line 23, after "FACILITY" insert "AND ANY REQUIRED ELECTRIC <u>DISTRIBUTION SYSTEM UPGRADES</u>"; in line 27, strike "AN" and substitute "(I) <u>SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, AN</u>"; in the same line, strike "COMPLETE INTERCONNECTION OF" and substitute "ISSUE ACCEPTANCE AND FINAL APPROVAL

TO OPERATE"; in line 28, strike "WITH" and substitute "ON"; strike beginning with "BY" in line 29 down through "OPERATE" in line 30; strike beginning with "RECEIVING" in line 30 down through "PROCESS" in line 31 and substitute "THE COMPLETION OF THE INSTALLATION PROCESS AND RECEIPT OF THE PAPERWORK AND DOCUMENTATION SET FORTH IN PARAGRAPH (1)(III) OF THIS SUBSECTION"; and after line 31, insert:

"(II) AN ELECTRIC COMPANY SHALL COMPLETE THE INTERCONNECTION REQUIREMENTS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH FOR AT LEAST 90% OF INSTALLATION PROCESSES COMPLETED DURING THE YEAR IN THE ELECTRIC COMPANY'S SERVICE TERRITORY.".

AMENDMENT NO. 3

On page 2, before line 32, insert:

"(3) THE COMMISSION MAY TEMPORARILY WAIVE THE REQUIREMENTS UNDER PARAGRAPH (2) OF THIS SUBSECTION IN AN ELECTRIC COMPANY'S SERVICE TERRITORY ON A SHOWING OF GOOD CAUSE."

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 851 – Senator Astle

AN ACT concerning

Property and Casualty Insurance – Commercial Policies and Workers' Compensation Insurance Policies – Notices of Premium Increases

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 882 – Senator Jennings

AN ACT concerning

Economic Development - Northeastern Maryland Additive Manufacturing Innovation Authority

SB0882/917575/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 882

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Senator Jennings" and substitute "Senators Jennings, Middleton, Astle, Benson, Feldman, Hershey, Kelley, Klausmeier, Mathias, and Reilly"; in line 4, after "of" insert "renaming the Northeastern Maryland Additive Manufacturing Innovation Authority to be the Regional Additive Manufacturing Partnership of Maryland;"; in line 5, strike "Northeastern Maryland Additive Manufacturing Innovation Authority" and substitute "Partnership"; in line 7, strike "Authority" and substitute "Partnership"; strike beginning with "requiring" in line 10 down through "Authority;" in line 12; strike line 16 in its entirety and substitute "Section 13–1201, 13–1202, 13–1203(a) and (b)(2)(xvii) through (xix) and (3), 13–1204(b), 13–1205 through 13–1210, 13–1211(a), (c), (e), and (f), and 13–1212"; strike in their entirety lines 19 through 23, inclusive; and after line 28, insert:

"BY repealing and reenacting, without amendments,

<u>Article – State Finance and Procurement</u>

Section 6-226(a)(2)(i)

Annotated Code of Maryland

(2015 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 6-226(a)(2)(ii)82.

Annotated Code of Maryland

(2015 Replacement Volume)".

AMENDMENT NO. 2

On page 2, strike lines 9 and 10 in their entirety; in lines 11, 12, and 13, strike "(d)", "(e)", and "(f)", respectively, and substitute "(C)", "(D)", and "(E)", respectively; in lines 11,

12, 19, 20, and 22, in each instance, strike "Authority" and substitute "**PARTNERSHIP**"; in lines 13 and 14, strike "Northeastern Maryland Additive Manufacturing Innovation Authority" and substitute "**REGIONAL ADDITIVE MANUFACTURING PARTNERSHIP OF MARYLAND**"; after line 14, insert:

"(F) "PARTNERSHIP" MEANS THE REGIONAL ADDITIVE MANUFACTURING PARTNERSHIP OF MARYLAND, ALSO KNOWN AS RAMP MD.";

in line 14, after "**RAMP**" insert "<u>MD</u>"; and in lines 17 and 18, strike "Northeastern Maryland Additive Manufacturing Innovation Authority" and substitute "<u>REGIONAL</u> ADDITIVE MANUFACTURING PARTNERSHIP OF MARYLAND".

On page 3, in lines 2, 17, 19, 20, and 21, in each instance, strike "Authority" and substitute "Partnership"; in line 14, strike "Authority" and substitute "Partnership"; and after line 15, insert:

"(3) In addition to the voting members, the Executive Director of the [Authority] PARTNERSHIP shall serve as an ex officio nonvoting member of the Board.

13–1204.

- (b) (1) The Executive Director is the chief administrative officer of the [Authority] PARTNERSHIP.
- (2) The Executive Director shall manage the administrative affairs and technical activities of the [Authority] PARTNERSHIP in accordance with the policies and procedures that the Board establishes.

<u>13–1205.</u>

- (a) The Department, the Cecil County Office of Economic Development, and the Harford County Office of Economic Development jointly shall provide staff, office space, and operational support for the [Authority] PARTNERSHIP.
 - (b) The [Authority] PARTNERSHIP may:
 - (1) (i) select and retain its own legal counsel; or

- (ii) use the Attorney General as its legal counsel;
- (2) employ, as regular employees or as independent contractors, additional staff that the [Authority] PARTNERSHIP considers necessary; and
- (3) retain any professional consultants that the [Authority] PARTNERSHIP considers necessary.

<u>13–1206.</u>

The [Authority] PARTNERSHIP may:

- (1) adopt a seal;
- (2) sue or be sued;
- (3) adopt bylaws and rules for the conduct of its business;
- (4) enter into contracts and other legal instruments;
- (5) accept grants, contributions, or other assistance of any kind from the federal government, the State, a local government, a college or university, or other public or private source;
- (6) include in any contract for financial assistance with the federal government any reasonable and appropriate condition imposed under federal law that is not inconsistent with the purposes of this subtitle;
 - (7) make grants from the Fund to further the purposes of this subtitle;
- (8) create, own, control, or be a member of a corporation, limited liability company, partnership, or any other entity; and
- (9) do all things necessary or convenient to carry out the purposes of this subtitle.

<u>13–1207.</u>

To further the purposes of this subtitle, the [Authority] PARTNERSHIP shall:

- (1) foster collaborative efforts, including public—private partnerships and memoranda of understanding, among government agencies, military installations, educational institutions, businesses, nonprofit organizations, individuals, and other entities in the region to:
- (i) share resources, including existing manufacturing infrastructure;
 - (ii) cooperate in the development of new products and processes; and
- (iii) bridge gaps between research, product development, and the commercial application of new technologies and manufacturing processes;
- (2) <u>facilitate the involvement of Harford Community College, Cecil College, Towson University, and other segments of the higher education community in developing and sustaining a skilled additive manufacturing workforce through degree, certification, specialized training, and continuing education programs;</u>
- (3) assist the Cecil County and Harford County public school systems in preparing students for employment in the additive manufacturing workforce;
- (4) support manufacturing businesses in retaining and expanding production and jobs;
- (5) obtain, coordinate, and disseminate marketing resources to promote and enhance additive manufacturing opportunities and investment in the region;
- (6) support priority access to workforce training funds and enterprise investment tax credits for entities that are investing resources and creating jobs in the region;
- (7) pursue federal, State, local, and other public and private funding and collaboration initiatives; and
 - (8) perform any other function consistent with the purposes of this subtitle.

- (a) (1) Except as provided in paragraph (2) of this subsection, the [Authority] **PARTNERSHIP** is exempt from Title 10 and Division II of the State Finance and Procurement Article.
- (2) The [Authority] PARTNERSHIP, its Board, and its employees are subject to Title 12, Subtitle 4 and Title 14, Subtitle 3 of the State Finance and Procurement Article.
- (b) The officers and employees of the [Authority] PARTNERSHIP are not subject to the provisions of Division I of the State Personnel and Pensions Article that govern the State Personnel Management System.
 - (c) The [Authority] PARTNERSHIP is subject to the Public Information Act.
- (d) The Board and the officers and employees of the [Authority] **PARTNERSHIP** are subject to the Public Ethics Law.".

On page 4, in line 7, strike the brackets; in the same line, strike "SHALL"; in line 8, strike "OF AT LEAST \$150,000"; in lines 8, 11, 17, and 20, in each instance, strike "Authority" and substitute "PARTNERSHIP"; and after line 21, insert:

"13–1210.

The [Authority] **PARTNERSHIP** shall cooperate with State and local units that have relevant statutory functions and duties.

<u>13–1211.</u>

- (a) There is a [Northeastern Maryland Additive Manufacturing Innovation Authority] REGIONAL ADDITIVE MANUFACTURING PARTNERSHIP OF MARYLAND Fund.
 - (c) The [Authority] PARTNERSHIP shall administer the Fund.
 - (e) The Fund consists of:
 - (1) money appropriated in the State budget to the Fund;

- (2) money appropriated by Cecil and Harford counties to the [Authority] PARTNERSHIP;
 - (3) money made available to the Fund through federal programs;
 - (4) interest and investment earnings of the Fund; and
- (5) any other money from any other source accepted for the benefit of the Fund.
 - (f) The Fund may be used only to:
- (1) provide grants for projects that further the purposes of this subtitle; and
- (2) pay the administrative and operational expenses of the [Authority] PARTNERSHIP.

13–1212.

The [Authority] PARTNERSHIP shall submit to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly:

- (1) on or before December 1, 2014, an update on the activities of the [Authority] **PARTNERSHIP** in implementing the provisions of this subtitle; and
- (2) on or before December 1, 2015, and each year thereafter, a complete operating and financial statement covering the [Authority's] PARTNERSHIP'S operations and a summary of the [Authority's] PARTNERSHIP'S activities during the preceding fiscal year.

Article – State Finance and Procurement

<u>6–226.</u>

(a) (2) (i) Notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all State money allocated by the

State Treasurer under this section to special funds or accounts, and otherwise entitled to receive interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the State.

(ii) The provisions of subparagraph (i) of this paragraph do not apply to the following funds:

82. the [Northeastern Maryland Additive Manufacturing Innovation Authority] REGIONAL ADDITIVE MANUFACTURING PARTNERSHIP OF MARYLAND Fund;".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 332)

ADJOURNMENT

At 11:44 A.M. on motion of Senator Pugh, seconded, the Senate adjourned until 8:00 P.M. on Monday, February 29, 2016.

Annapolis, Maryland Monday, February 29, 2016 8:00 P.M. Session

The Senate met at 8:07 P.M.

Prayer by Rabbi Brahm Weinberg, Kemp Mill Synagogue, guest of Senator Raskin.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 334)

MARYLAND'S FALLEN HEROES

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 379 - The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Captain Florent Groberg
United States Army
in recognition of
being awarded the Medal of Honor for your
bravery and heroism at the risk of your life
above and beyond the call of duty.
The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 29th day of February 2016.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 335)

Senate Resolution No. 380 - Senator Johnny Ray Salling:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Sparrows Point High School Women's Soccer Team
in recognition of

your winning the 2016 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 29th day of February 2016.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 336)

Senate Resolution No. 382 - Senator Shirley Nathan-Pulliam:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Eugene M. DeLoatch, Ph.D., Founding Dean
Clarence M. Mitchell Jr. School of Engineering
in recognition of

your more than 56 years dedicated to academia, with 24 years at Howard University and 32 years advancing diversity in engineering at Morgan State University.

The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 29th day of February 2016.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 337)

Senate Resolution No. 383 - Senator Shirley Nathan-Pulliam:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Larry Laws
Analysis and Support, BGE
in recognition of

receiving the 2016 U.S. Black Engineer of the Year Award for your dedication to expanding career opportunities for students in the field of engineering.

The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 29th day of February 2016. Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 338)

INTRODUCTION OF BILLS

Senate Bill 1129 – Senator Rosapepe

AN ACT concerning

Prince George's County - Alcoholic Beverages - Special Hotel and Special Hotel Concessionaire Licenses

FOR the purpose of establishing in Prince George's County a special hotel license and a special hotel concessionaire license; authorizing the Board of License Commissioners for Prince George's County to issue a special hotel license to a person that owns or operates a hotel that meets certain requirements; authorizing the Board to issue a special hotel concessionaire license to certain persons who operate an establishment that meets certain requirements; providing that an applicant for a special hotel license or special hotel concessionaire license may sell beer, wine, and liquor under certain circumstances and need not meet certain requirements; providing that an applicant for a special hotel license or special hotel concessionaire license need not obtain a certain dance license before offering live music and dancing; providing that a special hotel license or a special hotel concessionaire license may not be counted as a Class B or Class H license for a certain purpose; providing hours and days of sale and annual license fees; specifying that a penalty or other sanction imposed for a certain violation of a regulation of the Board applies to a certain person; and generally relating to alcoholic beverages licenses in Prince George's County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 26–102

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

BY adding to

Article – Alcoholic Beverages

Section 26-1013.1 and 26-1013.2

Annotated Code of Maryland

(As enacted by Chapter (S.B. 724) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 26–1103(a)(1)

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

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

Senate Bill 1130 – Senator Rosapepe

AN ACT concerning

Maryland Center for Construction Education and Innovation - Codification

FOR the purpose of establishing the Maryland Center for Construction Education and Innovation; providing that the Center is a body politic and corporate and is an instrumentality of the State; specifying the purposes of the Center; specifying what the Center shall seek to accomplish; establishing a Board of Directors for the Center; specifying the duties, membership, qualifications, terms, appointments, and removal of the members of the Board; specifying the manner of electing the chair of the Board; requiring the Center to employ an Executive Director; specifying the duties of the Executive Director of the Center; establishing the Construction Education and Innovation Fund as a special, nonlapsing fund; requiring the Center 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 expenditures from the Fund; requiring interest earnings of the Fund to be credited to the Fund; exempting the Fund from a certain provision of law requiring interest earnings on State money to accrue to the General Fund of the State; providing that the Attorney General is the legal advisor to the Center; authorizing the Center to employ certain staff; specifying certain provisions of law from which the Center is exempt and to which the Center is subject; specifying the authority of the Center; requiring the Center to report on certain matters to certain persons on or before a certain date each year; requiring the Department of Labor, Licensing, and Regulation to report to the General Assembly, on or before a certain date, on its findings and recommendations relating to development of a framework for establishing certain additional centers; defining certain terms; and generally relating to construction education and innovation.

BY adding to

Article – Labor and Employment

Section 11–1301 through 11–1312 to be under the new subtitle "Subtitle 13. Maryland Center For Construction Education and Innovation"

Annotated Code of Maryland

(2008 Volume and 2015 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)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement Section 6–226(a)(2)(ii)84. and 85. Annotated Code of Maryland (2015 Replacement Volume)

BY adding to

Article – State Finance and Procurement Section 6–226(a)(2)(ii)86. Annotated Code of Maryland (2015 Replacement Volume)

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

Senate Bill 1131 – Senator Middleton

AN ACT concerning

Electric Cooperatives - Rate Regulation - Fixed Charges for Distribution System Costs

FOR the purpose of authorizing an electric cooperative to propose a fixed charge for certain fixed costs; requiring the fixed charge to be applied in a certain manner; prohibiting an electric cooperative from proposing an increase to a fixed charge above a certain percentage; specifying the manner in which an electric cooperative may propose a fixed charge; requiring that the proposal of a fixed charge meet certain criteria; requiring the Public Service Commission to approve a proposed fixed charge that meets the requirements of this Act; defining certain terms; providing for the application of this Act; and generally relating to rate regulation of electric cooperatives.

BY adding to

Article – Public Utilities Section 4–307 Annotated Code of Maryland (2010 Replacement Volume and 2015 Supplement)

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

Senate Bill 1132 - Senators Manno and Raskin

AN ACT concerning

Commercial Law - Debt Settlement Services - Exemption and Fee

FOR the purpose of altering a certain exemption from registration as a debt settlement services provider; altering the debt settlement services fee that a registrant may

charge; and generally relating to debt settlement services and debt settlement services providers.

BY repealing and reenacting, with amendments,

Article – Financial Institutions
Section 12–1003 and 12–1010(e)
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

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

Senate Bill 1133 – Senator Raskin

AN ACT concerning

Creation of a State Debt – Montgomery County – Martin Luther King Jr. Recreational Park Improvements

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Maryland–National Capital Park and Planning Commission for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1134 – Senator DeGrange

AN ACT concerning

Criminal Procedure – Initial Appearance Before a District Court Commissioner – Costs for Appointed Legal Representation

FOR the purpose of requiring that certain costs for providing certain legal representation at an initial appearance before a District Court commissioner be charged to and paid by the county in which the representation is provided under certain circumstances; and generally relating to costs associated with providing legal representation at an initial appearance before a District Court commissioner.

BY adding to

Article – Criminal Procedure Section 5–216 Annotated Code of Maryland (2008 Replacement Volume and 2015 Supplement) Read the first time and referred to the Committee on Rules.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 58 - Delegate O'Donnell

AN ACT concerning

Vehicle Laws - Historic Motor Vehicles - Authorized Uses and Inspections

FOR the purpose of altering the uses and prohibited uses to which an owner of a historic motor vehicle is required to certify for the vehicle in a registration application; limiting the application of the exemption from certain motor vehicle inspection requirements and enforcement procedures for historic motor vehicles to certain model year vehicles; altering certain defined terms; and generally relating to authorized uses and inspections for historic motor vehicles.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 13–936 and, 23–101(g) and (i), and 23–107(a)(1)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 23–101(a), 23–104, and 23–105(a), and 23–107(a)(1)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

House Bill 59 – Chair, Economic Matters Committee (By Request – Departmental – Commerce)

AN ACT concerning

Department of Economic Competitiveness and Commerce – Renaming <u>and</u> <u>Reorganization</u>

FOR the purpose of renaming the Department of Economic Competitiveness and Commerce to be the Department of Commerce; repealing the Office of the Secretary of Commerce in the Office of the Governor; repealing the requirement that the Secretary of Commerce employ an Executive Director of the Department; repealing the qualifications and the duties of the Executive Director; providing that the

Department of Commerce is the successor of the Department of Economic Competitiveness and Commerce; providing that certain names and titles of a certain unit and officials in laws and other documents mean the names and titles of the successor unit and officials; providing for the continuity of certain matters and persons; 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 conforming changes; and generally relating to renaming the Department of Economic Competitiveness and Commerce and the Secretary of Commerce.

BY repealing and reenacting, without amendments,

Article – Economic Development

Section 1–101(a), $\frac{2-101(a)}{a}$, and $\frac{9-101(a)}{a}$ $\frac{3-201(a)}{a}$, (b), and (c), $\frac{9-101(a)}{a}$, $\frac{10-401(a)}{a}$, (b), and (c), $\frac{10-901}{a}$, and $\frac{10-903}{a}$

Annotated Code of Maryland (2008 Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Economic Development

Section 1–101(c) to be under the amended division "Division I. Secretary of Commerce and Department of Commerce"; 2–101(e)(2) 2–101; 2–108; 2.5–101(a) to be under the amended title "Title 2.5. Department of Commerce"; and 9–101(e) 3–203(a) and (c)(1), 9–101(c), 10–403(b), and 10–903(b)

Annotated Code of Maryland (2008 Volume and 2015 Supplement)

BY repealing

Article - Economic Development

Section 2.5–103

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 8–201(a)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments.

Article – State Government

Section 8–201(b)(4)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

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

House Bill 60 – Chair, Economic Matters Committee (By Request – Departmental – Maryland Insurance Administration)

AN ACT concerning

Insurance - Certificate of Qualification, Licensing, and Registration - Electronic Means

FOR the purpose of altering the renewal date and process for renewing certificates of qualification of surplus lines brokers; establishing the expiration date of a surplus lines broker's certificate of qualification held by an individual; authorizing the Maryland Insurance Commissioner to send a certain notice relating to renewal of the certificate of qualification of a surplus lines broker, the license of a certain insurance producer, an insurance adviser, and a motor club, and the registration of a motor club representative at the electronic mail address of the holder of record: altering the contents of certain notices; authorizing the submission of certain renewal applications in a certain electronic format; establishing when certain renewal applications submitted electronically are considered made in a timely manner; authorizing the Commissioner to adopt certain regulations; requiring a certain insurance producer licensee to file with the Commissioner a change in the licensee's electronic mail address; altering the expiration date of an insurance adviser's license; making stylistic and conforming changes; providing for a delayed effective date; and generally relating to the renewal of certificates of qualification, licenses, and registrations under State insurance laws.

BY repealing and reenacting, with amendments,

Article – Insurance Section 3–316, 10–115, 10–117, 10–211, 26–206, and 26–305 Annotated Code of Maryland (2011 Replacement Volume and 2015 Supplement)

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

House Bill 65 – Chair, Environment and Transportation Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Tree Expert License - Application and Renewal - Repeal of Sunset Provision

FOR the purpose of repealing the termination provision of certain provisions of law relating to the application for and renewal of a tree expert license; and generally relating to tree expert licenses.

BY repealing and reenacting, without amendments,

Article – Natural Resources Section 5–419 Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments, Chapter 20 of the Acts of the General Assembly of 2011

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

House Bill 104 - Delegates Morhaim, Glenn, Hammen, Hill, Lam, and West

AN ACT concerning

Section 2

Medical Cannabis - Written Certifications - Certifying Providers

FOR the purpose of authorizing certain dentists, podiatrists, nurse midwives, and nurse practitioners, in addition to physicians, to issue written certifications to qualifying patients by substituting the defined term "certifying provider" for "certifying physician" as it relates to laws governing medical cannabis; making conforming changes; making a stylistic change; providing for a delayed effective date; and generally relating to providers authorized to provide written certifications for medical cannabis.

BY repealing and reenacting, without amendments,

Article – Health – General Section 13–3301(a) Annotated Code of Maryland (2015 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 13–3301(c), (m), and (n), 13–3304, 13–3305, 13–3313(a)(1)(ii) and (3), and 13–3314(d)

Annotated Code of Maryland (2015 Replacement Volume)

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

House Bill 185 – Delegates Morhaim, Beitzel, Cluster, Frush, Hill, Jalisi, Kelly, Kipke, Lam, Morgan, Rose, Stein, and West

AN ACT concerning

State Board of Physicians – Licensed Physicians – Continuing Education Requirements

FOR the purpose of prohibiting the State Board of Physicians from establishing a continuing education requirement that every licensed physician complete a specific course or program as a condition to the renewal of a license; and generally relating to continuing education requirements for licensed physicians in the State.

BY repealing and reenacting, without amendments,

Article – Health Occupations Section 14–316(a), (b), (c), and (e) Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations Section 14–316(d) Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement)

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

House Bill 188 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Financial Institutions – Commissioner of Financial Regulation – Disclosure and Sharing of Information

FOR the purpose of reorganizing and consolidating certain provisions of law relating to the disclosure of certain information by the Commissioner of Financial Regulation and certain other persons and the authority of the Commissioner to enter into certain information sharing agreements and exchange certain information; prohibiting a person, including the Commissioner and an employee of and the attorney for the Commissioner's office, from disclosing certain information obtained by the Commissioner in the exercise of the Commissioner's authority to examine banking institutions, credit unions, and other persons required to be licensed under certain provisions of law; establishing the circumstances under which the Commissioner may disclose certain information; altering the authority of the Commissioner to enter into certain information sharing agreements and exchange certain information; prohibiting certain information shared by the Commissioner from being disclosed by an agency under certain laws or admitted into evidence in certain civil litigation or administrative process without the prior written consent of the Commissioner; providing that certain information disclosed to any person under certain provisions of this Act remains the property of the Commissioner and may not be further disclosed by any person without the prior written consent of the Commissioner; providing that certain provisions of the Maryland Public Information Act shall be superseded by certain requirements of this Act; altering the circumstances under which a certain affiliate is subject to certain provisions of this Act; establishing certain penalties for a violation of certain provisions of this Act; repealing certain provisions of law that are duplicative of or superseded by certain provisions of this Act; providing for the application of certain provisions of this Act; repealing certain provisions of law authorizing the Commissioner to adopt certain rules and regulations; defining certain terms; making conforming and stylistic changes; and generally relating to the disclosure of information obtained by the Commissioner of Financial Regulation and the authority of the Commissioner to enter into information sharing agreements and exchange information.

BY repealing and reenacting, with amendments,

Article – Financial Institutions Section 1–101 and 2–117 Annotated Code of Maryland (2011 Replacement Volume and 2015 Supplement)

BY repealing

Article – Financial Institutions Section 5–209, 5–909, 6–909, and 12–903 Annotated Code of Maryland (2011 Replacement Volume and 2015 Supplement)

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

House Bill 195 - Delegates Krebs, W. Miller, Rose, and West

AN ACT concerning

Procurement - Prohibition Prohibitions on Participation

FOR the purpose of altering to whom certain provisions of law apply that prohibit certain participation in procurement; providing that the prohibition against a certain person participating in a certain procurement applies certain prohibitions on participation in procurement apply only for a certain period of time following the issuance of an invitation for bids or a request for proposals; providing that certain prohibitions on participation in procurement do not apply to certain invitations for bids or requests for proposals; and generally relating to the prohibition prohibitions on participation in procurement.

BY repealing and reenacting, with amendments, Article – State Finance and Procurement Section 13–212.1 Annotated Code of Maryland (2015 Replacement Volume)

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

House Bill 241 – Delegates Rosenberg and A. Washington

AN ACT concerning

Election Law – State Elected Officials – Campaign Fund–Raising During General Assembly Session – Civil Penalty

FOR the purpose of <u>clarifying that certain persons are prohibited from soliciting a contribution during the General Assembly session</u>; authorizing the State Board of Elections to impose a civil penalty for a violation by a campaign finance entity of the prohibition on fund-raising during the General Assembly session; authorizing the State Board to impose a lesser civil penalty than prescribed by law for certain violations under certain circumstances; repealing provisions of law that authorized the State Board, represented by the State Prosecutor, to institute a civil action in a circuit court against a campaign finance entity for a violation of the prohibition on fund-raising during the General Assembly session; and generally relating to campaign fund-raising during the General Assembly session and civil penalties.

BY repealing and reenacting, with amendments,

Article – Election Law Section 13–235 and 13–604.1 Annotated Code of Maryland (2010 Replacement Volume and 2015 Supplement)

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

House Bill 411 – Delegates M. Washington, McKay, Hettleman, Krimm, and Lierman

AN ACT concerning

General Assembly - Joint Committee on Ending Homelessness - Membership

FOR the purpose of altering the membership of the Joint Committee on Ending Homelessness; requiring that members of the Joint Committee appointed as a result of this Act reflect the geographic diversity of the State; and generally relating to the membership of the Joint Committee on Ending Homelessness.

BY repealing and reenacting, with amendments,

Article – State Government Section 2–10A–15 Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement)

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

House Bill 501 – Delegate Chang

AN ACT concerning

Motor Vehicle Insurance - Volunteer Drivers

FOR the purpose of prohibiting certain insurers that issue, sell, or deliver policies of motor vehicle liability insurance in the State from canceling the policy of a named insured or refusing to issue a policy to a certain applicant solely because the named insured or applicant is a volunteer driver; prohibiting certain insurers from imposing a certain charge or rate increase solely because a certain driver under the policy is a volunteer driver; providing that this Act does not prohibit certain insurers from canceling, refusing to renew, or imposing certain charges or rate increases on a policy under certain circumstances; defining "volunteer driver"; providing for the application of this Act; and generally relating to motor vehicle liability insurance.

BY adding to

Article – Insurance Section 19–518 Annotated Code of Maryland (2011 Replacement Volume and 2015 Supplement)

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

House Bill 745 – Delegates Reilly, Carozza, Cassilly, Fisher, Hornberger, Impallaria, Lisanti, McMillan, Morgan, O'Donnell, Platt, and Tarlau

AN ACT concerning

Business Regulation - State and Harford County Juke Box Licenses - Repeal

FOR the purpose of repealing certain provisions of law relating to licenses for keeping juke boxes for public entertainment in the State and in Harford County; and generally relating to licenses for keeping juke boxes.

BY repealing

Article – Business Regulation Section 17–1301 through 17–1318 and the subtitle "Subtitle 13. Juke Boxes" Annotated Code of Maryland (2015 Replacement Volume and 2015 Supplement)

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

House Bill 747 – Delegates Gilchrist and Vaughn

AN ACT concerning

Real Estate Brokers - Licensure Requirement - Exemption for Lawyers

FOR the purpose of altering an exemption from the real estate broker licensure requirement for certain lawyers under certain circumstances; and generally relating to real estate brokerage services.

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions

Section 17–301

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)

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

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #7

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

Senate Bill 309 - Senator Mathias

AN ACT concerning

Motor Vehicle Registration - Exception for Golf Carts - City of Crisfield

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 397 – Senators Norman and Salling

AN ACT concerning

Civil Actions and Procedures – Garnishments – Spousal Property

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 266 - Senators Salling, Astle, Jennings, and Waugh

AN ACT concerning

Natural Resources - Poaching Restitution Act of 2016

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

Senator Jennings moved, duly seconded, to make the Bill a Special Order for March 2, 2016.

The motion was adopted.

Senate Bill 647 - Senators Klausmeier, Conway, Nathan-Pulliam, and Young

EMERGENCY BILL

AN ACT concerning

Physicians – Prescriptions Written by Physician Assistants – Preparing and Dispensing

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

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 339)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #25

Senate Bill 46 – Senator Reilly

AN ACT concerning

Anne Arundel County - Archery Hunting - Safety Zone

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

Affirmative – 43 Negative – 4 (See Roll Call No. 340)

The Bill was then sent to the House of Delegates.

Senate Bill 349 – Senator Edwards

AN ACT concerning

Maryland Income Tax Refunds – Allegany and Garrett Counties – Warrant Intercept Program

Senator Norman moved, duly seconded, to place **Senate Bill 349** 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

SB0349/943524/1

BY: Senator Norman

AMENDMENTS TO SENATE BILL 349

(Bill as Printed for Third Reading – Second Printing)

AMENDMENT NO. 1

On page 1, in lines 2, 6, and 7, in each instance, after "<u>Carroll</u>," insert "<u>Cecil</u>,"; and in the same lines, in each instance, strike "and Garrett" and substitute "<u>, Garrett, and Harford</u>".

AMENDMENT NO. 2

On page 3, in lines 3 and 5, in each instance, after "COUNTY," insert "CECIL COUNTY,"; and in the same lines, in each instance, after "COUNTY," insert "HARFORD COUNTY,".

On page 4, in lines 28 and 30, in each instance, after "<u>County</u>," insert "<u>Cecil County</u>,"; and in the same lines, in each instance, after "Garrett County," insert "<u>Harford County</u>,".

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

THIRD READING CALENDAR (SENATE BILLS) #26

Senate Bill 324 – Senators Miller, Astle, Benson, Conway, Currie, DeGrange, Feldman, Ferguson, Gladden, Kagan, Kasemeyer, Kelley, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Muse, Nathan-Pulliam, Peters, Pinsky, Pugh, Ramirez, Raskin, Young, and Zirkin

AN ACT concerning

Prince George's County Regional Medical Center Act of 2016

Senator Peters moved, duly seconded, to make the Bill a Special Order for March 2, 2016.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 341)

ADJOURNMENT

At 9:05 P.M. on motion of Senator Pugh, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, March 1, 2016.

Annapolis, Maryland Tuesday, March 1, 2016 10:00 A.M. Session

The Senate met at 10:05 A.M.

Prayer by Rabbi Shmuel Silber, Suburban Orthodox Congregation, guest of Senator Brochin.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 343)

INTRODUCTION OF BILLS

Senate Bill 1135 – Washington County Senators

AN ACT concerning

Washington County – Business Licenses – Repeal of Zoning Certification Requirement

FOR the purpose of repealing the prohibition on the clerk of the Circuit Court for Washington County from issuing a certain business license under certain circumstances unless the applicant submits a certain zoning certification; repealing a certain prohibition on the clerk of the Circuit Court for Washington County on endorsing a change in a place of business in Washington County until certain zoning requirements are met; and generally relating to business licenses in Washington County.

BY repealing and reenacting, with amendments,

Article – Business Regulation Section 17–302 and 17–307 Annotated Code of Maryland (2015 Replacement Volume and 2015 Supplement)

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

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 199 – Senators Brochin, Muse, Pinsky, Pugh, and Zirkin

AN ACT concerning

Transit and Transportation Service – Audio Recordings – Requirements and Limitations

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0199/908774/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 199

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after "Pugh," insert "Ready.".

AMENDMENT NO. 2

On page 1, in lines 2 and 3, strike "Audio Recordings – Requirements and Limitations" and substitute "Activation of Audio Recording Devices – Prohibition"; and strike beginning with "requiring" in line 4 down through "regulations;" in line 15 and substitute "prohibiting the Maryland Transit Administration, on certain transit service vehicles equipped with an audio recording device, from activating the audio recording device; prohibiting a county or municipality, on certain transportation service vehicles equipped with an audio recording device, from activating the audio recording device;".

AMENDMENT NO. 3

On pages 2 through 5, strike in their entirety the lines beginning with line 19 on page 2 through line 25 on page 5, inclusive, and substitute:

"**7**–**705.1**.

IF A VEHICLE USED BY THE ADMINISTRATION TO PROVIDE TRANSIT SERVICE IS EQUIPPED WITH AN AUDIO RECORDING DEVICE CAPABLE OF RECORDING ORAL

COMMUNICATIONS OF THE VEHICLE OPERATOR AND THE VEHICLE'S PASSENGERS, THE ADMINISTRATION MAY NOT ACTIVATE THE AUDIO RECORDING DEVICE.

7–802.

IF A VEHICLE USED BY A COUNTY OR MUNICIPALITY TO PROVIDE TRANSPORTATION SERVICE IS EQUIPPED WITH AN AUDIO RECORDING DEVICE CAPABLE OF RECORDING ORAL COMMUNICATIONS OF THE VEHICLE OPERATOR AND THE VEHICLE'S PASSENGERS, THE COUNTY OR MUNICIPALITY MAY NOT ACTIVATE THE AUDIO RECORDING DEVICE."

The preceding 3 amendments were read only.

Senator Zirkin moved, duly seconded, to make the Bill and Amendments a Special Order for March 2, 2016.

The motion was adopted.

Senate Bill 275 - Senators Feldman, Astle, Kelley, and Klausmeier

AN ACT concerning

Railroad Company - Movement of Freight - Required Crew

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0275/507371/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 275

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Klausmeier" and substitute "<u>Klausmeier</u>, <u>Middleton</u>, and <u>Mathias</u>"; in line 6, after the semicolon insert "<u>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; <u>providing for the abrogation of this Act under certain circumstances</u>;"; and strike in their entirety lines 8 through 12, inclusive, and substitute:</u>

"BY adding to

<u>Article – Labor and Employment</u>

Section 5.5–110(e)

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)".

AMENDMENT NO. 2

On page 1, in line 15, strike "Public Utilities" and substitute "<u>Labor and Employment</u>"; in line 16, strike "**9–404.**" and substitute "<u>5.5–110.</u>"; in line 17, strike "(A)" and substitute "<u>(E)(1)</u> <u>THIS SECTION APPLIES TO A TRAIN OR LIGHT ENGINE USED IN CONNECTION WITH THE MOVEMENT OF RAILROAD FREIGHT THAT SHARES THE SAME RAIL CORRIDOR AS A HIGH SPEED PASSENGER OR COMMUTER TRAIN.</u>

(2)";

and in lines 19 and 20, strike "(1)" and "(2)", respectively, and substitute "(II)" and "(III)", respectively.

On page 2, in lines 1 and 4, strike "(B)" and "(C)", respectively, and substitute "(3)" and "(4)", respectively; and in lines 6 and 7, strike "(1)" and "(2)", respectively, and substitute "(1)" and "(11)", respectively.

AMENDMENT NO. 3

On page 2, after line 9, insert:

"(5) A COUNTY OR MUNICIPAL CORPORATION MAY NOT ENACT AND ENFORCE MORE STRINGENT MEASURES REGARDING THE CREW REQUIREMENTS AUTHORIZED UNDER THIS SUBSECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That, if the Federal Railroad Administration issues a rule requiring two-person train crews on crude oil trains and establishing minimum crew size standards for most main line freight and passenger rail operations, within 5 days after the issuance of the rule, the Commissioner of Labor and Industry shall notify the Department of Legislative Services. On the date the Department of Legislative Services receives such notification, this Act shall be abrogated and of no further force and effect.";

and in line 10, strike "2." and substitute "3.".

The preceding 3 amendments were read only.

Senator Ferguson moved, duly seconded, to make the Bill and Amendments a Special Order for March 3, 2016.

The motion was adopted.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #13

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

Senate Bill 194 – Senator Ready

AN ACT concerning

Ethics Commission, Commission on Judicial Disabilities, Judicial Ethics Committee, and Joint Ethics Committee – Duties

<u>Favorable report adopted.</u>

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 198 – Senators Nathan-Pulliam, Benson, Ferguson, Guzzone, Kagan, Kelley, King, Lee, McFadden, Muse, Pugh, Rosapepe, and Young

AN ACT concerning

Neonicotinoid Pesticides – Labeling, Signage, and Restrictions on Sales and Use (Pollinator Protection Act of 2016)

SB0198/214736/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 198

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Labeling, Signage, and"; strike beginning with "prohibiting" in line 4 down through "statement;" in line 7; in line 11, after "applicator" insert "or a person working under the direct supervision of a certified applicator"; in line 12, after "defining" insert "a"; and in the same line, strike "terms" and substitute "term".

AMENDMENT NO. 2

On page 2, in line 10, strike "(A)"; in the same line, after "SUBTITLE" insert a comma; strike beginning with "THE" in line 10 down through "NEONICOTINOID" in line 12 and substitute ""NEONICOTINOID"; and strike in their entirety lines 23 through 26, inclusive.

On page 3, strike in their entirety lines 1 through 6, inclusive; and strike in their entirety lines 8 through 17, inclusive.

AMENDMENT NO. 3

On page 3, in line 18, strike "(B)" and substitute "(A)"; in the same line, strike "SUBSECTION AND SUBSECTION (C) OF THIS"; in the same line, strike "DO" and substitute "DOES"; in lines 20 and 23, in each instance, strike "2017" and substitute "2018"; and in line 23, strike "(C)" and substitute "(B)".

AMENDMENT NO. 4

On page 3, in line 25, after "APPLICATOR" insert "OR A PERSON WORKING UNDER THE DIRECT SUPERVISION OF A CERTIFIED APPLICATOR".

The preceding 4 amendments were read only.

Senator Hough moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

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

Senate Bill 219 - Senators Ready, Bates, and Hough

EMERGENCY BILL

AN ACT concerning

Carroll County - Turkey Hunting on Private Property - Sundays

<u>Favorable report adopted.</u>

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 284 – Senator Simonaire

AN ACT concerning

Natural Resources - Complimentary Hunting and Fishing Licenses

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 516 - Washington County Senators

AN ACT concerning

Washington County - Fire, Rescue, and Ambulance Service - Local Authority

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 525 – Senator Edwards

AN ACT concerning

Maryland Dormant Minerals Interests Act – Use of Mineral Interest – Clarification

SB0525/854935/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 525

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after "owner;" insert "<u>establishing that payment of certain taxes</u> by an owner of a mineral interest constitutes use of the entire mineral interest that is taxed and certain other mineral interests that are not taxed; establishing that a certain judgment or decree recorded by an owner of a mineral interest constitutes use of the mineral interest specified in the judgment or decree;".

AMENDMENT NO. 2

On page 2, in line 7, strike "(2)" and substitute "(4)"; in line 14, after "minerals;" insert "and"; strike beginning with "Payment" in line 15 down through "(iii)" in line 18; in line 20, strike "; and" and substitute a period; strike in their entirety lines 21 and 22, and substitute:

- "(2) PAYMENT OF THE FOLLOWING TAXES BY OR UNDER THE AUTHORITY OF AN OWNER OF THE TAXED MINERAL INTEREST SHALL CONSTITUTE USE OF THE ENTIRE MINERAL INTEREST THAT IS TAXED AND ANY OTHER MINERAL INTEREST THAT IS NOT TAXED BUT ON WHICH THE OWNER OWNS ALL OR A PARTIAL INTEREST:
- (I) A TAX ON A SEPARATE ASSESSMENT OF A MINERAL INTEREST IN ACCORDANCE WITH § 8–229 OF THE TAX PROPERTY ARTICLE;
- (II) A TRANSFER TAX RELATING TO A MINERAL THAT IS PART OF THE MINERAL INTEREST IN ACCORDANCE WITH § 8–229 OF THE TAX PROPERTY ARTICLE; OR
- (III) A SEVERANCE TAX RELATING TO A MINERAL THAT IS PART OF THE MINERAL INTEREST IN ACCORDANCE WITH § 8–229 OF THE TAX PROPERTY ARTICLE.
- (3) A JUDGMENT OR DECREE THAT MAKES A SPECIFIC REFERENCE
 TO ANY MINERAL THAT IS PART OF THE MINERAL INTEREST RECORDED BY OR
 UNDER THE AUTHORITY OF AN OWNER OF THE MINERAL INTEREST SHALL
 CONSTITUTE USE OF THE MINERAL INTEREST SPECIFIED IN THE JUDGMENT OR
 DECREE.";

and 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.

QUORUM CALL

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

(See Roll Call No. 344)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #27

Senate Bill 226 – Senators Simonaire, Salling, and Waugh

AN ACT concerning

Professional Engineers – Engineering Documents Prepared at the Request of the State or Political Subdivision of the State – Signing and Sealing

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

Affirmative – 47 Negative – 0 (See Roll Call No. 345)

The Bill was then sent to the House of Delegates.

Senate Bill 281 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Military)

AN ACT concerning

State Government - Members of the National Guard - Active Duty - Employment Protection

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

Affirmative – 47 Negative – 0 (See Roll Call No. 346)

The Bill was then sent to the House of Delegates.

Senate Bill 393 – Senators Nathan-Pulliam, Benson, Eckardt, Klausmeier, Manno, and Middleton

AN ACT concerning

Maryland Nurse Practice Act – Peer Review and Advisory Committees and Penalties

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

Affirmative – 46 Negative – 0 (See Roll Call No. 347)

The Bill was then sent to the House of Delegates.

Senate Bill 460 – Senator Conway

AN ACT concerning

Health Occupations - Dental Hygienists - Local Anesthesia

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

Affirmative – 47 Negative – 0 (See Roll Call No. 348)

The Bill was then sent to the House of Delegates.

Senate Bill 469 - Senator McFadden

AN ACT concerning

State Board of Pharmacy - Licensure Requirements for Pharmacists - Proof of Proficiency in English

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

Affirmative -45 Negative -2 (See Roll Call No. 349)

The Bill was then sent to the House of Delegates.

Senate Bill 750 - Senator Klausmeier

AN ACT concerning

Portable Electronics Insurance – Compensation of Vendor Employees – Repeal of Sunset and Reporting Requirement

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

Affirmative – 47 Negative – 0 (See Roll Call No. 350)

The Bill was then sent to the House of Delegates.

Senate Bill 811 - Senator Benson

AN ACT concerning

Electric Companies – Installation of Solar Electric Generating Facility – Completion of Interconnection

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

Affirmative – 47 Negative – 0 (See Roll Call No. 351)

The Bill was then sent to the House of Delegates.

Senate Bill 825 – Senator Conway

AN ACT concerning

Health Occupations - Dental Hygienists - Administration of Nitrous Oxide

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

Affirmative – 47 Negative – 0 (See Roll Call No. 352)

The Bill was then sent to the House of Delegates.

Senate Bill 851 – Senator Astle

AN ACT concerning

Property and Casualty Insurance – Commercial Policies and Workers' Compensation Insurance Policies – Notices of Premium Increases

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

Affirmative – 46 Negative – 0 (See Roll Call No. 353)

The Bill was then sent to the House of Delegates.

Senate Bill 882 – Senator Jennings <u>Senators Jennings</u>, <u>Middleton</u>, <u>Astle</u>, <u>Benson</u>, Feldman, Hershey, Kelley, Klausmeier, Mathias, and Reilly

AN ACT concerning

Economic Development - Northeastern Maryland Additive Manufacturing Innovation Authority

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

Affirmative -47 Negative -0 (See Roll Call No. 354)

The Bill was then sent to the House of Delegates.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #14

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

Senate Bill 282 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Education)

AN ACT concerning

Early Childhood Development - Transfer 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 369 – Senators Ferguson, King, Benson, Currie, Guzzone, Kelley, Klausmeier, Madaleno, McFadden, Nathan-Pulliam, Pinsky, Raskin, and Young

AN ACT concerning

Education - Prekindergarten Programs - Notification of Eligibility by Local Departments of Social Services

SB0369/184034/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 369

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "services" insert "and certain local health departments"; in lines 5 and 6, strike "with certain family income levels"; and in line 7, after "programs;" insert "requiring certain local departments of social services and certain local health departments to make a certain annual report on or before a certain date;".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 12 through 17, inclusive, and substitute:

- "(C) (1) A LOCAL DEPARTMENT OF SOCIAL SERVICES OR A LOCAL HEALTH DEPARTMENT SHALL PROVIDE A PARENT OR GUARDIAN WITH AN ORAL AND WRITTEN NOTICE THAT THEIR CHILD MAY BE ELIGIBLE FOR PUBLICALLY FUNDED PREKINDERGARTEN PROGRAMS IF THE PARENT OR GUARDIAN:
- (I) APPLIED FOR ECONOMIC SERVICES WITH THE LOCAL DEPARTMENT OF SOCIAL SERVICES OR THE LOCAL HEALTH DEPARTMENT; AND
- (II) HAS A CHILD WHO WILL BE 4 YEARS OLD ON SEPTEMBER 1
 OF THE NEXT ACADEMIC YEAR.
- (2) THE NOTICE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE CONTACT INFORMATION FOR THE ENROLLMENT OFFICE OF THE LOCAL SCHOOL SYSTEM AND THE DIVISION OF EARLY CHILDHOOD DEVELOPMENT IN THE DEPARTMENT.
- (3) ON OR BEFORE DECEMBER 1 OF EACH YEAR, EACH LOCAL DEPARTMENT OF SOCIAL SERVICES AND EACH LOCAL HEALTH DEPARTMENT SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, ON THE NUMBER OF PARENTS WHO WERE GIVEN A NOTIFICATION AND SUBSEQUENTLY ENROLLED THEIR CHILD IN A PUBLICLY FUNDED PREKINDERGARTEN PROGRAM,".

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 464 – Senators Madaleno, Benson, Currie, Ferguson, Guzzone, Kagan, Kelley, King, Klausmeier, Middleton, Pinsky, Rosapepe, and Young

AN ACT concerning

Higher Education - College Admissions Outreach Program for High-Achieving Students - Establishment

<u>Favorable report adopted.</u>

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 465 – Senators Madaleno, Benson, Currie, Ferguson, Guzzone, Kagan, Kelley, King, Klausmeier, Manno, Pinsky, Rosapepe, and Young

AN ACT concerning

Community Colleges - Tuition Waiver for Disabled Individuals - Requirements

SB0465/984039/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 465

(First Reading File Bill)

On page 1, in the sponsor line, strike "and Young" and substitute "<u>Young, Conway,</u> Bates, Nathan–Pulliam, and Zucker".

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 494 – Senators Nathan-Pulliam, Benson, Currie, Ferguson, Guzzone, Kelley, Lee, McFadden, Muse, Raskin, and Young

AN ACT concerning

State Department of Education - Community-Partnered School Behavioral Health Services Programs - Reporting System and Report (School Behavioral Health Accountability Act)

SB0494/554036/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 494

(First Reading File Bill)

On page 2, in line 5, after "(3)" insert "(II)"; and after line 9, insert:

"(II) "COMMUNITY-PARTNERED SCHOOL BEHAVIORAL HEALTH SERVICES PROGRAM" DOES NOT INCLUDE SCHOOL-BASED HEALTH CENTERS.".

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 770 – Senators Bates and Norman

AN ACT concerning

Education - Public High Schools - Agriculture Science

SB0770/404135/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 770

(First Reading File Bill)

AMENDMENT NO.1

On page 1, in line 3, strike "requiring" and substitute "encouraging".

AMENDMENT NO. 2

On page 1, in line 20, strike "SHALL" and substitute "IS ENCOURAGED TO".

On page 2, in line 5, strike "HAS" and substitute "HAVE".

The preceding 2 amendments were read and adopted.

<u>Favorable report</u>, 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 781 – Senators Rosapepe, Bates, Conway, Ferguson, Guzzone, Kagan, Kelley, Lee, Madaleno, Manno, Peters, Ramirez, Raskin, Salling, Simonaire, and Waugh

AN ACT concerning

Education - Maryland Seal of Biliteracy Act - Establishment

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 823 – Senator Conway

AN ACT concerning

Task Force to Study the Implementation of a Dyslexia Education Program
– Extension

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #13

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

Senate Bill 242 – Senators Kelley, Astle, Conway, Feldman, Jennings, Klausmeier, Lee, Madaleno, Mathias, Pugh, Raskin, Reilly, Rosapepe, and Young

AN ACT concerning

Maryland Medical Assistance Program - Telemedicine - Modifications

SB0242/377379/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 242

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Young" and substitute "<u>Young, Benson, Hershey, and Middleton</u>"; in line 7, strike "prohibiting" and substitute "<u>authorizing</u>"; in the same line, strike "from requiring" and substitute "<u>to require</u>"; strike beginning with "comply" in line 7 down through "person" in line 10 and substitute "<u>submit a certain form to the Department</u>"; in line 10, after "Department" insert "<u>, in consultation with the Maryland Health Care Commission</u>,"; and strike beginning with "provide" in line 10 down through "comment" in line 13 and substitute "<u>submit a certain report to certain committees of the General Assembly on or before a certain date</u>".

AMENDMENT NO. 2

On page 3, strike beginning with "NOT" in line 6 down through "PERSON" in line 10 and substitute "REQUIRE A HEALTH CARE PROVIDER TO SUBMIT A REGISTRATION FORM TO THE DEPARTMENT THAT INCLUDES INFORMATION REQUIRED FOR THE PROCESSING OF CLAIMS FOR REIMBURSEMENT FOR HEALTH CARE SERVICES PROVIDED TO PROGRAM RECIPIENTS UNDER THIS SUBSECTION"; in line 11, strike "(I)"; and strike in their entirety lines 13 through 20, inclusive.

AMENDMENT NO. 3

On page 3, after line 20, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2016, the Department of Health and Mental Hygiene, in consultation with the Maryland Health Care Commission, shall submit a report, in accordance with § 2–1246 of the State

Government Article, to the Senate Finance Committee and the House Health and Government Operations Committee:

- (1) assessing the telehealth policies of select Medicaid programs in other states, including reimbursement for telehealth services provided in a home setting; and
- (2) <u>detailing planned enhancements to the Maryland Medicaid telehealth</u> <u>program.</u>";

in line 21, strike "2." and substitute "3."; and in line 22, strike "October" and substitute "June".

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 252 – Senators Pugh, Astle, Benson, Feldman, Kagan, Kelley, Madaleno, Manno, and Middleton

AN ACT concerning

Maryland Medical Assistance Program – Former Foster Care Adolescents – Dental Care

SB0252/317970/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 252

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Middleton" and substitute "<u>Middleton</u>, <u>Hershey</u>, <u>Jennings</u>, <u>Klausmeier</u>, <u>Mathias</u>, <u>and Reilly</u>"; in line 4, strike "requiring" and substitute "<u>authorizing</u>"; and in line 6, after the semicolon insert "<u>requiring the Department of Health and Mental Hygiene to apply to the Centers for Medicare and Medicaid Services for a certain waiver;".</u>

AMENDMENT NO. 2

On page 2, strike beginning with "**, DENTAL**" in line 4 down through "CARE," in line 5; in line 7, strike "and"; and in line 10, after the semicolon insert "AND

3. MAY PROVIDE COMPREHENSIVE DENTAL CARE FOR FORMER FOSTER CARE ADOLESCENTS WHO, ON THEIR 18TH BIRTHDAY, WERE IN FOSTER CARE UNDER THE RESPONSIBILITY OF THE STATE;".

AMENDMENT NO. 3

On page 2, after line 10, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2016, the Department of Health and Mental Hygiene shall apply to the Centers for Medicare and Medicaid Services for a waiver to provide comprehensive dental care under the Maryland Medical Assistance Program for former foster care adolescents who, on their 18th birthday, were in foster care under the responsibility of the State.";

in line 11, strike "2." and substitute "3."; and in line 12, strike "October" and substitute "July".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 352 – Senators Hershey and Rosapepe

AN ACT concerning

Maryland Health Care Commission - Certificate of Need Review - Interested Party

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 536 - Senator Klausmeier

AN ACT concerning

Office of Cemetery Oversight – Perpetual Care Trust Funds – Report Submission Requirement

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 549 – Senators Pugh, Bates, Conway, Eckardt, Feldman, Ferguson, Guzzone, Hershey, Jennings, Kagan, Klausmeier, Lee, Mathias, Middleton, Muse, Nathan-Pulliam, Reilly, Rosapepe, Salling, Simonaire, and Young

AN ACT concerning

Virginia I. Jones Alzheimer's Disease and Related Disorders Council – Membership and Extension of Termination Date

SB0549/407271/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 549

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Young" and substitute "<u>Young, Astle, Benson, and Kelley</u>".

AMENDMENT NO. 2

On page 2, in line 16, after the semicolon, insert "AND"; and strike beginning with "The" in line 17 down through "(7)" in line 19.

On page 3, in line 25, strike "AND"; and in line 27, after "EXPERIENCE" insert "; AND

(XXI) A REPRESENTATIVE OF THE HOME CARE INDUSTRY".

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 600 - Senator Reilly

AN ACT concerning

Freestanding Birthing Centers - Use of Ultrasound Imaging

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #4

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

Senate Bill 48 - Senator Reilly

AN ACT concerning

Anne Arundel County - Property Tax Credit - Blind Individuals and Surviving Spouses

SB0048/689739/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 48

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Senator Reilly" and substitute "<u>Anne Arundel County Senators</u>"; in lines 2 and 3, strike "and Surviving Spouses"; and in lines 7 and 8, strike "or surviving spouses of blind individuals".

AMENDMENT NO. 2

On page 2, in lines 12 and 13, strike "OR A SURVIVING SPOUSE"; strike in their entirety lines 17 and 18; in line 23, strike the colon; in line 24, strike "1."; and strike beginning with "; OR" in line 24 down through "SPOUSE" in line 25.

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 321 – Senator Peters (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Board of Trustees – Designee
Appointments and Fiduciary Duties

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 337 – Senators King, Benson, Currie, Feldman, Ferguson, Guzzone, Klausmeier, Lee, Madaleno, Manno, McFadden, Middleton, Peters, Raskin, and Young

AN ACT concerning

Libraries - Regional, State, and County - Funding

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 477 – Senator Peters (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Reemployment of Ordinary Disability Retirees – Earnings Limitation

SB0477/279532/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 477

(First Reading File Bill)

On page 1, in line 20, after "(1)" insert "(II)"; and in lines 21 and 22, strike "(i)" and "(ii)", respectively, and substitute "1." and "2.", respectively.

On page 2, in lines 1 and 2, strike "(iii)" and "(iv)", respectively, and substitute "<u>3.</u>" and "<u>4.</u>", respectively; in line 5, strike "(2)" and substitute "<u>(II)</u>"; in line 8, strike "(3)" and substitute "<u>(2)</u> <u>(I)</u>"; in the same line, after "\$25,000" insert a semicolon; and in line 9, after "AND" insert:

"(II)".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 517 – Washington County Senators

AN ACT concerning

Washington County - Contributions to Nonprofit Organizations - Process

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 518 – Washington County Senators

AN ACT concerning

Washington County - Collection of Fees, Charges, Penalties, and Assessments

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #8

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

Senate Bill 178 – Senators Lee, Benson, King, Manno, Nathan-Pulliam, Ramirez, and Raskin

AN ACT concerning

Criminal Law - Extortion - Immigration Status

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 233 – Senators Norman, Brochin, Edwards, Klausmeier, Raskin, and Ready

AN ACT concerning

Public Safety - Motorcycle Profiling - Training

SB0233/718174/1

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 233

(First Reading File Bill)

On page 2, in line 13, after "INDIVIDUAL" insert "OR VEHICLE".

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 564 – Senators Feldman, Kagan, King, Lee, Manno, and Raskin

AN ACT concerning

Criminal Law - Providing Alcohol to Underage Drinkers - Penalties

SB0564/338770/1

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 564

(First Reading File Bill)

On page 1, in the sponsor line, strike "Kagan, King, Lee, Manno, and Raskin" and substitute "Brochin, Cassilly, Gladden, Hough, Kagan, King, Lee, Manno, Muse, Norman, Ramirez, Raskin, Ready, and Zirkin".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 355)

ADJOURNMENT

At 11:10 A.M. on motion of Senator Pugh, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, March 2, 2016.

Annapolis, Maryland Wednesday, March 2, 2016 10:00 A.M. Session

The Senate met at 10:12 A.M.

Prayer by Pastor Steve Hall, Heritage Community Church, guest of Senator DeGrange.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 358)

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

The Journal of March 1, 2016 was read and approved.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 398 – Senator Steve Waugh:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Elliott VanGorden
in recognition of

receiving the Honor Medal Award from the
Boy Scouts of America for your act of heroism. Thank you and congratulations!
The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 2nd day of March 2016.

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 359)

INTRODUCTION OF BILLS

Senate Bill 1136 – Senator Eckardt

EMERGENCY BILL

AN ACT concerning

Regulation of Radiation Sources – Fee – Exemption for Temporary Pro Bono Dental Clinics

FOR the purpose of exempting certain temporary pro bono dental clinics from the fee for monitoring and regulating sources of radiation; making this Act an emergency measure; and generally relating to the regulation of radiation sources.

BY repealing and reenacting, with amendments,

Article – Environment Section 8–301 Annotated Code of Maryland (2013 Replacement Volume and 2015 Supplement)

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

Senate Bill 1137 – Senator Madaleno

AN ACT concerning

Creation of a State Debt – Montgomery County – Noyes Children's Library Renovation and Expansion

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

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

Senate Bill 1138 - Senator Madaleno

AN ACT concerning

Creation of a State Debt - Montgomery County - A Wider Circle Community Service Center FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Board of Directors of A Wider Circle, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1139 – Senators Conway and Ferguson

AN ACT concerning

Baltimore City - Commercial Bingo - Permits

FOR the purpose of establishing a commercial instant bingo permit in Baltimore City; authorizing the Bureau of Revenue Collections to issue a permit to an entity that meets certain requirements; specifying that for commercial purposes the permit holder may resume operating games of instant bingo in a certain manner under certain circumstances; requiring the Bureau to adopt regulations to carry out this Act; and generally relating to commercial bingo in Baltimore City.

BY repealing and reenacting, without amendments,

Article – Criminal Law Section 13–502 Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law Section 13–507(a) Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

BY adding to

Article – Criminal Law Section 13–511 Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

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

Senate Bill 1140 - Senators Mathias and Eckardt

Wicomico County - Alcoholic Beverages - Youth and Civic Center License

FOR the purpose of establishing in Wicomico County a Class B Youth and Civic Center license; authorizing the Board of License Commissioners to issue the license to a designee of the County Executive of Wicomico County for use by a certain youth and civic center; during the term of the license, requiring a certain youth and civic center to maintain a kitchen, dining space, and meeting space; authorizing a holder of the license to sell beer, wine, and liquor for on–premises consumption to individuals attending a youth and civic center event; specifying the hours that the license privilege may be exercised; authorizing the license holder to authorize a vendor to sell alcoholic beverages for on–premises consumption under a certain license; authorizing the license holder to contract to receive a proportion of the revenue derived from a vendor's sale of alcoholic beverages; specifying an annual license fee; and generally relating to alcoholic beverages in Wicomico County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 32-102

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

BY adding to

Article – Alcoholic Beverages

Section 32–1005

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

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

Senate Bill 1141 - Senator McFadden

AN ACT concerning

Creation of a State Debt – Baltimore City – International Black Fire Fighters Museum

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

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

Senate Bill 1142 – Senators Bates, Hershey, Hough, and Salling

AN ACT concerning

State Department of Education – McArdle Early Intervention Scholarship Program

FOR the purpose of establishing the McArdle Early Intervention Scholarship Program in the State Department of Education; providing for the purpose of the Program; establishing eligibility requirements for students to participate in the Program; establishing Program application requirements; requiring the Department to verify the eligibility of certain students who apply for the Program within a certain period of time; providing that a certain student may attend a certain public school for a certain period of time; providing for the termination of a certain scholarship award; requiring the Department to send a certain notice to certain local school systems under certain circumstances; requiring a local school system to accept and enroll a certain student under certain circumstances; requiring a local school system to provide transportation for a certain student who transfers to a certain public school; requiring the parent or guardian of a certain student to provide transportation for an eligible student under certain circumstances; requiring the parent or guardian of a certain student to notify the Department within a certain period of time to be eligible for a certain scholarship; requiring the Department to notify a certain private school of the amount of a certain student's scholarship; providing for the duties of a certain student and the parent or guardian of a certain student who is awarded a certain scholarship; requiring a local school system to designate a site and time for a certain student to take certain assessments under certain circumstances; requiring the parent or guardian of a certain student to provide transportation to a certain student to take certain assessments under certain circumstances; authorizing the parent or guardian of a certain student to remove a certain student from a certain private school and reenroll the student in a public school on reasonable notice to the Department and a certain local school system; authorizing a certain parent or guardian to transfer a certain student to a different private school on reasonable notice to the Department under certain circumstances; requiring the cost of a certain scholarship to be paid by the State and a certain county in accordance with certain provisions of law; establishing eligibility requirements for certain private schools to participate in the Program; authorizing the State Superintendent of Schools to conduct random site visits to certain private schools for a certain purpose under certain circumstances; authorizing the State Superintendent to immediately suspend payment of certain scholarship funds under certain circumstances; providing that a certain suspension of a scholarship payment may be appealed; requiring the State Superintendent to deny, suspend, or revoke a private school's participation in the Program under certain circumstances; authorizing the State Superintendent to issue a notice of noncompliance to a certain private school under certain circumstances; establishing certain hearing and appeal procedures; establishing the duties of the Department relating to the operation of the Program; establishing the requirements for the disbursement of certain scholarship payments; establishing requirements for certain private schools that receive scholarship payments and the parent or guardian of a certain student attending a certain private school; requiring the Department to request from the Comptroller a sample of certain warrants for a certain purpose; requiring the Department to adopt certain regulations; requiring the Department to report to the Governor and the General Assembly on or before a certain date each year; providing for the construction of this Act; defining certain terms; and generally relating to the McArdle Early Intervention Scholarship Program.

BY adding to

Article – Education

Section 8–801 through 8–811 to be under the new subtitle "Subtitle 8. McArdle Early Intervention Scholarship Program"

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

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

Senate Bill 1143 – Senators Muse, Astle, Bates, Benson, Brochin, Cassilly, Conway, Currie, DeGrange, Eckardt, Edwards, Feldman, Ferguson, Gladden, Guzzone, Hershey, Hough, Jennings, Kagan, Kasemeyer, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Nathan-Pulliam, Norman, Peters, Pinsky, Pugh, Ramirez, Raskin, Ready, Reilly, Rosapepe, Salling, Serafini, Simonaire, Waugh, Young, Zirkin, and Zucker

AN ACT concerning

Prince George's County - Neshante and Chloe Davis Domestic Violence Prevention Task Force

FOR the purpose of establishing the Neshante and Chloe Davis Domestic Violence Prevention 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 reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its preliminary findings to the Governor and the General Assembly on or before a certain date; requiring the Task Force to meet with the Prince George's County Delegation to the General Assembly to discuss its preliminary findings within a certain number of days after reporting to the Governor and the General Assembly; requiring the Task Force to report its final 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 Neshante and Chloe Davis Domestic Violence Prevention Task Force.

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

FIRST READING OF HOUSE BILLS

House Bill 128 – Delegate Jackson

AN ACT concerning

Public Utilities – Termination of Service to Multifamily Dwelling Unit – Notification to Property Owner or Manager

FOR the purpose of requiring a public service company that is going to terminate electric or gas service to a certain customer to notify a certain property owner or property manager before terminating service; requiring a public service company to provide the notice only to certain persons under certain circumstances; providing for the construction of this Act; requiring the Public Service Commission to adopt certain regulations; and generally relating to termination of electric or gas service.

BY adding to

Article – Public Utilities Section 7–307.3 Annotated Code of Maryland (2010 Replacement Volume and 2015 Supplement)

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

House Bill 368 – Delegates Korman, B. Barnes, Barron, Chang, Gutierrez, Haynes, Hettleman, Jackson, Jones, Krimm, Lierman, A. Miller, Reznik, B. Robinson, Sophocleus, P. Young, and Zucker

AN ACT concerning

Board of Public Works Transparency Act of 2016

FOR the purpose of requiring the Secretary of Budget and Management to provide certain public notice within a certain period of time before the Board of Public Works may approve a reduction of appropriations; requiring the Secretary to provide certain notice within a certain period of time to the Board of Public Works and certain committees of the General Assembly; and generally relating to the State budget and the Department of Budget and Management.

BY repealing and reenacting, with amendments, Article – State Finance and Procurement Section 7–213 Annotated Code of Maryland (2015 Replacement Volume)

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

House Bill 382 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System - Optional Retirement Allowances - Designated Beneficiaries

FOR the purpose of repealing as redundant certain language relating to members of the Judges' Retirement System designating multiple beneficiaries under a certain optional retirement allowance in the State Retirement and Pension System; clarifying that certain members of the State Retirement and Pension System may designate multiple beneficiaries under certain optional retirement allowances; and generally relating to optional retirement allowances for members of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions Section 21–403(a) and (d) Annotated Code of Maryland (2015 Replacement Volume)

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

House Bill 537 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

Teachers' Retirement and Pension Systems – Reemployment of Retirees – Clarification

FOR the purpose of clarifying the number of retirees of the Teachers' Retirement System or the Teachers' Pension System that are exempt from a certain offset of a retirement allowance if they are reemployed in certain positions in a local school system or the Maryland School for the Deaf; and generally relating to the reemployment of retirees of the teachers' retirement and pension systems.

BY repealing and reenacting, without amendments,

Article – State Personnel and Pensions
Section 22–406(c)(4)(iv), (v), (vi), and (xi), (5), and (6) and 23–407(c)(4)(iv), (v), and (ix), (5), and (6)
Annotated Code of Maryland
(2015 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions Section 22–406(c)(8) and 23–407(c)(8) Annotated Code of Maryland (2015 Replacement Volume)

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

House Bill 581 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Reemployment of Ordinary Disability Retirees – Earnings Limitation

FOR the purpose of exempting from a certain reemployment earnings limitation certain retirees whose average final compensation was less than a certain amount and who are reemployed while receiving an ordinary disability retirement allowance from the State Retirement and Pension System; making stylistic changes; and generally relating to the reemployment earnings limitation for ordinary disability retirees in the State Retirement and Pension System.

BY repealing and reenacting, with amendments, Article – State Personnel and Pensions Section 29–116 Annotated Code of Maryland (2015 Replacement Volume)

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

House Bill 582 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

Correctional Officers' Retirement System - Clifton T. Perkins Maximum Security Guards - Vested Allowances

FOR the purpose of altering the age at which a normal service retirement allowance begins for a member of the Correctional Officers' Retirement System who is a maximum security attendant at the Clifton T. Perkins Hospital Center and begins membership after a certain date; altering the age at which a vested allowance begins for a member certain members of the Correctional Officers' Retirement System who is a serve as maximum security attendant attendants at the Clifton T. Perkins Hospital Center and begins membership after a certain date; providing for the application of certain provisions of this Act; and generally relating to allowances for members of the Correctional Officers' Retirement System.

BY repealing and reenacting, with amendments, Article – State Personnel and Pensions Section 25–401(a) and 29–302(c) Annotated Code of Maryland (2015 Replacement Volume)

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

House Bill 678 - Delegate Branch

AN ACT concerning

Surety Insurance – Application for Bonds

FOR the purpose of altering the prohibition against a surety insurer inquiring about certain information in connection with an application for certain types of bond; and generally relating to surety insurance and bonds.

BY repealing and reenacting, without amendments,

Article – Insurance

Section 27–502(a) and (b)

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 27–502(c)

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

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

LETTERS OF REASSIGNMENT

ANNOUNCEMENT BY THE PRESIDENT

Senate Bill 1081 - Senator Eckardt

AN ACT concerning

Mental Health – Voluntary and Involuntary Admissions – Certification by Psychiatric Nurse Practitioners

Reassigned to the Committee on Finance under Rule 33(d).

Read and ordered journalized.

ANNOUNCEMENT BY THE PRESIDENT

House Bill 104 - Delegates Morhaim, Glenn, Hammen, Hill, Lam, and West

AN ACT concerning

Medical Cannabis - Written Certifications - Certifying Providers

Reassigned to the Committee on Judicial Proceedings and the Committee on Finance under Rule 33(d).

Read and ordered journalized.

ANNOUNCEMENT BY THE PRESIDENT

House Bill 185 – Delegates Morhaim, Beitzel, Cluster, Frush, Hill, Jalisi, Kelly, Kipke, Lam, Morgan, Rose, Stein, and West

AN ACT concerning

State Board of Physicians - Licensed Physicians - Continuing Education Requirements

Reassigned to the Committee on Education, Health, and Environmental Affairs under Rule 33(d).

Read and ordered journalized.

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 198 – Senators Nathan-Pulliam, Benson, Ferguson, Guzzone, Kagan, Kelley, King, Lee, McFadden, Muse, Pugh, Rosapepe, and Young

AN ACT concerning

Neonicotinoid Pesticides – Labeling, Signage, and Restrictions on Sales and Use (Pollinator Protection Act of 2016)

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (4) AND THE FAVORABLE REPORT.

SB0198/214736/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 198

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Labeling, Signage, and"; strike beginning with "prohibiting" in line 4 down through "statement;" in line 7; in line 11, after "applicator" insert "or a person working under the direct supervision of a certified applicator"; in line 12, after "defining" insert "a"; and in the same line, strike "terms" and substitute "term".

AMENDMENT NO. 2

On page 2, in line 10, strike "(A)"; in the same line, after "SUBTITLE" insert a comma; strike beginning with "THE" in line 10 down through "NEONICOTINOID" in line 12 and substitute ""NEONICOTINOID"; and strike in their entirety lines 23 through 26, inclusive.

On page 3, strike in their entirety lines 1 through 6, inclusive; and strike in their entirety lines 8 through 17, inclusive.

AMENDMENT NO. 3

On page 3, in line 18, strike "(B)" and substitute "(A)"; in the same line, strike "SUBSECTION AND SUBSECTION (C) OF THIS"; in the same line, strike "DO" and substitute "DOES"; in lines 20 and 23, in each instance, strike "2017" and substitute "2018"; and in line 23, strike "(C)" and substitute "(B)".

AMENDMENT NO. 4

On page 3, in line 25, after "APPLICATOR" insert "OR A PERSON WORKING UNDER THE DIRECT SUPERVISION OF A CERTIFIED APPLICATOR".

The preceding 4 amendments were read and adopted.

Senator Eckardt moved, duly seconded, to make the Bill and Report a Special Order for the end of today's business.

The motion was adopted.

THE COMMITTEE ON RULES REPORT #4

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 981 - Senator Zirkin

AN ACT concerning

Public Health - Copies of Medical Records - Fees

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

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1016 - Senator Manno

AN ACT concerning

Maryland Wage Payment and Collection Law – Awards of Certain Fees and Costs and Prohibition Against Retaliation

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

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1027 - Senator Zirkin

AN ACT concerning

Creation of a State Debt – Baltimore County – Jewish Community Center of Baltimore – Gordon Center

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1042 - Senator Mathias

AN ACT concerning

Creation of a State Debt - Wicomico County - Ward Museum of Wildfowl Art

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1044 - Senator Edwards

AN ACT concerning

Creation of a State Debt – Allegany County – Frostburg Museum Relocation Project

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1045 - Senator Edwards

AN ACT concerning

Creation of a State Debt - Allegany County - Friends Aware Facility

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1046 – Senator Ramirez

AN ACT concerning

Creation of a State Debt - Prince George's County - Joe's Movement Emporium

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1048 – Senator Muse

AN ACT concerning

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

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1049 – Senator Muse

Creation of a State Debt - Prince George's County - Piscataway Park

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re—referred to the Committee on Budget and Taxation:

Senate Bill 1050 - Senator Muse

AN ACT concerning

Creation of a State Debt - Prince George's County - Accokeek Volunteer Fire Department

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re—referred to the Committee on Budget and Taxation:

Senate Bill 1051 - Senator Raskin

AN ACT concerning

Creation of a State Debt – Montgomery County – Easter Seals Inter–Generational Center

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1053 - Senator Gladden

AN ACT concerning

Creation of a State Debt – Baltimore City – Progressive Education Center Playground

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1066 – Senator Peters

Economic Development – BRAC Revitalization and Incentive Zones – Extraordinary Development District

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1067 - Senator Ferguson

AN ACT concerning

Creation of a State Debt - Baltimore City - Robert Long House

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1070 - Senator Muse

AN ACT concerning

Certified Business Enterprises – Gaming and Lottery Control Commission Contracts – Preferences

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1075 – Senators Klausmeier and Feldman

AN ACT concerning

Public Service Commission - Electric Affordability Program - Study

The bill was re—referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1083 – Senator Conway

Secretaries of Principal Departments – Supervision and Review of Decisions and Actions by Units Within Department

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re—referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1085 - Senator McFadden

AN ACT concerning

Procurement - Accelerated Payments to Subcontractors

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1086 - Senator McFadden

AN ACT concerning

Task Force to Study the Capital Needs of Disadvantaged, Minority, and Small Businesses in Maryland

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1087 - Senator Edwards

AN ACT concerning

Creation of a State Debt - Garrett County - Friendsville Veterans Memorial

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1091 – Senator Eckardt

Wetlands and Waterways Program - Fee Reduction

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1092 – Senator Rosapepe

AN ACT concerning

Nursing Facilities - Quality Assessment - Modification

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1094 – Senator Astle

AN ACT concerning

Health - Recovery Residences - Certification

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

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1095 – Senator Astle

AN ACT concerning

Creation of a State Debt - Anne Arundel County - Hammond-Harwood House Preservation

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1096 – Senator Nathan-Pulliam

Child Abuse and Neglect – Information Regarding Parents Responsible for Child Abuse or Neglect

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1098 - Senators Klausmeier, Bates, Nathan-Pulliam, and Pugh

AN ACT concerning

Creation of a State Debt – Baltimore City – Girl Scouts of Central Maryland Urban Program and STEM Center

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1099 – Senators Feldman, Kagan, King, Lee, Madaleno, Manno, Raskin, and Zucker

EMERGENCY BILL

AN ACT concerning

State Highway Administration - Watkins Mill Road Interchange Project

The bill was re—referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1100 – Senator Gladden

AN ACT concerning

Family Law - Child Support - Age of Majority - Postsecondary Education

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1102 – Senators Manno, Feldman, King, Lee, Madaleno, Raskin, and Zucker

AN ACT concerning

Creation of a State Debt - Montgomery County - Montgomery Hospice Casey House

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1107 – Senators Manno, Edwards, Feldman, Hough, King, Madaleno, McFadden, Serafini, and Young

AN ACT concerning

Biotechnology Investment Tax Credit – Qualified Maryland Biotechnology Company – Definition

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1108 – Senators Salling, Bates, Eckardt, Guzzone, King, Lee, Middleton, Serafini, and Zucker

AN ACT concerning

Video Lottery Terminals - Disposition of Unclaimed Winnings

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1109 - Chair, Finance Committee (By Request - Departmental - Aging)

AN ACT concerning

Division of Workforce Development and Adult Learning – Transfer of Senior Community Service Employment Program

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

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1110 - Senator Feldman

AN ACT concerning

Maryland Small Business Innovation Research and Technology Transfer Incentive Program and Fund

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

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1111 - Senator Pugh

AN ACT concerning

Correctional Services - Inmate Savings Accounts

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re—referred to the Committee on Budget and Taxation:

Senate Bill 1112 – The President (By Request – Departmental – Commerce)

AN ACT concerning

Income Tax - Aerospace, Electronics, or Defense Contract Tax Credit Program

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1113 – Senator Eckardt

AN ACT concerning

Talbot County - Deer Management Permit - Firearms

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1114 – Senator Ramirez

AN ACT concerning

Consumer Protection - Sale of Bedding by Merchants - Limitations

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

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1115 - Senators Brochin and Jennings

AN ACT concerning

Creation of a State Debt – Baltimore County – The Maryland Regional Agricultural Arena and Learning Center

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1116 – Cecil County Senators

AN ACT concerning

Horse Racing - Fair Hill - Arabian Breed Racing Authorization

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

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1117 - Senator Jennings

AN ACT concerning

Creation of a State Debt - Harford County - Rockfield Park Pavilion

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1118 - Senator Eckardt

AN ACT concerning

Creation of a State Debt - Caroline County - Mt. Pleasant Heritage Preservation Community Education Center

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1119 – Senator Rosapepe (By Request – Joint Committee on the Management of Public Funds) and Senators Benson and Madaleno

AN ACT concerning

State Treasurer - Supranational Issuers

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1120 - Senator Reilly

AN ACT concerning

Railroad Grade Crossings - Exempt Highway-Rail Grade Crossing Plaque

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

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1121 - Senator Serafini

AN ACT concerning

Health Insurance - Coverage of Air Ambulance Transport Services

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1122 - Senator Klausmeier

AN ACT concerning

Mopeds and Motor Scooters - Failure to Carry Required Security - Penalty

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1123 – Senators Klausmeier, Raskin, and Lee

AN ACT concerning

Vehicle Laws - Passing Bicycles, Personal Mobility Devices, or Motor Scooters

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1124 - Senator DeGrange

AN ACT concerning

Scrap Metal Processor - Purchase of Scrap Metal - Hours of Operation

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

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1125 - Senator Ferguson

AN ACT concerning

Education - Maryland Extended Day and Summer Enhancement Programs Act

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1126 – Senators Pugh and Young

Linking Youth to New Experiences (LYNX) High School – Pilot Program

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1127 – Senator Kagan

AN ACT concerning

Business Regulation - Retail Service Station Dealers - Required Signs

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

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1128 – Senators Young and Hough

AN ACT concerning

Frederick County Sheriff - Collective Bargaining

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

QUORUM CALL

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

(See Roll Call No. 360)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #28

Senate Bill 309 - Senator Mathias

AN ACT concerning

Motor Vehicle Registration - Exception for Golf Carts - City of Crisfield

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

Affirmative – 46 Negative – 0 (See Roll Call No. 361)

The Bill was then sent to the House of Delegates.

Senate Bill 349 - Senator Edwards

THIRD PRINTING

AN ACT concerning

Maryland Income Tax Refunds – Allegany, <u>Carroll, Cecil, and Garrett</u> <u>Garrett, and Harford</u> Counties – Warrant Intercept Program

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

Affirmative – 46 Negative – 0 (See Roll Call No. 362)

The Bill was then sent to the House of Delegates.

Senate Bill 397 - Senators Norman and Salling

AN ACT concerning

Civil Actions and Procedures - Garnishments - Spousal Property

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

Affirmative – 40 Negative – 6 (See Roll Call No. 363)

The Bill was then sent to the House of Delegates.

Senate Bill 647 – Senators Klausmeier, Conway, Nathan-Pulliam, and Young

EMERGENCY BILL

AN ACT concerning

Physicians – Prescriptions Written by Physician Assistants <u>or Nurse</u> <u>Practitioners</u> – Preparing and Dispensing

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

Affirmative – 46 Negative – 0 (See Roll Call No. 364)

The Bill was then sent to the House of Delegates.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 470 – Senator Reilly

AN ACT concerning

Surety Insurance – Application for Bonds

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

Senator Ramirez moved, duly seconded, to make the Bill a Special Order for March 8, 2016.

The motion was adopted.

Senate Bill 266 – Senators Salling, Astle, Jennings, and Waugh

AN ACT concerning

Natural Resources - Poaching Restitution Act of 2016

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

Senator Zirkin moved, duly seconded, to make the Bill a Special Order for the end of today's business.

The motion was adopted.

Senate Bill 324 – Senators Miller, Astle, Benson, Conway, Currie, DeGrange, Feldman, Ferguson, Gladden, Kagan, Kasemeyer, Kelley, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Muse, Nathan-Pulliam, Peters, Pinsky, Pugh, Ramirez, Raskin, Young, and Zirkin

AN ACT concerning

Prince George's County Regional Medical Center Act of 2016

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

Senator Waugh moved, duly seconded, to make the Bill a Special Order for March 4, 2016.

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

Affirmative – 14 Negative – 32 (See Roll Call No. 365)

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

Affirmative – 36 Negative – 9 (See Roll Call No. 366)

The Bill was then sent to the House of Delegates.

Senate Bill 199 - Senators Brochin, Muse, Pinsky, Pugh, and Zirkin

AN ACT concerning

Transit and Transportation Service – Audio Recordings – Requirements and Limitations

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0199/908774/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 199

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after "Pugh," insert "Ready,".

AMENDMENT NO. 2

On page 1, in lines 2 and 3, strike "Audio Recordings – Requirements and Limitations" and substitute "Activation of Audio Recording Devices – Prohibition"; and strike beginning with "requiring" in line 4 down through "regulations;" in line 15 and substitute "prohibiting the Maryland Transit Administration, on certain transit service vehicles equipped with an audio recording device, from activating the audio recording device; prohibiting a county or municipality, on certain transportation service vehicles equipped with an audio recording device, from activating the audio recording device;".

AMENDMENT NO. 3

On pages 2 through 5, strike in their entirety the lines beginning with line 19 on page 2 through line 25 on page 5, inclusive, and substitute:

"7–705.1.

IF A VEHICLE USED BY THE ADMINISTRATION TO PROVIDE TRANSIT SERVICE IS EQUIPPED WITH AN AUDIO RECORDING DEVICE CAPABLE OF RECORDING ORAL COMMUNICATIONS OF THE VEHICLE OPERATOR AND THE VEHICLE'S PASSENGERS, THE ADMINISTRATION MAY NOT ACTIVATE THE AUDIO RECORDING DEVICE.

7-802.

IF A VEHICLE USED BY A COUNTY OR MUNICIPALITY TO PROVIDE TRANSPORTATION SERVICE IS EQUIPPED WITH AN AUDIO RECORDING DEVICE CAPABLE OF RECORDING ORAL COMMUNICATIONS OF THE VEHICLE OPERATOR AND THE VEHICLE'S PASSENGERS, THE COUNTY OR MUNICIPALITY MAY NOT ACTIVATE THE AUDIO RECORDING DEVICE."

The preceding 3 amendments were withdrawn.

SB0199/518478/1

BY: Judicial Proceedings Committee

$\underline{\text{SUBSTITUTE AMENDMENTS TO SENATE BILL 199}}$

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after "Pugh," insert "Ready.".

AMENDMENT NO. 2

On page 1, strike beginning with "requiring" in line 4 down through "service;" in line 11 and substitute "prohibiting the Maryland Transit Administration, on certain transit service vehicles equipped with an audio recording device, from activating the audio recording device, except under certain circumstances; prohibiting a county or municipality, on certain transportation service vehicles equipped with an audio recording device, from activating the audio recording device, except under certain circumstances; authorizing the Administration and a county or municipality to activate a certain audio recording device if the audio recording device meets certain requirements; providing that a certain audio recording may be made available only for certain purposes;"; and strike beginning with "requiring" in line 12 down through "regulations;" in line 15 and substitute "prohibiting a person from disclosing or disseminating a certain audio recording for any purpose other than a purpose described in a certain provision of the Act; imposing certain civil penalties;

requiring the Administration and certain counties and municipalities to make certain reports to the Governor and the General Assembly on or before a certain date each year;".

AMENDMENT NO. 3

On pages 2 through 5, strike in their entirety the lines beginning with line 19 on page 2 through line 25 on page 5, inclusive, and substitute:

"7–705.1.

- (A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, IF A VEHICLE USED BY THE ADMINISTRATION TO PROVIDE TRANSIT SERVICE IS EQUIPPED WITH AN AUDIO RECORDING DEVICE CAPABLE OF RECORDING ORAL COMMUNICATIONS OF THE VEHICLE OPERATOR AND THE VEHICLE'S PASSENGERS, THE ADMINISTRATION MAY NOT ACTIVATE THE AUDIO RECORDING DEVICE.
- (B) (1) THE ADMINISTRATION MAY ACTIVATE AN AUDIO RECORDING DEVICE DESCRIBED IN SUBSECTION (A) OF THIS SECTION IF THE AUDIO RECORDING DEVICE IS:
- (I) LOCATED NO MORE THAN 5 FEET AWAY FROM THE VEHICLE OPERATOR AND INTENDED ONLY TO RECORD ACTIVITY OCCURRING WITHIN THE IMMEDIATE VICINITY OF THE OPERATOR;
- (II) UNDER THE EXCLUSIVE CONTROL OF THE VEHICLE OPERATOR AND ACTIVATED BY THE OPERATOR ONLY IN THE EVENT OF AN ACCIDENT OR OTHER INCIDENT INVOLVING PUBLIC SAFETY THAT REQUIRES DOCUMENTATION; OR
- (III) ACTIVATED AUTOMATICALLY IN THE EVENT OF AN ACCIDENT OR OTHER INCIDENT INVOLVING PUBLIC SAFETY THAT REQUIRES DOCUMENTATION.
- (2) AN AUDIO RECORDING MADE AND RETAINED BY THE ADMINISTRATION UNDER THIS SUBSECTION MAY BE MADE AVAILABLE ONLY IN CONNECTION WITH:

- (I) A SPECIFIC CRIME FOR WHICH THERE IS PROBABLE CAUSE FOR INVESTIGATION OR PROSECUTION;
- (II) AN ACCIDENT INVOLVING A VEHICLE USED BY THE ADMINISTRATION TO PROVIDE TRANSPORTATION SERVICE; OR
- (III) SOME OTHER INCIDENT IN WHICH ACCESS TO THE AUDIO RECORDING IS NECESSARY FOR PURPOSES OF LITIGATION OR CIVIL OR ADMINISTRATIVE PENALTY.
- (3) ACCESS TO AN AUDIO RECORDING UNDER PARAGRAPH (2) OF THIS SUBSECTION SHALL BE LIMITED TO THAT PORTION OF THE AUDIO RECORDING THAT IS PERTINENT TO THE CRIME, ACCIDENT, OR INCIDENT THAT IS THE SUBJECT OF THE INVESTIGATION.
- (4) THE ADMINISTRATION SHALL KEEP A LOG OF THE NAME, ADDRESS, AND AFFILIATION OF EACH PERSON THAT IS GRANTED ACCESS TO AN AUDIO RECORDING MADE AND RETAINED BY THE ADMINISTRATION UNDER THIS SECTION.
- (C) (1) A PERSON MAY NOT DISCLOSE OR DISSEMINATE AN AUDIO RECORDING MADE AND RETAINED BY THE ADMINISTRATION UNDER SUBSECTION (B) OF THIS SECTION FOR ANY PURPOSE OTHER THAN THE PURPOSES DESCRIBED IN SUBSECTION (B)(2) OF THIS SECTION.
- (2) A PERSON WHO VIOLATES THIS SUBSECTION IS SUBJECT TO A CIVIL PENALTY NOT EXCEEDING \$1,000 FOR EACH VIOLATION.
- (D) ON OR BEFORE DECEMBER 31 EACH YEAR, THE ADMINISTRATION SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON:
- (1) THE NUMBER AND TYPE OF VEHICLES USED BY THE ADMINISTRATION TO PROVIDE TRANSIT SERVICE THAT ARE EQUIPPED WITH AUDIO RECORDING DEVICES; AND

(2) EACH CRIME, ACCIDENT, OR INCIDENT FOR WHICH THE ADMINISTRATION RETAINED AN AUDIO RECORDING UNDER THIS SECTION DURING THE PRECEDING YEAR.

7-802.

- (A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, IF A VEHICLE USED BY A COUNTY OR MUNICIPALITY TO PROVIDE TRANSPORTATION SERVICE IS EQUIPPED WITH AN AUDIO RECORDING DEVICE CAPABLE OF RECORDING ORAL COMMUNICATIONS OF THE VEHICLE OPERATOR AND THE VEHICLE'S PASSENGERS, THE COUNTY OR MUNICIPALITY MAY NOT ACTIVATE THE AUDIO RECORDING DEVICE.
- (B) (1) A COUNTY OR MUNICIPALITY MAY ACTIVATE AN AUDIO RECORDING DEVICE DESCRIBED IN SUBSECTION (A) OF THIS SECTION IF THE AUDIO RECORDING DEVICE IS:
- (I) LOCATED NO MORE THAN 5 FEET AWAY FROM THE VEHICLE OPERATOR AND INTENDED ONLY TO RECORD ACTIVITY OCCURRING WITHIN THE IMMEDIATE VICINITY OF THE OPERATOR;
- (II) UNDER THE EXCLUSIVE CONTROL OF THE VEHICLE OPERATOR AND ACTIVATED BY THE OPERATOR ONLY IN THE EVENT OF AN ACCIDENT OR OTHER INCIDENT INVOLVING PUBLIC SAFETY THAT REQUIRES DOCUMENTATION; OR
- (III) ACTIVATED AUTOMATICALLY IN THE EVENT OF AN ACCIDENT OR OTHER INCIDENT INVOLVING PUBLIC SAFETY THAT REQUIRES DOCUMENTATION.
- (2) AN AUDIO RECORDING MADE AND RETAINED BY A COUNTY OR MUNICIPALITY UNDER THIS SUBSECTION MAY BE MADE AVAILABLE ONLY IN CONNECTION WITH:
- (I) A SPECIFIC CRIME FOR WHICH THERE IS PROBABLE CAUSE FOR INVESTIGATION OR PROSECUTION;

- (II) AN ACCIDENT INVOLVING A VEHICLE USED BY THE COUNTY
 OR MUNICIPALITY TO PROVIDE TRANSPORTATION SERVICE; OR
- (III) SOME OTHER INCIDENT IN WHICH ACCESS TO THE AUDIO RECORDING IS NECESSARY FOR PURPOSES OF LITIGATION OR CIVIL OR ADMINISTRATIVE PENALTY.
- (3) ACCESS TO AN AUDIO RECORDING UNDER PARAGRAPH (2) OF THIS SUBSECTION SHALL BE LIMITED TO THAT PORTION OF THE AUDIO RECORDING THAT IS PERTINENT TO THE CRIME, ACCIDENT, OR INCIDENT THAT IS THE SUBJECT OF THE INVESTIGATION.
- (4) THE COUNTY OR MUNICIPALITY SHALL KEEP A LOG OF THE NAME, ADDRESS, AND AFFILIATION OF EACH PERSON THAT IS GRANTED ACCESS TO AN AUDIO RECORDING MADE AND RETAINED BY THE COUNTY OR MUNICIPALITY UNDER THIS SECTION.
- (C) (1) A PERSON MAY NOT DISCLOSE OR DISSEMINATES AN AUDIO RECORDING MADE AND RETAINED BY A COUNTY OR MUNICIPALITY UNDER SUBSECTION (B) OF THIS SECTION FOR ANY PURPOSE OTHER THAN THE PURPOSES DESCRIBED IN SUBSECTION (B)(2) OF THIS SECTION.
- (2) A PERSON WHO VIOLATES THIS SUBSECTION IS SUBJECT TO A CIVIL PENALTY NOT EXCEEDING \$1,000 FOR EACH VIOLATION.
- (D) ON OR BEFORE DECEMBER 31 EACH YEAR, EACH COUNTY AND MUNICIPALITY THAT MAKES AND RETAINS AUDIO RECORDINGS IN ACCORDANCE WITH THIS SECTION SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON:
- (1) THE NUMBER AND TYPE OF VEHICLES USED BY THE COUNTY OR MUNICIPALITY TO PROVIDE TRANSPORTATION SERVICE THAT ARE EQUIPPED WITH AUDIO RECORDING DEVICES; AND

(2) EACH CRIME, ACCIDENT, OR INCIDENT FOR WHICH THE COUNTY OR MUNICIPALITY RETAINED AN AUDIO RECORDING UNDER THIS SECTION DURING THE PRECEDING YEAR.".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 198 – Senators Nathan-Pulliam, Benson, Ferguson, Guzzone, Kagan, Kelley, King, Lee, McFadden, Muse, Pugh, Rosapepe, and Young

AN ACT concerning

Neonicotinoid Pesticides – Labeling, Signage, and Restrictions on Sales and Use (Pollinator Protection Act of 2016)

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

Senator Middleton moved, duly seconded, to make the Bill and Report a Special Order for March 4, 2016.

The motion was adopted.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 266 – Senators Salling, Astle, Jennings, and Waugh

AN ACT concerning

Natural Resources – Poaching Restitution Act of 2016

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

Senator Conway moved, duly seconded, to make the Bill a Special Order for March 3, 2016.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 367)

ADJOURNMENT

At 11:37 A.M. on motion of Senator Pugh, seconded, the Senate adjourned until 10:00 A.M. on Thursday, March 3, 2016.

Annapolis, Maryland Thursday, March 3, 2016 10:00 A.M. Session

The Senate met at 10:07 A.M.

Prayer by Senator Serafini.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 371)

INTRODUCTION OF BILLS

Senate Bill 1144 - Senator Guzzone

AN ACT concerning

Cigarette Restitution Fund – Establishment of Behavioral Health Treatment Account and Funding for Substance Use Treatment Services

FOR the purpose of requiring the Cigarette Restitution Fund to include a separate account to be used for substance use treatment, with priority given to certain services and housing, and for rate adjustments for certain agencies or programs; requiring the account to contain certain payments; requiring certain distributions from the account to be used to supplement and not supplant certain other funds; limiting appropriations from the account in any fiscal year to a certain amount; requiring the Governor to develop certain statements for each program, project, or activity receiving funds from the account and to report the statements in a certain part of the State budget submission; requiring the Governor to provide a certain report no later than a certain date each year to the General Assembly on certain funds and on certain outcomes and benefits; authorizing the Governor in certain fiscal years to transfer by budget amendment certain funds for a certain purpose; repealing an obsolete reference; making stylistic changes; and generally relating to the establishment of a behavioral health treatment account in the Cigarette Restitution Fund and funding for substance use treatment services.

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement Section 7–317 Annotated Code of Maryland (2015 Replacement Volume)

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

Senate Bill 1145 - Senator Middleton

AN ACT concerning

Unemployment Insurance - Maximum Benefit - Increase

FOR the purpose of increasing the amount of the maximum weekly unemployment insurance benefit; providing for the application of this Act; making certain provisions of this Act subject to a certain contingency; providing for a delayed effective date; and generally relating to unemployment insurance benefits.

BY repealing and reenacting, with amendments,

Article – Labor and Employment Section 8–803 Annotated Code of Maryland (2008 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments, Article – Labor and Employment

Section 8–803

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)

(As enacted by Section 1 of this Act)

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

Senate Bill 1146 - Senator McFadden

AN ACT concerning

Education - State Grant to Counties With Declining Student Enrollment

FOR the purpose of altering the criteria for a county board of education to be eligible to receive a certain State grant in certain fiscal years; requiring certain county boards of education to receive certain grants under certain circumstances; declaring the intent of the General Assembly; requiring the Governor to transfer certain funds for a certain fiscal year to eligible counties in a certain year under certain circumstances; requiring certain funds to be provided in a certain fiscal year if certain funds are not transferred; requiring the City of Baltimore to appropriate certain funds for a certain

purpose in a certain year; specifying the calculation of a certain amount in a certain year; 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 2015 Supplement)

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

Senate Bill 1147 - Senators Waugh and Miller

AN ACT concerning

Creation of a State Debt - St. Mary's County - Historic Sotterley Plantation

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

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

Senate Bill 1148 - Senator Muse

AN ACT concerning

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

FOR the purpose of altering the maximum number of medical cannabis grower licenses that the Natalie M. LaPrade Medical Cannabis Commission may issue before a certain date; and generally relating to medical cannabis grower licenses.

BY repealing and reenacting, without amendments,

Article – Health – General Section 13–3306(a)(1) Annotated Code of Maryland (2015 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Health – General Section 13–3306(a)(2) Annotated Code of Maryland (2015 Replacement Volume)

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

MOTION

Senator Raskin moved, duly seconded, that the Senate receive in Open Session the following Report from the Committee on Executive Nominations.

The motion was adopted.

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #3

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.

Jamie Raskin Chair

Senate Executive Nominations Committee Report #3 March 3, 2016

Airport Zoning Appeals Board

1. Andrea M. Jones Horton 7715 East Classic Court Severn, MD 21061 District 32

Member of the Airport Zoning Appeals Board; reappointed to serve a term of four years from July 1, 2015

Amusement Ride Safety Advisory Board, State

2. Nancy R. Brashear 108 Park Lane Thurmont, MD 21788 District 4

Member of the State Amusement Ride Safety Advisory Board; reappointed to serve a term of four years from July 1, 2015

Appalachian States Low-Level Radioactive Waste Commission

3. Mary Beth Tung 6467 Galway Drive Clarksville, MD 21029 District 13

Member of the Appalachian States Low-Level Radioactive Waste Commission; appointed to serve a term of two years from May 7, 2015

Arts Council, Maryland State

4. Douglas Mann 347 Butternut Court Millersville, MD 21108 District 33

Member of the Maryland State Arts Council; appointed to serve a term of three years from July 1, 2015

Assistive Technology Loan Program Board of Directors

5. Norma Theo Pinette 720 Bay Street

District 43

Baltimore, MD 21211

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

6. Linda Webb 725 S. Ann Street Baltimore, MD 21231 District 46

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

Baltimore City Board of License Commissioners

7. Harvey E. Jones 4310 Walther Avenue Baltimore, MD 21214

District 45

Alternate Member of the Baltimore City Board of License Commissioners; appointed to serve a term of two years from July 1, 2014

Boiler Rules, Board of

8. Leonard Billian 10807 Falls Road Brooklandville, MD 21022–1387 District 11

Member of the Board of Boiler Rules; reappointed to serve a term of four years from January 1, 2016

Chesapeake Employers' Insurance Company, Board for the

9. Maria Harris Tildon, Esq. 5616 Cross Country Boulevard Baltimore, MD 21209 District 41

Member of the Board for the Chesapeake Employers' Insurance Company; appointed to serve a term of five years from June 1, 2013

Consumer Council

10. David J. Kim 2066 Mt. Hebron Court Ellicott City, MD 21042

District 9

Member of the Consumer Council; appointed to serve remainder of a term of six years from July 1, 2012

Economic Development Commission, Maryland

11. Susan C. Schwab 4 Market Quay Annapolis, MD 21401

District 30

Member of the Maryland Economic Development Commission; appointed to serve a term of three years from July 1, 2015

Fire-Rescue Education and Training Commission

12. Robert P. Cumberland, Jr. 222 Shipley Avenue Westminster, MD 21157 District 5

Member of the Fire–Rescue Education and Training Commission; reappointed to serve a term of four years from July 1, 2015

Handgun Roster Board

13. Michael A. Spaulding 7547 Main Street Sykesville, MD 21784 District 33

Member of the Handgun Roster Board; appointed to serve remainder of a term of four years from December 8, 2012

Health Care Commission, Maryland

14. Michael J. O'Grady, Ph.D.7509 Vale StreetChevy Chase, MD 20815

District 18

Member of the Maryland Health Care Commission; appointed to serve a term of four years from October 1, 2015

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

15. James C. Berndt 9731 Philadelphia Road Baltimore, MD 21237 District 7

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

Infants and Toddlers, Interagency Coordinating Council for

16. Elizabeth Kelley 7687 Anvil Drive Frederick, MD 21701 District 4

Member of the Interagency Coordinating Council for Infants and Toddlers; reappointed to serve a term of three years from July 1, 2015

Labor Relations Board, Public School

17. John A. Hayden, III, Esq. 532 Anneslie Road
Baltimore, MD 21212

District 42

Member of the Public School Labor Relations Board; appointed to serve remainder of a term of five years from July 1, 2012

Morgan State University Board of Regents

18. Sarai Nwagbaraocha 103 North Bay Street Snow Hill, MD 21863 District 38

Student Member of the Morgan State University Board of Regents; appointed to serve a term of one year from July 1, 2015

19. Tracey Parker–Warren, Esq. 695 Reliance Drive Odenton, MD 21113

District 21

Member of the Morgan State University Board of Regents; appointed to serve a term of five years from July 1, 2015

20. Marquis T. Walker, Ph.D. 234 Mallow Hill Road Baltimore, MD 21229 District 44

Member of the Morgan State University Board of Regents; appointed to serve a term of five years from July 1, 2015

21. Winston A. Wilkinson 109 Stone Point Drive, #259 Annapolis, MD 21401

District 30

Member of the Morgan State University Board of Regents; appointed to serve a term of five years from July 1, 2015

Open Meetings Law Compliance Board, State

22. Rachel Shapiro Grasmick, Esq.505 Lakeland Road SouthSeverna Park, MD 21146

District 33

Member of the State Open Meetings Law Compliance Board; appointed to serve remainder of a term of three years from July 1, 2013

23. April C. Ishak, Esq. 1708 Mount Pleasant Court Havre de Grace, MD 21078

District 34

Member of the State Open Meetings Law Compliance Board; appointed to serve a term of three years from July 1, 2014

Optometry, State Board of Examiners in

24. Rona D. Pepper 12206 Faulkner Drive Owings Mills, MD 21117 District 11

Member of the State Board of Examiners in Optometry; appointed to serve remainder of a term of four years from June 1, 2012

Professional Engineers, State Board for

25. Justin A. Williams, Esq. 1304 South Baylis Street Baltimore, MD 21224 District 46

Member of the State Board for Professional Engineers; appointed to serve remainder of a term of five years from July 1, 2012

Professional Standards and Teacher Education Board

26. Charles G. Hagan 612 Yankee Doodle Drive Bel Air, MD 21014 District 35

Member of the Professional Standards and Teacher Education Board; appointed to serve a term of three years from July 1, 2014

27. Kathleen Ann Kelbaugh 18917 Falls Road Hampstead, MD 21074 District 42

Member of the Professional Standards and Teacher Education Board; appointed to serve a term of three years from July 1, 2014

28. Debra Poese

District 19

13001 Margot Drive Rockville, MD 20853

Member of the Professional Standards and Teacher Education Board; appointed to serve a term of three years from July 1, 2014

Public Defender, Office of the Board of Trustees of the

29. Angela B. Dipietro, Esq. 4856 Northampton Drive Salisbury, MD 21804 District 37

Member of the Board of Trustees of the Office of the Public Defender; appointed to serve a term of three years from June 1, 2015

30. Thy Christine Pham, Esq. 948 Tioga Lane

Crownsville, MD 21032

District 33

Member of the Board of Trustees of the Office of the Public Defender; appointed to serve remainder of a term of three years from June 1, 2013 and a term of three years from June 1, 2016

Public Information Act Compliance Board, State

31. Christopher A. Eddings 906 Windsor Road Pikesville, MD 21208

District 11

Member of the State Public Information Act Compliance Board; appointed to serve a term to expire June 30, 2017

Transportation Authority, Maryland

32. Peter J. Basso 514 Mannakee Street Rockville, MD 20850 District 17

Member of the Maryland Transportation Authority; reappointed to serve a term of four years from July 1, 2015

33. William C. Ensor, III 14210 Manor Road Phoenix, MD 21131 District 7

Member of the Maryland Transportation Authority; appointed to serve a term of four years from July 1, 2015

34. Michael G. Leahy, Esq. 712 Monmouth Avenue Severna Park, MD 21146 District 33

Member of the Maryland Transportation Authority; appointed to serve a term of four years from July 1, 2015

35. Randall Nixon, Esq. 2800 Nixon's Farm Lane West Friendship, MD 21794 District 9

Member of the Maryland Transportation Authority; appointed to serve a term of four years from July 1, 2015

University System of Maryland Board of Regents

36. Linda R. Gooden 1915 Towne Centre Blvd., Unit 1111 Annapolis, MD 21401

District 30

Member of the University System of Maryland Board of Regents; reappointed to serve a term of five years from July 1, 2014

Veterinary Medical Examiners, State Board of

37. Lynne E. Chaput 309 Blue Cedar Court Millersville, MD 21108 District 33

Member of the State Board of Veterinary Medical Examiners; appointed to serve remainder of a term of five years from June 1, 2012

Washington Suburban Transit Commission

38. Keturah Denise Harley, Esq. 504 Crusher Court Upper Marlboro, MD 20774

District 24

Member of the Washington Suburban Transit Commission; appointed to serve remainder of a term of four years from July 1, 2013

Women, Maryland Commission for

39. Marianne Hyang Nam Brackney 6309 Golden Star Place Columbia, MD 21044 District 13

Member of the Maryland Commission for Women; appointed to serve a term of four years from July 1, 2014

40. Tammy Bresnahan

District 33

278 Arundel Beach Road Severna Park, MD 21146

Member of the Maryland Commission for Women; appointed to serve a term of four years from July 1, 2015

41. Gloria Chang

District 39

21400 Manor View Circle Germantown, MD 20876

Member of the Maryland Commission for Women; appointed to serve a term of four years from July $1,\,2015$

42. Doris Hillian Ligon

District 13

8761 Sage Brush Way Columbia, MD 21045

Member of the Maryland Commission for Women; appointed to serve remainder of a term of four years from July 1, 2014

43. Marion C. Manski

District 10

7 Folly Farm Court Reisterstown, MD 21136

Member of the Maryland Commission for Women; appointed to serve remainder of a term of four years from July 1, 2014

44. Carole Jaar Sepe 4465 Lewis Mill Court Jefferson, MD 21755 District 3

Member of the Maryland Commission for Women; appointed to serve a term of four years from July 1, 2015

45. Corinna Yi–Yuan Kuo Shen 1616 Martha Terrace Rockville, MD 20852 District 17

Member of the Maryland Commission for Women; appointed to serve a term of four years from July 1, 2014

46. Yun Jung Yang 16816 Harbour Town Drive Silver Spring, MD 20905 District 14

Member of the Maryland Commission for Women; appointed to serve a term of four years from July 1, 2015

Statewide Nominees

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

Professional Standards and Teacher Education Board

S-1. Darren Ray Hornbeck 5423 El Camino Columbia, MD 21044

District 12

Member of the Professional Standards and Teacher Education Board; reappointed to serve a term of three years from July 1, 2014

S–2. Alyssia J. James, Ed.D. 9105 Wellington Place Lanham, MD 20706

District 22

Member of the Professional Standards and Teacher Education Board; reappointed to serve a term of three years from July 1, 2015

S-3. 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, 2014

S–4. Mary Ellen Lewis, Ed.D.

District 43

5016 Plymouth Road

Baltimore, MD 21214

Member of the Professional Standards and Teacher Education Board; reappointed to serve a term of three years from July 1, 2014

S-5. Chistopher 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, 2014

S-6. Barbara M. Palmer, Ph.D.

District 4

2823 Wildwood Court

Frederick, MD 21793

Member of the Professional Standards and Teacher Education Board; reappointed to serve a term of three years from July 1, 2014

S–7. Dawn T. Pipkin

District 29

P.O. Box 476

Hollywood, MD 20636

Member of the Professional Standards and Teacher Education Board; reappointed to serve a term of three years from July 1, 2015

Local Nominees

Please Note: Local Nominees are not required to appear before the Senate Executive Nominations Committee.

Carroll County Board of Elections

L-1. Larry W. Shipley 46 Carroll Street District 5

Westminster, MD 21157

Member of the Carroll County Board of Elections; appointed to serve a term of four years from June 1, 2015

Cecil College Board of Trustees

L-2. Mark G. Mortenson

District 36

105 Deer Path

North East, MD 21901

Member of the Cecil College Board of Trustees; appointed to serve a term of six years from July $1,\,2015$

Harford County Board of Elections

L-3. Cynthia L. Allred

District 7

4864 Carea Road

White Hall, MD 21161

Member of the Harford County Board of Elections; appointed to serve a term of four years from June 1, 2015

Montgomery College Board of Trustees

L-4. Gloria Aparicio Blackwell

District 17

53 Appleseed Lane

Gaithersburg, MD 20878

Member of the Montgomery College Board of Trustees; reappointed to serve a term of six years from July 1, 2014

L-5. Robert J. Hydorn

District 39

9401 Chatteroy Place

Montgomery Village, MD 20886

Member of the Montgomery College Board of Trustees; appointed to serve a term of six years from July 1,2013

L–6. Robert F. Levey

District 16

6820 Wisconsin Avenue, Apt. 7014 Bethesda, MD 20815

Member of the Montgomery College Board of Trustees; appointed to serve a term of six years from July 1,2013

L-7. Leslie S. Levine, Ph.D.

District 16

7401 Helmsdale Road

Bethesda, MD 20817

Member of the Montgomery College Board of Trustees; appointed to serve a term of six years from July 1, 2015

Prince George's County Board of License Commissioners

L-8. Kenneth J. Miles

District 27

8703 Timothy Road Brandywine, MD 20613

Member of the Prince George's County Board of License Commissioners; appointed to serve a term of three years from June 1, 2015

Queen Anne's County Board of County Commissioners

L-9. Jack N. Wilson, Jr.

District 36

116 Taylor Road

Centreville, MD 21617

Commissioner of the Queen Anne's County Board of County Commissioners; appointed to serve remainder of a term of four years from the General Election of November, 2014

Somerset County Liquor Control Board

L–10. Cynthia Johnson–Knopp

District 38

10660 Stewart Neck Road Princess Anne, MD 21853

Member of the Somerset County Liquor Control Board; appointed to serve a term of four years from June 1, 2015

Talbot County Board of License Commissioners

L–11. John M. Gottschalk

District 37

12485 Mill Creek Lane Wye Mills, MD 21679

Member of the Talbot County Board of License Commissioners; appointed to serve remainder of a term of six years from May 6, 2013

L-12. Gretchen W. Panuzio

District 37

708 Riverview Terrace St. Michaels, MD 21663

Member of the Talbot County Board of License Commissioners; appointed to serve a term of six years from the first Monday in May, 2015

L-13. Gary Clifford Royer

District 37

8537 Northbend Road Easton, MD 21601

Member of the Talbot County Board of License Commissioners; reappointed to serve a term of six years from May 2, 2011

Washington County Board of Elections

L-14. William G. Blazes, Jr.

District 2

11901 Beavervale Road Smithsburg, MD 21783

Member of the Washington County Board of Elections; appointed to serve a term of four years from June 1, 2015

L–15. Martin A. Lumm

District 2

13542 Paradise Church Road Hagerstown, MD 21742

Member of the Washington County Board of Elections; appointed to serve a term of four years from June 1, 2015

Washington County Board of License Commissioners

L–16. Robert J. Buczkowski

District 2

1249 Frederick Street

Hagerstown, MD 21740

Chair of the Washington County Board of License Commissioners; appointed to serve a term of six years from June $1,\,2015$

Washington County Orphans' Court

L-17. Franklin E. Novinger

District 2

18906 Rolling Road

Hagerstown, MD 21742

Member of the Washington County Orphans' Court; appointed to serve remainder of a term of four years from the General Election of November 2014

Wicomico County Liquor Control Board

L-18. Donald E. Ewalt, Jr.

District 38

203 Creekside Drive

Salisbury, MD 21804

Member of the Wicomico County Liquor Control Board; reappointed to serve a term of two years from July 1, 2015

L-19. Robert E. Holloway

District 37

27616 Little Lane

Salisbury, MD 21801

Member of the Wicomico County Liquor Control Board; appointed to serve a term of two years from July 1, 2015

L-20. Peter E. Richardson

District 38

1103 Woodland Road

Salisbury, MD 21801

Member of the Wicomico County Liquor Control Board; appointed to serve a term of two years from July 1, 2015

Wor-Wic Community College Board of Trustees

L–21. Lorraine Purnell–Ayres 6850 Public Landing Road Snow Hill, MD 21836 District 38

Member of the Wor–Wic Community College Board of Trustees; appointed to serve a term of six years from July 1, 2015

Senator Raskin moved, duly seconded, to make the Report a Special Order for March 4, 2016.

The motion was adopted.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 275 - Senators Feldman, Astle, Kelley, and Klausmeier

AN ACT concerning

Railroad Company - Movement of Freight - Required Crew

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0275/507371/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 275

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Klausmeier" and substitute "<u>Klausmeier</u>, <u>Middleton</u>, and <u>Mathias</u>"; in line 6, after the semicolon insert "<u>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; <u>providing for the abrogation of this Act under certain circumstances</u>; and strike in their entirety lines 8 through 12, inclusive, and substitute:</u>

<u>Article – Labor and Employment</u>

Section 5.5–110(e)

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)".

AMENDMENT NO. 2

On page 1, in line 15, strike "Public Utilities" and substitute "<u>Labor and Employment</u>"; in line 16, strike "**9–404.**" and substitute "<u>5.5–110.</u>"; in line 17, strike "(A)" and substitute "<u>(E)(1)</u> This section applies to a train or light engine used IN CONNECTION WITH THE MOVEMENT OF RAILROAD FREIGHT THAT SHARES THE SAME RAIL CORRIDOR AS A HIGH SPEED PASSENGER OR COMMUTER TRAIN.

(2)";

and in lines 19 and 20, strike "(1)" and "(2)", respectively, and substitute "(II)" and "(III)", respectively.

On page 2, in lines 1 and 4, strike "(B)" and "(C)", respectively, and substitute "(3)" and "(4)", respectively; and in lines 6 and 7, strike "(1)" and "(2)", respectively, and substitute "(1)" and "(11)", respectively.

AMENDMENT NO. 3

On page 2, after line 9, insert:

"(5) A COUNTY OR MUNICIPAL CORPORATION MAY NOT ENACT AND ENFORCE MORE STRINGENT MEASURES REGARDING THE CREW REQUIREMENTS AUTHORIZED UNDER THIS SUBSECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That, if the Federal Railroad Administration issues a rule requiring two-person train crews on crude oil trains and establishing minimum crew size standards for most main line freight and passenger rail operations, within 5 days after the issuance of the rule, the Commissioner of Labor and Industry shall notify the Department of Legislative Services. On the date the Department of Legislative Services receives such notification, this Act shall be abrogated and of no further force and effect.";

and in line 10, strike "2." and substitute "3.".

The preceding 3 amendments were read and adopted.

Senator Middleton moved, duly seconded, to make the Bill and Report a Special Order for March 8, 2016.

The motion was adopted.

Senate Bill 266 - Senators Salling, Astle, Jennings, and Waugh

AN ACT concerning

Natural Resources - Poaching Restitution Act of 2016

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

Senator Conway moved, duly seconded, to place **Senate Bill 266** 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

SB0266/103025/1

BY: Senator Zirkin

AMENDMENTS TO SENATE BILL 266

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute "<u>Hunting – Deer – Penalties</u>"; in line 3, strike "poaching deer on" and substitute "<u>violating certain provisions involving certain deer</u>"; in line 4, strike "<u>any land in the State</u>"; in the same line, strike "restitution" and substitute "<u>certain fines</u>"; in the same line, strike "<u>and perform community service</u>"; in line 8, strike "restitution" and substitute "<u>fines</u>"; in line 15, strike "poaching" and substitute "<u>illegally hunting</u>, <u>killing</u>, or <u>taking</u>"; and strike in their entirety lines 17 through 22, inclusive.

AMENDMENT NO. 2

On page 2, in line 2, strike "10–101(q) and"; in line 7, strike "10–212(a) and"; strike beginning with "That" in line 25 down through "ENACTED," in line 28; and strike in their entirety lines 31 through 35, inclusive.

On page 3, strike in their entirety lines 1 through 23, inclusive.

On pages 3 and 4, strike in their entirety the lines beginning with line 25 on page 3 through line 18 on page 4, inclusive, and substitute:

- "(A) FOR PURPOSES OF THIS SECTION, EACH DEER HUNTED, KILLED, OR TAKEN CONSTITUTES A SEPARATE OFFENSE.
- (B) A PERSON MAY NOT KNOWINGLY AND WILLFULLY HUNT, KILL, OR TAKE, IN VIOLATION OF THIS TITLE:
 - (1) SIKA DEER;
 - (2) ANTERLESS WHITE-TAILED DEER; OR
 - (3) ANTLERED WHITE-TAILED DEER.
- (C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SECTION AND IN ADDITION TO ANY PENALTIES PROVIDED UNDER § 10–1101 OF THIS SUBTITLE, A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$5,000.
- (2) IN ADDITION TO ANY PENALTIES PROVIDED UNDER § 10–1101 OF THIS SUBTITLE, A PERSON WHO VIOLATES SUBSECTION (B)(3) OF THIS SECTION INVOLVING AN ANTLERED WHITE-TAILED DEER THAT OBTAINS A SCORE OF MORE THAN 150 GROSS INCHES, AS MEASURED BY THE BOONE AND CROCKETT CLUB'S SCORING SYSTEM FOR WHITE-TAILED DEER, IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$10,000."

On page 4, in lines 19 and 22, strike "(C)" and "(D)", respectively, and substitute "(D)" and "(E)", respectively; and in lines 19 and 27, in each instance, strike "RESTITUTION" and substitute "FINE".

On page 5, in lines 1, 9, and 15, strike "3.", "4.", and "5.", respectively, and substitute "2.", "3.", and "4.", respectively.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 372)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #29

Senate Bill 178 – Senators Lee, Benson, King, Manno, Nathan-Pulliam, Ramirez, and Raskin

AN ACT concerning

Criminal Law – Extortion – Immigration Status

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

Affirmative – 46 Negative – 0 (See Roll Call No. 373)

The Bill was then sent to the House of Delegates.

Senate Bill 194 – Senator Ready

AN ACT concerning

Ethics Commission, Commission on Judicial Disabilities, Judicial Ethics Committee, and Joint Ethics Committee – Duties

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

Affirmative – 47 Negative – 0 (See Roll Call No. 374)

The Bill was then sent to the House of Delegates.

Senate Bill 219 – Senators Ready, Bates, and Hough

EMERGENCY BILL

AN ACT concerning

Carroll County - Turkey Hunting on Private Property - Sundays

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

Affirmative – 46 Negative – 1 (See Roll Call No. 375)

The Bill was then sent to the House of Delegates.

Senate Bill 233 – Senators Norman, Brochin, Edwards, Klausmeier, Raskin, and Ready

AN ACT concerning

Public Safety - Motorcycle Profiling - Training

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

Affirmative – 47 Negative – 0 (See Roll Call No. 376)

The Bill was then sent to the House of Delegates.

Senate Bill 284 – Senator Simonaire

AN ACT concerning

Natural Resources - Complimentary Hunting and Fishing Licenses

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

Affirmative – 46 Negative – 0 (See Roll Call No. 377)

The Bill was then sent to the House of Delegates.

Senate Bill 516 – Washington County Senators

AN ACT concerning

Washington County - Fire, Rescue, and Ambulance Service - Local Authority

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

Affirmative – 47 Negative – 0 (See Roll Call No. 378)

The Bill was then sent to the House of Delegates.

Senate Bill 525 – Senator Edwards

AN ACT concerning

Maryland Dormant Minerals Interests Act – Use of Mineral Interest – Clarification

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

Affirmative – 47 Negative – 0 (See Roll Call No. 379)

The Bill was then sent to the House of Delegates.

Senate Bill 564 – Senators Feldman, Kagan, King, Lee, Manno, and Raskin Brochin, Cassilly, Gladden, Hough, Kagan, King, Lee, Manno, Muse, Norman, Ramirez, Raskin, Ready, and Zirkin

AN ACT concerning

Criminal Law - Providing Alcohol to Underage Drinkers - Penalties

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

Affirmative – 46 Negative – 0 (See Roll Call No. 380)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #30

Senate Bill 282 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Education)

AN ACT concerning

Early Childhood Development - Transfer of Provisions

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

Affirmative – 47 Negative – 0 (See Roll Call No. 381)

The Bill was then sent to the House of Delegates.

Senate Bill 369 – Senators Ferguson, King, Benson, Currie, Guzzone, Kelley, Klausmeier, Madaleno, McFadden, Nathan-Pulliam, Pinsky, Raskin, and Young

AN ACT concerning

Education - Prekindergarten Programs - Notification of Eligibility by Local Departments of Social Services

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

Affirmative – 47 Negative – 0 (See Roll Call No. 382)

The Bill was then sent to the House of Delegates.

Senate Bill 464 – Senators Madaleno, Benson, Currie, Ferguson, Guzzone, Kagan, Kelley, King, Klausmeier, Middleton, Pinsky, Rosapepe, and Young

AN ACT concerning

Higher Education - College Admissions Outreach Program for High-Achieving Students - Establishment

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

Affirmative – 47 Negative – 0 (See Roll Call No. 383)

The Bill was then sent to the House of Delegates.

Senate Bill 465 – Senators Madaleno, Benson, Currie, Ferguson, Guzzone, Kagan, Kelley, King, Klausmeier, Manno, Pinsky, Rosapepe, and Young, Young, Conway, Bates, Nathan-Pulliam, and Zucker

AN ACT concerning

Community Colleges - Tuition Waiver for Disabled Individuals - Requirements

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

Affirmative – 47 Negative – 0 (See Roll Call No. 384)

The Bill was then sent to the House of Delegates.

Senate Bill 494 – Senators Nathan-Pulliam, Benson, Currie, Ferguson, Guzzone, Kelley, Lee, McFadden, Muse, Raskin, and Young

AN ACT concerning

State Department of Education - Community-Partnered School Behavioral Health Services Programs - Reporting System and Report (School Behavioral Health Accountability Act)

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

Affirmative – 47 Negative – 0 (See Roll Call No. 385)

The Bill was then sent to the House of Delegates.

Senate Bill 770 – Senators Bates and Norman

AN ACT concerning

Education - Public High Schools - Agriculture Science

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

Affirmative – 47 Negative – 0 (See Roll Call No. 386)

The Bill was then sent to the House of Delegates.

Senate Bill 781 – Senators Rosapepe, Bates, Conway, Ferguson, Guzzone, Kagan, Kelley, Lee, Madaleno, Manno, Peters, Ramirez, Raskin, Salling, Simonaire, and Waugh

AN ACT concerning

Education - Maryland Seal of Biliteracy Act - Establishment

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

Affirmative – 47 Negative – 0 (See Roll Call No. 387)

The Bill was then sent to the House of Delegates.

Senate Bill 823 – Senator Conway

AN ACT concerning

Task Force to Study the Implementation of a Dyslexia Education Program
– Extension

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

Affirmative – 46 Negative – 0 (See Roll Call No. 388)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #31

Senate Bill 48 – Senator Reilly <u>Anne Arundel County Senators</u>

AN ACT concerning

Anne Arundel County – Property Tax Credit – Blind Individuals and Surviving Spouses

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

Affirmative – 47 Negative – 0 (See Roll Call No. 389)

The Bill was then sent to the House of Delegates.

Senate Bill 242 – Senators Kelley, Astle, Conway, Feldman, Jennings, Klausmeier, Lee, Madaleno, Mathias, Pugh, Raskin, Reilly, Rosapepe, and Young, Benson, Hershey, and Middleton

AN ACT concerning

Maryland Medical Assistance Program - Telemedicine - Modifications

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

Affirmative – 47 Negative – 0 (See Roll Call No. 390)

The Bill was then sent to the House of Delegates.

Senate Bill 252 – Senators Pugh, Astle, Benson, Feldman, Kagan, Kelley, Madaleno, Manno, and Middleton Middleton, Hershey, Jennings, Klausmeier, Mathias, and Reilly

AN ACT concerning

Maryland Medical Assistance Program – Former Foster Care Adolescents – Dental Care

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

Affirmative – 47 Negative – 0 (See Roll Call No. 391)

The Bill was then sent to the House of Delegates.

Senate Bill 321 – Senator Peters (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Board of Trustees – Designee Appointments and Fiduciary Duties

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

Affirmative – 47 Negative – 0 (See Roll Call No. 392)

The Bill was then sent to the House of Delegates.

Senate Bill 337 – Senators King, Benson, Currie, Feldman, Ferguson, Guzzone, Klausmeier, Lee, Madaleno, Manno, McFadden, Middleton, Peters, Raskin, and Young

AN ACT concerning

Libraries - Regional, State, and County - Funding

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

Affirmative – 40 Negative – 7 (See Roll Call No. 393)

The Bill was then sent to the House of Delegates.

Senate Bill 352 – Senators Hershey and Rosapepe

AN ACT concerning

Maryland Health Care Commission - Certificate of Need Review - Interested Party

Read the third time and passed by year and navs as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 394)

The Bill was then sent to the House of Delegates.

Senate Bill 477 – Senator Peters (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Reemployment of Ordinary Disability Retirees – Earnings Limitation

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

Affirmative – 47 Negative – 0 (See Roll Call No. 395)

The Bill was then sent to the House of Delegates.

Senate Bill 517 – Washington County Senators

AN ACT concerning

Washington County - Contributions to Nonprofit Organizations - Process

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

Affirmative – 47 Negative – 0 (See Roll Call No. 396)

The Bill was then sent to the House of Delegates.

Senate Bill 518 – Washington County Senators

AN ACT concerning

Washington County - Collection of Fees, Charges, Penalties, and Assessments

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

Affirmative – 47 Negative – 0 (See Roll Call No. 397)

The Bill was then sent to the House of Delegates.

Senate Bill 536 – Senator Klausmeier

AN ACT concerning

Office of Cemetery Oversight - Perpetual Care Trust Funds - Report Submission Requirement

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

Affirmative -47 Negative -0 (See Roll Call No. 398)

The Bill was then sent to the House of Delegates.

Senate Bill 549 – Senators Pugh, Bates, Conway, Eckardt, Feldman, Ferguson, Guzzone, Hershey, Jennings, Kagan, Klausmeier, Lee, Mathias, Middleton, Muse, Nathan-Pulliam, Reilly, Rosapepe, Salling, Simonaire, and Young, Astle, Benson, and Kelley

AN ACT concerning

Virginia I. Jones Alzheimer's Disease and Related Disorders Council – Membership and Extension of Termination Date

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

Affirmative – 47 Negative – 0 (See Roll Call No. 399)

The Bill was then sent to the House of Delegates.

Senate Bill 600 – Senator Reilly

AN ACT concerning

Freestanding Birthing Centers - Use of Ultrasound Imaging

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

Affirmative – 47 Negative – 0 (See Roll Call No. 400)

The Bill was then sent to the House of Delegates.

QUORUM CALL

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

(See Roll Call No. 401)

ADJOURNMENT

At 11:02 A.M. on motion of Senator Pugh, seconded, the Senate adjourned until 11:00 A.M. on Friday, March 4, 2016.

Annapolis, Maryland Friday, March 4, 2016 11:00 A.M. Session

The Senate met at 11:06 A.M.

Prayer by Father Vincent Cushing, Holy Name College, guest of Senator Reilly.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 403)

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

The Journal of March 3, 2016 was read and approved.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 412 - The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Maryland State Education Association &
National Education Association
in recognition of

the celebration of Dr. Seuss' Birthday and Read Across America Day. We commend your contributions to promote reading and adult involvement in the education of our youth.

The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 4th day of March 2016.

Read and adopted by a roll call vote as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 404)

INTRODUCTION OF BILLS

Senate Bill 1149 - Senator McFadden

AN ACT concerning

Reduction of Lead Risk in Housing - Fees and Enforcement

FOR the purpose of increasing the annual fee required to be paid to the Department of the Environment for certain affected properties; increasing the processing fee required to be submitted with a report that a rental dwelling unit is lead free; requiring the Department to use the additional revenue from the increase in fees for a certain purpose; requiring the Department of the Environment and the Department of Health and Mental Hygiene to integrate certain registrations, inspections, and enforcement actions into a certain database and implement a certain plan; requiring the Department of the Environment to report to the General Assembly on or before a certain date each year; and generally relating to reducing lead risk in housing.

BY repealing and reenacting, with amendments,

Article – Environment Section 6–843 Annotated Code of Maryland (2013 Replacement Volume and 2015 Supplement)

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

Senate Bill 1150 – Senator Hershey

AN ACT concerning

Primary and Secondary Education – Computer Health and Safety Guidelines and Procedures

FOR the purpose of requiring the State Department of Education, in consultation with the Department of Health and Mental Hygiene, to develop computer health and safety guidelines and procedures and to develop a process to monitor certain implementation of certain guidelines and procedures; requiring certain county boards to implement certain computer health and safety guidelines and procedures; and generally relating to computer health and safety guidelines and procedures in the State.

BY adding to

Article – Education Section 4–111.3 Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement) Read the first time and referred to the Committee on Rules.

Senate Bill 1151 - Senator Eckardt

AN ACT concerning

Creation of a State Debt – Wicomico County – Habitat for Humanity of Wicomico County

FOR the purpose of authorizing the creation of a State Debt not to exceed \$120,000, the proceeds to be used as a grant to the Board of Directors of the Habitat for Humanity of Wicomico County, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 20 - Delegate O'Donnell

AN ACT concerning

Calvert County and St. Mary's County - Archery Hunting - Safety Zone

FOR the purpose of establishing for archery hunters in Calvert County and St. Mary's County a safety zone of a certain size within which archery hunting may not take place except under certain circumstances; and generally relating to archery hunting in Calvert County and St. Mary's County.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 10-410(g)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

House Bill 98 – Delegate B. Wilson, Sydnor, Barron, and Moon

AN ACT concerning

Criminal Law - Participation in Court Proceedings - Retaliation

FOR the purpose of prohibiting a person from retaliating against a juror or an officer of the court for <u>any reason relating to</u> the performance of official duties in a <u>certain case in a court of the State or the United States; prohibiting a person from soliciting another to retaliate against a juror or an officer of the court for <u>any reason relating to</u> the performance of official duties in a <u>certain case in a court of the State or the United States; applying certain penalties for an offense under this Act; and generally relating to retaliation for participation in court proceedings.</u></u>

BY repealing and reenacting, with amendments,

Article – Criminal Law Section 9–303 Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

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

House Bill 137 - Charles County Delegation

AN ACT concerning

Charles County – Taxing Districts for Infrastructure Improvements – Repeal of Restriction

FOR the purpose of repealing a certain restriction on the exercise of authority granted to Charles County to establish certain taxing districts for certain infrastructure improvements; and generally relating to authority for Charles County to establish taxing districts for certain infrastructure improvements.

BY repealing and reenacting, with amendments,

Article – Local Government Section 21–521 Annotated Code of Maryland (2013 Volume and 2015 Supplement)

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

House Bill 163 – Delegates Anderson, Conaway, and McCray

AN ACT concerning

Baltimore City Board of School Commissioners – Submission of a Comprehensive Master Plan – Repeal of Duplicative Requirement FOR the purpose of repealing a certain requirement for the Baltimore City Board of School Commissioners to submit a certain master plan to the State Board of Education; and generally relating to the duplicative requirement for submission of a comprehensive master plan by the Baltimore City Board of School Commissioners.

BY repealing

Article – Education Section 4–309 Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement)

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

House Bill 166 – Delegates Valentino-Smith, Cluster, Sanchez, Smith, and B. Wilson

AN ACT concerning

Criminal Procedure – Pretrial Release – Nonresident Out-of-State Sex Offenders

FOR the purpose of prohibiting a District Court commissioner from authorizing the pretrial release of a defendant who is not a resident of the State and is a sex offender subject to certain registration requirements outside the State; and generally relating to pretrial release.

BY repealing and reenacting, with amendments,

Article – Criminal Procedure Section 5–202(g) Annotated Code of Maryland (2008 Replacement Volume and 2015 Supplement)

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

House Bill 226 – Delegates Mautz and Adams

AN ACT concerning

Talbot County - Board of Education - Student Members

FOR the purpose of increasing the number of student members of the Talbot County Board of Education; requiring that each student member be a student from a certain public high school in Talbot County; making certain conforming changes; and generally relating to student members of the Talbot County Board of Education.

BY repealing and reenacting, with amendments,

Article – Education Section 3–12A–01(a) and (h) and 3–12A–06 Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement)

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

House Bill 229 – Chair, Environment and Transportation Committee (By Request – Departmental – Transportation)

AN ACT concerning

Commercial Motor Vehicles - Operation - Transportation Emergencies

FOR the purpose of authorizing the Secretary of Transportation to waive certain safety regulations for commercial motor vehicles in intrastate travel under certain circumstances to facilitate emergency relief efforts; authorizing an empty motor carrier or the driver of an empty motor carrier to return to certain locations following the termination of a transportation emergency; establishing the authorized duration of a transportation emergency; authorizing the Secretary to renew a transportation emergency declaration beyond the authorized duration for certain periods of time; establishing the maximum total period of time that a transportation emergency may extend under certain circumstances; authorizing the Governor to take certain action to facilitate emergency relief efforts through a declaration of a state of emergency; defining certain terms; altering a certain defined term; and generally relating to the operation of commercial motor vehicles during transportation emergencies.

BY repealing and reenacting, with amendments,

Article – Transportation Section 25–111 Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

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

House Bill 233 – Delegate Carey

AN ACT concerning

Citizens Committee for the Enhancement of Communities Surrounding Baltimore–Washington International Thurgood Marshall Airport – Membership

FOR the purpose of altering the designation of a certain certified noise zone that is used in determining the membership of the Citizens Committee for the Enhancement of Communities Surrounding Baltimore—Washington International Thurgood Marshall Airport; and generally relating to the Citizens Committee for the

Enhancement of Communities Surrounding Baltimore—Washington International Thurgood Marshall Airport.

BY repealing and reenacting, without amendments,

Article – Transportation Section 5–414(a) and 5–806 Annotated Code of Maryland (2015 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation Section 5–414(b) Annotated Code of Maryland (2015 Replacement Volume and 2015 Supplement)

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

House Bill 246 – Cecil County Delegation

AN ACT concerning

Public Safety - Fire Police - Cecil County

FOR the purpose of authorizing a certain commanding officer to designate to the Sheriff of Cecil County a certain number of members of fire or ambulance companies to serve as fire police in Cecil County; requiring a certain designation to be read in a certain manner; authorizing the Sheriff of Cecil County to appoint certain individuals to serve as fire police in Cecil County; providing that certain powers are granted to individuals appointed to serve as fire police in Cecil County; authorizing certain powers to be exercised in a certain location; providing for the termination of a certain appointment; repealing the authority of the Sheriff of Cecil County and a certain commanding officer relating to designating and appointing certain individuals as deputy sheriffs for a certain purpose; and generally relating to fire police in Cecil County.

BY repealing and reenacting, with amendments, Article – Public Safety Section 7–302(a), 7–303(a) and (b), and 7–304 Annotated Code of Maryland (2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Safety Section 7–302(b) Annotated Code of Maryland (2011 Replacement Volume and 2015 Supplement) Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 259 – Delegates Carter, Anderson, B. Robinson, and C. Wilson

AN ACT concerning

Family Law - Child Support - Custody and Visitation Determinations

FOR the purpose of requiring the court, in any case in which the court determines child support, to also consider if there is no court order awarding custody and visitation of the child, to advise the parties of certain resources available to assist them in establishing custody and visitation; requiring the Child Support Enforcement Administration to refer advise certain parties to the court for purposes of considering of certain resources available to assist them in establishing custody and visitation of the child under certain circumstances; and generally relating to child support and custody and visitation determinations.

BY adding to

Article – Family Law Section 9–109 Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

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

House Bill 274 - Delegate Dumais

AN ACT concerning

Family Law - Divorce - Corroboration of Testimony

FOR the purpose of repealing a provision prohibiting a court from entering a decree of divorce on the uncorroborated testimony of the party seeking the divorce; repealing a provision specifying that, in a suit for absolute divorce on the grounds of voluntary separation, a separation agreement is full corroboration of the plaintiff's testimony that the separation was voluntary under certain circumstances; and generally relating to divorce.

BY repealing and reenacting, with amendments,

Article – Family Law Section 7–101 Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

BY repealing

Article – Family Law Section 8–104 Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

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

House Bill 285 – Delegates McIntosh, M. Washington, Brooks, Barron, Ebersole, Fennell, Frush, Healey, Lafferty, Lierman, Patterson, B. Robinson, Stein, Tarlau, Waldstreicher, and K. Young

AN ACT concerning

State Education Aid - Real Property Valuation - Tax Increment Financing

FOR the purpose of requiring the assessed valuation of certain real property used in calculating the wealth of a jurisdiction for purposes of education aid to remain at a certain assessment for a certain period of time under certain circumstances; defining certain terms; State Department of Assessments and Taxation to certify annually the amount of assessable base for certain real property; requiring certain State education aid to be calculated in a certain manner for each fiscal year; providing for the application of this Act; declaring the intent of the General Assembly regarding the consideration of the impact of certain economic development incentives in certain jurisdictions in making certain recommendations of a certain study; requiring a certain study and a certain commission to make certain recommendations on certain issues; providing for the termination of this Act; and generally relating to the calculation of education aid for primary and secondary education.

BY repealing and reenacting, without amendments,

Article - Education

Section 5-202(a)(1), (4), (9) through (11), and (14) and (b) and 16-305(a) and (b)(1)

Section 5–202(a)(1), (3), (4), (9) through (11), and (14) and (b)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY adding to

<u>Article – Education</u>

Section 5-202(1)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article - Education

Section 5-202(a)(3) and 16-305(b)(2)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

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

House Bill 294 – Delegates Stein, Beidle, Fraser-Hidalgo, Holmes, Jackson, Jacobs, Knotts, McCray, O'Donnell, Otto, and Szeliga

AN ACT concerning

Motor Vehicles - Lamps and Lights - Use When Windshield Wipers Operating

FOR the purpose of requiring that a driver of a vehicle on a highway use the vehicle's tail lamps when the driver continuously operates the vehicle's windshield wipers under certain circumstances; 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 2015 Supplement)

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

House Bill 314 – Delegates Atterbeary, Cluster, Dumais, Ebersole, Glass, Hill, Kelly, Lam, Malone, McComas, Morales, Parrott, Pendergrass, Proctor, Smith, Turner, Valderrama, Valentino–Smith, B. Wilson, and C. Wilson

AN ACT concerning

Peace Orders - Grounds for Relief

FOR the purpose of adding certain offenses to the list of offenses alleged to have been committed by a certain respondent against a certain victim for which a peace order request or a peace order petition may be filed under certain circumstances; and generally relating to peace orders.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–8A–19.1 and 3–1503(a)
Annotated Code of Maryland
(2013 Replacement Volume and 2015 Supplement)

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

House Bill 331 - Delegate Stein

AN ACT concerning

Program Open Space – Funding for Capital Improvements

FOR the purpose of altering the funds under Program Open Space that are authorized to be used for certain capital improvements under certain circumstances; making this Act an emergency measure; and generally relating to funding for capital improvements under Program Open Space.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 5-903(g)(1)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Tax – Property

Section 13–209(d)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

House Bill 374 – Delegate Anderson (By Request – Baltimore City Administration)

AN ACT concerning

Criminal Law - Pretrial Release - Prior Crime of Violence

FOR the purpose of prohibiting a District Court commissioner from authorizing the pretrial release of a defendant charged with a certain crime if the defendant has previously been convicted of a crime of violence; and generally relating to pretrial release.

BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 14–101(a)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article - Criminal Procedure

Section 1–101(a) and (e)

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article - Criminal Procedure

Section 5–202(f)
Annotated Code of Maryland
(2008 Replacement Volume and 2015 Supplement)

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

House Bill 430 – Delegates Kaiser, Afzali, Buckel, Carey, Chang, Ebersole, Fennell, Haynes, Jalisi, Kramer, Lam, McComas, McCray, McIntosh, Morales, Morhaim, Smith, Turner, West, and Zucker

AN ACT concerning

Education - Student Data Privacy Council

FOR the purpose of establishing the Student Data Privacy Council; providing for the composition, chair, and staffing of the Council; prohibiting a member of the Council from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Council to study and make recommendations regarding certain matters; requiring the Council to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; defining a certain term; providing for the termination of this Act; and generally relating to the Student Data Privacy Council.

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

House Bill 447 - Charles County Delegation

AN ACT concerning

Charles County - County Transfer Tax - Revenue Received by the Clerk of the Circuit Court

FOR the purpose of altering the percentage of revenue from the Charles County transfer tax that the Clerk of the Circuit Court for the county is entitled to receive; providing that this Act applies retroactively to revenue received by the Clerk of the Circuit Court from the county transfer tax on or after a certain date; requiring the Comptroller to remit to the Treasury Division of Charles County a certain balance of county transfer taxes; providing for the termination of this Act; and generally relating to revenue received by the Clerk of the Circuit Court for Charles County from the county transfer tax.

BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings

Section 2–213(a)

Annotated Code of Maryland

(2013 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings Section 2–213(e)

Annotated Code of Maryland

(2013 Replacement Volume and 2015 Supplement)

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

House Bill 484 – Delegate Walker

AN ACT concerning

Income Tax - Corporation Returns - Filing Date

FOR the purpose of altering the date by which certain corporations must complete and file with the Comptroller an income tax return; providing for the application of this Act; and generally relating to certain income tax returns filed by certain corporations.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–821(a)(1)

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)

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

House Bill 534 – Delegates Sanchez, Dumais, Barron, and Fennell

AN ACT concerning

Family Law - Protective Orders - Notification of Service - Sunset Repeal

FOR the purpose of repealing the termination date of certain provisions of law relating to notice of the service on a respondent of certain protective orders; repealing certain obsolete provisions relating to a certain contingency; and generally relating to notification of the service of a protective order.

BY repealing and reenacting, without amendments,

Article – Family Law

Section 4–504(d), 4–504.1(g), and 4–505(b)(1)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Chapter 711 of the Acts of the General Assembly of 2009, as amended by Chapter 103 of the Acts of the General Assembly of 2011 and Chapter 79 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 567 – Delegate Kipke

AN ACT concerning

State Board of Cosmetologists - Mobile Beauty Salons - Permit Requirement

FOR the purpose of altering the definition of "beauty salon" to include a certain mobile beauty salon; requiring an applicant for a beauty salon permit for a mobile beauty salon to hold a certain permit to operate a certain beauty salon and to lease or own the motor vehicle or trailer in which a certain mobile beauty salon is located for which a certain application is made; altering a certain definition; defining a certain term; making certain conforming and stylistic changes; and generally relating to beauty salons and the State Board of Cosmetologists.

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions

Section 5–101 and 5–502

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)

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

House Bill 575 – Delegate Jameson

AN ACT concerning

Portable Electronics Insurance - Required Notices - Method of Mailing

FOR the purpose of altering the method of mailing that an insurer or vendor is required to use when the insurer or vendor sends to a policyholder or covered customer certain notices about a termination or any other change in the terms and conditions of a policy of portable electronics insurance; and generally relating to required notices about portable electronics insurance.

BY repealing and reenacting, without amendments,

Article – Insurance

Section 19–903(a) and (h)(1)

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance Section 19–903(h)(2) Annotated Code of Maryland (2011 Replacement Volume and 2015 Supplement)

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

House Bill 576 – Delegate Beitzel

AN ACT concerning

Maryland Dormant Minerals Interests Act – Use of Mineral Interest – Clarification

FOR the purpose of clarifying that when an owner of a mineral interest takes a certain action for a mineral that is part of a mineral interest, the action constitutes use of the entire mineral interest owned by that owner; establishing that payment of certain taxes by an owner of a mineral interest constitutes use of the entire mineral interest that is taxed and certain other mineral interests that are not taxed; establishing that a certain judgment or decree recorded by an owner of a mineral interest constitutes use of the mineral interest specified in the judgment or decree; and generally relating to the use of a mineral interest under the Maryland Dormant Mineral Interests Act.

BY repealing and reenacting, with amendments,

Article – Environment Section 15–1203 Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement)

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

House Bill 631 – Howard County Delegation

AN ACT concerning

Workers' Compensation - Permanent Partial Disability - Howard County Deputy Sheriffs Ho. Co. 11-16

FOR the purpose of altering the circumstances under which Howard County deputy sheriffs are eligible for enhanced workers' compensation benefits for certain permanent partial disability claims; providing for the application of this Act; and generally relating to workers' compensation benefits for Howard County deputy sheriffs.

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 9–628

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 9–629

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)

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

House Bill 636 – Delegates Smith, Conaway, Dumais, Moon, Morales, Proctor, Rosenberg, Sanchez, and Sydnor

AN ACT concerning

Maryland Tort Claims Act - Certain Claim Requirement - Exception

FOR the purpose of providing a certain exception to a requirement that a claimant submit a claim within a certain time to the State Treasurer or a designee of the State Treasurer under the Maryland Tort Claims Act; providing for the application of this Act; and generally relating to repealing a certain requirement <u>for certain claims</u> under the Maryland Tort Claims Act.

BY repealing and reenacting, with amendments,

Article – State Government

Section 12-106

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 20–1004

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

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

House Bill 637 – Delegates Smith, Conaway, Dumais, Moon, Morales, Proctor, Rosenberg, Sanchez, and Sydnor

AN ACT concerning

Local Government Tort Claims Act - Notice Requirement - Exception

FOR the purpose of providing a certain exception to a certain notice requirement for a claim under the Local Government Tort Claims Act; providing for the application of this Act; and generally relating to a certain notice requirement for a claim under the Local Government Tort Claims Act.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 5-304

Annotated Code of Maryland

(2013 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 20–1004

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

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

House Bill 659 – Delegates Proctor, Angel, Atterbeary, D. Barnes, Conaway, Fennell, Knotts, McComas, Moon, Morales, Rosenberg, Sanchez, Smith, Sydnor, Valentino-Smith, and Vallario

AN ACT concerning

Criminal Procedure - Victim's Right to Restitution - Appeal

FOR the purpose of authorizing a certain victim to file an application for leave to appeal to the Court of Special Appeals from an interlocutory order or appeal to the Court of Special Appeals from a final order that denies or fails to consider the victim's right to restitution after the filing of a certain motion requesting relief under a certain provision of law; and generally relating to victims' rights.

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 11-103

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)

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

House Bill 670 – Delegates McCray, Anderson, Carter, Conaway, Glenn, Hayes, Lierman, Oaks, B. Robinson, and M. Washington

AN ACT concerning

Baltimore City - Remediation of Illegal Dumping - Report

FOR the purpose of requiring the Baltimore City Department of Public Works to report annually to the members of the Baltimore City delegation to the General Assembly on actions taken to remediate illegal dumping in each legislative district during the previous year; requiring the report to be made available on the Department's Web site; and generally relating to the remediation of illegal dumping in Baltimore City.

BY repealing and reenacting, with amendments,

The Charter of Baltimore City

Article II – General Powers

Section (11)

(2007 Replacement Volume, as amended December 31, 2006)

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

House Bill 696 – Delegates Davis, Barkley, Impallaria, Jameson, W. Miller, and C. Wilson

AN ACT concerning

Public Utilities – Maryland Underground Facilities Damage Prevention Authority – Funding

FOR the purpose of authorizing the Maryland Underground Facilities Damage Prevention Authority to collect an assessment or a charge not exceeding a certain amount per ticket under certain circumstances; specifying the circumstances under which the Authority may collect an assessment or a charge; providing for an exception to a certain limitation regarding sources of operational funding for the Authority; and generally relating to the Maryland Underground Facilities Damage Prevention Authority.

BY repealing and reenacting, without amendments,

Article – Public Utilities

Section 12–101(a), (b), (i), (j), (k), and (m)

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article - Public Utilities

Section 12–111

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)

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

House Bill 718 – Delegates Kramer, Afzali, Angel, Barkley, B. Barnes, Barve, Beitzel, Branch, Brooks, Buckel, Chang, Cullison, Fraser-Hidalgo, Frick, Frush, Hayes, Healey, Jalisi, Krebs, Krimm, Lafferty, Luedtke, McComas, Morales, Morhaim, Pena-Melnyk, Platt, Reznik, Stein, Valderrama, and Waldstreicher Waldstreicher, Adams, Arentz, Aumann, Carey, Clippinger, Davis, Glenn, S. Howard, Jameson, Lisanti, Vaughn, and C. Wilson

AN ACT concerning

Consumer Protection - Asset Recovery for Exploited Seniors Act

FOR the purpose of authorizing the Division of Consumer Protection of the Office of the Attorney General to bring a civil action for damages against a certain person who violates certain provisions of law on behalf of a certain person; authorizing the Division to recover certain damages; authorizing the Division to recover certain costs under certain circumstances; providing that a certain criminal conviction is not a prerequisite for maintenance of an action under this Act; providing for the application of this Act; and generally relating to the authority of the Division of Consumer Protection of the Office of the Attorney General to bring civil actions.

BY repealing and reenacting, without amendments,

Article – Criminal Law Section 8–801 Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Commercial Law Section 13–204 Annotated Code of Maryland (2013 Replacement Volume and 2015 Supplement)

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

House Bill 855 – Delegates Morales, Valentino-Smith, Anderson, Atterbeary, Korman, McCray, Moon, Platt, Sanchez, Smith, Sydnor, and P. Young

AN ACT concerning

Correctional Training Commission – Department of Juvenile Services Employees – Revocation of Certification and Reinstatement

FOR the purpose of authorizing the Correctional Training Commission to revoke the certification of a Department of Juvenile Services employee in conjunction with certain disciplinary actions; authorizing the court to reinstate the certification of a correctional officer under certain circumstances; authorizing the Office of

Administrative Hearings to reinstate the certification of a Department of Juvenile Services employee with no further examination or condition under certain circumstances; and generally relating to the Correctional Training Commission and the revocation of certification and reinstatement of Department of Juvenile Services employees.

BY repealing and reenacting, with amendments,

Article – Correctional Services Section 8–209.2 Annotated Code of Maryland (2008 Replacement Volume and 2015 Supplement)

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

House Bill 884 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County - Taxicabs - Repeal of Local Provisions

FOR the purpose of repealing provisions of law that relate to the regulation of taxicabs in St. Mary's County; and generally relating to the repeal of provisions of law that relate to taxicabs in St. Mary's County.

BY repealing

The Public Local Laws of St. Mary's County Section 133–1 through 133–3 and the chapter "Chapter 133. Taxicabs" 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 Finance.

House Bill 909 – Delegates A. Miller, Brooks, Gutierrez, Jalisi, Kelly, Korman, Lam, Platt, S. Robinson, and Turner Turner, B. Barnes, B. Robinson, Krimm, Jones, Lierman, Gaines, P. Young, Haynes, Reznik, Sophocleus, Jackson, Hettleman, and Chang

AN ACT concerning

Task Force to Study Paid Parental Leave Policies

FOR the purpose of creating a Task Force to Study Paid Parental Leave Policies; providing for the membership, 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 to the Governor and the General Assembly on or before a certain date; providing for the

termination of this Act; and generally relating to a Task Force to Study Paid Parental Leave Policies.

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

House Bill 928 – Delegate Kramer

AN ACT concerning

State Personnel - Individuals With Disabilities - Hiring Preferences

FOR the purpose of requiring an appointing authority to apply a certain credit on a selection test for certain positions in the State Personnel Management System for an individual with a certain disability; requiring certain appointing authorities for certain positions in the Judicial, Legislative, and Executive branches of State government to develop a hiring preference for an individual with a certain disability that is equivalent to a certain credit applied on a certain selection test; repealing a requirement that a certain appointing authority apply a certain credit on a selection test for an eligible veteran with a service connected disability; and generally relating to hiring preferences for individuals with disabilities.

BY adding to

Article – State Personnel and Pensions Section 2–310 and 7–207(g) Annotated Code of Maryland (2015 Replacement Volume)

BY repealing and reenacting, without amendments, Article – State Personnel and Pensions Section 7–207(a) Annotated Code of Maryland (2015 Replacement Volume)

BY repealing and reenacting, with amendments, Article – State Personnel and Pensions Section 7–207(c)(2)(ii) Annotated Code of Maryland (2015 Replacement Volume)

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

LETTERS OF REASSIGNMENT

ANNOUNCEMENT BY THE PRESIDENT

Senate Bill 1092 – Senator Rosapepe

AN ACT concerning

Nursing Facilities - Quality Assessment - Modification

Reassigned to the Committee on Budget and Taxation under Rule 33(d).

Read and ordered journalized.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #15

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

Senate Bill 3 - Senator Astle

AN ACT concerning

Anne Arundel County - Alcoholic Beverages - Board of License Commissioners - Attorneys

SB0003/764531/1

BY: Education, Health, and Environmental Affairs Committee

<u>AMENDMENTS TO SENATE BILL 3</u>

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 10 through 14, inclusive, and substitute:

"BY repealing and reenacting, without amendments,

<u>Article – Alcoholic Beverages</u>

Section 11–101(a) and (b) and 11–102

Annotated Code of Maryland

(As enacted by Chapter (S.B. 724) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 11–204(b)

Annotated Code of Maryland

(As enacted by Chapter (S.B. 724) of the Acts of the General Assembly of 2016)".

AMENDMENT NO. 2

On page 1, in line 17, strike "2B".

On pages 1 and 2, strike in their entirety the lines beginning with line 18 on page 1 through line 11 on page 2, inclusive, and substitute:

"11–101.

- (a) <u>In this title:</u>
- (1) the definitions in § 1–101 of this article apply without exception or variation; and
 - (2) the following words have the meanings indicated.
 - (b) "Board" means the Board of License Commissioners for Anne Arundel County.

<u>11–102.</u>

This title applies only in Anne Arundel County.

11–204.

- (b) (1) The Board may employ:
- (i) no more than two full—time administrators whose annual salaries shall be fixed by the Board as in a general County classified salary schedule, within pay grade 16;
 - (ii) inspectors, subject to § 11–206 of this subtitle; and
 - (iii) clerical and other assistants as are necessary.
 - (2) The Board shall employ:

- (i) a full-time secretary whose annual salary shall be fixed by the Board as in a general County classified salary schedule, within pay grade 13; and
 - (ii) an attorney at an annual salary of [\$20,000] **\$90,000**.
- (3) (I) THE BOARD MAY HIRE AN ATTORNEY ON A CONTRACTUAL BASIS TO PERFORM WORK THAT THE ATTORNEY EMPLOYED BY THE BOARD IS UNABLE TO PERFORM BECAUSE OF A CONFLICT OF INTEREST.
- (II) THE BOARD MAY SPEND NOT MORE THAN \$10,000 EACH YEAR TO HIRE A CONTRACTUAL ATTORNEY UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.
- (4) Except as otherwise provided in this subtitle, the Board may set the compensation of the employees.".

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 9 – Senator Reilly

EMERGENCY BILL

AN ACT concerning

Anne Arundel County - Alcoholic Beverages - Limited Distillery License

SB0009/454739/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 9

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "County" insert "and the City of Annapolis"; in line 4, after "County" insert "and the City of Annapolis"; in the same line, after "measure;" insert "making certain provisions of this Act subject to a certain contingency; providing for the termination of certain provisions of this Act;"; in line 5, after "County" insert "and the City of Annapolis"; after line 10, insert:

"BY repealing and reenacting, without amendments,

<u> Article – Alcoholic Beverages</u>

Section 10–102 and 11–102

Annotated Code of Maryland

(As enacted by Chapter __ (S.B. 724) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

<u>Article – Alcoholic Beverages</u>

Section 10-401 and 11-401

Annotated Code of Maryland

(As enacted by Chapter __ (S.B. 724) of the Acts of the General Assembly of 2016)";

and in line 19, after "COUNTY" insert ", THE CITY OF ANNAPOLIS,".

AMENDMENT NO. 2

On page 3, after line 12, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Alcoholic Beverages

10-102.

This title applies only in the City of Annapolis.

10-401.

- (a) The following sections of Title 2, Subtitle 2 ("Manufacturer's Licenses") of Division I of this article apply in the City without exception or variation:
 - (1) § 2–201 ("Issuance by Comptroller");

- (2) § 2–202 ("Class 1 distillery license");
- (3) § 2–203 ("CLASS 9 LIMITED DISTILLERY LICENSE");
- [(3)] (4) § 2–204 ("Class 2 rectifying license");
- [(4)] (5) § 2–205 ("Class 3 winery license");
- [(5)] **(6)** § 2–206 ("Class 4 limited winery license");
- [(6)] (7) § 2–207 ("Class 5 brewery license");
- [(7)] (8) § 2–208 ("Class 6 pub–brewery license");
- [(8)] (9) § 2–209 ("Class 7 micro–brewery license");
- [(9)] (10) § 2–210 ("Class 8 farm brewery license");
- [(10)] (11) § 2–211 ("Residency requirement");
- [(11)] (12) § 2–212 ("Additional licenses");
- [(12)] (13) § 2–213 ("Additional fees");
- [(13)] **(14)** § 2–214 ("Sale or delivery restricted");
- [(14)] (15) § 2–216 ("Interaction between manufacturing entities and retailers");
- [(15)] (16) § 2–217 ("Distribution of alcoholic beverages Prohibited practices"); and
- [(16)] (17) § 2–218 ("Restrictive agreements between producers and retailers Prohibited").
- (b) [The following sections of Title 2, Subtitle 2 ("Manufacturer's Licenses")] SECTION 2–215 ("BEER SALE ON CREDIT TO RETAIL DEALER PROHIBITED") of Division I of this article [do] DOES not apply in the City[:

- (1) § 2–203 ("Class 9 limited distillery license"); and
- (2) § 2–215 ("Beer sale on credit to retail dealer prohibited")].

<u>11–102</u>.

This title applies only in Anne Arundel County.

11–401.

- (a) The following sections of Title 2, Subtitle 2 ("Manufacturer's Licenses") of Division I of this article apply in the County without exception or variation:
 - (1) § 2–201 ("Issuance by Comptroller");
 - (2) § 2–202 ("Class 1 distillery license");
 - (3) § 2–203 ("CLASS 9 LIMITED DISTILLERY LICENSE");
 - $\S 2-204$ ("Class 2 rectifying license");
 - [(4)](5) § 2–205 ("Class 3 winery license");
 - [(5)](6) § 2–206 ("Class 4 limited winery license");
 - [(6)](7) § 2–207 ("Class 5 brewery license");
 - [(7)](8) § 2–208 ("Class 6 pub–brewery license");
 - [(8)](9) § 2–209 ("Class 7 micro–brewery license");
 - [(9)](10) § 2–210 ("Class 8 farm brewery license");
 - [(10)](11) § 2–211 ("Residency requirement");
 - [(11)](12) § 2–212 ("Additional licenses");

[(12)](13) § 2–213 ("Additional fees");

[(13)](14) § 2–214 ("Sale or delivery restricted");

[(14)](15) § 2-216 ("Interaction between manufacturing entities and retailers");

[(15)](16) § 2-217 ("Distribution of alcoholic beverages — Prohibited practices"); and

[(16)](17) § 2–218 ("Restrictive agreements between producers and retailers — Prohibited").

- (b) [Section 2–203 ("Class 9 limited distillery license") of Division I of this article does not apply in the County.
- (c) Section 2–215 ("Beer sale on credit to retail dealer prohibited") of Division I of this article applies in the County, subject to § 11–403 of this subtitle.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect on the taking effect of Chapter (S.B. 724) of the Acts of the General Assembly of 2016. If Section 2 of this Act takes effect, Section 1 of this Act shall be abrogated and of no further force and effect.";

and in line 13, 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 Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 33 – Senator Astle

AN ACT concerning

Anne Arundel County - Alcoholic Beverages - Licenses

SB0033/114837/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 33

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "allowing" in line 3 down through "changes" in line 13 and substitute "authorizing in Anne Arundel County a holder of a certain license to be issued a music permit, an entertainment permit, an outdoor permit, or an outdoor entertainment permit; authorizing a holder of a certain license to be issued a dancing permit, except under certain circumstances; exempting certain alcoholic beverages licenses in the county from a prohibition against issuing multiple licenses to any one person; exempting a certain class of license from a prohibition against issuing an alcoholic beverages license for a location within a certain distance from a place of worship or school; allowing a license holder to be issued a second or third alcoholic beverages license of a certain type for a restaurant if the restaurant is located in a shopping center that has a certain zoning classification"; and strike in their entirety lines 15 through 24, inclusive, and substitute:

"BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 11–102

Annotated Code of Maryland

(As enacted by Chapter (S.B. 724) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

<u>Article – Alcoholic Beverages</u>

Section 11–1102, 11–1507, 11–1603, and 11–1607

Annotated Code of Maryland

(As enacted by Chapter _ (S.B. 724) of the Acts of the General Assembly of 2016)".

AMENDMENT NO. 2

On page 2, in line 1, strike "2B".

On pages 2 through 8, strike in their entirety the lines beginning with line 2 on page 2 through line 2 on page 8, inclusive, and substitute:

This title applies only in Anne Arundel County.

<u>11–1102.</u>

- (a) (1) On the premises, or on adjacent property over which a license holder has ownership or control, a license holder:
- (i) may allow piped—in background music or one television screen; but
- (ii) unless issued a permit described in this section that authorizes the activity, may not allow:
 - 1. the playing of music, including live music;
 - <u>2.</u> the operation of a karaoke machine;
 - 3. the playing of music by a disc jockey; or
- 4. <u>dancing, floor shows, or any other similar type of</u> entertainment.
- (2) The Board may issue a permit described in this section only if the Board finds that:
- (i) the applicant can control the individuals using the licensed premises;
- (ii) the operation of the premises under the permit will not unduly disturb the peace of the residents of the neighborhood in which the place of business is located; and
 - (iii) the issuing of the permit:
 - 1. <u>is necessary to accommodate the public;</u>
 - 2. will not be detrimental to the public welfare; and

- 3. <u>will not violate a County fire, health, or building regulation.</u>
 - (b) (1) There is a music permit.
- (2) The Board may issue the permit to a holder of a Class B license, A CLASS BLX LICENSE, a Class D license, or a Class H license.
- (3) The permit authorizes the playing of recorded music or live music with not more than two musicians.
- (4) The permit holder may not allow dancing, floor shows, or similar live entertainment.
 - (5) The annual permit fee is \$100.
 - (c) (1) There is an entertainment permit.
- (2) The Board may issue the permit to a holder of a Class B license, A CLASS BLX LICENSE, a Class D license, or a Class H license.
 - (3) The permit authorizes:
 - (i) live music with not more than four musicians; and
 - (ii) the playing of:
 - 1. more than one television;
 - <u>a karaoke machine; and</u>
 - 3. music by a disc jockey.
- (4) The permit holder may not allow dancing, floor shows, or similar live entertainment.
 - (5) The annual permit fees are:
 - (i) \$200 for a holder of a beer and wine license; and

- (ii) \$300 for a holder of a beer, wine, and liquor license.
- (d) (1) There is a dancing permit.
 - (2) The Board may issue the permit to a holder of:
 - (i) <u>a Class B license</u>;
- (ii) EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION, A CLASS BLX LICENSE;
 - (III) a Class C license;
 - [(iii)](IV) a Class D license; or
- [(iv)](V) except as provided in paragraph (4) of this subsection, a Class H license.
- (3) The permit authorizes the holder to provide music, dancing, and other legal forms of entertainment.
- (4) The Board may not issue the permit to a holder of a CLASS BLX LICENSE OR A Class H license if the premises for which the CLASS BLX LICENSE OR Class H license is issued is within 1,000 feet in a straight line from entry to entry from a place of worship or school.
 - (5) The annual permit fees are:
 - (i) \$200 for a holder of a beer and wine license;
 - (ii) \$400 for a holder of a beer, wine, and liquor license; and
 - (iii) no charge for a holder of a Class C license.
 - (e) (1) There is an outdoor permit.

- (2) The Board may issue the permit to a holder of a Class B license, A CLASS BLX LICENSE, a Class C license, a Class D license, or a Class H license.
- (3) The permit authorizes the holder to provide outdoor table service to customers on the grounds of the licensed establishment.
 - (4) The annual permit fee is \$100.
- (5) Before the permit may be renewed, a holder shall obtain approval from the Board.
 - (f) (1) There is an outdoor entertainment permit.
- (2) The Board may issue the permit to a holder of a Class B license, A CLASS BLX LICENSE, a Class C license, a Class D license, or a Class H license who also holds a music permit, an entertainment permit, or a dancing permit under this section.
 - (3) The permit authorizes the holder to provide:
- (i) the same form of entertainment outdoors that the holder is allowed to provide indoors under the holder's music permit, entertainment permit, or dancing permit; and
 - (ii) outdoor table service or cafe service.

<u>11–1507.</u>

The prohibition against issuing multiple licenses to an individual or for use of an entity does not apply to:

- (1) resort complexes;
- (2) entertainment facilities, including entertainment concessions;
- (3) motel-restaurant complexes; [or]
- (4) hotel-restaurant complexes having at least 100 rooms; OR
- (5) HOTEL-LIMITED SERVICE (ON-SALE) LICENSES.

<u>11–1603.</u>

- (a) Except as provided in subsection (b) of this section, the Board may not issue a new license for an establishment whose entry is within 1,000 feet in a straight line from the entry of a place of worship or school.
- (b) The prohibition against issuing a license in subsection (a) of this section does not apply to:
- (1) the transfer of a license from the current license holder to a new license holder, unless the transfer would allow the sale of alcoholic beverages by another establishment within the 1,000–foot restriction;
 - (2) a nonprofit club or nonprofit organization;
- (3) a restaurant that held a license at the time the restaurant was destroyed by fire, flood, windstorm, or other act of God, if a new place of worship or school has not been constructed within the 1,000–foot restriction;
- (4) the issuance of a Class H beer and wine (on–sale) license or beer, wine, and liquor (on–sale) license; [or]
- (5) the issuance of a motel-restaurant complex or hotel-restaurant complex beer, wine, and liquor (on-sale) license; **OR**
- (6) THE ISSUANCE OF A CLASS BLX (DELUXE RESTAURANT)
 (ON-SALE) BEER, WINE, AND LIQUOR LICENSE.
- (c) For an establishment that is within 1,000 feet of the grounds of a place of worship or school, the Board:
 - (1) may renew a license;
 - (2) may extend the area of the licensed premises; but
- (3) may not change the operational classification of an existing license, unless the change is from a Class B, Class C, or Class D license to a Class H license.

11–1607.

- (a) (1) A license holder may hold not more than 10 licenses of any class in accordance with this section.
 - (2) Of the licenses held by a license holder:
- (i) not more than four licenses may be licenses in which the license holder holds a direct interest; and
- (ii) the remaining licenses may only be licenses in which the license holder holds an indirect interest, as evidenced by any of the following relationships involving the license holder and another license holder or the license holder and an applicant for a license:
 - <u>1.</u> <u>a common parent company;</u>
 - <u>2.</u> <u>a franchise agreement;</u>
 - 3. <u>a licensing agreement;</u>
 - 4. <u>a concession agreement;</u>
- <u>5.</u> <u>membership by the license holder and the other person in</u> a chain of businesses commonly owned and operated and so portrayed to the public;
- 6. sharing of directors or stockholders or sharing of directors or stockholders of parent companies or subsidiaries;
- 7. common direct or indirect sharing of profit from the sale of alcoholic beverages;
- 8. sharing of a common trade name, trademark, logo, or theme; or
- 9. except for hotels and motels, sharing of a mode of operation identifiable by the public.

- (b) The Board may issue one Class B license, Class BLX license, or Class H license to a person for a restaurant located anywhere in the County.
 - (c) The Board may issue a second license to a license holder if:
- (1) the license holder holds a Class B license that has a restriction prohibiting off—sales, a Class H license, or a Class BLX license;
 - (2) the license sought is a Class H license or a Class BLX license; and
 - (3) the restaurant for which the license is sought is located in:
 - (i) the Glen Burnie Urban Renewal Area;
 - (ii) the Parole Town Center Growth Management Area;
 - (iii) the Odenton Town Center Growth Management Area;
- (iv) the Baltimore–Washington International Thurgood Marshall Airport State Priority Funding Area, as designated by the County in accordance with § 6–301(f)(8) of the Economic Development Article;
- (v) a shopping center with a gross area of at least 1,000,000 square feet that is zoned C3 General Commercial OR MXD-C (MIXED USE COMMERCIAL) by the zoning article of the County Code;
- (vi) the Route 198 corridor, consisting of properties located within 500 feet of the right-of-way of Maryland Route 198, from Maryland Route 32 on the east to the Prince George's County-Anne Arundel County line on the west;
- (vii) a community revitalization zone with a designation in the series "A" through "P", inclusive, as shown on the map adopted by the County Council by Bill 97–01 of the County ordinances;
- (viii) the Severn Commercial District, consisting of properties designated as "commercial zoning" by the comprehensive rezoning maps adopted by the County Council and located on that portion of Maryland Route 174 west of Maryland Route 100 and east of the railroad right—of—way owned by the National Railroad Passenger Corporation (Parcel 117, Anne Arundel County Tax Map 29);

- (ix) the Edgewater/Mayo Commercial District, consisting of those properties that are designated "commercial zoning districts" on the comprehensive rezoning maps adopted by the County Council for the Edgewater/Mayo Small Area Planning District;
- (x) the Pasadena Commercial District, consisting of those properties that are designated "commercial zoning areas", including Lake Shore Crossing, Lake Shore Plaza, and the Mountain Marketplace Shopping Center on the comprehensive zoning maps adopted by the County Council for the Pasadena Small Area Planning District; or
 - (xi) the area in Pasadena known as the Brumwell Property.
 - (d) The Board may issue a third license to a license holder if:
 - (1) the license sought is a Class BLX license; and
 - (2) the restaurant for which the license is sought is located in:
 - (i) the Glen Burnie Urban Renewal Area;
 - (ii) the Parole Town Center Growth Management Area;
 - (iii) the Odenton Town Center Growth Management Area;
- (iv) the Baltimore–Washington International Thurgood Marshall Airport State Priority Funding Area, as designated by the County in accordance with § 6–301(f)(8) of the Economic Development Article;
- (v) <u>a shopping center with a gross area of at least 1,000,000 square</u> feet that is zoned C3 General Commercial **OR MXD-C (MIXED USE COMMERCIAL)** by the zoning article of the County Code;
- (vi) the Route 198 corridor, consisting of properties located within 500 feet of the right-of-way of Maryland Route 198, from Maryland Route 32 on the east to the Prince George's County-Anne Arundel County line on the west;
- (vii) a community revitalization zone with a designation in the series "A" through "P", inclusive, as shown on the map adopted by the County Council by Bill 97–01 of the County ordinances;

- (viii) the Severn Commercial District, consisting of properties designated as "commercial zoning" by the comprehensive rezoning maps adopted by the County Council and located on that portion of Maryland Route 174 west of Maryland Route 100 and east of the railroad right—of—way owned by the National Railroad Passenger Corporation (Parcel 117, Anne Arundel County Tax Map 29);
- (ix) the Edgewater/Mayo Commercial District, consisting of those properties that are designated "commercial zoning districts" on the comprehensive rezoning maps adopted by the County Council for the Edgewater/Mayo Small Area Planning District;
- (x) the Pasadena Commercial District, consisting of those properties that are designated "commercial zoning areas", including Lake Shore Crossing, Lake Shore Plaza, and the Mountain Marketplace Shopping Center on the comprehensive zoning maps adopted by the County Council for the Pasadena Small Area Planning District; or
 - (xi) the area in Pasadena known as the Brumwell Property.
- (e) (1) The Board may issue a fourth, fifth, sixth, seventh, eighth, ninth, or tenth license to a license holder if the license sought is a Class BLX license.
- (2) The restaurant for which the license is sought may be located anywhere in the County.
- (f) (1) Except as provided in paragraph (2) of this subsection, a license that was issued on or before June 30, 2006, and in which a license holder holds a direct interest or an indirect interest shall be counted against the maximum number of 10 licenses that the license holder may hold under this section but is exempt from the restrictions under subsections (b) through (e) of this section.
- (2) A Class H license that was issued in the period beginning on March 14, 2005, and ending on December 1, 2005, may not be counted against the maximum number of 10 licenses that the license holder may hold under this section.
 - (g) The Board shall adopt regulations to carry out this section.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 130 - Senator Mathias

AN ACT concerning

Worcester County - Alcoholic Beverages - Refillable Container Permit for Draft Beer

SB0130/574637/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 130

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "specifying" in line 7 through "permit;" in line 11 and substitute "specifying the hours of sale for the permit; specifying a permit fee;"; and in line 14, strike "defining a certain term;".

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

"BY repealing and reenacting, without amendments,

<u>Article – Alcoholic Beverages</u>

Section 33–102

Annotated Code of Maryland

(As enacted by Chapter (S.B. 724) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 33–1101

Annotated Code of Maryland

(As enacted by Chapter _ (S.B. 724) of the Acts of the General Assembly of 2016)

BY adding to

<u>Article – Alcoholic Beverages</u>

Section 33–1103

Annotated Code of Maryland

(As enacted by Chapter _ (S.B. 724) of the Acts of the General Assembly of 2016)".

AMENDMENT NO. 2

On pages 2 through 5, strike in their entirety the lines beginning with line 5 on page 2 through line 7 on page 5, inclusive, and substitute:

"<u>Article – Alcoholic Beverages</u>

33-102.

This title applies only in Worcester County.

33–1101.

- (a) The following sections of Title 4, Subtitle 11 ("Additional License Privileges") of Division I of this article apply in the County without exception or variation:
- (1) § 4–1102 ("Corkage Consuming wine not purchased from license holder on licensed premises"); and
- (2) § 4–1103 ("Removal of partially consumed bottle of wine from licensed premises").
- (b) [The following sections] SECTION 4-1105 ("REFILLABLE CONTAINER PERMIT WINE") of Title 4, Subtitle 11 ("Additional License Privileges") of Division I of this article [do] DOES not apply in the County[:
 - (1) § 4–1104 ("Refillable container permit Draft beer"); and
 - (2) § 4–1105 ("Refillable container permit Wine")].
- (C) SECTION 4-1104 ("REFILLABLE CONTAINER PERMIT DRAFT BEER")
 OF TITLE 4, SUBTITLE 11 ("ADDITIONAL LICENSE PRIVILEGES") OF DIVISION I OF
 THIS ARTICLE APPLIES IN THE COUNTY, SUBJECT TO § 33-1103 OF THIS SUBTITLE.

33–1103.

- (A) THE BOARD MAY ISSUE A REFILLABLE CONTAINER PERMIT FOR DRAFT BEER TO A HOLDER OF A CLASS B OR CLASS D LICENSE.
- (B) BEFORE THE BOARD ISSUES THE PERMIT TO AN APPLICANT, THE APPLICANT SHALL:
 - (1) COMPLETE THE FORM THAT THE BOARD PROVIDES; AND
 - (2) PAY AN ANNUAL PERMIT FEE OF \$500.
 - (C) THE HOURS OF SALE FOR THE PERMIT:
- (1) <u>BEGIN AT THE SAME TIME AS THOSE FOR THE UNDERLYING</u> LICENSE; AND
 - (2) END AT MIDNIGHT.
- (D) RECEIPTS COLLECTED UNDER THE PERMIT SHALL BE INCLUDED IN THE CALCULATION OF AVERAGE DAILY RECEIPTS FROM THE SALE OF ALCOHOLIC BEVERAGES UNDER A CLASS B RESTAURANT LICENSE AND A CLASS B HOTEL LICENSE."

The preceding 2 amendments were read and adopted.

<u>Favorable report</u>, 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 175 – Senator Astle

AN ACT concerning

Anne Arundel County - Alcoholic Beverages - Disposition of Fees

SB0175/604637/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 175

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 4, 5, and 7, in each instance, strike "Office of the"; in line 7, strike ", rather than the county," and substitute ", from certain fees,"; in the same line, after "to" insert "approve and remit to the County certain amounts necessary to"; in the same line, strike "from"; in line 8, strike "receipts certain"; in the same line, after "salaries" insert ", benefits,"; in the same line, strike the second "and" and substitute "; requiring the Comptroller"; in the same line, after "balance" insert "of certain fees"; and strike in their entirety lines 11 through 20, inclusive, and substitute:

"BY repealing and reenacting, without amendments,

<u>Article – Alcoholic Beverages</u>

<u>Section 11–102</u>

Annotated Code of Maryland

(As enacted by Chapter ___ (S.B. 724) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

<u>Article – Alcoholic Beverages</u>

Section 11-207, 11-1405, and 11-1406

Annotated Code of Maryland

(As enacted by Chapter ___(S.B. 724) of the Acts of the General Assembly of 2016)".

AMENDMENT NO. 2

On pages 1 through 3, strike in their entirety the lines beginning with line 23 on page 1 through line 14 on page 3, inclusive, and substitute:

"Article – Alcoholic Beverages

<u>11–102.</u>

This title applies only in Anne Arundel County.

<u>11–207.</u>

[The County] FROM THE FEES RECEIVED, THE COMPTROLLER shall:

- (1) APPROVE AND REMIT TO THE COUNTY THE AMOUNTS NECESSARY

 TO pay the salaries and [expenses] BENEFITS of the Board and its employees[, as approved by the Comptroller, from the fees received]; [and]
- (2) APPROVE AND REMIT TO THE COUNTY THE AMOUNT NECESSARY TO PAY THE EXPENSES OF THE BOARD; AND
- [(2)] (3) [devote] AT THE END OF EACH FISCAL YEAR, REMIT the balance of the fees received to the COUNTY FOR THE general purposes of the County.

 11–1405.
- (a) (1) An administrative fee shall be charged for an administrative action by the County that requires a hearing, including:
 - (i) an application for a new license; and
 - (ii) a change of ownership of a majority interest in a license.
- (2) The administrative fee does not apply to the renewal of a license for the same premises.
 - (b) The administrative fee is:
- (1) \$200 payable to the Board, in addition to any other fee required for a license; and
- (2) nonrefundable, whether the requested administrative action is granted or denied.
- [(c) The Board shall use the administrative fee to cover its expenses.]

 11–1406.

The Board shall:

(1) collect all license fees required under this article;

- (2) issue all licenses in the County; and
- (3) remit all fees collected to the [County] COMPTROLLER.".

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 483 – Senator Edwards

AN ACT concerning

Allegany County - Alcoholic Beverages - Minimum Age to Serve Liquor

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 523 – Washington County Senators

AN ACT concerning

Alcoholic Beverages - Washington County - Local Penalties

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #16

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

Senate Bill 530 - Senator Eckardt

AN ACT concerning

Dorchester County - Class B Beer, Wine, and Liquor License - Minimum Seating Requirement

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 561 – Senator Ferguson

AN ACT concerning

Baltimore City - Alcoholic Beverages - Class C Beer, Wine, and Liquor Licenses

SB0561/654839/1

BY: Education, Health, and Environmental Affairs Committee

<u>AMENDMENTS TO SENATE BILL 561</u>

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Class C Beer, Wine, and Liquor"; in line 3, after the first "of" insert "establishing in Baltimore City a Class D beer license to be issued to a holder of a Class 5 brewery license; specifying that the Class D beer license authorizes the license holder to sell at retail beer brewed on the brewery premises for on–premises consumption; requiring the Board of License Commissioners for Baltimore City to establish hours and days of sale under the license and an annual license fee; reducing the minimum amount of average daily receipts derived from the sale of food that is required for certain restaurants for which a Class B beer, wine, and liquor license is issued;"; in the same line, strike "of License Commissioners for Baltimore City"; in line 4, after "licenses" insert "and a Class D beer license"; in line 7, strike "Class C beer, wine, and liquor" and substitute "alcoholic beverages"; after line 13, insert:

"BY adding to

<u>Article – Alcoholic Beverages</u>

Section 12–604

Annotated Code of Maryland

(As enacted by Chapter __ (S.B. 724) of the Acts of the General Assembly of 2016)";

and in line 16, after "12-1603" insert ", 12-1604(c)(2)(iv),".

AMENDMENT NO. 2

On page 1, after line 24, insert:

"12–604**.**

- (A) THERE IS A CLASS D BEER LICENSE.
- (B) THE LICENSE MAY BE ISSUED TO A HOLDER OF A CLASS 5 BREWERY LICENSE.
- (C) THE LICENSE AUTHORIZES THE LICENSE HOLDER TO SELL AT RETAIL BEER BREWED ON THE BREWERY PREMISES FOR ON-PREMISES CONSUMPTION.
 - (D) THE BOARD SHALL ESTABLISH:
 - (1) THE HOURS AND DAYS OF SALE UNDER THE LICENSE; AND
 - (2) THE ANNUAL LICENSE FEE.".

AMENDMENT NO. 3

On page 2, in line 26, strike "OR".

On page 3, in line 3, after "DISTRICT" insert ";

- (6) A CLASS C BEER, WINE, AND LIQUOR LICENSE IN THE 200 BLOCK OF WEST SARATOGA STREET IN WARD 4, PRECINCT 3 OF THE 40TH ALCOHOLIC BEVERAGES DISTRICT; AND
- (7) SUBJECT TO SUBSECTION (D) OF THIS SECTION, A CLASS D BEER LICENSE FOR THE AREA IN WARD 24, PRECINCT 5 THAT IS BOUNDED BY EAST FORT AVENUE ON THE NORTH, THE CSX ACCESS WAY ON THE EAST, EAST MCCOMAS STREET ON THE SOUTH, AND WHETSTONE WAY ON THE WEST.

(D) A CLASS D BEER LICENSE MAY BE TRANSFERRED INTO THE AREA SPECIFIED UNDER SUBSECTION (C)(7) OF THIS SECTION IF ORIGINALLY ISSUED FOR ANOTHER AREA";

and after line 3, insert:

"12–1604.

- (c) The Board may issue a Class B beer, wine, and liquor license:
- (iv) for not more than three restaurants in a business planned unit development in ward 24, precinct 5, if each restaurant:
 - 1. has a minimum capital investment of \$700,000;
- <u>2.</u> <u>has seating for more than 75 individuals, but not more</u> than 150 individuals;
- 3. has average daily receipts from the sale of food that are at least [65%] 51% of the total daily receipts of the restaurant; and
- <u>4.</u> <u>except as provided in paragraph (5) of this subsection, may</u> <u>not sell for off–premises consumption.</u>".

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 624 - Calvert County Senators

AN ACT concerning

Calvert County - Alcoholic Beverages - Beer and Wine Festival (BWF) License

SB0624/444539/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 624

(First Reading File Bill)

On page 2, in line 23, strike "October" and substitute "July".

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 625 - Calvert County Senators

AN ACT concerning

Calvert County - Alcoholic Beverages - Special Event Festival Beer, Wine, and Liquor Permit - Attendance

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 634 - Caroline County Senators

AN ACT concerning

Caroline County - Alcoholic Beverages - Refillable Container Permit

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 677 - Carroll County Senators

AN ACT concerning

Carroll County - Alcoholic Beverages Licenses - Beginning Hour of Sale

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 682 – Senator Edwards

AN ACT concerning

Garrett County - Alcoholic Beverages - Sunday Sales

SB0682/664338/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 682

(First Reading File Bill)

On page 2, in line 9, after "8–1," insert "<u>8–2,</u>".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #17

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

Senate Bill 687 - Senator Middleton

AN ACT concerning

Charles County - Alcoholic Beverages - Entertainment Concessionaire and Entertainment Facility Licenses

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 693 – Senators Young and Hough

AN ACT concerning

Frederick County - Alcoholic Beverages - Hotel Lobby 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 694 – Senators Young and Hough

AN ACT concerning

Frederick County - Alcohol Awareness Program - Absence From Licensed Premises

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 699 – Senators Young and Hough

AN ACT concerning

Frederick County - Alcoholic Beverages - Theater License

SB0699/354535/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 699

(First Reading File Bill)

On page 1, in line 2, strike "License" and substitute "and Entertainment Center License"; in line 5, after "requirement;" insert "altering the scope of a Class EC (entertainment center) license so that it may be issued to a holder of a Class B beer, wine, and liquor license;"; in the same line, strike "a"; in the same line, strike "correction" and substitute "corrections"; in line 13, strike "(S.B. __)(6lr1406)" and substitute "(S.B. 724)"; and in line 17, after "Section" insert "20–1008 and".

AMENDMENT NO. 2

On page 2, before line 1, insert:

"<u>20–10</u>08.

- (a) There is a Class [MEC (micro-brewery/entertainment center)] EC (ENTERTAINMENT CENTER) license.
 - (b) The Board may issue the license to a person for use in conjunction with:
- (I) a Class 7 micro-brewery license that the person then obtains from the Comptroller; OR
- (II) A CLASS B BEER, WINE, AND LIQUOR LICENSE THAT THE PERSON HAS BEEN ISSUED BY THE BOARD.
- (c) (1) The **EC** license authorizes the license holder to sell, in an entertainment center for on-premises consumption[,]:
- (I) <u>malt beverages that are brewed in the license holder's</u> micro-brewery, IF THE LICENSE HOLDER ALSO HOLDS A CLASS 7 MICRO-BREWERY LICENSE; OR
- (II) BEER, WINE, AND LIQUOR, IF THE LICENSE HOLDER ALSO HOLDS A CLASS B BEER, WINE, AND LIQUOR LICENSE.
 - (2) The entertainment center may:
 - (i) contain:

- 1. <u>rides and games such as bowling lanes, billiard tables, and</u>
- go-carts; and
- <u>2.</u> one or more food service facilities, bars, or lounges; and
- (ii) allow the playing of music and dancing.
- (d) The [license holder may sell beer, wine, and liquor] HOURS OF SALE ARE:
- (1) on Monday through Saturday, from 6 a.m. to 2 a.m. the following day; and
 - (2) on Sunday, from 11 a.m. to 2 a.m. the following day.
 - (e) The annual **EC** license fee is \$1,500.".

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 736 – Senator Edwards

AN ACT concerning

Allegany County - Alcoholic Beverages - Sunday Sales for Class A Licenses

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 746 – Senators Ready, Bates, and Hough

AN ACT concerning

Carroll County - Alcoholic Beverages - Beer, Wine, and Liquor Tasting License

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 795 - Senators Jennings, Cassilly, and Norman

AN ACT concerning

Harford County - Alcoholic Beverages - Movie Theater License

SB0795/974234/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 795

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after "sale;" insert "requiring that beer and wine be sold only in a certain manner; providing that a movie theater for which the license is issued is subject to certain alcohol awareness training requirements and shall offer for sale food other than candy and popcorn;"; and in line 13, strike "(S.B. _____)(6lr1406)" and substitute "(S.B. 724)".

AMENDMENT NO. 2

On page 2, in line 1, after "(C)" insert "(1)"; in line 2, strike "DURING THE SAME HOURS AND" and substitute "FROM 4 P.M. TO MIDNIGHT ON THE"; and after line 3, insert:

"(2) BEER AND WINE MAY BE SOLD ONLY:

- (I) IN SINGLE SERVE CONTAINERS; AND
- (II) FROM A COUNTER SEPARATE FROM A COUNTER SERVING CANDY, POPCORN, AND NONALCOHOLIC BEVERAGES.

(3) A MOVIE THEATER FOR WHICH THE LICENSE IS ISSUED:

(I) IS SUBJECT TO THE ALCOHOL AWARENESS TRAINING REQUIREMENTS UNDER § 4–505 OF THIS ARTICLE; AND

(II) SHALL OFFER FOR SALE FOOD OTHER THAN CANDY AND POPCORN.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #18

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

Senate Bill 410 – Senators Ferguson, Brochin, Guzzone, Hough, and Klausmeier

AN ACT concerning

Distillery License Holders - Sale of Product to Participants in Guided Tours

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 587 – Senators Madaleno, Nathan-Pulliam, Rosapepe, and Young

AN ACT concerning

Alcoholic Beverages - Sale of Powdered Alcohol - Prohibition

SB0587/744438/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 587 (First Reading File Bill) On page 1, in the sponsor line, strike "and Young" and substitute "<u>Young, Conway, Simonaire, Bates, Salling, and Zucker</u>".

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 724 – The President (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Alcoholic Beverages Article

<u>Favorable report adopted.</u>

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 725 – The President (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Alcoholic Beverages - Cross-References and Corrections

SB0725/634232/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 725

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "Maryland;" insert "<u>correcting certain errors in the Alcoholic Beverages Article</u>;"; in line 5, after "<u>cross</u>—references" insert "<u>and corrections</u>"; and after line 10, insert:

"BY repealing and reenacting, with amendments,

<u>Article – Alcoholic Beverages</u>

Section 2–131(b), 16–2004(b)(2)(i), 21–903(d), 21–905(e)(1) and (2), 21–1304(c), and 21–1310(e)

Annotated Code of Maryland

(As enacted by Chapter (S.B. 724) of the Acts of the General Assembly of 2016)".

AMENDMENT NO. 2

On page 3, after line 25, insert:

"Article – Alcoholic Beverages

<u>2–131.</u>

(b) [The Comptroller] A LOCAL LICENSING BOARD may issue the permit to a nonprofit organization, as defined by [§ 501(c)(3)] § 501(C) of the Internal Revenue Code, that meets the requirements of this section.

<u>16–2004.</u>

- (b) (2) A holder of a 7-day Class B beer and wine license may sell beer and wine for off-premises consumption:
- (i) on Monday through Saturday from 8 a.m. to 11 p.m. [the following day]; and

21–903.

(d) A license holder of a Class BDR license may acquire the catering option authorized under [§ 21–901] § 21–902 of this subtitle.

21-905.

(e) (1) For a Class D (on–sale) beer, wine, and liquor license without a catering [privilege] **OPTION**, the annual fee is \$1,500, and the one–time issuance fee for a new license is \$1,500.

(2) For a Class D (on-sale) beer, wine, and liquor license with a catering [privilege] **OPTION**, the annual fee is \$2,000, and the issuance fee for a new license is \$2,000.

21-1304.

- (c) The license authorizes the holder to display and sell beer that is:
 - (1) manufactured and processed in [the State] ANY STATE; and
 - (2) distributed in the State when the license application is filed.

21–1310.

- (e) The fee for a Class C multiple [day] **EVENT** license is:
 - (1) \$125 for not more than 5 events per year;
 - (2) \$250 for not more than 12 events per year;
 - (3) \$375 for not more than 18 events per year; and
 - (4) \$500 for not more than 24 events per year.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #19

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

Senate Bill 493 – Senators Pinsky, Conway, King, and Madaleno

AN ACT concerning

Teacher Induction, Retention, and Advancement Act of 2016

SB0493/814736/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 493

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Madaleno" and substitute "<u>Madaleno, and Middleton</u>"; in line 7, after "Program;" insert "<u>authorizing each county board of education to choose to participate in the Program; requiring a county board to select certain teachers to participate in the Program;"; in line 12, after "requiring" insert "<u>a</u>"; in the same line, strike "boards of education" and substitute "<u>board</u>"; and in line 13, strike "be provided to".</u>

AMENDMENT NO. 2

On page 4, in line 14, after "(B)" insert "(1)"; after line 15, insert:

"(2) (I) EACH COUNTY BOARD MAY CHOOSE TO PARTICIPATE IN THE PROGRAM.

(II) A COUNTY BOARD SHALL SELECT THE FIRST YEAR TEACHERS TO PARTICIPATE IN THE PROGRAM.";

in line 27, strike "EACH" and substitute "A"; strike beginning with "THAT" in line 27 down through the first "TEACHER" in line 28; and in line 28, after "TEACHER" insert "PARTICIPATING IN THE PROGRAM FROM THAT COUNTY".

On page 5, in line 9, strike "LOCAL SCHOOL SYSTEMS" and substitute "COUNTY BOARDS".

The preceding 2 amendments were read only.

Senator Jennings moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

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

Senate Bill 539 – Senator Conway

AN ACT concerning

Real Estate Brokers - Licensure Requirement - Exemption for Lawyers

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 806 – Senator Pugh

AN ACT concerning

State Board of Physicians – Naturopathic Doctors – Establishment of Naturopathic Doctors Formulary Council and Naturopathic Formulary

SB0806/844737/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 806

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 17, after "use;" insert "<u>authorizing a licensee to administer auto-injectable epinephrine;</u>"; and in line 22, after "purposes;" insert "<u>defining certain terms</u>;".

AMENDMENT NO. 2

On page 2, after line 31, insert:

"(C) "AUTO-INJECTABLE EPINEPHRINE" MEANS A PORTABLE, DISPOSABLE
DRUG DELIVERY DEVICE THAT CONTAINS A PREMEASURED SINGLE DOSE OF
EPINEPHRINE THAT IS USED TO TREAT ANAPHYLAXIS IN AN EMERGENCY
SITUATION.";

and in line 32, strike "(c)" and substitute "(D)".

On page 3, in lines 1, 2, 4, 12, 14, 16, and 18, strike "(d)", "(E)", "(F)", "(G)", "(H)", "(I)", and "(J)", respectively, and substitute "(E)", "(F)", "(G)", "(H)", "(I)", "(I)", "(J)", and "(K)", respectively.

On page 4, in lines 4, 7, and 11, strike "(K)", "(L)", and "(M)", respectively, and substitute "(L)", "(M)", and "(N)", respectively.

AMENDMENT NO. 3

On page 5, in line 1, after "PHARMACIST" insert "WHO HAS A BACKGROUND IN PHARMOCOGNOSY AND".

On page 6, in line 5, after "AND" insert "AUTO-INJECTABLE"; and strike beginning with the comma in line 5 down through "SITUATION" in line 8.

On page 7, in line 3, after "VAGINAL," insert "AND"; in line 4, strike ", AND INTRAMUSCULAR"; after line 4, insert:

"(5) ADMINISTER AUTO-INJECTABLE EPINEPHRINE;";

and in lines 5, 10, and 11, strike "(5)", "(6)", and "(7)", respectively, and substitute "(6)", "(7)", and "(8)", respectively.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #9

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

Senate Bill 310 – Senators Raskin, Cassilly, Hough, Lee, and Ramirez

AN ACT concerning

Child Abuse and Neglect - Failure to Report

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 359 – Senator Zirkin

AN ACT concerning

Family Law - Divorce - Corroboration of Testimony and Filing Procedures

SB0359/458973/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 359

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Senator Zirkin" and substitute "<u>Senators</u> <u>Zirkin and Norman</u>"; and in line 4, strike "requiring" and substitute "<u>authorizing</u>".

AMENDMENT NO. 2

On page 2, in line 21, strike "SHALL" and substitute "MAY".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 198 – Senators Nathan-Pulliam, Benson, Ferguson, Guzzone, Kagan, Kelley, King, Lee, McFadden, Muse, Pugh, Rosapepe, and Young

AN ACT concerning

Neonicotinoid Pesticides – Labeling, Signage, and Restrictions on Sales and Use (Pollinator Protection Act of 2016)

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

The President moved, duly seconded, to make the Bill and Report a Special Order for the end of today's business.

The motion was adopted.

March 3, 2016

Report #3

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.

Jamie Raskin Chair

Senate Executive Nominations Committee Report #3 March 3, 2016

Airport Zoning Appeals Board

1. Andrea M. Jones Horton 7715 East Classic Court Severn, MD 21061 District 32

Member of the Airport Zoning Appeals Board; reappointed to serve a term of four years from July 1, 2015

Amusement Ride Safety Advisory Board, State

2. Nancy R. Brashear 108 Park Lane Thurmont, MD 21788 District 4

Member of the State Amusement Ride Safety Advisory Board; reappointed to serve a term of four years from July 1, 2015

Appalachian States Low-Level Radioactive Waste Commission

3. Mary Beth Tung 6467 Galway Drive Clarksville, MD 21029 District 13

Member of the Appalachian States Low-Level Radioactive Waste Commission; appointed to serve a term of two years from May 7, 2015

Arts Council, Maryland State

4. Douglas Mann 347 Butternut Court Millersville, MD 21108 District 33

Member of the Maryland State Arts Council; appointed to serve a term of three years from July 1, 2015

Assistive Technology Loan Program Board of Directors

5. Norma Theo Pinette 720 Bay Street

District 43

Baltimore, MD 21211

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

6. Linda Webb 725 S. Ann Street Baltimore, MD 21231 District 46

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

Baltimore City Board of License Commissioners

7. Harvey E. Jones 4310 Walther Avenue Baltimore, MD 21214 District 45

Alternate Member of the Baltimore City Board of License Commissioners; appointed to serve a term of two years from July 1, 2014

Boiler Rules, Board of

8. Leonard Billian 10807 Falls Road Brooklandville, MD 21022–1387 District 11

Member of the Board of Boiler Rules; reappointed to serve a term of four years from January 1, 2016

Chesapeake Employers' Insurance Company, Board for the

9. Maria Harris Tildon, Esq. 5616 Cross Country Boulevard Baltimore, MD 21209 District 41

Member of the Board for the Chesapeake Employers' Insurance Company; appointed to serve a term of five years from June 1, 2013

Consumer Council

10. David J. Kim 2066 Mt. Hebron Court Ellicott City, MD 21042

District 9

Member of the Consumer Council; appointed to serve remainder of a term of six years from July $1,\,2012$

Economic Development Commission, Maryland

11. Susan C. Schwab 4 Market Quay Annapolis, MD 21401

District 30

Member of the Maryland Economic Development Commission; appointed to serve a term of three years from July 1, 2015

Fire-Rescue Education and Training Commission

12. Robert P. Cumberland, Jr. 222 Shipley Avenue Westminster, MD 21157 District 5

Member of the Fire–Rescue Education and Training Commission; reappointed to serve a term of four years from July 1, 2015

Handgun Roster Board

13. Michael A. Spaulding 7547 Main Street Sykesville, MD 21784 District 33

Member of the Handgun Roster Board; appointed to serve remainder of a term of four years from December 8, 2012

Health Care Commission, Maryland

14. Michael J. O'Grady, Ph.D.7509 Vale StreetChevy Chase, MD 20815

District 18

Member of the Maryland Health Care Commission; appointed to serve a term of four years from October 1, 2015

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

15. James C. Berndt 9731 Philadelphia Road Baltimore, MD 21237 District 7

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

Infants and Toddlers, Interagency Coordinating Council for

16. Elizabeth Kelley 7687 Anvil Drive Frederick, MD 21701 District 4

Member of the Interagency Coordinating Council for Infants and Toddlers; reappointed to serve a term of three years from July 1, 2015

Labor Relations Board, Public School

17. John A. Hayden, III, Esq. 532 Anneslie Road
Baltimore, MD 21212

District 42

Member of the Public School Labor Relations Board; appointed to serve remainder of a term of five years from July 1, 2012

Morgan State University Board of Regents

18. Sarai Nwagbaraocha 103 North Bay Street Snow Hill, MD 21863

District 38

Student Member of the Morgan State University Board of Regents; appointed to serve a term of one year from July 1, 2015

19. Tracey Parker–Warren, Esq.695 Reliance DriveOdenton, MD 21113

District 21

Member of the Morgan State University Board of Regents; appointed to serve a term of five years from July 1, 2015

20. Marquis T. Walker, Ph.D. 234 Mallow Hill Road Baltimore, MD 21229 District 44

Member of the Morgan State University Board of Regents; appointed to serve a term of five years from July 1, 2015

21. Winston A. Wilkinson 109 Stone Point Drive, #259 Annapolis, MD 21401

District 30

Member of the Morgan State University Board of Regents; appointed to serve a term of five years from July 1, 2015

Open Meetings Law Compliance Board, State

22. Rachel Shapiro Grasmick, Esq. 505 Lakeland Road South Severna Park, MD 21146

District 33

Member of the State Open Meetings Law Compliance Board; appointed to serve remainder of a term of three years from July 1, 2013

23. April C. Ishak, Esq. 1708 Mount Pleasant Court Havre de Grace, MD 21078

District 34

Member of the State Open Meetings Law Compliance Board; appointed to serve a term of three years from July 1, 2014

Optometry, State Board of Examiners in

24. Rona D. Pepper 12206 Faulkner Drive Owings Mills, MD 21117 District 11

Member of the State Board of Examiners in Optometry; appointed to serve remainder of a term of four years from June 1, 2012

Professional Engineers, State Board for

25. Justin A. Williams, Esq.1304 South Baylis StreetBaltimore, MD 21224

District 46

Member of the State Board for Professional Engineers; appointed to serve remainder of a term of five years from July 1, 2012

Professional Standards and Teacher Education Board

26. Charles G. Hagan 612 Yankee Doodle Drive Bel Air, MD 21014 District 35

Member of the Professional Standards and Teacher Education Board; appointed to serve a term of three years from July 1, 2014

27. Kathleen Ann Kelbaugh 18917 Falls Road Hampstead, MD 21074 District 42

Member of the Professional Standards and Teacher Education Board; appointed to serve a term of three years from July 1, 2014

28. Debra Poese 13001 Margot Drive Rockville, MD 20853 District 19

Member of the Professional Standards and Teacher Education Board; appointed to serve a term of three years from July 1, 2014

Public Defender, Office of the Board of Trustees of the

29. Angela B. Dipietro, Esq. 4856 Northampton Drive Salisbury, MD 21804 District 37

Member of the Board of Trustees of the Office of the Public Defender; appointed to serve a term of three years from June 1, 2015

30. Thy Christine Pham, Esq. 948 Tioga Lane
Crownsville. MD 21032

District 33

Member of the Board of Trustees of the Office of the Public Defender; appointed to serve remainder of a term of three years from June 1, 2013 and a term of three years from June 1, 2016

Public Information Act Compliance Board, State

31. Christopher A. Eddings 906 Windsor Road Pikesville, MD 21208

District 11

Member of the State Public Information Act Compliance Board; appointed to serve a term to expire June 30, 2017

Transportation Authority, Maryland

32. Peter J. Basso 514 Mannakee Street Rockville, MD 20850 District 17

Member of the Maryland Transportation Authority; reappointed to serve a term of four years from July 1, 2015

33. William C. Ensor, III 14210 Manor Road Phoenix, MD 21131

District 7

Member of the Maryland Transportation Authority; appointed to serve a term of four years from July 1, 2015

34. Michael G. Leahy, Esq. 712 Monmouth Avenue Severna Park, MD 21146 District 33

Member of the Maryland Transportation Authority; appointed to serve a term of four years from July 1, 2015

35. Randall Nixon, Esq. 2800 Nixon's Farm Lane West Friendship, MD 21794 District 9

Member of the Maryland Transportation Authority; appointed to serve a term of four years from July 1, 2015

University System of Maryland Board of Regents

36. Linda R. Gooden 1915 Towne Centre Blvd., Unit 1111 Annapolis, MD 21401 District 30

Member of the University System of Maryland Board of Regents; reappointed to serve a term of five years from July 1, 2014

Veterinary Medical Examiners, State Board of

37. Lynne E. Chaput 309 Blue Cedar Court Millersville, MD 21108

District 33

Member of the State Board of Veterinary Medical Examiners; appointed to serve remainder of a term of five years from June 1, 2012

Washington Suburban Transit Commission

38. Keturah Denise Harley, Esq. 504 Crusher Court Upper Marlboro, MD 20774

District 24

Member of the Washington Suburban Transit Commission; appointed to serve remainder of a term of four years from July $1,\,2013$

Women, Maryland Commission for

39. Marianne Hyang Nam Brackney 6309 Golden Star Place Columbia, MD 21044 District 13

Member of the Maryland Commission for Women; appointed to serve a term of four years from July 1, 2014

40. Tammy Bresnahan 278 Arundel Beach Road District 33

Member of the Maryland Commission for Women; appointed to serve a term of four years from July $1,\,2015$

41. Gloria Chang

District 39

21400 Manor View Circle Germantown, MD 20876

Severna Park, MD 21146

Member of the Maryland Commission for Women; appointed to serve a term of four years from July $1,\,2015$

42. Doris Hillian Ligon 8761 Sage Brush Way District 13

Columbia, MD 21045

Member of the Maryland Commission for Women; appointed to serve remainder of a term of four years from July 1, 2014

43. Marion C. Manski

District 10

7 Folly Farm Court

Reisterstown, MD 21136

Member of the Maryland Commission for Women; appointed to serve remainder of a term of four years from July 1, 2014

44. Carole Jaar Sepe 4465 Lewis Mill Court Jefferson, MD 21755

District 3

Member of the Maryland Commission for Women; appointed to serve a term of four years from July $1,\,2015$

45. Corinna Yi–Yuan Kuo Shen 1616 Martha Terrace

District 17

Rockville, MD 20852

Member of the Maryland Commission for Women; appointed to serve a term of four years from July 1, 2014

46. Yun Jung Yang

District 14

16816 Harbour Town Drive Silver Spring, MD 20905

Member of the Maryland Commission for Women; appointed to serve a term of four years from July 1, 2015

Statewide Nominees

Please Note: Statewide n

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

Professional Standards and Teacher Education Board

S–1. 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, 2014

S–2. Alyssia J. James, Ed.D.

District 22

9105 Wellington Place Lanham, MD 20706

Member of the Professional Standards and Teacher Education Board; reappointed to serve a term of three years from July 1, 2015

S–3. 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, 2014

S-4. Mary Ellen Lewis, Ed.D.

District 43

5016 Plymouth Road Baltimore, MD 21214

Member of the Professional Standards and Teacher Education Board; reappointed to serve a term of three years from July 1, 2014

S-5. Chistopher 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, 2014

S-6. Barbara M. Palmer, Ph.D.

District 4

2823 Wildwood Court

Frederick, MD 21793

Member of the Professional Standards and Teacher Education Board; reappointed to serve a term of three years from July 1, 2014

S–7. Dawn T. Pipkin

District 29

P.O. Box 476

Hollywood, MD 20636

Member of the Professional Standards and Teacher Education Board; reappointed to serve a term of three years from July $1,\,2015$

Local Nominees

Please Note: Local Nominees are not required to appear before the Senate Executive Nominations Committee.

Carroll County Board of Elections

L–1. Larry W. Shipley 46 Carroll Street District 5

Westminster, MD 21157

Member of the Carroll County Board of Elections; appointed to serve a term of four years from June $1,\,2015$

Cecil College Board of Trustees

L–2. Mark G. Mortenson

District 36

105 Deer Path North East, MD 21901

Member of the Cecil College Board of Trustees; appointed to serve a term of six years from July 1, 2015

Harford County Board of Elections

L-3. Cynthia L. Allred

District 7

4864 Carea Road

White Hall, MD 21161

Member of the Harford County Board of Elections; appointed to serve a term of four years from June 1, 2015

Montgomery College Board of Trustees

L-4. Gloria Aparicio Blackwell

District 17

53 Appleseed Lane

Gaithersburg, MD 20878

Member of the Montgomery College Board of Trustees; reappointed to serve a term of six years from July 1, 2014

L-5. Robert J. Hydorn

District 39

9401 Chatteroy Place

Montgomery Village, MD 20886

Member of the Montgomery College Board of Trustees; appointed to serve a term of six years from July 1, 2013

L-6. Robert F. Levey

District 16

6820 Wisconsin Avenue, Apt. 7014

Bethesda, MD 20815

Member of the Montgomery College Board of Trustees; appointed to serve a term of six years from July 1, 2013

L-7. Leslie S. Levine, Ph.D. 7401 Helmsdale Road Bethesda, MD 20817 District 16

Member of the Montgomery College Board of Trustees; appointed to serve a term of six years from July 1, 2015

Prince George's County Board of License Commissioners

L–8. Kenneth J. Miles 8703 Timothy Road Brandywine, MD 20613

District 27

Member of the Prince George's County Board of License Commissioners; appointed to serve a term of three years from June 1, 2015

Queen Anne's County Board of County Commissioners

L–9. Jack N. Wilson, Jr. 116 Taylor Road Centreville, MD 21617 District 36

Commissioner of the Queen Anne's County Board of County Commissioners; appointed to serve remainder of a term of four years from the General Election of November, 2014

Somerset County Liquor Control Board

L-10. Cynthia Johnson-Knopp 10660 Stewart Neck Road Princess Anne, MD 21853 District 38

Member of the Somerset County Liquor Control Board; appointed to serve a term of four years from June $1,\,2015$

Talbot County Board of License Commissioners

L–11. John M. Gottschalk 12485 Mill Creek Lane Wye Mills, MD 21679 District 37

Member of the Talbot County Board of License Commissioners; appointed to serve remainder of a term of six years from May 6, 2013

L–12. Gretchen W. Panuzio

District 37

708 Riverview Terrace St. Michaels, MD 21663

Member of the Talbot County Board of License Commissioners; appointed to serve a term of six years from the first Monday in May, 2015

L-13. Gary Clifford Royer

District 37

8537 Northbend Road Easton, MD 21601

Member of the Talbot County Board of License Commissioners; reappointed to serve a term of six years from May 2, 2011

Washington County Board of Elections

L–14. William G. Blazes, Jr.

District 2

11901 Beavervale Road Smithsburg, MD 21783

Member of the Washington County Board of Elections; appointed to serve a term of four years from June 1, 2015

L-15. Martin A. Lumm

District 2

13542 Paradise Church Road Hagerstown, MD 21742

Member of the Washington County Board of Elections; appointed to serve a term of four years from June $1,\,2015$

Washington County Board of License Commissioners

L-16. Robert J. Buczkowski

District 2

1249 Frederick Street Hagerstown, MD 21740

Chair of the Washington County Board of License Commissioners; appointed to serve a term of six years from June $1,\,2015$

Washington County Orphans' Court

L-17. Franklin E. Novinger 18906 Rolling Road Hagerstown, MD 21742

District 2

Member of the Washington County Orphans' Court; appointed to serve remainder of a term of four years from the General Election of November 2014

Wicomico County Liquor Control Board

L-18. Donald E. Ewalt, Jr. 203 Creekside Drive

District 38

Salisbury, MD 21804

Member of the Wicomico County Liquor Control Board; reappointed to serve a term of two years from July 1, 2015

L–19. Robert E. Holloway

District 37

27616 Little Lane Salisbury, MD 21801

Member of the Wicomico County Liquor Control Board; appointed to serve a term of two years from July 1, 2015

L-20. Peter E. Richardson

District 38

1103 Woodland Road Salisbury, MD 21801

Member of the Wicomico County Liquor Control Board; appointed to serve a term of two years from July 1, 2015

Wor-Wic Community College Board of Trustees

L–21. Lorraine Purnell–Ayres 6850 Public Landing Road

Snow Hill, MD 21836

District 38

Member of the Wor–Wic Community College Board of Trustees; appointed to serve a term of six years from July 1, 2015

STATUS: QUESTION IS WILL THE SENATE ADVISE AND CONSENT TO THE NOMINATIONS OF THE EXECUTIVE?

The President of the Senate put the following question: With the exception of Nominee No. 7, "Will the Senate advise and consent to the above nominations of the Executive?"

The above nominations of the Executive, with the exception of Nominee No. 7, were all confirmed by roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 405)

Nominee No. 7:

Baltimore City Board of License Commissioners

7. Harvey E. Jones 4310 Walther Avenue Baltimore, MD 21214 District 45

Alternate Member of the Baltimore City Board of License Commissioners; appointed to serve a term of two years from July 1, 2014

Senator Jennings moved, duly seconded, to make nominee No.7, Harvey E. Jones, a Special Order for March 11, 2016.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 406)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #32

Senate Bill 199 – Senators Brochin, Muse, Pinsky, Pugh, Ready, and Zirkin

AN ACT concerning

Transit and Transportation Service – Audio Recordings – Requirements and Limitations

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

Affirmative – 44 Negative – 0 (See Roll Call No. 407)

The Bill was then sent to the House of Delegates.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 198 – Senators Nathan-Pulliam, Benson, Ferguson, Guzzone, Kagan, Kelley, King, Lee, McFadden, Muse, Pugh, Rosapepe, and Young

AN ACT concerning

Neonicotinoid Pesticides – Labeling, Signage, and Restrictions on Sales and Use (Pollinator Protection Act of 2016)

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

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0198/673623/1

BY: Senator Conway

AMENDMENTS TO SENATE BILL 198

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after "farmer" insert "or a person working under the direct supervision of a farmer".

AMENDMENT NO. 2

On page 3, in line 19, strike "A FLEA OR TICK COLLAR THAT CONTAINS A NEONICOTINOID PESTICIDE" and substitute ":

- (I) PET CARE PRODUCTS USED TO MITIGATE FLEAS, MITES, TICKS, HEARTWORMS, OR OTHER ANIMALS THAT ARE HARMFUL TO THE HEALTH OF A DOMESTICATED ANIMAL;
- (II) PERSONAL CARE PRODUCTS USED TO MITIGATE LICE AND BEDBUGS; AND

(III) INDOOR PEST CONTROL PRODUCTS USED TO MITIGATE INSECTS INDOORS, INCLUDING ANT BAIT";

and in line 26, after "FARMER" insert ", OR A PERSON UNDER THE DIRECT SUPERVISION OF A FARMER,".

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

SB0198/233124/1

BY: Senator Jennings

AMENDMENTS TO SENATE BILL 198, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

Strike the Education, Health, and Environmental Affairs Committee Amendments (SB0198/214736/1) in their entirety.

AMENDMENT NO. 2

On page 1 of the bill, in line 2, before "Neonicotinoid" insert "Maryland Department of Agriculture —"; in lines 2 and 3, strike beginning with "Labeling" in line 2 down through "2016)" in line 3 and substitute "Analysis and Report"; strike beginning with "prohibiting" in line 4 down through "terms" in line 12 and substitute "requiring the Department of Agriculture, in consultation with certain persons, within a certain time period to conduct a certain analysis of the U.S. Environmental Protection Agency's pollinator risk assessments and recommendations and report the results to certain members of the General Assembly; requiring the Department to incorporate certain recommendations into the Maryland Managed Pollinator Protection Plan"; and strike in their entirety lines 14 through 24, inclusive.

AMENDMENT NO. 3

On page 1 of the bill, in line 26, strike "the Laws of Maryland read as follows:" and substitute "the Maryland Department of Agriculture, in consultation with the Maryland State Beekeepers Association, the University of Maryland, the Maryland Green Industry Council, and farmers, shall:

- (1) within 120 days after the completion and release of the U.S. Environmental Protection Agency's pollinator risk assessments on imidacloprid, clothianidin, thiamethoxam, and dinotefuran:
- (i) conduct a thorough analysis of the pollinator risk assessments and the U.S. Environmental Protection Agency's recommendations; and
- (ii) report the results of the analysis, including any recommendations, to the Senate Education, Health, and Environmental Affairs Committee and the House Environment and Transportation Committee, in accordance with § 2–1246 of the State Government Article; and
- (2) incorporate any recommendations that result from the Department's analysis into the Maryland Managed Pollinator Protection Plan.".

On pages 2 and 3 of the bill, strike in their entirety the lines beginning with line 1 on page 2 through line 29 on page 3, inclusive.

The preceding 3 amendments were read and rejected by a roll call vote as follows:

Affirmative – 18 Negative – 27 (See Roll Call No. 408)

FLOOR AMENDMENT

SB0198/773926/2

BY: Senator Jennings

AMENDMENTS TO SENATE BILL 198, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 11, after "farmer" insert "or a person working under the supervision of a farmer".

In the Education, Health, and Environmental Affairs Committee Amendments (SB0198/214736/1), in line 3 of Amendment No. 1, strike "direct".

AMENDMENT NO. 2

On page 3 of the bill, in line 26, after "FARMER" insert ", OR A PERSON WORKING UNDER THE SUPERVISION OF A FARMER,".

In the Education, Health, and Environmental Affairs Committee Amendments, in line 2 of Amendment No. 4, strike "DIRECT".

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

SB0198/443529/1

BY: Senator Jennings

AMENDMENT TO SENATE BILL 198

(First Reading File Bill)

On page 3, in line 27, after "POULTRY," insert "EQUINE,".

The preceding amendment was read and adopted.

FLOOR AMENDMENT

SB0198/973420/1

BY: Senator Hough

AMENDMENTS TO SENATE BILL 198

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after "veterinarian;" insert "<u>establishing certain civil penalties</u> for a violation of this Act;"; and in line 21, strike "5–2A–02" and substitute "<u>5–2A–03</u>".

AMENDMENT NO. 2

On page 3, after line 29, insert:

"5-2A-03.

A PERSON WHO VIOLATES THIS SUBTITLE IS SUBJECT TO A CIVIL PENALTY OF \$50.".

The preceding 2 amendments were read and adopted.

Senator Middleton moved, duly seconded, to make the Bill and Report a Special Order for March 7, 2016.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 409)

ADJOURNMENT

At 12:57 P.M. on motion of Senator Pugh, seconded, the Senate adjourned until 8:00 P.M. on Monday, March 7, 2016.

Annapolis, Maryland Monday, March 7, 2016 8:00 P.M. Session

The Senate met at 8:06 P.M.

Prayer by Reverend Ken Valentine, Bethel United Methodist Church, guest of Senator DeGrange.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 411)

On motion of Senator Pugh it was ordered that Senators Gladden and Zucker be excused from today's session.

The Journal of March 4, 2016 was read and approved.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 384 - The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Dr. Charlene Dukes
in recognition of

her election as Chair of the American Association of Community Colleges. As the voice of the nation's community colleges, the AACC delivers educational and economic opportunity for 13 million diverse students in search of the American Dream.

The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 7 day of March 2016.

Read and adopted by a roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 412)

Senate Resolution No. 309 - Senator Wayne Norman:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Rising Sun High School Girls Volleyball Team
in recognition of

your winning the Maryland State 2A Volleyball Championship. We applaud your outstanding 23–1 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 15th day of February 2016.

Read and adopted by a roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 413)

INTRODUCTION OF BILLS

Senate Bill 1152 - Senator Manno

AN ACT concerning

Creation of a State Debt - Montgomery County - Torah School of Greater Washington

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Directors of The Torah School of Greater Washington, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1153 – Senator Pugh

AN ACT concerning

Health Insurance - Clinically Integrated Organizations

FOR the purpose of altering the definition of "clinically integrated organization" for purposes of provisions of law governing contracts between certain health insurance carriers and clinically integrated organizations and the sharing of certain medical information by the health insurance carriers with clinically integrated organizations; and generally relating to clinically integrated organizations.

BY repealing and reenacting, with amendments,

Article – Insurance Section 15–1901 Annotated Code of Maryland (2011 Replacement Volume and 2015 Supplement)

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

Senate Bill 1154 – Senator Ready

AN ACT concerning

Courts - Limitation on Damages Arising Out of Bedbug Extermination

FOR the purpose of limiting compensation in a civil action against a pesticide business arising out of the business's treatment of a bedbug infestation to actual damages under certain circumstances; defining a certain term; and generally relating to damages in civil actions against pesticide businesses.

BY adding to

Article – Courts and Judicial Proceedings Section 5–427 Annotated Code of Maryland (2013 Replacement Volume and 2015 Supplement)

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

Senate Bill 1155 - Senator Zirkin

AN ACT concerning

Creation of a State Debt - Baltimore County - Talmudical Academy Gymnasium

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

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

Senate Bill 1156 - Senators Zirkin and Miller

AN ACT concerning

Criminal Procedure – Determination of Eligibility for Services – Office of the Public Defender

FOR the purpose of transferring certain provisions relating to the representation of indigent defendants by the Office of the Public Defender from the Criminal Procedure Article to the Courts and Judicial Proceedings Article; requiring a certain designated official instead of the Office to determine the eligibility of an applicant for representation by the Office; requiring the Court of Appeals to designate a person to determine the eligibility of an applicant for representation by the Office; repealing a certain provision establishing that representation is not required to be provided to an indigent individual at a certain initial appearance; providing that a person may apply in any District Court of the State for representation by the Office; requiring a certain application to be made on a certain form; prohibiting the Office or a panel attorney from continuing a certain representation after a certain bail hearing unless a certain eligibility is determined; requiring a person designated by the Court of Appeals to determine the eligibility of an applicant to perform certain investigations; requiring a certain designated official to appoint the Office to represent an individual under certain circumstances; establishing that nothing in this Act affects the ability of the Office to use certain panel attorneys or seek certain reimbursement; requiring the Court of Appeals to adopt rules to implement this Act; making certain conforming changes; defining certain terms; providing for a delayed effective date; and generally relating to eligibility for the services of the Office of the Public Defender.

BY repealing

Article – Criminal Procedure Section 16–204 and 16–210 Annotated Code of Maryland (2008 Replacement Volume and 2015 Supplement)

BY adding to

Article – Courts and Judicial Proceedings
Section 1–801 through 1–805 to be under the new subtitle "Subtitle 8. Determination of Indigence"
Annotated Code of Maryland
(2013 Replacement Volume and 2015 Supplement)

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

Senate Bill 1157 - Senator Klausmeier

Public Service Company - Easement - Policy and Notice for Performing Work

FOR the purpose of requiring each public service company to establish certain policies and procedures; requiring that a certain policy and procedures provide that a public service company that has not entered onto property subject to a certain easement within a certain period of time to provide a certain notice to the property owner of land subject to a certain easement before performing any work on the property; and generally relating to public service companies.

BY adding to

Article – Public Utilities Section 5–305 Annotated Code of Maryland (2010 Replacement Volume and 2015 Supplement)

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

Senate Bill 1158 - Senator McFadden

AN ACT concerning

Higher Education - Morgan State University - Office of Technology Transfer

FOR the purpose of requiring the Board of Regents of Morgan State University to develop and implement a plan to enhance the Office of Technology Transfer at the University; requiring the Maryland Technology Development Corporation, at the request of the Board of Regents, to provide certain technical assistance to the Office of Technology Transfer; requiring the Governor to include in the annual budget bill an appropriation of a certain amount for certain fiscal years for certain purposes; requiring the Board of Regents to report to the Governor and the General Assembly on or before a certain date each year on certain matters; providing for the termination of this Act; and generally relating to the Office of Technology Transfer at Morgan State University.

BY adding to

Article – Education Section 14–104.2 Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement)

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

Senate Bill 1159 – Senators Conway and Nathan-Pulliam

Baltimore City Board of License Commissioners – Members – Terms and Appointment

FOR the purpose of requiring the Governor, when evaluating an applicant for membership on the Board of License Commissioners for Baltimore City, to consider the need for certain types of diversity on the Board; requiring the Governor to make an appointment to fill a vacancy on the Board within a certain number of days after the vacancy occurs; making this Act an emergency measure; providing for the termination of certain provisions of this Act; and generally relating to the Board of License Commissioners for Baltimore City.

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 15-101(a)(4)

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 15–101(d)

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 12–102

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 12–202

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

Senator Conway moved to suspend the rules to allow **Senate Bill 1159** to be referred immediately.

The motion was adopted.

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

Senate Bill 1160 - Senator Astle

Creation of a State Debt - Anne Arundel County - Samaritan House

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Board of Trustees of the Samaritan Houses, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 1161 – Senator Ferguson

AN ACT concerning

Creation of a State Debt – Baltimore City – Harbor Point Parks and Infrastructure

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

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

Senate Bill 1162 – Senator Salling

AN ACT concerning

Education - Career Exploration and Development Activities - Caffeinated Beverages (Java Act)

FOR the purpose of prohibiting an Executive Branch agency from banning or regulating the sale of caffeinated beverages in conjunction with a career exploration and development activity in a public high school in the State; and generally relating to the sale of caffeinated beverages in conjunction with a career exploration and development activity in a public high school.

Article – Education Section 7–423.1 Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement)

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

Senate Bill 1163 - Senator Salling

AN ACT concerning

State Boat Act - Marinas Infested With Midges - Funding for Larvicide

FOR the purpose of requiring the Department of Natural Resources to use certain funds to assist an owner of a certain marina that is infested with midges with the purchase of larvicide; and generally relating to marinas located on the waters of the State.

BY adding to

Article – Natural Resources Section 8–709.2 Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

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

Senate Bill 1164 – Senator Ferguson

AN ACT concerning

Baltimore City – South Baltimore Gateway Community Benefits District and Distribution of Local Impact Grants

FOR the purpose of authorizing the Mayor and City Council of Baltimore City to establish certain community benefits district management authorities to include the South Baltimore Gateway Community Benefits District; requiring the ordinance establishing the South Baltimore Gateway Community Benefits District Management Authority to specify and modify the boundaries of the district in a certain manner; requiring the district to include certain neighborhoods; requiring the establishing ordinance to address certain matters, including the powers and functions of the Authority, the duration of the Authority, the boundaries of the district, and the organization and method of initial appointment of officers and board members of the Authority; providing that a certain financial plan of the Authority shall be subject to the approval of the Baltimore City Board of Estimates; providing for the membership of the Authority; specifying the powers of the Authority; prohibiting the Authority from taking certain actions; prohibiting an officer or employee of the Authority from acting, in a certain capacity, as an agent or employee of the Mayor and City Council of Baltimore City or the State; exempting the

ordinance establishing the district or Authority from a certain requirement that the ordinance be submitted to certain affected voters in a special election; requiring, starting in a certain fiscal year, a certain percentage of local impact grants from video lottery proceeds to be distributed to the Authority each year; making certain conforming changes; providing for the effective date of certain provisions of this Act; and generally relating to the distribution of certain local impact grants in Baltimore City and the establishment of the South Baltimore Gateway Community Benefits District.

BY repealing and reenacting, with amendments,

The Charter of Baltimore City

Article II – General Powers

Section (63)

(2007 Replacement Volume, as amended)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9-1A-31(b)(3)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

The Charter of Baltimore City

Article II – General Powers

Section (63)(c-1)(1)(i)

(2007 Replacement Volume, as amended)

(As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9-1A-31(b)(3)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

(As enacted by Section 3 of Chapter 1 of the Acts of the General Assembly of the Second Special Session of 2012)

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

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 5 – Delegate Shoemaker <u>Delegates Shoemaker, Hammen, Barron, Bromwell, Cullison, Hayes, Hill, Kipke, Krebs, McDonough, McMillan, Miele, Morgan, Morhaim, Oaks, Pena-Melnyk, Pendergrass, Rose, Saab, Sample-Hughes, West, and K. Young</u>

Department of General Services – Declaration and Disposal of Excess and Surplus Property – Government House Furnishings

FOR the purpose of providing that furnishings used in the Government House may be deemed excess personal property or surplus personal property only on approval of the Government House Trust; prohibiting, except under certain circumstances, the Secretary of General Services and the Secretary's designee from selling, giving, or otherwise transferring ownership of certain furnishings directly to the Governor or a former Governor; providing for the application of a certain provision of this Act; and generally relating to the declaration and disposal of excess and surplus personal property.

BY repealing and reenacting, with amendments, Article – State Finance and Procurement Section 4–502 and 4–504 Annotated Code of Maryland (2015 Replacement Volume)

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

House Bill 27 – Delegate Haynes Delegates Haynes, Anderson, Angel, Barkley, B. Barnes, Barron, Barve, Branch, Bromwell, Brooks, Carey, Carr, Carter, Clippinger, Conaway, Cullison, Davis, Dumais, Ebersole, Fennell, Fraser-Hidalgo, Frick, Frush, Gaines, Gilchrist, Glenn, Gutierrez, Hammen, Hayes, Healey, Hettleman, Hill, Hixson, C. Howard, Jackson, Jalisi, Jones, Kaiser, Kelly, Knotts, Korman, Kramer, Lafferty, Lam, Lierman, Luedtke, McCray, A. Miller, Moon, Morales, Oaks, Patterson, Pena-Melnyk, Platt, Reznik, B. Robinson, S. Robinson, Rosenberg, Sanchez, Smith, Sophocleus, Stein, Sydnor, Tarlau, Valderrama, Waldstreicher, A. Washington, M. Washington, K. Young, P. Young, and Zucker

AN ACT concerning

Education - Community Colleges - Collective Bargaining

FOR the purpose of establishing collective bargaining rights for certain community college employees; requiring certain community colleges to determine whether certain employees are public employees for purposes of collective bargaining, subject to certain rights of appeal; establishing procedures for the election or recognition of an exclusive bargaining representative; providing procedures by which the State Higher Education Labor Relations Board may designate a bargaining unit; establishing the maximum number of bargaining units within each community college; providing for

the composition of certain bargaining units; requiring certain collective bargaining agreements to include certain provisions; providing for a certain exemption from paying dues and fees under certain circumstances; establishing the matters subject to collective bargaining negotiations; providing for certain rights and responsibilities in connection with the collective bargaining process; authorizing certain parties to engage in mediation and fact-finding under certain circumstances and providing for fact-finding procedures; providing for the settlement of certain grievances; prohibiting certain public employees and exclusive bargaining representatives from engaging in a strike and providing sanctions for engaging in a strike; requiring the parties to collective bargaining negotiations to make certain efforts to conclude negotiations by a certain time; authorizing a collective bargaining agreement to include a provision for the arbitration of certain grievances; requiring that the terms of a collective bargaining agreement supersede certain regulations and policies; providing that a collective bargaining agreement may be reopened under certain circumstances; repealing certain provisions of law relating to collective bargaining rights that apply to individual community colleges; altering the scope of duty of the State Higher Education Labor Relations Board to include administering and enforcing provisions of this Act; providing for the disclosure of certain employee information; providing requiring that certain community colleges may continue to operate under certain agreements and contracts under certain circumstances for a certain period of time; repealing references to the Baltimore County City Community College from certain provisions of law relating to collective bargaining requirements for certain State employees; providing that the exclusive representative of a certain bargaining unit maintains certification under certain circumstances; requiring that certain community colleges be subject to certain rules and regulations under certain circumstances; defining certain terms; providing for the application of this Act; and generally relating to collective bargaining rights for community college employees.

BY repealing

Article – Education Section 16–403, 16–412, and 16–414.1 Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement)

BY adding to

Article - Education

Section 16–701 through 16–710 to be under the new subtitle "Subtitle 7. Collective Bargaining"

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – State Personnel and Pensions Section <u>3–101(a) and</u> 3–2A–01 Annotated Code of Maryland (2015 Replacement Volume) BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section <u>3–101(f)</u>, <u>3–102(a)</u>, <u>3–2A–05</u>, <u>3–2A–07</u>, and <u>3–2A–08(a)</u>, <u>3–403(d)</u> and (e), <u>3–501(a)</u>, (d), and (f), <u>3–502(c)</u>, and <u>3–601(a)</u>

Annotated Code of Maryland (2015 Replacement Volume)

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

House Bill 124 – Delegate Hammen Delegates Hammen and Wivell

AN ACT concerning

Health Insurance - Large Employers - Disclosure of Aggregate Incurred Claims

FOR the purpose of requiring a health insurance carrier to disclose certain aggregate incurred claims to a large employer under certain circumstances; requiring the disclosure to be made at <u>a</u> certain <u>times</u> <u>time</u> and in a certain format; defining certain terms; and generally relating to disclosure of aggregate incurred claims to a large employer by a carrier.

BY adding to

Article – Insurance Section 15–1411 Annotated Code of Maryland (2011 Replacement Volume and 2015 Supplement)

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

House Bill 364 - Delegates Dumais, Fraser-Hidalgo, and A. Miller

AN ACT concerning

Petitions for Emergency Evaluation - Minors - Sealing of Court Records

FOR the purpose of authorizing a certain individual to file a motion with the court requesting that any court records relating to a certain petition for emergency evaluation be sealed; requiring the court to have a copy of the motion served on a certain petitioner at a certain address; authorizing the court to order that certain court records be sealed under certain circumstances; authorizing a certain petitioner to file an objection to the motion; authorizing the court to grant the motion without a hearing under certain circumstances; requiring the court to hold a hearing if the petitioner files an objection to the motion within a certain time period after a copy of the motion is served on the petitioner; authorizing the court to hold a hearing on its own initiative; prohibiting certain court records, if sealed, from being opened for any purpose except by order of the court under certain circumstances; clarifying that a certain provision of law allowing the review of certain court records by certain

persons and entities does not apply to the review of certain court records that have been sealed under a certain provision of this Act; and generally relating to petitions for emergency evaluation and court records.

BY repealing and reenacting, with amendments,

Article – Health – General Section 10–630 Annotated Code of Maryland (2015 Replacement Volume)

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

House Bill 470 – Delegates Krebs and Kipke, <u>Kipke</u>, <u>Barron</u>, <u>Bromwell</u>, <u>Hammen</u>, <u>Hill</u>, <u>McDonough</u>, <u>McMillan</u>, <u>Miele</u>, <u>Morgan</u>, <u>Oaks</u>, <u>Pendergrass</u>, <u>Rose</u>, <u>Saab</u>, <u>Sample–Hughes</u>, <u>and West</u>

AN ACT concerning

Health Occupations - Dental Hygienists - Administration of Nitrous Oxide

FOR the purpose of authorizing, subject to certain requirements, dental hygienists to administer nitrous oxide to certain patients; altering a certain definition; making certain conforming changes; and generally relating to the administration of nitrous oxide by dental hygienists.

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 4–101(a)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 4–101(k)(9), 4–205(a)(1)(ix), and 4–206.2

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

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

House Bill 497 – Delegate Hammen (Chair, Health and Government Operations Committee)

AN ACT concerning

Health Occupations – Environmental Health Specialists – Regulation State Board of Environmental Health Specialists – Sunset Extension and Revisions

FOR the purpose of continuing the State Board of Environmental Health Specialists in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; requiring a certain annual report filed by the Board to include a plan for special fund revenues; requiring the Board, on or before a certain date, to adopt certain regulations regarding continuing education, conduct a certain review of continuing education units and providers, make certain information available through the Board's Web site, conduct a certain evaluation, implement an online continuing education unit process, overhaul the Board's Web site to include certain content, and establish a method to improve the accuracy of licensee contact <u>information</u>; requiring the Board to monitor the Long Term Environmental Health Workforce Work Group's activities and certain recommendations and assist the Work Group in instituting certain statutory and regulatory changes and distributing information to licensees; requiring the Board, on or before a certain date, to provide a certain report to certain committees of the General Assembly; and generally relating to the State Board of Environmental Health Specialists. repealing provisions of law that establish the State Board of Environmental Health Specialists. specify the membership, powers, and duties of the Board, and provide for the officers. meetings, compensation, and staff for the Board; repealing the State Board of Environmental Health Specialists Fund; repealing the requirement that an individual be licensed by the Board to practice as an environmental health specialist in the State; repealing provisions of law relating to the licensure of environmental health specialists: repealing certain prohibited acts and penalties; repealing a certain short title; repealing a certain termination provision; requiring an individual to obtain and maintain a certain credential and submit certain documentation to the individual's employer to practice as an environmental health specialist in the State: requiring the employer of an individual practicing as an environmental health specialist to verify the individual's compliance with certain provisions of this Act on a certain basis; providing exemptions from the application of certain provisions of this Act; authorizing certain individuals to practice as an environmental health specialist in the State under certain circumstances and for a certain period of time; repealing the requirement that the Department of Legislative Services conduct a certain evaluation of the Board; providing that an individual who is licensed by the Board on a certain date is considered to be licensed and deemed eligible to practice as an environmental health specialist for the duration of the term of the license; requiring that any balance in the Fund on a certain date be transferred to the General Fund; requiring the Department of Health and Mental Hygiene, on or before a certain date, to work with the National Environmental Health Association to secure a certain agreement; requiring the agreement to specify certain matters; requiring the Department of Health and Mental Hygiene to notify certain legislative committees and the Department of Legislative Services about the details of the agreement at a certain time; requiring the publishers of the Annotated Code of Maryland, in consultation with the Department of Legislative Services, to make certain corrections in a certain manner; repealing certain definitions; defining certain terms; altering a certain definition; providing for the application of certain provisions of this Act; and generally relating to the regulation of environmental health specialists.

BY repealing

Article - Health Occupations

Section 21–102 and the subtitle "Subtitle 1. General Provisions"; 21–201 through 21–207 and the subtitle "Subtitle 2. State Board of Environmental Health Specialists"; 21–301 through 21–315 and the subtitle "Subtitle 3. Licensing"; 21–401 and 21–402 and the subtitle "Subtitle 4. Prohibited Acts; Penalties"; and 21–501 and 21–502 and the subtitle "Subtitle 5. Short Title; Termination of Title"

Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article - Health Occupations

Section 21-101

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY adding to

Article - Health Occupations

Section 21-102 through 21-104

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY repealing

Article - State Government

Section 8-403(b)(20)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY renumbering

Article - State Government

Section 8-403(b)(21) through (57), respectively

to be Section 8-403(b)(20) through (56), respectively

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 21–205 and 21–502

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

<u>Article – State Government</u>

Section 8–403(a)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 8-403(b)(20)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

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

House Bill 803 – Delegates Rosenberg, Carter, Kipke, Morhaim, Oaks, West, and K. Young, Saab, Pendergrass, Rose, Barron, Hammen, Pena-Melnyk, and Sample-Hughes

AN ACT concerning

Life Insurance - Freedom to Travel Act

FOR the purpose of prohibiting an insurer from taking certain actions relating to life insurance coverage solely for reasons associated with an applicant's or insured's future lawful travel; establishing a certain exception; requiring an insurer to maintain certain data and documents and to make the data and documents available on request from the Maryland Insurance Commissioner; and generally relating to life insurance and future lawful travel.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 27–208(a)

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

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

MESSAGE FROM THE EXECUTIVE

March 7, 2016

The Honorable Thomas V. Mike Miller, Jr. President of the Senate State House

Annapolis, Maryland 21401

Dear President Miller,

I wish to withdraw Harvey E. Jones, my recess appointee, from consideration by the Senate as an alternate member of the Baltimore City Board of License Commissioners.

Thank you,

Lawrence J. Hogan, Jr. Governor

The Message from the Executive, being of an Executive nature, was referred to the Committee on Executive Nominations.

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 493 – Senators Pinsky, Conway, King, and Madaleno

AN ACT concerning

Teacher Induction, Retention, and Advancement Act of 2016

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

SB0493/814736/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 493

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Madaleno" and substitute "<u>Madaleno, and Middleton</u>"; in line 7, after "Program;" insert "<u>authorizing each county board of education to choose to participate in the Program; requiring a county board to select certain teachers to participate in the Program;"; in line 12, after "requiring" insert "<u>a</u>"; in the same line, strike "boards of education" and substitute "board"; and in line 13, strike "be provided to".</u>

AMENDMENT NO. 2

On page 4, in line 14, after "(B)" insert "(1)"; after line 15, insert:

"(2) (I) EACH COUNTY BOARD MAY CHOOSE TO PARTICIPATE IN THE PROGRAM.

(II) A COUNTY BOARD SHALL SELECT THE FIRST YEAR TEACHERS TO PARTICIPATE IN THE PROGRAM.";

in line 27, strike "EACH" and substitute "A"; strike beginning with "THAT" in line 27 down through the first "TEACHER" in line 28; and in line 28, after "TEACHER" insert "PARTICIPATING IN THE PROGRAM FROM THAT COUNTY".

On page 5, in line 9, strike "LOCAL SCHOOL SYSTEMS" and substitute "COUNTY BOARDS".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #20

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs moved the following Bill be re—referred to the Committee on Budget and Taxation:

Senate Bill 1003 – Senator Rosapepe

AN ACT concerning

Department of Information Technology - Data Sharing and Integration

The bill was re-referred to the Committee on Budget and Taxation.

THE COMMITTEE ON FINANCE REPORT #14

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

Senate Bill 551 – Senators Pugh, Astle, Benson, Feldman, Kelley, Klausmeier, and Middleton

Department of Health and Mental Hygiene – Clinical Crisis Walk–In Services and Mobile Crisis Teams – Strategic Plan

SB0551/757471/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 551

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Middleton" and substitute "<u>Middleton</u>, and <u>Mathias</u>"; in lines 2, 4, and 10, in each instance, strike "Department of Health and Mental Hygiene" and substitute "<u>Behavioral Health Advisory Council</u>"; in line 5, strike "and" and substitute a comma; in the same line, after "providers," insert "<u>and certain stakeholders</u>,"; and strike beginning with "Department" in line 8 down through "date" in line 9 and substitute "<u>Council to include in a certain report an update on the development of the plan on or before a certain date; requiring the Council to submit the plan as part of a certain report on or before a certain date".</u>

AMENDMENT NO. 2

On page 1, in line 14, strike "Department of Health and Mental Hygiene" and substitute "Behavioral Health Advisory Council"; in line 15, strike "and" and substitute a comma; and in the same line, after "providers," insert "and interested stakeholders,".

On page 2, in line 3, after "(c)" insert "(1) The Behavioral Health Advisory Council shall include, in the annual report required on or before December 31, 2016, under § 7.5–305 of the Health – General Article, an update on the development of the strategic plan required under subsection (a) of this section.

<u>(2)</u>";

in the same line, strike "On or before December 1, 2016, the Department of Health and Mental Hygiene" and substitute "The Behavioral Health Advisory Council"; and strike beginning with "to" in line 4 down through "Assembly" in line 5 and substitute "as part of the annual report required on or before December 31, 2017, under § 7.5–305 of the Health – General Article".

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 586 - Senators King, Feldman, Kagan, and Madaleno

AN ACT concerning

Department of Health and Mental Hygiene – Regional Institutes for Children and Adolescents – Report Before Closure

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 752 - Senators Klausmeier, Madaleno, and Middleton

AN ACT concerning

State Highway Administration – Policy Concerning Sound Barriers Along Highways

SB0752/607771/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 752

(First Reading File Bill)

On page 1, in line 6, after "State;" insert "requiring the Administration to review and evaluate the sound barrier policy for effectiveness and continued viability at certain intervals;"; and in line 22, after "(B)" insert "(1)".

On page 2, after line 2, insert:

"(2) ON OR BEFORE DECEMBER 31, 2019, AND EVERY 3 YEARS THEREAFTER, THE ADMINISTRATION SHALL REVIEW AND EVALUATE THE POLICY

ADOPTED UNDER PARAGRAPH (1) OF THIS SUBSECTION FOR EFFECTIVENESS AND CONTINUED VIABILITY.".

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 753 – Senator Klausmeier

AN ACT concerning

Health – Sale of Food Products Containing Alcohol – Requirements and Restrictions

SB0753/117877/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 753

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert "<u>EMERGENCY BILL</u>"; in the sponsor line, strike "Senator Klausmeier" and substitute "<u>Senators Klausmeier</u>, <u>Astle, Benson, Feldman, Hershey, Jennings, Kelley, Mathias, Middleton, Pugh, and Reilly</u>"; and in line 14, after "Act;" insert "<u>making this Act an emergency measure</u>;".

AMENDMENT NO. 2

On page 3, strike beginning with "shall" in line 20 down through "2016" in line 21 and substitute "is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three—fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 198 – Senators Nathan-Pulliam, Benson, Ferguson, Guzzone, Kagan, Kelley, King, Lee, McFadden, Muse, Pugh, Rosapepe, and Young

AN ACT concerning

Neonicotinoid Pesticides – Labeling, Signage, and Restrictions on Sales and Use (Pollinator Protection Act of 2016)

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

FLOOR AMENDMENT

SB0198/253526/2

BY: Senator Conway

AMENDMENT TO SENATE BILL 198, AS AMENDED

In Senator Conway's Amendments (SB0198/673623/1), in line 1 of Amendment No. 1, strike "direct".

In Senator Conway's Amendments, in line 10 of Amendment No. 2, strike "DIRECT".

The preceding amendment was read and adopted.

FLOOR AMENDMENT

SB0198/613029/1

BY: Senator Middleton

AMENDMENTS TO SENATE BILL 198. AS AMENDED

AMENDMENT NO. 1

In Senator Hough's Amendments (SB0198/973420/1), in line 1 of Amendment No. 1, strike "establishing" and substitute "prohibiting the Department of Agriculture from limiting the use of certain pesticides in a certain manner; requiring the Department to incorporate certain practices into a certain pollinator protection plan; requiring the

Department to study and make recommendations regarding certain matters; requiring the Department to report its findings and recommendations to the Governor and the General Assembly within a certain period of time after the publication of a certain pollinator risk assessment; establishing"; and in lines 2 and 3, strike "5–2A–03" and substitute "5–2A–05".

AMENDMENT NO. 2

In Senator Hough's Amendments, after line 2 of Amendment No. 2, insert:

"THE DEPARTMENT SHALL INCORPORATE POLLINATOR HABITAT EXPANSION AND ENHANCEMENT PRACTICES INTO THE STATE'S MANAGED POLLINATOR PROTECTION PLAN DEVELOPED IN COORDINATION WITH THE U.S. ENVIRONMENTAL PROTECTION AGENCY.

5-2A-04.

- (A) ON COMPLETION OF THE U.S. ENVIRONMENTAL PROTECTION AGENCY'S POLLINATOR RISK ASSESSMENT OF THE NEONICOTINOID PESTICIDES IMIDACLOPRID, CLOTHIANDIN, THIAMETHOXAM, AND DINOTEFURAN, THE DEPARTMENT SHALL REVIEW THE STATE'S PESTICIDE LAWS AND REGULATIONS AND MAKE RECOMMENDATIONS FOR ANY CHANGES NECESSARY TO ENSURE STATE LAWS AND REGULATIONS ARE CONSISTENT WITH THE U.S. ENVIRONMENTAL PROTECTION AGENCY RECOMMENDATIONS.
- (B) WITHIN 6 MONTHS OF THE U.S. ENVIRONMENTAL PROTECTION AGENCY'S COMPLETED POLLINATOR RISK ASSESSMENT OF NEONICOTINOID PESTICIDES, THE DEPARTMENT SHALL REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

<u>5–2A–05.</u>".

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 414)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #33

Senate Bill 266 – Senators Salling, Astle, Jennings, and Waugh

SECOND PRINTING

AN ACT concerning

Natural Resources - Poaching Restitution Act of 2016 Hunting - Deer - Penalties

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

Affirmative -45 Negative -0 (See Roll Call No. 415)

The Bill was then sent to the House of Delegates.

ANNOUNCEMENT

Senator Peters announced that this afternoon at 2:41 PM he became a GRANDFATHER for the first time. Russell Gary Peters was born at AAMC March 7, 2016, he was 8 pounds 9 ounces and 21 inches long.

INTRODUCTION OF BILLS

Senate Bill 1165 - Senator Manno

AN ACT concerning

Public Safety - Elevator Inspections - Testing

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

BY repealing and reenacting, with amendments,

Article – Public Safety Section 12–806 Annotated Code of Maryland (2011 Replacement Volume and 2015 Supplement)

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

QUORUM CALL

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

(See Roll Call No. 416)

ADJOURNMENT

At 8:42 P.M. on motion of Senator Pugh, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, March 8, 2016.

Annapolis, Maryland Tuesday, March 8, 2016 10:00 A.M. Session

The Senate met at 10:08 A.M.

Prayer by Reverend Monsignor Ron Jameson, Cathedral of St. Matthew the Apostle, guest of Senator Miller.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 418)

On motion of Senator Pugh it was ordered that Senators Gladden and Manno be excused from today's session.

The Journal of March 7, 2016 was read and approved.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 423 - The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
The Links, Incorporated
in recognition of

your 2016 "Links at the Legislature" in Annapolis. We commend your outstanding work on behalf of the citizens of Maryland to reduce childhood obesity, eliminate school bullying and increase financial literacy for all children.

The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 8th day of March 2016.

Read and adopted by a roll call vote as follows:

Affirmative – 43 Negative – 0 (See Roll Call No. 419)

THE COMMITTEE ON FINANCE REPORT #15

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

Senate Bill 372 – Senators Peters, Currie, and McFadden

AN ACT concerning

Horse Racing - Track Winnings - Intercepts for Restitution and Child Support Payments

SB0372/447578/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 372

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 2 and 3 and substitute:

"Task Force to Study Intercepting Horse Racing Winnings for Child Support and Restitution";

strike in their entirety lines 4 through 25, inclusive, and substitute:

"FOR the purpose of establishing a Task Force to Study Intercepting Horse Racing Winnings for Child Support and Restitution; 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 General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Intercepting Horse Racing Winnings for Child Support and Restitution.";

and in line 27, strike "the Laws of Maryland read as follows".

AMENDMENT NO. 2

On pages 2 through 4, strike in their entirety the lines beginning with line 1 on page 2 through line 25 on page 4, inclusive, and substitute:

- "(a) There is a Task Force to Study Intercepting Horse Racing Winnings for Child Support and Restitution in the Governor's Office of Crime Control and Prevention.
 - (b) The Task Force consists of the following members:
- (1) <u>a member of the Senate of Maryland, appointed by the President of the Senate;</u>
- (2) <u>a member of the House of Delegates, appointed by the Speaker of the House; and</u>
 - (3) the following members, appointed by the Governor:
 - (i) a representative of the Department of Human Resources;
 - (ii) a representative of the Department of Budget and Management;
 - (iii) a representative of the Department of Information Technology;
 - (iv) a representative the horse racing industry;
 - (v) a representative of account wagering entities;
 - (vi) a representative of the State Board of Victims Services;
 - (vii) a representative of entities assisting child support recipients;
 - (viii) a representative of entities assisting the recipients of restitution;

and

- (ix) a representative of the casino industry in the State.
- (c) The Governor shall designate the chair of the Task Force.
- (d) The Governor's Office of Crime Control and Prevention shall provide staff for the Task Force.

(e) A member of the Task Force:

- (1) may not receive compensation as a member of the Task Force; but
- (2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Task Force shall:

- (1) analyze the logistics of intercepting horse racing winnings to pay for the child support arrears of the winner as proposed by Senate Bill 372 (First Reading File Bill) and House Bill 707 (First Reading File Bill) of 2016 to include account wagering entities;
- (2) study the effectiveness of the current interfaces used by the State for child support enforcement and restitution collection for income tax intercepts, lottery intercepts, video lottery intercepts, State vendor payments intercepts, and other means of collecting child support and restitution, including if other uniform interface options would be possible and the cost of such options; and
- (3) make recommendations regarding implementing a means of intercepting horse racing winnings for the purpose of paying the child support arrears of the winner.
- (g) On or before December 31, 2016, the Task Force shall report its findings and recommendations, in accordance with § 2–1246 of the State Government Article, to the General Assembly.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2016. It shall remain effective for a period of 1 year and, at the end of May 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 Middleton, Chair, for the Committee on Finance reported favorably:

Senate Bill 541 - Senator Feldman

AN ACT concerning

Portable Electronics Insurance - Required Notices - Method of Mailing

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #21

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

Senate Bill 342 – Senators Feldman, Benson, Guzzone, Kelley, Klausmeier, Madaleno, and Pugh

AN ACT concerning

State Finance and Procurement – Public Senior Higher Education Institutions – Policies Concerning Procurement Contracts

SB0342/324737/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 342

(First Reading File Bill)

On page 1, in the sponsor line, strike "and Pugh" and substitute "Pugh, and Manno".

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 526 - Senator Bates

AN ACT concerning

Agriculture - Donation of Commercial Feed

SB0526/854037/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 526

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Donation of"; in the same line, after "Feed" insert "<u>Exemption</u>"; in line 3, strike "distribute" and substitute "<u>commercial feed</u>"; in the same line, strike "and defining"; in the same line, strike "donation"; in line 4, after "Law" insert "<u>to exempt certain materials</u>"; and strike lines 6 through 26 in their entirety and substitute:

"BY repealing and reenacting, without amendments,

<u>Article – Agriculture</u>

Section 6–101(a)

Annotated Code of Maryland

(2007 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Agriculture

<u>Section 6–101(d)</u>

Annotated Code of Maryland

(2007 Replacement Volume and 2015 Supplement)".

AMENDMENT NO. 2

On page 2, strike lines 1 through 3, inclusive; in line 4, strike "2. AND BE IT FURTHER ENACTED" and substitute "1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND"; in line 16, strike the second "or"; in line 19, after "adulterated" insert "; OR

(3) A MATERIAL OR COMBINATION OF MATERIALS THAT IS EXEMPT FROM THIS DEFINITION IN REGULATIONS ADOPTED BY THE SECRETARY";

in line 24, strike "(1)"; strike in their entirety lines 28 through 31, inclusive; in line 32, strike "3." and substitute "2."; and in line 33, 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 Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 670 – Senator Kasemeyer

AN ACT concerning

Howard County - Alcoholic Beverages - Continuing Care Retirement Community 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 with amendments:

Senate Bill 695 - Senators Young and Hough

AN ACT concerning

Frederick County - Alcoholic Beverages - Beauty Salon License

SB0695/344438/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 695

(First Reading File Bill)

On page 2, in line 18, strike "UNDER § 5–101(L)" and substitute "<u>DESCRIBED IN §</u> 5–101(L)(1)"; and in line 21, after "INSPECTIONS" insert ", IF REQUIRED,".

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 696 – Senators Young and Hough

AN ACT concerning

Frederick County - Alcoholic Beverages - Art Gallery Beer and Wine License

SB0696/894933/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 696

(First Reading File Bill)

On page 1, in line 5, after "artwork" insert "or certain copies of original artwork".

On page 2, in line 7, after "ARTWORK" insert ", OR COPIES OF ORIGINAL ARTWORK THAT ARE REPRODUCED NO MORE THAN 300 TIMES,".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0696/463225/1

BY: Senator Waugh

AMENDMENTS TO SENATE BILL 696

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "County" insert "and St. Mary's County"; in line 3, after "County" insert "and the Board of License Commissioners for St. Mary's County"; in line 10, after "County" insert "and St. Mary's County"; in line 13, after "20–1001" insert "and 28–1001, respectively"; in line 14, after "20–1001.1" insert "and 28–1001.1, respectively"; in line 20, after "20–1001" insert "and 28–1001"; in line 25, after "20–1001" insert "and 28–1001, respectively,"; and in line 26, after "20–1001.1" insert "and 28–1001.1, respectively."

AMENDMENT NO. 2

On page 2, after line 17, insert:

"<u>28–1001.</u>

- (A) (1) THE BOARD MAY ISSUE AN ART GALLERY BEER AND WINE LICENSE TO A NONPROFIT OR FOR-PROFIT RETAIL BUSINESS ENGAGED IN THE DISPLAY AND SALE OF ORIGINAL ARTWORK, OR COPIES OF ORIGINAL ARTWORK THAT ARE REPRODUCED NO MORE THAN 300 TIMES, BY AN INDIVIDUAL ARTIST OR A GROUP OF ARTISTS.
- (2) A BUSINESS THAT DISPLAYS AND SELLS COMMERCIALLY PREPARED OR MASS-PRODUCED ARTISTIC PRODUCTS MAY NOT BE ISSUED THE LICENSE.
- (B) THE LICENSE HOLDER MAY SELL OR SERVE BEER AND WINE AT RETAIL FOR ON-PREMISES CONSUMPTION WHEN SNACKS ARE SERVED DURING NORMAL BUSINESS HOURS BUT NOT LATER THAN MIDNIGHT.
 - (C) THE ANNUAL LICENSE FEE IS \$100.
- (D) THE LICENSE MAY NOT BE TRANSFERRED FROM THE LOCATION FOR WHICH THE LICENSE WAS ORIGINALLY ISSUED TO ANOTHER LOCATION.".

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Joint Resolution 7 - Senator Madaleno

A Senate Joint Resolution concerning

Extending the Lewis and Clark National Historic Trail

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #22

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

Senate Bill 285 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Maryland Home Improvement Commission – Subcontractor Licensing Requirement – Repeal

SB0285/624133/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 285

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 16, after "terms;" insert "<u>requiring the Maryland Home Improvement Commission to identify certain persons eligible for a certain license and to encourage them to apply for a certain license;</u>".

AMENDMENT NO. 2

On page 9, after line 3, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Home Improvement Commission shall identify subcontractors in the State that may be eligible for a contractor license and shall encourage those subcontractors to apply for a contractor license.";

and in line 4, strike "2." and substitute "3.".

The preceding 2 amendments were read only.

Senator Conway moved, duly seconded, to make the Bill and Amendments a Special Order for March 11, 2016.

The motion was adopted.

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

Senate Bill 395 – Senator Conway

AN ACT concerning

Ethics - Local Government - Conflict of Interest and Financial Disclosure

Senator Cassilly moved, duly seconded, to make the Bill and Report a Special Order for March 9, 2016.

The motion was adopted.

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

Senate Bill 408 – Senator Manno

AN ACT concerning

Election Law – State Elected Officials – Campaign Fund–Raising During General Assembly Session – Civil Penalty

SB0408/224038/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 408

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after the first "of" insert "clarifying that certain persons are prohibited from soliciting a contribution during the General Assembly session;".

AMENDMENT NO. 2

On page 2, in line 11, strike "or sell a ticket to a fund–raising event" and substitute "A CONTRIBUTION"; and in line 25, strike "§ 13–604" and substitute "§ 13–604.1".

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 421 - Senators Ramirez, Raskin, Cassilly, and Rosapepe

AN ACT concerning

Special Education – Translations of Individualized Education Programs or Individualized Family Service Plans – Native Language

SB0421/964831/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 421

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after "frame;" insert "<u>requiring the State Department of Education and county boards of education to submit certain reports on or before certain dates</u>;".

AMENDMENT NO. 2

On page 4, after line 13, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1, 2016, the State Department of Education shall report to the Governor and, in accordance with § 2–1246 of the State Government Article, the Senate Education, Health, and Environmental Affairs Committee and the House Committee on Ways and Means regarding:

- (1) whether there are economies of scale that can be utilized to lessen the financial impact of this Act; and
- (2) how the needs of students whose parents speak a native language that is spoken by less than 1% of the student population in the local school system can be addressed.

SECTION 3. AND BE IT FURTHER ENACTED, That:

- (1) on or before August 1, 2018, each county board of education shall report to the State Department of Education regarding the number of requests received under § 8–405(e)(4)(i) of the Education Article, as enacted by Section 1 of this Act, the cost of implementing these requests, whether it would be feasible to have this number increase, and if so, by how many requests; and
- (2) on or before September 1, 2018, the State Department of Education shall compile the information received under item (1) of this section and submit the information to the Governor and, in accordance with § 2–1246 of the State Government Article, the Senate Education, Health, and Environmental Affairs Committee and the House Committee on Ways and Means.";

in line 14, 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 Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 651 - Senator Bates

AN ACT concerning

State Department of Education - Virtual Learning Opportunities - Survey and Report

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 830 - Senator Conway

AN ACT concerning

State Board of Cosmetologists - Limited License - Hair Services - Blow Drying

SB0830/844131/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 830

(First Reading File Bill)

On page 5, in line 8, strike "OR"; after line 8, insert:

"(6) SINGEING THE HAIR; OR";

and in line 9, strike "(6)" and substitute "(7)".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #5

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

Senate Bill 249 - Senator Middleton

EMERGENCY BILL

AN ACT concerning

Income Tax Credit - Qualified Farms - Food Donation Pilot Program

SB0249/539733/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 249

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 17, after "CHARLES COUNTY," insert "MONTGOMERY COUNTY,".

AMENDMENT NO. 2

On page 5, in line 24, after "Charles County," insert "Montgomery County,".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 263 – Senators Edwards, Astle, Bates, Cassilly, Conway, Currie, DeGrange, Eckardt, Hershey, Hough, Jennings, Kagan, Kasemeyer, King, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Muse, Norman, Ready, Salling, Serafini, and Waugh

AN ACT concerning

Payment in Lieu of Taxes – State Forests, State Parks, and Wildlife Management Areas

SB0263/449135/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 263

(First Reading File Bill)

On page 1, in the sponsor line, strike "and Waugh" and substitute "<u>Waugh, Ferguson, Guzzone, and Peters</u>".

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 322 – Senators Pinsky, Astle, Benson, Conway, Currie, Ferguson, Guzzone, Kasemeyer, King, Lee, Manno, McFadden, Middleton, Miller, Ramirez, Rosapepe, Young, and Zirkin

AN ACT concerning

Homeowners' Property Tax Credit Program - Eligibility Awareness Campaign

SB0322/409831/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 322

(First Reading File Bill)

On page 1, in line 10, after "purposes;" insert "repealing certain provisions of law requiring the Department and the Comptroller to provide certain notices about the credit;"; after line 11, insert:

"BY repealing

Article - Tax - Property

Section 9–104(e) and (f)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)";

in line 14, strike "9–104(w)" and substitute "9–104(e)"; after line 16, insert:

"BY renumbering

Article – Tax – Property

Section 9–104(g) through (v), respectively

to be Section 9–104(f) through (u), respectively

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 9–104(e) and (f) of Article – Tax – Property of the Annotated Code of Maryland be repealed.

SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 9–104(g) through (v), respectively, of Article – Tax – Property of the Annotated Code of Maryland be renumbered to be Section(s) 9–104(f) through (u), respectively.";

in line 17, strike "1." and substitute "<u>3. AND</u>"; in the same line, strike "ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND" and substitute "<u>FURTHER ENACTED</u>"; and in line 21, strike "**(W)**" and substitute "**(E)**".

On page 2, in line 16, strike "2." and substitute "4.".

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 355 – Senators Feldman, Raskin, Astle, Benson, Brochin, Cassilly, Conway, Currie, DeGrange, Ferguson, Gladden, Guzzone, Hershey, Jennings, Kagan, Kasemeyer, Kelley, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Muse, Nathan-Pulliam, Norman, Peters, Pinsky, Pugh, Ramirez, Ready, Rosapepe, Serafini, Simonaire, Waugh, Young, and Zirkin

AN ACT concerning

Maryland Achieving a Better Life Experience (ABLE) Program – Establishment

SB0355/279435/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 355

(First Reading File Bill)

On page 1, in the sponsor line, strike "and Zirkin" and substitute "Zirkin, Edwards, Eckardt, and Zucker".

On page 2, in line 9, after "to" insert "and distributions from".

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 370 – Senators Madaleno, Feldman, Ferguson, Guzzone, Kelley, Lee, Peters, Raskin, Rosapepe, and Young

AN ACT concerning

Board of Public Works Transparency Act of 2016

SB0370/439136/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 370

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Young" and substitute "<u>Young, and McFadden</u>".

AMENDMENT NO. 2

On page 2, in line 3, strike "10 CONSECUTIVE" and substitute "3 BUSINESS"; in line 7, after "SITE" insert ", IN A MACHINE-READABLE FORMAT,"; and in line 18, after "PUBLICATION" insert ", IN A MACHINE-READABLE FORMAT,".

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 378 – The President (By Request – Administration)

AN ACT concerning

State Employees - Merit Increases in Salary

SB0378/549532/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 378

(First Reading File Bill)

On page 2, in line 9, strike "July" and substitute "June".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 411 - Senators Eckardt, Hershey, and Mathias

AN ACT concerning

Income Tax - Credit for Physician Preceptors in Areas With Health Care Workforce Shortages

SB0411/499536/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 411

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Physician"; in lines 5 and 27, in each instance, strike "physician"; in line 22, after "regulations;" insert "establishing the Nurse Practitioner Preceptorship Tax Credit Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Department to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money in and expenditures from the Fund;"; in line 25, after "purpose;" insert "requiring the State Board of Nursing to assess a certain fee for the renewal of a certain certification; requiring the Board to pay the fee collected into the Fund;"; and in line 26, after "Act;" insert "providing for the termination of this Act;".

On page 2, in line 1, after "10–737" insert "and 10–738"; and after line 18, insert:

"BY repealing and reenacting, with amendments,

<u>Article – Health Occupations</u>

<u>Section 8–206(b)</u>

<u>Annotated Code of Maryland</u> (2014 Replacement Volume and 2015 Supplement)".

AMENDMENT NO. 2

On page 4, after line 26, insert:

"<u>10–738.</u>

- (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.
- (2) "DEPARTMENT" MEANS THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE.
- (3) "LICENSED PHYSICIAN" MEANS AN INDIVIDUAL WHO IS LICENSED TO PRACTICE MEDICINE UNDER TITLE 14 OF THE HEALTH OCCUPATIONS ARTICLE.
- (4) "NURSE PRACTITIONER" HAS THE MEANING STATED IN § 8–101 OF THE HEALTH OCCUPATIONS ARTICLE.
- (5) "PRECEPTORSHIP PROGRAM" MEANS AN ORGANIZED SYSTEM OF CLINICAL EXPERIENCE THAT, FOR THE PURPOSE OF ATTAINING SPECIFIED LEARNING OBJECTIVES, PAIRS A NURSE PRACTITIONER STUDENT ENROLLED IN A NURSING EDUCATION PROGRAM THAT IS RECOGNIZED BY THE STATE BOARD OF NURSING WITH A NURSE PRACTITIONER OR LICENSED PHYSICIAN WHO MEETS THE QUALIFICATIONS AS A PRECEPTOR.
- (B) (1) SUBJECT TO THE LIMITATIONS OF THIS SECTION, A NURSE PRACTITIONER OR LICENSED PHYSICIAN MAY CLAIM A CREDIT AGAINST THE STATE INCOME TAX IN THE AMOUNT STATED ON THE TAX CREDIT CERTIFICATE ISSUED UNDER SUBSECTION (C) OF THIS SECTION FOR THE TAXABLE YEAR IN WHICH THE NURSE PRACTITIONER OR LICENSED PHYSICIAN SERVED WITHOUT COMPENSATION AS A PRECEPTOR IN A PRECEPTORSHIP PROGRAM APPROVED BY THE STATE BOARD OF NURSING AND WORKED:
- (I) A MINIMUM OF THREE ROTATIONS, EACH CONSISTING OF 160 HOURS OF COMMUNITY-BASED CLINICAL TRAINING; AND

- (II) IN AN AREA OF THE STATE IDENTIFIED AS HAVING A
 HEALTH CARE WORKFORCE SHORTAGE BY THE DEPARTMENT, IN CONSULTATION
 WITH THE GOVERNOR'S WORKFORCE INVESTMENT BOARD.
- (2) (I) THE TOTAL AMOUNT OF THE CREDIT ALLOWED UNDER THIS SECTION FOR ANY TAXABLE YEAR MAY NOT EXCEED THE STATE INCOME TAX IMPOSED FOR THAT TAXABLE YEAR.
- (II) ANY UNUSED AMOUNT OF THE CREDIT FOR ANY TAXABLE YEAR MAY NOT BE CARRIED OVER TO ANY OTHER TAXABLE YEAR.
- (C) (1) ON APPLICATION BY A NURSE PRACTITIONER OR LICENSED PHYSICIAN, THE DEPARTMENT SHALL ISSUE A CREDIT CERTIFICATE IN THE AMOUNT OF \$1,000 FOR EACH NURSE PRACTITIONER STUDENT FOR WHOM THE NURSE PRACTITIONER OR LICENSED PHYSICIAN SERVED AS A PRECEPTOR WITHOUT COMPENSATION.

(2) THE APPLICATION SHALL CONTAIN:

- (I) THE NAME OF THE NURSE PRACTITIONER OR LICENSED PHYSICIAN;
- (II) INFORMATION IDENTIFYING THE PRECEPTORSHIP IN WHICH THE NURSE PRACTITIONER OR LICENSED PHYSICIAN PARTICIPATED;
- (III) THE NUMBER AND NAMES OF THE NURSE PRACTITIONER STUDENTS FOR WHOM THE INDIVIDUAL SERVED AS A PRECEPTOR WITHOUT COMPENSATION; AND
- (IV) ANY OTHER INFORMATION THAT THE DEPARTMENT REQUIRES.
- (3) FOR ANY TAXABLE YEAR, THE AMOUNT OF TAX CREDIT STATED IN THE TAX CREDIT CERTIFICATE MAY NOT EXCEED \$10,000.

(4) THE DEPARTMENT SHALL:

- (I) APPROVE ALL APPLICATIONS THAT QUALIFY FOR A TAX CREDIT CERTIFICATE UNDER THIS SUBSECTION ON A FIRST-COME, FIRST-SERVED BASIS; AND
- (II) NOTIFY A TAXPAYER WITHIN 45 DAYS OF RECEIPT OF THE TAXPAYER'S APPLICATION OF ITS APPROVAL OR DENIAL.
- (5) (I) FOR EACH TAXABLE YEAR, THE TOTAL AMOUNT OF TAX CREDIT CERTIFICATES THAT MAY BE ISSUED BY THE DEPARTMENT UNDER THIS SECTION MAY NOT EXCEED THE LESSER OF:
- 1. THE TOTAL FUNDS IN THE NURSE PRACTITIONER
 PRECEPTORSHIP TAX CREDIT FUND FOR THAT YEAR; OR

2. \$100,000.

- (II) IF THE AGGREGATE AMOUNT OF TAX CREDIT CERTIFICATES
 ISSUED UNDER THIS SECTION DURING A TAXABLE YEAR TOTAL LESS THAN THE
 AMOUNT AUTHORIZED UNDER THIS PARAGRAPH, ANY EXCESS AMOUNT MAY BE
 ISSUED UNDER TAX CREDIT CERTIFICATES IN THE NEXT TAXABLE YEAR.
- (D) (1) IN THIS SECTION, "FUND" MEANS THE NURSE PRACTITIONER PRECEPTORSHIP TAX CREDIT FUND ESTABLISHED UNDER PARAGRAPH (2) OF THIS SUBSECTION.
- (2) THERE IS A NURSE PRACTITIONER PRECEPTORSHIP TAX CREDIT FUND.
 - (3) THE DEPARTMENT SHALL ADMINISTER THE FUND.
- (4) THE PURPOSE OF THE FUND IS TO OFFSET THE COSTS OF THE TAX CREDIT AVAILABLE UNDER THIS SECTION.

- (5) THE FUND IS A SPECIAL CONTINUING, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.
- (6) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.
 - (7) THE FUND CONSISTS OF:
- (I) REVENUE DISTRIBUTED TO THE FUND UNDER § 8–206 OF THE HEALTH OCCUPATIONS ARTICLE;
- (II) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND; AND
- (III) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.
- (8) THE MONEY IN THE FUND SHALL BE INVESTED AND REINVESTED BY THE STATE TREASURER, AND INTEREST AND EARNINGS SHALL BE CREDITED TO THE GENERAL FUND OF THE STATE.
- (9) (I) EXCEPT AS OTHERWISE PROVIDED IN THIS PARAGRAPH, MONEY CREDITED OR APPROPRIATED TO THE FUND SHALL REMAIN IN THE FUND.
- (II) 1. WITHIN 15 DAYS AFTER THE END OF EACH CALENDAR QUARTER, THE DEPARTMENT SHALL NOTIFY THE COMPTROLLER AS TO EACH CREDIT CERTIFICATE ISSUED DURING THE QUARTER.
- 2. ON NOTIFICATION THAT A CREDIT CERTIFICATE HAS
 BEEN ISSUED BY THE DEPARTMENT, THE COMPTROLLER SHALL TRANSFER AN
 AMOUNT EQUAL TO THE CREDIT AMOUNT STATED IN THE TAX CREDIT CERTIFICATE
 FROM THE FUND TO THE GENERAL FUND OF THE STATE.
- (E) ON OR BEFORE JANUARY 31 EACH TAXABLE YEAR, THE DEPARTMENT SHALL:

- (1) REPORT TO THE COMPTROLLER ON THE TAX CREDIT CERTIFICATES ISSUED UNDER THIS SECTION DURING THE PRIOR TAXABLE YEAR; AND
- (2) REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, ON THE UTILIZATION OF THE CREDIT ESTABLISHED UNDER THIS SECTION.
- (F) THE DEPARTMENT, IN CONSULTATION WITH THE GOVERNOR'S WORKFORCE INVESTMENT BOARD, SHALL ADOPT REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SECTION, INCLUDING THE CRITERIA AND PROCEDURES FOR APPLICATION FOR, APPROVAL OF, AND MONITORING ELIGIBILITY FOR THE TAX CREDIT AUTHORIZED UNDER THIS SECTION.".

On page 5, after line 12, insert:

"Article - Health Occupations

<u>8–206.</u>

- (b) (1) The Board may set reasonable fees for the issuance and renewal of licenses and its other services.
- (2) The fees charged shall be set so as to produce funds to approximate the cost of maintaining the Board as provided in subsection (e) of this section.
- (3) (I) IN ADDITION TO THE FEE SET BY THE BOARD UNDER THIS TITLE FOR THE RENEWAL OF AN ADVANCED PRACTICE REGISTERED NURSE CERTIFICATION, THE BOARD SHALL ASSESS A SEPARATE \$15 FEE FOR A RENEWAL OF THE CERTIFICATION.
- (II) THE BOARD SHALL PAY THE FEE COLLECTED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH TO THE NURSE PRACTITIONER PRECEPTORSHIP TAX CREDIT FUND ESTABLISHED UNDER § 10–738 OF THE TAX GENERAL ARTICLE.";

and in line 14, after "2015." insert "It shall remain effective for a period of 5 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 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 422 – Senator Kasemeyer

AN ACT concerning

Education - Maryland School for the Blind - Funding

SB0422/859638/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 422

(First Reading File Bill)

On page 1, in the sponsor line, strike "Senator Kasemeyer" and substitute "<u>Senators Kasemeyer and McFadden</u>".

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 473 – Senator Peters (Chair, Joint Committee on Pensions)

AN ACT concerning

Correctional Officers' Retirement System – Clifton T. Perkins Maximum Security Guards – Vested Allowances

SB0473/499035/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 473

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "Vested"; strike beginning with "and" in line 6 down through "date" in line 7; in line 7, strike "a member" and substitute "certain members"; in line 8, strike "is a" and substitute "serve as"; in line 9, strike "attendant" and substitute "attendants"; and strike beginning with "and" in line 9 down through "date" in line 10 and substitute "; providing for the application of certain provisions of this Act".

AMENDMENT NO. 2

On page 1, in line 23, after the semicolon insert "OR".

On page 2, in line 5, after the second bracket insert "AND"; and strike in their entirety lines 6 through 15, inclusive.

AMENDMENT NO. 3

On page 2, in line 27, after "who" insert ":

(I)";

in the same line, strike "is" and substitute "<u>SERVED AS</u>"; and strike beginning with "AND" in line 27 down through "**2016**" in line 29 and substitute "<u>;</u>

(II) SEPARATED FROM EMPLOYMENT AS A MAXIMUM SECURITY ATTENDANT AT THE CLIFTON T. PERKINS HOSPITAL CENTER BEFORE JULY 1, 2016; AND

(III) DOES NOT RESUME EMPLOYMENT IN A POSITION ELIGIBLE FOR MEMBERSHIP IN THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM".

AMENDMENT NO. 4

On page 3, before line 1, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That the provisions of this Act relating to a normal service retirement under § 25–401 of the State Personnel and Pensions Article shall be construed to apply only prospectively to an individual who retires on or after the effective date of this Act and may not be applied or interpreted to have any effect on or application to an individual who retires before the effective date of this Act.";

and in line 1, 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 Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 520 - Washington County Senators

AN ACT concerning

Washington County - Board of Education - Motor Fuel Tax Refund

SB0520/129338/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 520

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Washington County – Board" and substitute "County Boards"; in the same line, after "Tax" insert "Exemption and"; in line 3, after the first "of" insert "exempting from the motor fuel tax certain motor fuel that is bought by a county board of education or a school bus operator under contract with a county board of education for use in certain vehicles;"; in lines 3 and 6, in each instance, strike "the Washington County Board of Education" and substitute "a county board of education"; and in line 5, strike "Washington County Board of Education" and substitute "county board; authorizing a school bus operator under contract with a county board of education to claim a refund of motor fuel tax paid on motor fuel purchased for use in vehicles used to transport the county's public school students"; in the same line, after "to" insert "an exemption from and"; and in line 9, after "Section" insert "9–303(d) and".

AMENDMENT NO. 2

On page 1, after line 14, insert:

"<u>9–303.</u>

- (d) The motor fuel tax does not apply to motor fuel that is bought by:
 - (1) the Department of General Services for use by State agencies;
- (2) A COUNTY BOARD OF EDUCATION FOR USE IN VEHICLES OWNED BY THE COUNTY BOARD OF EDUCATION; OR
- (3) A SCHOOL BUS OPERATOR UNDER CONTRACT WITH A COUNTY BOARD OF EDUCATION FOR USE IN VEHICLES USED TO TRANSPORT THE COUNTY'S PUBLIC SCHOOL STUDENTS.".

On page 2, in line 21, strike "THE WASHINGTON COUNTY BOARD OF EDUCATION" and substitute "A COUNTY BOARD OF EDUCATION"; strike beginning with "THE" in line 22 down through "EDUCATION" in line 23 and substitute "A COUNTY BOARD OF EDUCATION"; in line 23, strike "OR"; and in line 24, after "D." insert "A SCHOOL BUS OPERATOR UNDER CONTRACT WITH A COUNTY BOARD OF EDUCATION FOR USE IN VEHICLES USED TO TRANSPORT THE COUNTY'S PUBLIC SCHOOL STUDENTS; OR

E.".

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 552 - Senators Pugh, Conway, Ferguson, McFadden, and Nathan-Pulliam

AN ACT concerning

Baltimore City - Property Tax Credit - Public Safety Officers

SB0552/609935/2

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 552

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Nathan–Pulliam" and substitute "Nathan–Pulliam, and Gladden"; and in line 7, strike "and may not be granted to more than one public safety officer".

AMENDMENT NO. 2

On page 2, in line 15, after "\$2,500" insert "PER DWELLING"; in lines 16 and 17, strike beginning with "MAY" in line 16 down through "DWELLING" in line 17 and substitute "MAY NOT EXCEED THE AMOUNT OF PROPERTY TAX IMPOSED ON THE DWELLING"; and strike in their entirety lines 28 through 30, inclusive.

On page 3, in line 3, strike "(3)(I)" 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 Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

Senate Bill 591 – Senator King

AN ACT concerning

Tax Sales - Condominium Assessments and Homeowners Association Fees

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 905 – Senators King, Miller, Astle, Conway, DeGrange, Ferguson, Gladden, Guzzone, Kagan, Klausmeier, Madaleno, Manno, McFadden,

Middleton, Muse, Nathan-Pulliam, Peters, Pugh, Ramirez, Raskin, Rosapepe, Zirkin, and Zucker

AN ACT concerning

Commission on Innovation and Excellence in Education

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1033 - Senator Mathias

EMERGENCY BILL

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2015 – Worcester County – Delmarva Discovery Center and Museum

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #10

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

Senate Bill 161 - Senators Hough, Raskin, and Zirkin

AN ACT concerning

Criminal Procedure - Seizure and Forfeiture

SB0161/478474/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 161

(First Reading File Bill)

On page 1, in the sponsor line, strike "Raskin, and Zirkin" and substitute: "Brochin, Cassilly, Lee, Muse, Ramirez, Raskin, Ready, and Zirkin".

AMENDMENT NO. 2

On page 1, strike beginning with "prohibiting" in line 4 down through "replevin;" in line 20 and substitute "authorizing the court, following a conviction for certain violations involving a gang, to order the divestiture of certain property, the dissolution or reorganization of a certain enterprise, or the suspension or revocation of a certain license, permit, or approval; requiring that certain proceeds be deposited in the General Fund; requiring that a certain seizing authority provide a receipt for property on seizure that includes certain information; requiring that a certain seizing authority mail notice with certain information to the owner of seized property within a certain time; authorizing the owner of certain seized property to make a request that includes certain information for return of the seized property within a certain time; requiring a seizing authority to take certain actions in response to a certain request; altering the circumstances by which a certain law enforcement agency may transfer seized property to a certain federal law enforcement agency; altering the time in which a complaint for forfeiture of money must be filed; requiring that a certain forfeiting authority return property to an owner if a complaint for forfeiture is not filed in a certain time under certain circumstances; providing that a certain seizing authority or forfeiting authority may request an extension for time to file a complaint for forfeiture under certain circumstances; providing that a court may grant a certain extension for time to file a complaint for forfeiture; requiring a court to order that a certain motion be sealed; prohibiting the use of a certain statement regarding seized property from use in a criminal prosecution except under certain circumstances; requiring that a certain amount of forfeiture proceeds be appropriated to the Department of Health and Mental Hygiene to fund certain drug programs;"; in lines 20, 23, and 31, in each instance, strike "law enforcement agency" and substitute "seizing authority"; in lines 24 and 25, strike "law enforcement agency" and substitute "seizing authority"; in line 21, strike "each individual seizure and forfeiture" and substitute "certain seizures and forfeitures"; and in line 22, strike "under State or federal forfeiture law".

On page 2, in line 2, strike "law enforcement agencies" and substitute "<u>seizing authorities</u>"; in lines 4 and 8, in each instance, strike "law enforcement agency" and substitute "<u>seizing authority</u>"; after line 11, insert:

"BY adding to

<u>Article – Criminal Law</u> <u>Section 9–807</u> <u>Annotated Code of Maryland</u> (2012 Replacement Volume and 2015 Supplement)";

strike lines 12 through 16 in their entirety; in line 19, strike "12–103 and 12–203" and substitute "12–102(a), 12–104, and 12–212"; after line 21, insert "(As enacted by Chapter 5 of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

<u>Article – Criminal Procedure</u>

Section 12-203 and 12-304

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)";

in line 24, strike "12–203.1; and 13–601 and 13–602" and substitute "<u>12–304.1, 12–313, and 12–405</u>; and 12–601 and 12–602"; and after line 27, insert:

"BY repealing and reenacting, without amendments,

<u>Article – Criminal Procedure</u>

<u>Section 12–312</u>

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)

(As enacted by Chapter 5 of the Acts of the General Assembly of 2016)".

AMENDMENT NO. 3

On page 2, after line 29, insert:

"Article - Criminal Law

9-807.

- (A) IN THIS SECTION, "ENTERPRISE" INCLUDES:
- (1) A SOLE PROPRIETORSHIP, PARTNERSHIP, CORPORATION, BUSINESS TRUST, OR OTHER LEGAL ENTITY; OR
- (2) ANY GROUP OF INDIVIDUALS ASSOCIATED IN FACT ALTHOUGH NOT A LEGAL ENTITY.

- (B) IN ADDITION TO ANY OTHER PENALTY PROVIDED IN THIS SUBTITLE, ON CONVICTION THE COURT MAY:
- (1) ORDER A PERSON OR CRIMINAL GANG TO BE DIVESTED OF ANY INTEREST IN AN ENTERPRISE OR REAL PROPERTY;
- (2) ORDER THE DISSOLUTION OR REORGANIZATION OF AN ENTERPRISE ASSOCIATED WITH THE DEFENDANT; AND
- (3) ORDER THE SUSPENSION OF REVOCATION OF ANY LICENSE, PERMIT, OR PRIOR APPROVAL GRANTED TO THE DEFENDANT BY A UNIT OF THE STATE OR POLITICAL SUBDIVISION OF THE STATE.
- (C) ASSETS DIVESTED UNDER THIS SECTION AND DERIVED FROM THE COMMISSION OF, ATTEMPTED COMMISSION OF, CONSPIRACY TO COMMIT, OR SOLICITATION OF A CRIME DESCRIBED UNDER THIS SUBTITLE, EITHER IN WHOLE OR IN PART, SHALL BE DEPOSITED INTO THE GENERAL FUND OF THE STATE."

AMENDMENT NO. 4

On page 3, in line 9, after "money" insert "[of more than \$300"; in the same line, after "or" insert a closing bracket; and strike in their entirety lines 12 through 22, inclusive, and substitute:

- "(7) subject to subsection (b) of this section, any amount of money that is [directly connected to] USED OR INTENDED TO BE USED IN CONNECTION WITH the unlawful MANUFACTURE, distribution, OR DISPENSING of a controlled dangerous substance;
 - (8) <u>drug paraphernalia under § 5–619 of the Criminal Law Article;</u>
 - (9) controlled paraphernalia under § 5–620 of the Criminal Law Article;
- (10) except as provided in § 12–103 of this subtitle, the remaining balance of the proceeds of a sale by a holder of an installment sale agreement under § 12–626 of the Commercial Law Article of goods seized under this subtitle;
 - (11) except as provided in § 12–103 of this subtitle, real property; and

(12) everything of value furnished, or intended to be furnished, in exchange for a controlled dangerous substance in violation of the Controlled Dangerous Substances law, all proceeds traceable to the exchange, and all negotiable instruments and securities used, or intended to be used, to facilitate any violation of the Controlled Dangerous Substances law."

AMENDMENT NO. 5

On pages 3 through 5, strike in their entirety the lines beginning with line 23 on page 3 through line 11 on page 5, inclusive, and substitute:

"12–104.

- (a) AT THE TIME OF SEIZURE, THE SEIZING AUTHORITY SHALL PROVIDE A RECEIPT TO THE PERSON FROM WHOM THE PROPERTY WAS SEIZED, THAT INCLUDES:
 - (1) A DETAILED DESCRIPTION OF THE PROPERTY;
- (2) A CASE NUMBER, PROPERTY INVENTORY NUMBER, OR ANY OTHER REFERENCE NUMBER USED BY THE SEIZING AUTHORITY TO CONNECT THE PROPERTY TO THE CIRCUMSTANCES OF THE SEIZURE;
- (3) THE NAME AND CONTACT INFORMATION OF AN INDIVIDUAL OR OFFICE WITHIN THE SEIZING AUTHORITY THAT CAN PROVIDE INFORMATION CONCERNING THE SEIZED PROPERTY;
- (4) NOTICE THAT THE OWNER OF THE PROPERTY MAY MAKE A WRITTEN REQUEST THAT INCLUDES PROOF OF OWNERSHIP, FOR RETURN OF THE SEIZED PROPERTY; AND
- (5) NOTICE THAT WITHIN 60 DAYS AFTER RECEIPT OF A WRITTEN REQUEST FOR RETURN OF THE SEIZED PROPERTY, THE SEIZING AUTHORITY WILL DECIDE WHETHER TO RETURN THE PROPERTY AND NOTIFY THE OWNER OF THE DECISION.
- (B) [Within 30] IF THE PERSON WHO RECEIVED A RECEIPT UNDER SUBSECTION (A) OF THIS SECTION IS NOT THE OWNER OF THE PROPERTY, WITHIN

15 days after the seizure of property by a seizing authority, the seizing authority shall send by first—class mail written information to the owner of the seized property, if known, providing:

- (1) the location and description of the seized property; and
- (2) the name and contact information of an individual or office within the seizing authority that can provide further information concerning the seized property, including information on how the property may be returned to the owner.
- [(b)](C) The written information DISTRIBUTED BY A SEIZING AUTHORITY AS required under this section shall state: "Seizure and forfeiture of property is a legal matter. Nothing in this document may be construed as legal advice. You may wish to consult an attorney concerning this matter."."

On page 5, in lines 13 and 15, in each instance, strike the bracket; in line 15, after "authority," insert "AND, UNLESS RETURNED TO THE OWNER AS PROVIDED IN SUBSECTION (C) OF THIS SECTION OR § 12–207 OF THIS SUBTITLE, IS"; after line 18, insert:

- "(C) (1) THE OWNER OF SEIZED PROPERTY MAY MAKE A WRITTEN REQUEST THAT INCLUDES PROOF OF OWNERSHIP TO THE SEIZING AUTHORITY FOR THE RETURN OF THE SEIZED PROPERTY.
- (2) WITHIN 60 DAYS AFTER RECEIPT OF A WRITTEN REQUEST UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE SEIZING AUTHORITY SHALL MAKE A DECISION AS TO THE DISPOSITION OF THE SEIZED PROPERTY AND SHALL NOTIFY THE OWNER THAT:
- (I) THE SEIZING AUTHORITY DOES NOT HAVE CUSTODY OF THE PROPERTY AND SHALL PROVIDE CONTACT INFORMATION FOR THE LAW ENFORCEMENT AGENCY THAT DOES HAVE CUSTODY OF THE PROPERTY;
- (II) THE SEIZING AUTHORITY DOES HAVE CUSTODY OF THE PROPERTY AND WILL FILE A COMPLAINT FOR FORFEITURE; OR

(III) THE SEIZING AUTHORITY DOES HAVE CUSTODY OF THE PROPERTY AND WILL PROMPTLY RETURN THE PROPERTY TO THE OWNER.".

AMENDMENT NO. 6

On pages 5 and 6, strike in their entirety the lines beginning with line 19 on page 5 through line 28 on page 6, inclusive, and substitute:

"<u>12–212.</u>

- (A) THIS SECTION DOES NOT APPLY TO:
 - (1) FIREARMS, AMMUNITION, OR EXPLOSIVES;
 - (2) PROPERTY RELATING TO CHILD PORNOGRAPHY; OR
- (3) PROPERTY DIRECTLY RELATING TO PUBLIC SAFETY, AS APPROVED BY THE UNITED STATES ASSISTANT ATTORNEY GENERAL FOR THE CRIMINAL DIVISION.
- (B) A seizing authority or prosecuting authority may not directly or indirectly transfer seized property to a federal law enforcement authority or agency unless:
- (1) <u>a criminal case related to the seizure is prosecuted in the federal court</u> system under federal law; [or]
 - (2) the owner of the property consents to the forfeiture;
- (3) A STATE OR LOCAL LAW ENFORCEMENT AGENCY TRANSFERS THE PROPERTY TO A FEDERAL AUTHORITY UNDER A FEDERAL SEIZURE WARRANT ISSUED TO TAKE CUSTODY OF ASSETS ORIGINALLY SEIZED UNDER STATE LAW; OR
- (4) THE VALUE OF THE PROPERTY IS AT LEAST \$50,000 AND THE SEIZURE WAS THE RESULT OF A JOINT INVESTIGATION COORDINATED WITH FEDERAL AUTHORITIES.

- (a) Except as provided under [subsections] SUBSECTION (b) [and (c)] of this section AND § 12–304.1 OF THIS SUBTITLE, a complaint seeking forfeiture shall be filed within the earlier of:
 - (1) 90 days after the seizure; or
- (2) 1 year after the final disposition of the criminal charge for the violation giving rise to the forfeiture.
- (b) A complaint for the forfeiture of a motor vehicle shall be filed within 45 days after the motor vehicle is seized.
- (c) (1) [A proceeding about money shall be filed within 90 days after the final disposition of criminal proceedings that arise out of the Controlled Dangerous Substances law] IF THE STATE OR A POLITICAL SUBDIVISION DOES NOT FILE A TIMELY COMPLAINT SEEKING FORFEITURE UNDER SUBSECTION (A) OR (B) OF THIS SECTION, THE PROPERTY SHALL BE PROMPTLY RELEASED TO THE OWNER, IF KNOWN.
- [(2) If the State or a political subdivision does not file proceedings about money within the 90–day period, the money seized under this title shall be returned to the owner on request by the owner.
- (3)](2) If the owner IS UNKNOWN OR fails to [ask the return of the money] CLAIM THE PROPERTY within 1 year after the [final disposition of criminal proceedings] PROPERTY WAS SEIZED, as provided under § 12–403 of this title, the [money] PROPERTY shall revert to:
- (i) the political subdivision in which the [money] PROPERTY was seized; or
- (ii) the State, if the [money] PROPERTY was seized by State authorities.

12-304.1.

(A) (1) A SEIZING AUTHORITY OR FORFEITING AUTHORITY MAY REQUEST AN EXTENSION ON THE TIME LIMIT ESTABLISHED IN § 12–304 OF THIS SUBTITLE FOR

THE FILING OF A FORFEITURE PROCEEDING OR ON THE EXTENDED TIME GRANTED BY A COURT UNDER SUBSECTION (D) OF THIS SECTION.

- (2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, A MOTION FILED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE FILED IN THE CIRCUIT COURT.
- (II) FOR THE CONTINUED SEIZURE OF MONEY IN AN AMOUNT THAT DOES NOT EXCEED \$20,000, A MOTION FILED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE FILED IN THE DISTRICT COURT.
- (B) (1) A MOTION FILED UNDER SUBSECTION (A) OF THIS SECTION SHALL:
 - (I) BE IN WRITING;
 - (II) DESCRIBE THE PROPERTY SEIZED; AND
 - (III) INCLUDE THE GROUNDS FOR CONTINUED SEIZURE.
- (2) THE MOTION MAY INCLUDE A REQUEST THAT THE COURT ORDER THE CONTENTS OF THE MOTION TO BE SEALED.
- (C) NOTICE THAT A MOTION HAS BEEN FILED UNDER SUBSECTION (A) OF THIS SECTION SHALL BE PROVIDED TO THE OWNER OF THE SEIZED PROPERTY, IF KNOWN.
- (D) (1) THE COURT MAY GRANT A MOTION FILED UNDER SUBSECTION (A) OF THIS SECTION AND EXTEND THE TIME LIMIT FOR FILING A FORFEITURE PROCEEDING FOR NO LONGER THAN 90 DAYS, ON A FINDING OF GOOD CAUSE.
- (2) A FINDING OF GOOD CAUSE UNDER PARAGRAPH (1) OF THIS SUBSECTION IS ESTABLISHED BY EVIDENCE THAT THE SEIZED PROPERTY IS RELATED TO A CRIMINAL INVESTIGATION THAT IS OF A CONTINUING NATURE.

(E) IF THE COURT GRANTS A MOTION UNDER SUBSECTION (D) OF THIS SECTION, THE COURT SHALL ORDER THAT THE CONTENTS OF THE MOTION BE SEALED FOR THE PERIOD OF EXTENSION.

<u>12–312.</u>

- (a) Except as provided in subsection (b) of this section, property or part of a property in which a person has an ownership interest is subject to forfeiture as proceeds, if the State establishes by clear and convincing evidence that:
- (1) the person has violated §§ 5–602 through 5–609, §§ 5–612 through 5–614, § 5–617, § 5–618, or § 5–628 of the Criminal Law Article or has attempted or conspired to violate Title 5 of the Criminal Law Article;
- (2) the property was acquired by the person during the violation or within a reasonable time after the violation; and
 - (3) there was no other likely source for the property.
- (b) Real property used as the principal family residence may not be forfeited under this section unless:
- (1) an owner of the real property was convicted of a crime described under subsection (a)(1) of this section; or
 - (2) the real property is covered by § 12–103(d)(2) of this title.

12–313.

EXCEPT FOR PURPOSES OF IMPEACHMENT, A STATEMENT MADE BY A PERSON REGARDING OWNERSHIP OF SEIZED PROPERTY DURING THE COURSE OF A FORFEITURE PROCEEDING IS NOT ADMISSIBLE IN A RELATED CRIMINAL PROSECUTION.

12–405.

NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE GOVERNOR SHALL APPROPRIATE 20% OF THE PROCEEDS DEPOSITED IN THE GENERAL FUND OF THE

STATE UNDER THIS SUBTITLE TO THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE FOR THE PURPOSE OF FUNDING DRUG TREATMENT AND EDUCATION PROGRAMS.".

AMENDMENT NO. 7

On page 6, in line 30, strike "13-601." and substitute "12-601.".

On page 7, strike in their entirety lines 5 through 9, inclusive; in line 10, strike "(D)" and substitute "(C)"; in line 12, strike "13–602." and substitute "12–602."; in line 13, strike "LAW ENFORCEMENT AGENCY" and substitute "SEIZING AUTHORITY IN CONSULTATION WITH THE CORRESPONDING FORFEITING AUTHORITY"; in line 14, after "REPORT" insert "HOW ANY FUNDS APPROPRIATED TO THE AUTHORITY AS A RESULT OF FORFEITURE WERE SPENT IN THE PRECEDING FISCAL YEAR AND"; in lines 15 and 16, strike "STATE FORFEITURE LAW AND FEDERAL FORFEITURE LAW" and substitute "THIS TITLE"; strike in their entirety lines 21 and 22; and in line 23, strike "(4)" and substitute "(3)".

On pages 7 and 8, strike in their entirety the lines beginning with line 26 on page 7 through line 5 on page 8, inclusive, and substitute:

"(4) WHETHER A UNIT OF FEDERAL GOVERNMENT TOOK CUSTODY OF THE SEIZED PROPERTY, AND THE NAME OF THE UNIT;".

On page 8, in line 6, strike "**(9)**" and substitute "**(5)** FOR PROPERTY OTHER THAN MONEY,"; strike in their entirety lines 7 through 16, inclusive, and substitute:

- "(6) IF MONEY WAS SEIZED, THE AMOUNT OF MONEY;
- (7) THE AMOUNT THE SEIZING AUTHORITY RECEIVED IN THE PRIOR YEAR FROM THE FEDERAL GOVERNMENT AS PART OF AN EQUITABLE SHARING AGREEMENT; AND
 - (8) WHETHER THE PROPERTY WAS RETURNED TO THE OWNER.";

strike in their entirety lines 22 through 24, inclusive; in line 25, strike "(3)" and substitute "(2)"; in lines 17 and 19, in each instance, strike "LAW ENFORCEMENT AGENCY" and substitute "SEIZING AUTHORITY"; in lines 20 and 21, strike "LAW ENFORCEMENT

AGENCY" and substitute "SEIZING AUTHORITY"; in line 21, strike "PROSECUTOR'S OFFICE" and substitute "FORFEITING AUTHORITY"; in line 25, strike "LAW ENFORCEMENT" and substitute "SEIZING AUTHORITY"; in line 26, strike "AGENCY"; and in the same line, after "FORFEITURES" insert "UNDER THIS TITLE".

On page 9, in lines 3 and 7, in each instance, strike "LAW ENFORCEMENT AGENCIES" and substitute "SEIZING AUTHORITIES"; in line 5, after "FORFEITURES" insert "UNDER THIS TITLE"; in lines 11, 18, 23, and 25, in each instance, strike "LAW ENFORCEMENT AGENCY" and substitute "SEIZING AUTHORITY"; in lines 30 and 31, strike "LAW ENFORCEMENT AGENCIES" and substitute "EACH SEIZING AUTHORITY"; and in line 31, strike "ENGAGE" and substitute "ENGAGES".

On page 10, in line 1, strike "LAW ENFORCEMENT AGENCY" and substitute "SEIZING AUTHORITY".

The preceding 7 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 283 – Senators Lee, Gladden, Guzzone, Hershey, Madaleno, Manno, Raskin, Ready, and Young

AN ACT concerning

Criminal Law - Cruelty to Animals - Implement of Dogfighting

SB0283/928076/1

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 283

(First Reading File Bill)

On page 1, strike beginning with "establishing" in line 4 down through "dogfighting;" in line 5.

On pages 2 and 3, strike beginning with line 22 on page 2 through line 15 on page 3, inclusive.

On page 3, in line 16, strike "(D)" and substitute "(C)".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 368 - Senators Ferguson, McFadden, and Nathan-Pulliam

AN ACT concerning

Baltimore City - Police Commissioner - Length of Term

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 439 - Senator Lee

AN ACT concerning

Correctional Training Commission – Department of Juvenile Services Employees – Revocation of Certification and Reinstatement

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 603 - Senator Pugh

AN ACT concerning

Criminal Law - Pretrial Release - Prior Crime of Violence

SB0603/858172/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 603

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Crime of Violence" and substitute "<u>Crimes</u>"; in line 4, after "with" insert "<u>a crime of violence if the defendant has previously been convicted of a certain crime</u>; prohibiting a District Court commissioner from authorizing release of a <u>defendant charged with</u>"; and in line 18 strike "5–202(f)" and substitute "<u>5–202(c)</u> and (f)".

AMENDMENT NO. 2

On page 3, after line 18, insert:

- "(c) (1) A District Court commissioner may not authorize the pretrial release of a defendant charged with a crime of violence if the defendant has been previously convicted:
 - (i) in this State of a crime of violence; [or]
- (ii) in any other jurisdiction of a crime that would be a crime of violence if committed in this State; OR

(III) OF AN OFFENSE LISTED IN SUBSECTION (F)(1) OF THIS SECTION.

- (2) (i) A judge may authorize the pretrial release of a defendant described in paragraph (1) of this subsection on:
 - 1. suitable bail;
- <u>any other conditions that will reasonably ensure that the</u> defendant will not flee or pose a danger to another person or the community; or
- 3. both bail and other conditions described under item 2 of this subparagraph.
- (ii) When a defendant described in paragraph (1) of this subsection is presented to the court under Maryland Rule 4–216(f), the judge shall order the continued

detention of the defendant if the judge determines that neither suitable bail nor any condition or combination of conditions will reasonably ensure that the defendant will not flee or pose a danger to another person or the community before the trial.

(3) There is a rebuttable presumption that a defendant described in paragraph (1) of this subsection will flee and pose a danger to another person or the community.".

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 629 – Senator Hershey

AN ACT concerning

Kent County - Prospective Employees and Volunteers - Criminal History Records Check

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #11

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

Senate Bill 148 – Senator Feldman

AN ACT concerning

Corporations and Real Estate Investment Trusts – Directors and Trustees – Duties and Immunity From Liability

SB0148/728472/1

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 148

(First Reading File Bill)

On page 2, in line 16, strike "ACTED" and substitute "WAS ACTING IN THE INDIVIDUAL'S OFFICIAL CAPACITY".

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 346 - Senators Ramirez, Cassilly, Lee, Madaleno, and Raskin

AN ACT concerning

Peace Orders - Grounds for Relief

SB0346/868078/1

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 346

(First Reading File Bill)

On page 1, in the sponsor line, after "Ramirez," insert "<u>Brochin</u>,"; in the same line, after "Cassilly," insert "<u>Hough</u>,"; in the same line, after "Madaleno," insert "<u>Muse</u>,"; and in the same line, strike "and Raskin" and substitute "<u>Raskin</u>, <u>Ready</u>, and <u>Zirkin</u>".

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 361 - Senators Raskin and Zirkin

AN ACT concerning

Civil Actions - Hydraulic Fracturing Liability Act

SB0361/268372/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 361

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "providing" in line 3 down through "action;" in line 6; and in line 18, strike "3–2106" and substitute "<u>3–2105</u>".

AMENDMENT NO. 2

On page 2, in line 10, strike "AND" and substitute "FOR".

AMENDMENT NO. 3

On page 3, strike in their entirety lines 8 through 18, inclusive; in line 24, strike "3–2104." and substitute "3–2103.", respectively; in line 21, strike "THIS SUBTITLE" and substitute "APPLICABLE LAW"; and in the same line, after "LIABILITY" insert "UNDER APPLICABLE LAW".

On page 4, in lines 3 and 10, strike "3–2105." and "3–2106.", respectively, and substitute "3–2104." and "3–2105.", respectively; and in line 6, strike "A" and substitute "THE".

The preceding 3 amendments were read only.

Senator Edwards moved, duly seconded, to make the Bill and Amendments a Special Order for March 10, 2016.

The motion was adopted.

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

Senate Bill 423 – Senators Norman, Brochin, Cassilly, Gladden, Hough, Lee, Muse, Ramirez, Raskin, Ready, and Zirkin

AN ACT concerning

Motor Vehicles – Driver Education Program Curriculum – Police Traffic Stop Procedures Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 475 – Senator Rosapepe

AN ACT concerning

Vehicle Laws - School Crossing Guards - Authority to Direct Traffic

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 575 – Senator Ramirez

AN ACT concerning

County Boards of Education - Limit on Liability

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 470 – Senator Reilly

AN ACT concerning

Surety Insurance – Application for Bonds

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

Senator Middleton moved, duly seconded, to make the Bill and Report a Special Order for March 9, 2016.

The motion was adopted.

Senate Bill 275 – Senators Feldman, Astle, Kelley, and Klausmeier

AN ACT concerning

Railroad Company - Movement of Freight - Required Crew

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

Senator Feldman moved, duly seconded, to make the Bill and Report a Special Order for March 9, 2016.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 420)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #34

Senate Bill 3 – Senator Astle

AN ACT concerning

Anne Arundel County - Alcoholic Beverages - Board of License Commissioners - Attorneys

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

Affirmative – 43 Negative – 1 (See Roll Call No. 421)

The Bill was then sent to the House of Delegates.

Senate Bill 9 - Senator Reilly

EMERGENCY BILL

AN ACT concerning

Anne Arundel County <u>and the City of Annapolis</u> – Alcoholic Beverages – Limited Distillery License

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

Affirmative – 44 Negative – 0 (See Roll Call No. 422)

The Bill was then sent to the House of Delegates.

Senate Bill 33 - Senator Astle

AN ACT concerning

Anne Arundel County - Alcoholic Beverages - Licenses

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

Affirmative – 45 Negative – 0 (See Roll Call No. 423)

The Bill was then sent to the House of Delegates.

Senate Bill 130 – Senator Mathias

AN ACT concerning

Worcester County - Alcoholic Beverages - Refillable Container Permit for Draft Beer

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

Affirmative – 45 Negative – 0 (See Roll Call No. 424)

The Bill was then sent to the House of Delegates.

Senate Bill 175 – Senator Astle

AN ACT concerning

Anne Arundel County - Alcoholic Beverages - Disposition of Fees

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

Affirmative – 45 Negative – 0 (See Roll Call No. 425)

The Bill was then sent to the House of Delegates.

Senate Bill 410 - Senators Ferguson, Brochin, Guzzone, Hough, and Klausmeier

AN ACT concerning

Distillery License Holders - Sale of Product to Participants in Guided Tours

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

Affirmative – 45 Negative – 0 (See Roll Call No. 426)

The Bill was then sent to the House of Delegates.

Senate Bill 483 – Senator Edwards

AN ACT concerning

Allegany County - Alcoholic Beverages - Minimum Age to Serve Liquor

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

Affirmative – 45 Negative – 0 (See Roll Call No. 427)

The Bill was then sent to the House of Delegates.

Senate Bill 523 – Washington County Senators

AN ACT concerning

Alcoholic Beverages - Washington County - Local Penalties

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

Affirmative – 45 Negative – 0 (See Roll Call No. 428)

The Bill was then sent to the House of Delegates.

Senate Bill 587 – Senators Madaleno, Nathan-Pulliam, Rosapepe, and Young Young, Conway, Simonaire, Bates, Salling, and Zucker

AN ACT concerning

Alcoholic Beverages - Sale of Powdered Alcohol - Prohibition

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

Affirmative – 43 Negative – 2 (See Roll Call No. 429)

The Bill was then sent to the House of Delegates.

Senate Bill 724 – The President (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Alcoholic Beverages Article

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

Affirmative – 45 Negative – 0 (See Roll Call No. 430)

The Bill was then sent to the House of Delegates.

Senate Bill 725 – The President (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Alcoholic Beverages - Cross-References and Corrections

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

Affirmative – 45 Negative – 0 (See Roll Call No. 431)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #35

Senate Bill 530 - Senator Eckardt

AN ACT concerning

Dorchester County - Class B Beer, Wine, and Liquor License - Minimum Seating Requirement

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

Affirmative – 45 Negative – 0 (See Roll Call No. 432)

The Bill was then sent to the House of Delegates.

Senate Bill 561 – Senator Ferguson

AN ACT concerning

Baltimore City - Alcoholic Beverages - Class C Beer, Wine, and Liquor Licenses

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

Affirmative – 45 Negative – 0 (See Roll Call No. 433)

The Bill was then sent to the House of Delegates.

Senate Bill 624 - Calvert County Senators

AN ACT concerning

Calvert County - Alcoholic Beverages - Beer and Wine Festival (BWF) License

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

Affirmative – 45 Negative – 0 (See Roll Call No. 434)

The Bill was then sent to the House of Delegates.

Senate Bill 625 - Calvert County Senators

AN ACT concerning

Calvert County - Alcoholic Beverages - Special Event Festival Beer, Wine, and Liquor Permit - Attendance

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

Affirmative – 44 Negative – 0 (See Roll Call No. 435)

The Bill was then sent to the House of Delegates.

Senate Bill 634 - Caroline County Senators

AN ACT concerning

Caroline County - Alcoholic Beverages - Refillable Container Permit

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

Affirmative – 45 Negative – 0 (See Roll Call No. 436)

The Bill was then sent to the House of Delegates.

Senate Bill 677 - Carroll County Senators

AN ACT concerning

Carroll County - Alcoholic Beverages Licenses - Beginning Hour of Sale

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

Affirmative – 45 Negative – 0 (See Roll Call No. 437)

The Bill was then sent to the House of Delegates.

Senate Bill 682 – Senator Edwards

AN ACT concerning

Garrett County - Alcoholic Beverages - Sunday Sales

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

Affirmative – 45 Negative – 0 (See Roll Call No. 438)

The Bill was then sent to the House of Delegates.

QUORUM CALL

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

(See Roll Call No. 439)

ADJOURNMENT

At 12:01 P.M. on motion of Senator Pugh, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, March 9, 2016.

Annapolis, Maryland Wednesday, March 9, 2016 10:00 A.M. Session

The Senate met at 10:07 A.M.

Prayer by Pastor Dante Hickman, Southern Baptist Church, guest of Senator McFadden.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 443)

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

The Journal of March 8, 2016 was read and approved.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 429 - Senator Adelaide C. Eckardt:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Easton High School
2015 Maryland State Champion Boys Lacrosse
in recognition of

the First Boy's Lacrosse State Championship in Easton High School's History, winning the championship game with a score of 8–4 and a 13–5 record for the 2015 Season!

The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 9th day of March 2016.

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 444)

YEAS AND NAYS

SENATE BILLS PASSED IN THE HOUSE

BILL NO.	SPONSOR	CONTENT
SB 506 (Emerg)	The President	Annual Corrective Bill
SB 507 (Emerg)	The President	Annual Curative Bill

By Order,

William B. C. Addison, Jr., Secretary

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 66 – Chair, Appropriations Committee (By Request – Departmental – Office for Children)

AN ACT concerning

Residential Child Care Capital Grant Program - Repeal

FOR the purpose of repealing the Residential Child Care Capital Grant Program, which authorizes the Board of Public Works, on the recommendation of the Executive Director of the Governor's Office for Children, to make certain grants to counties, municipal corporations, and nonprofit organizations; repealing provisions of law relating to the purposes, administration, and funding of the Program; repealing provisions of law relating to the uses, terms, and conditions of the grants and the State's recovery of funds expended under the Program; repealing provisions of law relating to the authority of the Board of Public Works and the Governor's Office for Children to adopt regulations to implement the Program; and generally relating to the Residential Child Care Capital Grant Program.

BY repealing

Article – Human Services

Section 8–901 through 8–911 and the subtitle "Subtitle 9. Residential Child Care Capital Grant Program"

Annotated Code of Maryland (2007 Volume and 2015 Supplement)

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

House Bill 164 – Chair, Appropriations Committee (By Request – Departmental – Comptroller)

SECOND PRINTING

AN ACT concerning

State Personnel Management System – Background Investigation and Criminal History Records Check – Prospective and Current Employees

FOR the purpose of authorizing certain appointing authorities in the State Personnel Management System to require certain prospective or current employees to provide certain information for a certain background investigation; authorizing certain appointing authorities to request from the Criminal Justice Information System Central Repository a State and national criminal history records check for certain prospective and current employees; establishing certain procedures to apply for a criminal history records check; requiring the Central Repository to forward criminal history record information to certain prospective or current employees; providing that certain information is confidential and may be used only for certain purposes; requiring the Central Repository to provide a revised printed statement of a certain State criminal history record under certain circumstances; authorizing an individual who is the subject of a criminal history records check under this Act to contest certain information in the record; authorizing the Secretary of Budget and Management to adopt certain regulations, guidelines, and policies; defining a certain term; and generally relating to background investigations and criminal history records checks for employees in the State Personnel Management System.

BY adding to

Article – State Personnel and Pensions Section 7–104 Annotated Code of Maryland (2015 Replacement Volume)

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

House Bill 280 – Delegates Moon, Barron, Gutierrez, Hayes, Hill, Krimm, Luedtke, McCray, Reznik, West, and K. Young K. Young, Jackson, Hammen, Pendergrass, McMillan, Oaks, Pena-Melnyk, Miele, Saab, McDonough, Bromwell, Morgan, Kipke, Cullison, Sample-Hughes, Rose, and Krebs

Birth Certificates - Homeless Individuals - Prohibition on Collection of Fee

FOR the purpose of prohibiting the Department of Health and Mental Hygiene from collecting a fee for a certain copy of a birth certificate issued to a homeless individual; requiring the Department to accept a signed written statement from a homeless individual as proof of homelessness a certain statement from a certain homeless services provider; providing that a homeless individual may receive one copy of a birth certificate without a fee in a certain transaction; requiring the Department to adopt certain regulations; defining a certain term; and generally relating to prohibiting the collection of fees for copies of birth certificates issued to homeless individuals.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 4–217
Annotated Code of Maryland
(2015 Replacement Volume)

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

House Bill 684 – Delegates Hammen, Anderson, Branch, Busch, Carey, Carter, Clippinger, Conaway, Glenn, Hayes, Haynes, Lafferty, Lierman, Lisanti, McCray, McIntosh, Oaks, Pena-Melnyk, Pendergrass, B. Robinson, S. Robinson, Rosenberg, Smith, Sophocleus, M. Washington, West, and P. Young

AN ACT concerning

Baltimore Regional Neighborhood Initiative Program - Codified

FOR the purpose of establishing the Baltimore Regional Neighborhood Initiative Program; providing for the administration and purpose of the Program; establishing the type of community enhancement projects eligible to receive Program funds; authorizing certain community development organizations to apply to receive Program funds; requiring a community development organization's application to contain certain information; providing that community enhancement projects may be located in more than one political subdivision; requiring the Department of Housing and Community Development to establish a certain quantitative system to evaluate each application; providing for the review of each application; requiring certain approval from notification to certain political subdivisions before an application may be approved; requiring the Department and the recipient of Program funds to enter into a certain agreement; authorizing the Department to exercise certain powers necessary to implement the Program and determine certain terms and conditions of the financial assistance; requiring the recipient of financial assistance from the Program to submit a certain quarterly progress report; establishing the Baltimore Regional Neighborhood Initiative Program Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Secretary of Housing and Community Development to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; requiring the Governor, in certain fiscal years, to include a certain appropriation in the annual budget bill to the Fund; requiring the Governor to include a certain appropriation for a certain fiscal year; defining certain terms; and generally relating to establishing the Baltimore Regional Neighborhood Initiative Program.

BY adding to

Article – Housing and Community Development

Section 6–501 through 6–510 to be under the new subtitle "Subtitle 5. Baltimore Regional Neighborhood Initiative Program"

Annotated Code of Maryland

(2006 Volume and 2015 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)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 6-226(a)(2)(ii)84. and 85.

Annotated Code of Maryland

(2015 Replacement Volume)

BY adding to

Article – State Finance and Procurement

Section 6-226(a)(2)(ii)86.

Annotated Code of Maryland

(2015 Replacement Volume)

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

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 395 – Senator Conway

AN ACT concerning

Ethics - Local Government - Conflict of Interest and Financial Disclosure

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 470 – Senator Reilly

AN ACT concerning

Surety Insurance – Application for Bonds

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

Senator Reilly moved, duly seconded, to recommit the Bill.

The motion was adopted.

Senate Bill 275 – Senators Feldman, Astle, Kelley, and Klausmeier

AN ACT concerning

Railroad Company - Movement of Freight - Required Crew

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

<u>Favorable report</u>, as amended, adopted by roll call vote as follows:

Affirmative – 32 Negative – 14 (See Roll Call No. 445)

Senator Hough moved, duly seconded, to make the Bill a Special Order for March 10, 2016.

The motion was adopted.

MESSAGE FROM THE EXECUTIVE

March 9, 2016

The Honorable Thomas V. Mike Miller, Jr. President Maryland State Senate State House Annapolis, Maryland 21401 Dear Mr. President:

In accordance with Article II, §13 of the Constitution of Maryland, I am pleased to submit the following appointment nominations for confirmation by the Maryland State Senate. These individuals bring exceptional knowledge and ability to the offices for which they have been nominated. I am confident they will provide the strength of experience and leadership to instill confidence among our citizens and ensure we succeed in our goals for Marylanders.

I look forward to your favorable approval of these nominees. Thank you for your assistance and support.

Sincerely,

Lawrence J. Hogan, Jr. Governor

GUBERNATORIAL APPOINTMENTS TO STATEWIDE BOARDS REQUIRING CONFIRMATION 2016 SESSION OF THE MARYLAND GENERAL ASSEMBLY

AIRPORT ZONING APPEALS, BOARD OF			
Albert V. Nalley, Sr.	Appointment		
2200 Tall Pines Court	Baltimore County		
Catonsville, Maryland 21228	Term of 4 years from July 1, 2016		
Baltimore County/44			
Paul V. Arcuri	Appointment		
820 William Avenue	At Large		
Westminster, Maryland 21157	Term of 4 years from July 1, 2015		
Carroll/05			
Allyson McMahon	Appointment		
10500 Rock Run Drive	At Large		
Potomac, Maryland 20854	Term of 4 years from July 1, 2016		
Montgomery/16			
AMUSEMENT RIDE SAFETY ADVISORY	BOARD, STATE		
Steven M. Rothenberg	Appointment		
13913 Little Tree Court	Amusement Ride Rental Operator		
Rockville, Maryland 20850	Term of 4 years from July 1, 2016		
Montgomery/15			
APPRENTICESHIP AND TRAINING COUNCIL			
Alexander Edgar Poling	Appointment		
515 48th Street	Employee Organization		
Baltimore, Maryland 21224	Term of 4 years from July 1, 2016		
Baltimore County/06			
AVIATION COMMISSION, MARYLAND			

Thur U Cooper	Annaintment
Thuy H. Cooper 116 Lee Avenue #301	Appointment Member
Takoma Park, Maryland 20912 Montgomery/20	Term of 3 years from October 1, 2015
John H. Kiser	Appointment
	Appointment Member
9907 Stoneybrook Drive	
Kensington, Maryland 20895	Term of 3 years from October 1, 2016
Montgomery/18 William H. Cox. In	Appointment
William H. Cox, Jr.	Appointment Member
625 Ridgewood Road	
Bel Air, Maryland 21014 Harford/34	Term of 3 years from October 1, 2016
	L BAYS, CRITICAL AREA COMMISSION
FOR THE	L DAYS, CRITICAL AREA COMMISSION
Michael F. McCarthy	Appointment Development Country Citizen
27329 Rest Circle	Dorchester/Talbot County Citizen
Easton, Maryland 21601	Term of 4 years from July 1, 2016
Talbot/37	AND ADVICODY COUNCIL ON THE
DEAF AND HARD OF HEARING, MARYL	T
Gregory S. James 5712 Roland Avenue	Appointment
	DHR
Baltimore, Maryland 21210	Term of 4 years from October 1, 2014
Baltimore City/41	
MARYLAND	TION (MEDCO) BOARD OF DIRECTORS,
Linda Ates Moran	Appointment
11500 Quillin Way	General Public
Berlin, Maryland 21811	Remainder of a term of 4 years from July 1,
Worcester/38	2014
ELECTRICIANS, STATE BOARD OF MAS	STER
Francis E. Harrison, Jr.	Appointment
2858 Flag Marsh Road	Consumer – Unrepresented County
Mount Airy, Maryland 21771	Term of 3 years from July 1, 2014
Carroll/04	
FIRE-RESCUE EDUCATION AND TRAIN	JING COMMISSION
Kiona Lee Black	Appointment
507 East Main Street	Career Academy Instructor
Thurmont, Maryland 21788	Term of 4 years from July 1, 2016
Frederick/04	
HART-MILLER PLEASURE ISLAND CIT	IZEN OVERSIGHT COMMITTEE
Karen Wynn	Appointment
23 Wendslow Road	6th Legislative District
Lutherville–Timonium, Maryland 21093	Term of 2 years from July 1, 2015
Baltimore County/06	
HEALTH AND MENTAL HYGIENE, BOA	ARD OF REVIEW OF THE DEPARTMENT
OF	

D 151 11 0 1			
Betty Makell Coleman	Reappointment		
8 Kirby Lane	General Public		
Annapolis, Maryland 21401	Term of 3 years from July 1, 2016		
Anne Arundel/30			
Ronald C. Harvey	Appointment		
8938 Harkate Way	General Public		
Randallstown, Maryland 21133	Term of 3 years from July 1, 2016		
Baltimore County/10			
Daniel Yeeles, Jr.	Appointment		
201 Greenwich Drive	General Public		
Walkersville, Maryland 21793	Term of 3 years from July 1, 2014		
Frederick/04			
HEALTH RESOURCES COMMISSION, M	ARYLAND COMMUNITY		
J. Wayne Howard	Appointment		
7830 Shore Drive	Community Health Resources		
Preston, Maryland 21655	Term of 4 years from July 1, 2015		
Caroline/36			
Allan A. Anderson, M.D.	Appointment		
114 Riverside Drive	Outpatient Mental Health		
Cambridge, Maryland 21613	Term of 4 years from July 1, 2015		
Dorchester/37			
Mark T. Edney, M.D.	Appointment		
519 N. Pinehurst Avenue	Expertise		
Salisbury, Maryland 21801	Remainder of a term of 4 years from July 1,		
Wicomico/38	2012 and a term of 4 years from July 1,		
	2016		
HEATING, VENTILATION, AIR-COM	NDITIONING AND REFRIGERATION		
CONTRACTORS, STATE BOARD OF			
Stephen J. Schmidt	Appointment		
2494A Scravel Road	Master Contractor		
Myersville, Maryland 21773	Term of 3 years from January 1, 2016		
Frederick/04			
HIGHER EDUCATION COMMISSION, M	ARYLAND		
Donna M. Mitchell	Appointment		
2317 Kaywood Drive	Member		
Silver Spring, Maryland 20905	Remainder of a term of 5 years from July 1,		
Montgomery/14	2011 and a term of 5 years from July 1,		
	2016		
INDUSTRIAL DEVELOPMENT FINANCI	NG AUTHORITY (MIDFA), MARYLAND		
Brian F. Sweeney	Appointment		
15049 Double Bridges Court	Member		
Glenelg, Maryland 21737	Remainder of a term of 5 years from July 1,		
Howard/09	2013		
INFANTS AND TODDLERS, INTERAGENCY COORDINATING COUNCIL FOR			
INFANTS AND TODDLERS, INTERAGEN	ICY COORDINATING COUNCIL FOR		

Anne Blackfield	Annaintmant	
	Appointment DOD	
222 E. Saratoga Street, Apt. 708	State Agency – DOD	
Baltimore, Maryland 21202	Remainder of a term of 3 years from July 1,	
Baltimore City/46	2013 and a term of 3 years from July 1,	
LANDSCAPE ARCHITECTS, BOARD OF	2016	
Gareth Diedrick	I	
	Reappointment	
412 Bloomfield Lane	Consumer	
Upper Marlboro, Maryland 20774	Term of 3 years from July 1, 2016	
Prince George's/23		
PATUXENT INSTITUTION BOARD OF R		
Chester A. France, Jr.	Reappointment	
8111 F.E. Carter Road	Public No. 1 01 0010	
Laurel, Maryland 20724	Term of 4 years from March 21, 2016	
Anne Arundel/32		
PHYSICIANS, STATE BOARD OF	I	
Marie-Alberte Boursiquot, M.D.	Appointment	
7160 Natures Road	Physician	
Columbia, Maryland 21046	Term of 4 years from July 1, 2016	
Howard/13		
PLUMBING, STATE BOARD OF		
Richard C. Bowers	Appointment	
270 Northfield Way	Consumer – Unrepresented County	
Centreville, Maryland 21617	Term of 3 years from May 1, 2015	
Queen Anne's/36		
PODIATRIC MEDICAL EXAMINERS, STA	ATE BOARD OF	
Frona L. Kroopnick	Appointment	
1305 Saint Albans Road	Consumer	
Baltimore, Maryland 21208	Term of 4 years from July 1, 2016	
Baltimore County/42	101111 01 1 1 00120 110111 0 1111 11, 2010	
PUBLIC DEFENDER, BOARD OF TRUST	EES OF THE OFFICE OF THE	
Andrew Radding, Esq.	Appointment	
50 River Oaks Circle	3rd Judicial Circuit	
Pikesville, Maryland 21208	Term of 3 years from June 1, 2015	
Baltimore County/11	, , , , , ,	
Philip T. Cronan, Esq.	Appointment	
25952 Acorn Road, P.O. Box 411	2nd Judicial Circuit	
Royal Oak, Maryland 21662	Term of 3 years from June 1, 2015	
Talbot/37		
PUBLIC-PRIVATE PARTNERSHIP MARKETING CORPORATION, MARYLAND		
Joshua Martin	Appointment	
10516 Connor Drive	Business	
Williamsport, Maryland 21795	Term to expire September 30, 2019	
Washington/02	1 11 11 11 11 11 11	
U	I	

	T
Capt. Eric A. Nielsen	Appointment
32 Sherwood Road	Labor
Cockeysville, Maryland 21030	Term to expire September 30, 2021
Baltimore County/42	
J. Thomas Sadowski	Appointment
3368 Ady Road	Not-for-Profit Organization
Street, Maryland 21154	Term to expire September 30, 2019
Harford/35	
Henry Fawell	Appointment
1311 Blackwalnut Court	Public Relations and Communications
Annapolis, Maryland 21403	Term to expire September 30, 2020
Anne Arundel/30	
Aaron N. Tomarchio	Appointment
731 S. Luzerne Avenue	Economic Development
Baltimore, Maryland 21224	Term to expire September 30, 2021
Baltimore City/46	
•	SAL MANAGEMENT COMPANIES AND
HOME INSPECTORS, STATE COMMISSI	
James C. Smith, III	Appointment
8111 Button Bush Court	Financial Institution
Clinton, Maryland 20735	Term of 3 years from January 1, 2016
Prince George's/26	
Joseph Norman	Appointment
9003 Hedgerow Way	Consumer
Baltimore, Maryland 21236	Term of 3 years from January 1, 2016
Baltimore County/08	
Mike Ranelli	Appointment
610 Love Point Road	Consumer
Stevensville, Maryland 21666	Term of 3 years from January 1, 2015
Queen Anne's/36	
REAL ESTATE COMMISSION, STATE	
Robin L. Pirtle	Reappointment
1020 Heartfields Drive	Consumer
Silver Spring, Maryland 20904	Term of 4 years from June 1, 2016
Montgomery/20	
RURAL LEGACY BOARD, ADVISORY CO	MMITTEE TO THE
Joshua A. Hastings	Appointment
725 Canvasback Court	Nonprofit Land Conservation
Salisbury, Maryland 21804	Term of 3 years from July 1, 2015
Wicomico/38	10111 of 6 years from only 1, 2016
Kyle Murray	Appointment
1618 Hilltop Road	Mineral Resources Industry
Edgewater, Maryland 21037	Term of 3 years from July 1, 2014
Anne Arundel/30	Torm of a years from only 1, 2014
THILE UT ATTACHOO	1

Ryan Warner	Appointment		
2801 Ridgeleigh Ct	Municipal Corporation		
Manchester, MD 21102	Term of 3 years from July 1, 2015		
Carroll/05	-		
ST. MARY'S COLLEGE OF MARYLAND, BOARD OF TRUSTEES OF			
Danielle E. Troyan	Appointment		
146 Ingle Place	Member		
Alexandria, Virginia 22304	Term of 6 years from June 1, 2015		
Nonresident			
SEAFOOD MARKETING ADVISORY COM	IMISSION		
William S. Kreamer, III	Appointment		
5847 Valley Drive	Seafood Packer		
St. Leonard, Maryland 20685	Term of 4 years from July 1, 2015		
Calvert/27			
SOCIAL WORK EXAMINERS, STATE BOA	ARD OF		
Angela D. Anderson–Smith	Reappointment		
2815 Goodwood Road	Consumer		
Baltimore, Maryland 21214	Term of 4 years from July 1, 2016		
Baltimore City/43			
TOURISM DEVELOPMENT BOARD, MAR	RYLAND		
Michael James	Appointment		
12805 Kings Court	Attractions		
Ocean City, Maryland 21842	Term of 3 years from July 1, 2016		
Worcester/38			
Cara Hergan Joyce	Appointment		
110 Sweetser Road	Attractions		
Linthicum, Maryland 21090	Term of 3 years from July 1, 2014		
Anne Arundel/32			
VETERANS HOME COMMISSION, MARY	LAND		
Jason E. Franklin	Reappointment		
19404 Olney Mill Road	Member		
Olney, Maryland 20832	Term of 5 years from July 1, 2016		
Montgomery/14			
VETERINARY MEDICAL EXAMINERS, STATE BOARD OF			
Victoria K. Wright–Conner	Appointment		
126 N. Colonial Drive	Public		
Hagerstown, Maryland 21742	Term of 5 years from June 1, 2016		
Washington/02			
WATERWORKS AND WASTE SYSTEMS OPERATORS, STATE BOARD OF			
Joseph D. Johnson	Reappointment		
2850 Bethany Lane	Waterworks Supervisor		
Ellicott City, Maryland 21042	Term of 4 years from July 1, 2014		
Howard/09			

Douglas E. Myers	Appointment		
2631 Bert Fowler Road	DNR		
Manchester, Maryland 21102	Term of 4 years from July 1, 2014		
Carroll/05			
WELL DRILLERS, STATE BOARD OF			
Robert Peoples	Appointment		
745 Little New York Road	MDE		
Rising Sun, Maryland 21911	Term of 2 years from July 1, 2014 and a		
Cecil/35	term of 2 years from July 1, 2016		
WOMEN, MARYLAND COMMISSION FO	R		
Ummu Bradley Thomas	Appointment		
1200 Foster Holly Court	Member		
Denton, Maryland 21629	Remainder of a term of 4 years from July 1,		
Caroline/36	2012 and a term of 4 years from July 1,		
	2016		
Twanda Bailey	Appointment		
2614 Warren Way	Member		
Frederick, Maryland 21701	Remainder of a term of 4 years from July 1,		
Frederick/03	2012 and a term of 4 years from July 1,		
	2016		
April M. Nyman	Appointment		
437 Penwood Dr	Member		
Edgewater, MD 21037	Remainder of a term of 4 years from July 1,		
Anne Arundel/30	2012 and a term of 4 years from July 1,		
	2016		
YOUTH CAMP SAFETY, ADVISORY COUNCIL ON			
Carla L. Dewitt	Appointment		
432 Penwood Drive	Public		
Edgewater, Maryland 21037	Remainder of a term of 3 years from July 1,		
Anne Arundel/30	2014		
Gregory G. May	Appointment		
9489 Greco Garth	Camp Owner/Manager – For Profit		
Columbia, Maryland 21045	Term of 3 years from July 1, 2016		
Howard/13			

GUBERNATORIAL APPOINTMENTS TO LOCAL BOARDS REQUIRING CONFIRMATION 2016 SESSION OF THE MARYLAND GENERAL ASSEMBLY

ANNE ARUNDEL COMMUNITY COLLEGE BOARD OF TRUSTEES		
Paula J. Darrah, Esq.	Appointment	
206 Hawthorne Road	Member	
Linthicum Heights, Maryland 21090	Remainder of a term of 6 years from July 1,	
Anne Arundel/32	2015	

Lawrence W. Ulvila, Jr.	Appointment	
5 Park Place, #319	Member	
Annapolis, Maryland 21401	Term of 6 years from July 1, 2016	
Anne Arundel/30		
Adam J. Hertz	Appointment	
105 Charles Road	Student	
Linthicum Heights, Maryland 21090	Term of 1 year from July 1, 2016	
Anne Arundel/32		
FREDERICK COUNTY BOARD OF LICENSE COMMISSIONERS		
Jesse T. Pippy	Appointment	
8514 Indian Springs Road	Member	
Frederick, Maryland 21702	Term of 5 years from July 1, 2016	
Frederick/04		
WASHINGTON COUNTY COMMISSIONER		
Wayne K. Keefer	Appointment	
P.O. Box 363	Commissioner	
Hancock, Maryland 21750	Remainder of a term of 4 years from the	
Washington/01	General Election of 2014	

The Message from the Executive, being of an Executive nature, was referred to the Committee on Executive Nominations.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #6

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

Senate Bill 1052 – Senators Ferguson, Miller, Currie, DeGrange, Edwards, Guzzone, King, Madaleno, Manno, McFadden, Peters, and Serafini

AN ACT concerning

University of Maryland Strategic Partnership Act of 2016

SB1052/209338/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 1052

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Edwards,"; in the same line, strike "Peters, and Serafini" and substitute "and Peters"; strike beginning with "requiring" in line 4 down

through "time;" in line 6; in line 7, after "Maryland;" insert "requiring the presidents of the University of Maryland campuses to submit a certain report to the University System of Maryland Board of Regents and the Chancellor of the University System of Maryland each year;"; and in line 19, strike "in certain fiscal years" and substitute "beginning in a certain fiscal year".

On pages 1 and 2, strike beginning with "requiring" in line 30 on page 1 down through "Regents;" in line 1 on page 2.

On page 2, strike beginning with "requiring" in line 2 down through "Grove;" in line 4 and substitute "requiring the Governor to provide a certain amount of general funds to the University System of Maryland Office in certain fiscal years to be distributed to certain institutions and to include a certain distribution in a certain budget in all future fiscal years; requiring certain Presidents to have an opportunity to meet with the Governor to discuss certain fiscal matters; prohibiting a certain construction of the strategic partnership and of this Act;"; in the same line, after "requiring" insert "certain Presidents to make certain recommendations to"; in line 5, strike "to make a certain evaluation and recommendation"; in line 12, after "persons;" insert "specifying certain findings and declaring the intent of the General Assembly;"; and in line 30, strike "13–601,".

On page 3, strike in their entirety lines 6 through 9, inclusive, and substitute:

"Article – Alcoholic Beverages Section 26–1009(b)(1) and (e)(4) Annotated Code of Maryland

(As enacted by Chapter ___(S.B. 724) of the Acts of the General Assembly of 2016)".

On page 13, in line 24, strike "FACULTY".

On page 18, in line 31, after "**DEVELOPMENT**" insert "(**UMCEED**)".

On pages 22 and 23, strike in their entirety the lines beginning with line 30 on page 22 through line 31 on page 23, inclusive.

On page 29, strike in their entirety lines 16 through 27, inclusive, and substitute:

"Article – Alcoholic Beverages

title; and

- (b) The Board may issue the license to an individual who is:
 - (1) <u>authorized by the University of Maryland, College Park CAMPUS to:</u>
 - (i) act on its behalf under the license; and
 - (ii) be subject to the penalties, conditions, and restrictions under this

(e) The Board:

(4) shall require the Department of Dining Services of the University of Maryland, College Park CAMPUS to report to the Board at least 5 days before a University—related catered function at which beer, wine, or liquor is intended to be sold or served.".

On page 36, in line 1, after the first "of" insert "<u>A UNIVERSITY OF MARYLAND</u> CAMPUS OR ANOTHER INSTITUTION IN".

On page 37, in line 38, strike "July" and substitute "October".

AMENDMENT NO. 2

On page 6, after line 32, insert:

"WHEREAS, The missions of University of Maryland, College Park and University of Maryland, Baltimore include commitment to the social and economic health and development of the communities in which they are located, including collaboration in the areas of health care, housing and development, transportation, public education, public safety, and sustainability; and

WHEREAS, The University of Maryland, College Park, as a land grant college, the City of College Park, and Prince George's County in recent years have successfully collaborated on joint projects, including the redevelopment of Route 1, the Innovation District, M Square, College Park Academy, the expansion of police protection, traffic cameras and security cameras, bike and pedestrian routes, bus service, and the Purple light rail line; and

WHEREAS, The University of Maryland, Baltimore and the City of Baltimore collaborate on joint projects, including the assistance of the professional schools in creating employment opportunities for Baltimore City residents; and

WHEREAS, The University of Maryland, Baltimore, and the City of Baltimore also collaborate on joint projects, including the UMB Community Engagement Center in West Baltimore, Baltimore City community schools, the Promise Heights neighborhood, development of the University of Maryland BioPark and redevelopment of the city's west side, the UMB CURE Scholars program, tutoring and mentoring initiatives throughout West Baltimore, and the provision of health care and social services to underserved city residents; and".

AMENDMENT NO. 3

On page 10, in lines 16 and 18, in each instance, after "CAMPUS" insert "WITHIN THE UNIVERSITY SYSTEM OF MARYLAND".

On page 11, in line 18, strike "President" and substitute "<u>PRESIDENTS</u>"; in line 19, strike ", College Park CAMPUS" and substitute "<u>CAMPUSES</u>"; in line 23, after the second "the" insert "<u>UNIVERSITY OF MARYLAND, BALTIMORE CAMPUS AND THE</u>"; and in line 28, after "institutions" insert "AND THE UNIVERSITY OF MARYLAND CAMPUSES".

AMENDMENT NO. 4

On page 14, strike in their entirety lines 23 through 28, inclusive.

On page 15, in lines 1, 7, and 23, strike "(C)", "(D)", and "(E)", respectively, and substitute "(B)", "(C)", and "(D)", respectively; in line 5, strike "EACH PRESIDENT" and substitute "THE PRESIDENT OF EACH CAMPUS"; and in line 6, strike "ONE" and substitute "THAT".

On page 36, strike in their entirety lines 8 through 22, inclusive.

AMENDMENT NO. 5

On page 15, in lines 18 and 19, strike "PROVIDE A TIMELINE AND AN IMPLEMENTATION PROCESS FOR COMBINING THE PERSONNEL SYSTEMS OF EACH CAMPUS" and substitute "PROMOTE EFFECTIVENESS AND EFFICIENCIES BETWEEN THE CAMPUSES, INCLUDING POTENTIAL SAVINGS IN HUMAN RESOURCES, PROCUREMENT, AND INFORMATION TECHNOLOGY";

and after line 30, insert:

"(E) NOTHING IN THE STRATEGIC PARTNERSHIP MAY BE CONSTRUED TO PREVENT OR RESTRICT COLLABORATION OR COORDINATION BETWEEN THE UNIVERSITY OF MARYLAND AND OTHER INSTITUTIONS."

On page 36, in line 24, after the first "the" insert "<u>Presidents of the University of Maryland campuses shall study and recommend to the</u>"; and strike beginning with "shall" in line 24 down through "effect" in line 25 and substitute "mechanisms that would permit".

AMENDMENT NO. 6

On page 15, before line 31, insert:

"(F) THE PRESIDENTS SHALL REPORT ANNUALLY TO THE UNIVERSITY SYSTEM OF MARYLAND BOARD OF REGENTS AND THE CHANCELLOR OF THE UNIVERSITY SYSTEM OF MARYLAND REGARDING COLLABORATION WITH THE CITY OF BALTIMORE, PRINCE GEORGE'S COUNTY, AND THE CITY OF COLLEGE PARK IN THE AREA OF COMMUNITY DEVELOPMENT."

AMENDMENT NO. 7

On page 16, in line 17, strike "AND"; after line 17, insert:

"(6) CARRY OUT THE PROGRAMS AND POLICIES ESTABLISHED UNDER THE MPOWER PROGRAM AS DIRECTED BY THE PRESIDENTS; AND";

and in line 18, strike "(6)" and substitute "(7)".

AMENDMENT NO. 8

On page 18, in lines 21 and 24, in each instance, strike "FOR EACH OF FISCAL YEARS 2018 THROUGH 2022" and substitute "BEGINNING IN FISCAL YEAR 2018 AND IN EACH FISCAL YEAR THEREAFTER".

On page 36, after line 22, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That, for each of fiscal years 2018 through 2021, the Governor shall appropriate in the annual budget at least an additional \$4,000,000 to the University System of Maryland Office for the purpose of increasing the estimated funding guideline attainment levels of the primarily residential institutions in

the System with the lowest estimated funding guideline attainment levels in fiscal year 2016. The University System of Maryland shall allocate the funds each year in a manner that brings the primarily residential institutions with the lowest estimated funding guideline attainment levels in fiscal year 2016 as close as possible to a 64% estimated funding guideline attainment level by fiscal year 2021. The general funds distributed under this section each year are in addition to the annual appropriation for each institution, and shall be included in each institution's base budget for all fiscal years after the distribution."

AMENDMENT NO. 9

On page 19, in line 2, strike "**UMCEED**" and substitute "**FOLLOWING ALL STATE** LAW, REGULATIONS, AND PROCESSES FOR PROGRAM REVIEW AND APPROVAL, UMCEED".

On page 36, before line 23, insert:

"SECTION 5. AND BE IT FURTHER ENACTED, That nothing in this Act shall be construed to alter the academic program approval process established under §§ 11–206 and 11–206.1 of the Education Article."

AMENDMENT NO. 10

On page 19, in line 5, after "VIRTUAL" insert "AND AUGMENTED"; after line 6, insert:

"(3) BIOMEDICAL DEVICES;";

and in lines 7 and 8, strike "(3)" and "(4)", respectively, and substitute "(4)" and "(5)", respectively.

AMENDMENT NO. 11

On page 37, after line 29, insert:

"SECTION 13. AND BE IT FURTHER ENACTED, That:

(a) The General Assembly finds that, because of their position as major anchor institutions and employers in their respective communities, the University of Maryland campuses in Baltimore City and Prince George's County have a responsibility and an opportunity to provide collaborative leadership, as well as intellectual, policy, and financial investment, in the development of their respective communities.

(b) It is the intent of the General Assembly, therefore, that the University of Maryland campuses in Baltimore City and Prince George's County focus their community development priorities in their respective communities in the areas of health care, housing and development, transportation, public safety, public education, and sustainability.";

and in lines 30 and 37, strike "13." and "14.", respectively, and substitute "14." and "15.", respectively.

The preceding 11 amendments were read only.

Senator Jennings moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 446)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #38

CONSENT CALENDAR #1

BILL NO.	SPONSOR	CONTENT	COMMITTEE
SB 310	Sen. Raskin	Child Abuse and Neglect – Failure to Report	JPR
SB 359	Sen. Zirkin	Family Law – Divorce – Corroboration of Testimony and Filing Procedures	JPR

BILL NO.	SPONSOR	CONTENT	COMMITTEE
SB 539	Sen. Conway	Real Estate Brokers – Licensure Requirement – Exemption for Lawyers	ЕНЕ
SB 687	Sen. Middleton	Charles Co – Alchlc Bevs – Entertainment Concessionaire and Entertainment Facility Licenses	ЕНЕ
SB 693	Sen. Young	Frederick County – Alcoholic Beverages – Hotel Lobby License	EHE
SB 694	Sen. Young	Frederick County – Alcohol Awareness Program – Absence From Licensed Premises	ЕНЕ
SB 699	Sen. Young	Frederick County – Alcoholic Beverages – Theater and Entertainment Center License	ЕНЕ
SB 736	Sen. Edwards	Allegany County – Alcoholic Beverages – Sunday Sales for Class A Licenses	ЕНЕ
SB 746	Sen. Ready	Carroll County – Alcoholic Beverages – Beer, Wine, and Liquor Tasting License	ЕНЕ
SB 795	Sen. Jennings	Harford County – Alcoholic Beverages – Movie Theater License	ЕНЕ
SB 806	Sen. Pugh	St Bd of Physcns – Ntrpthc Doctors – Est of Ntrpthc Doctors Frmlry Cncl and Ntrpthc Frmlry	ЕНЕ

By Order,

William B. C. Addison, Jr., Secretary

All of the above listed bills on the Third Reading Consent Calendar No. 1 were read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 447)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #37

Senate Bill 198 – Senators Nathan-Pulliam, Benson, Ferguson, Guzzone, Kagan, Kelley, King, Lee, McFadden, Muse, Pugh, Rosapepe, and Young

AN ACT concerning

Neonicotinoid Pesticides – Labeling, Signage, and Restrictions on Sales and Use (Pollinator Protection Act of 2016)

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

Affirmative – 32 Negative – 14 (See Roll Call No. 448)

The Bill was then sent to the House of Delegates.

Senate Bill 493 – Senators Pinsky, Conway, King, and Madaleno <u>Madaleno</u>, and <u>Middleton</u>

AN ACT concerning

Teacher Induction, Retention, and Advancement Act of 2016

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

Affirmative – 32 Negative – 14 (See Roll Call No. 449)

The Bill was then sent to the House of Delegates.

Senate Bill 551 – Senators Pugh, Astle, Benson, Feldman, Kelley, Klausmeier, and Middleton <u>Middleton</u>, and <u>Mathias</u>

AN ACT concerning

Department of Health and Mental Hygiene Behavioral Health Advisory Council
– Clinical Crisis Walk–In Services and Mobile Crisis Teams – Strategic Plan

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

Affirmative – 46 Negative – 0 (See Roll Call No. 450)

The Bill was then sent to the House of Delegates.

Senate Bill 586 - Senators King, Feldman, Kagan, and Madaleno

AN ACT concerning

Department of Health and Mental Hygiene – Regional Institutes for Children and Adolescents – Report Before Closure

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

Affirmative – 46 Negative – 0 (See Roll Call No. 451)

The Bill was then sent to the House of Delegates.

Senate Bill 752 – Senators Klausmeier, Madaleno, and Middleton

AN ACT concerning

State Highway Administration – Policy Concerning Sound Barriers Along Highways

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

Affirmative – 46 Negative – 0 (See Roll Call No. 452)

The Bill was then sent to the House of Delegates.

Senate Bill 753 – Senator Klausmeier <u>Senators Klausmeier</u>, <u>Astle, Benson</u>, <u>Feldman, Hershey, Jennings, Kelley, Mathias, Middleton, Pugh, and Reilly</u>

EMERGENCY BILL

AN ACT concerning

Health - Sale of Food Products Containing Alcohol - Requirements and Restrictions

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

Affirmative – 45 Negative – 1 (See Roll Call No. 453)

The Bill was then sent to the House of Delegates.

QUORUM CALL

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

(See Roll Call No. 454)

ADJOURNMENT

At 11:08 A.M. on motion of Senator Pugh, seconded, the Senate adjourned until 10:00 A.M. on Thursday, March 10, 2016.

Annapolis, Maryland Thursday, March 10, 2016 10:00 A.M. Session

The Senate met at 10:05 A.M.

Prayer by the Venerable Carl W. Wright, St. Andrews Episcopal Church, guest of Senator Reilly.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 456)

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

The Journal of March 9, 2016 was read and approved.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 446 - Senator Katherine Klausmeier:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Maryland Alliance for Responsible Gambling
in recognition of
raising awareness about problem gambling throughout the State of Maryland.
The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 10th day of March 2016.

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 457)

MESSAGE FROM THE EXECUTIVE

SUPPLEMENTAL BUDGET NO. 3 – FISCAL YEAR 2017

(See Exhibit G of Appendix III)

Supplemental Budget No. 3 read and referred to the Committee on Budget and Taxation.

THE COMMITTEE ON RULES REPORT #5

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 970 – Senators Kagan, Bates, Cassilly, Currie, Feldman, Ferguson, Guzzone, Lee, Madaleno, Manno, Mathias, McFadden, Muse, Peters, Ramirez, Raskin, Serafini, and Zucker

AN ACT concerning

Drugged Driving - Oral Fluid Tests - Pilot Program

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1090 - Senator Simonaire

AN ACT concerning

Creation of a State Debt - Anne Arundel County - Sun Valley Park Playground

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1105 - Senator Raskin

AN ACT concerning

Creation of a State Debt - Montgomery County - Pinecrest Local Park Improvements

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1106 – Senators Simonaire, Astle, Cassilly, DeGrange, Jennings, Norman, Reilly, and Rosapepe

AN ACT concerning

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

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re—referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1129 – Senator Rosapepe

AN ACT concerning

Prince George's County - Alcoholic Beverages - Special Hotel and Special Hotel
Concessionaire Licenses

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1130 – Senator Rosapepe

AN ACT concerning

Maryland Center for Construction Education and Innovation - Codification

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1131 - Senator Middleton

AN ACT concerning

Electric Cooperatives - Rate Regulation - Fixed Charges for Distribution System Costs The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re—referred to the Committee on Budget and Taxation:

Senate Bill 1133 - Senator Raskin

AN ACT concerning

Creation of a State Debt – Montgomery County – Martin Luther King Jr. Recreational Park Improvements

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1134 - Senator DeGrange

AN ACT concerning

Criminal Procedure – Initial Appearance Before a District Court Commissioner – Costs for Appointed Legal Representation

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1135 – Washington County Senators

AN ACT concerning

Washington County – Business Licenses – Repeal of Zoning Certification Requirement

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re—referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1136 - Senator Eckardt

EMERGENCY BILL

Regulation of Radiation Sources – Fee – Exemption for Temporary Pro Bono Dental Clinics

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re—referred to the Committee on Budget and Taxation:

Senate Bill 1137 - Senator Madaleno

AN ACT concerning

Creation of a State Debt – Montgomery County – Noyes Children's Library Renovation and Expansion

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1138 - Senator Madaleno

AN ACT concerning

Creation of a State Debt - Montgomery County - A Wider Circle Community Service Center

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1139 – Senators Conway and Ferguson

AN ACT concerning

Baltimore City - Commercial Bingo - Permits

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1140 - Senators Mathias and Eckardt

AN ACT concerning

Wicomico County - Alcoholic Beverages - Youth and Civic Center License

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re—referred to the Committee on Budget and Taxation:

Senate Bill 1141 - Senator McFadden

AN ACT concerning

Creation of a State Debt – Baltimore City – International Black Fire Fighters Museum

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1142 - Senators Bates, Hershey, Hough, and Salling

AN ACT concerning

State Department of Education – McArdle Early Intervention Scholarship Program

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1143 – Senators Muse, Astle, Bates, Benson, Brochin, Cassilly, Conway, Currie, DeGrange, Eckardt, Edwards, Feldman, Ferguson, Gladden, Guzzone, Hershey, Hough, Jennings, Kagan, Kasemeyer, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Nathan-Pulliam, Norman, Peters, Pinsky, Pugh, Ramirez, Raskin, Ready, Reilly, Rosapepe, Salling, Serafini, Simonaire, Waugh, Young, Zirkin, and Zucker

AN ACT concerning

Prince George's County - Neshante and Chloe Davis Domestic Violence Prevention Task Force The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation and the Committee on Finance:

Senate Bill 1144 - Senator Guzzone

AN ACT concerning

Cigarette Restitution Fund – Establishment of Behavioral Health Treatment Account and Funding for Substance Use Treatment Services

The bill was re—referred to the Committee on Budget and Taxation and the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1145 - Senator Middleton

AN ACT concerning

Unemployment Insurance - Maximum Benefit - Increase

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

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1146 - Senator McFadden

AN ACT concerning

Education - State Grant to Counties With Declining Student Enrollment

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1147 - Senators Waugh and Miller

AN ACT concerning

Creation of a State Debt - St. Mary's County - Historic Sotterley Plantation

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1148 - Senator Muse

AN ACT concerning

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

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re—referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1149 - Senator McFadden

AN ACT concerning

Reduction of Lead Risk in Housing - Fees and Enforcement

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1150 – Senator Hershey

AN ACT concerning

Primary and Secondary Education – Computer Health and Safety Guidelines and Procedures

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1151 – Senator Eckardt

AN ACT concerning

Creation of a State Debt - Wicomico County - Habitat for Humanity of Wicomico County

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1152 - Senator Manno

AN ACT concerning

Creation of a State Debt - Montgomery County - Torah School of Greater Washington

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1154 – Senator Ready

AN ACT concerning

Courts - Limitation on Damages Arising Out of Bedbug Extermination

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1155 – Senator Zirkin

AN ACT concerning

Creation of a State Debt - Baltimore County - Talmudical Academy Gymnasium

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1156 - Senators Zirkin and Miller

AN ACT concerning

Criminal Procedure – Determination of Eligibility for Services – Office of the Public Defender

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1157 - Senator Klausmeier

AN ACT concerning

Public Service Company - Easement - Policy and Notice for Performing Work

The bill was re—referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1158 - Senator McFadden

AN ACT concerning

Higher Education - Morgan State University - Office of Technology Transfer

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1160 – Senator Astle

AN ACT concerning

Creation of a State Debt - Anne Arundel County - Samaritan House

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1161 – Senator Ferguson

AN ACT concerning

Creation of a State Debt – Baltimore City – Harbor Point Parks and Infrastructure

The bill was re-referred to the Committee on Budget and Taxation.

MOTION

Senator Raskin moved, duly seconded, that the Senate receive in Open Session the following Report from the Committee on Executive Nominations.

The motion was adopted.

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #4

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.

Jamie Raskin Chair

Senate Executive Nominations Committee Report #4 March 10, 2016

District Court, Allegany County (District 12)

1. H. Jack Price, Jr.

District 1

Judge of the District Court of Maryland, District 12, Allegany County; reappointed to serve a term of ten years from March 31, 2016

District Court, Baltimore City (District 1)

2. Devy Patterson Russell

District 40

Judge of the District Court of Maryland, District 1, Baltimore City; reappointed to serve a term of ten years from February 10, 2016

District Court, Howard County (District 10)

3. Mary Cecilia Reese

District 9

Judge of the District Court of Maryland, District 10, Howard County; reappointed to serve a term of ten years from April 21, 2016

African American History and Culture, Commission on

4. Edwin T. Johnson, Ph.D.

District 43

P.O. Box 24546 Baltimore, MD 21214

Member of the Commission on African American History and Culture; appointed to serve remainder of a term of four years from July 1, 2012 and a term of four years from July 1, 2016

Appalachian States Low-Level Radioactive Waste Commission

5. Clifford Seth Mitchell, M.D.

District 46

10 E. Lee Street, #1909

Baltimore, MD 21202

Member of the Appalachian States Low-Level Radioactive Waste Commission; appointed to serve a term of two years from May 6, 2015

6. Albert J. Romanosky, M.D., Ph.D.

District 31

107 Solomons Ridge Court Millersville, MD 21108

Member of the Appalachian States Low-Level Radioactive Waste Commission; appointed to serve a term of two years from May 6, 2015

Architects, State Board of

7. Paul D. Edmeades 1418 Saratoga Drive Bel Air, MD 21014 District 34

Member of the State Board of Architects; reappointed to serve a term of five years from July 1, 2016

Assistive Technology Loan Program Board of Directors

8. Sama Bellomo 6670 Washington Blvd. Elkridge, MD 21075

District 13

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

9. Sally S. Chan 3004 Cresmont Avenue Baltimore, MD 21211 District 43

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

Automobile Insurance Fund, Board of Trustees of the Maryland

10. Ann Cox Ansel 9327 Perglen Road Baltimore, MD 21236 District 8

Member of the Board of Trustees of the Maryland Automobile Insurance Fund; appointed to serve a term of five years from October 1, 2016

11. William Daniel Mayer 11275 Annabelle Drive Swan Point, MD 20645 District 28

Member of the Board of Trustees of the Maryland Automobile Insurance Fund; appointed to serve a term of five years from October 1, 2015

12. Robert L. McKinney 48 East Montgomery Street Baltimore, MD 21230

District 46

Member of the Board of Trustees of the Maryland Automobile Insurance Fund; appointed to serve a term of five years from October 1, 2016

Aviation Commission, Maryland

13. Calvin D. Peacock 5616 N. Nithsdale Drive Salisbury, MD 21801

District 37

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

Chesapeake and Atlantic Coastal Bays, Critical Area Commission for the

14. Bob Culver District 37

125 North Division Street Salisbury, MD 21801

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

15. Gary Mangum District 36

200 Bridgeview Lane Stevensville, MD 21666

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

16. Donald E. Sutton District 36

P.O. Box 157 Betterton, MD 21610

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

Civil Rights, Commission on

17. Roberto N. Allen, Esq. 804 Quincy Road Towson, MD 21286

District 42

Member of the Commission on Civil Rights; appointed to serve a term of six years from July 1, 2015

Deaf and Hard of Hearing, Office of the

18. Kelby N. Brick, Esq. 2118 Stonewall Road Catonsville, MD 21228

District 44

Director of the Office of the Deaf and Hard of Hearing; appointed to serve at the pleasure of the Governor

Dental Examiners, State Board of

19. Stefan N. Miller 12206 Faulkner Drive Owings Mills, MD 21117 District 11

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

Economic Development Commission, Maryland

20. Julia C. Lenzer

District 20

1155 Ripley Street, Apt. 1801 Silver Spring, MD 20910

Member of the Maryland Economic Development Commission; appointed to serve a term of three years from July 1, 2016

21. Elizabeth Rendon–Sherman

District 12

5105 Little Creek Drive Ellicott City, MD 21043

Member of the Maryland Economic Development Commission; appointed to serve remainder of a term of three years from July 1, 2013 and a term of 3 years from July 1, 2016

Economic Development Corporation Board of Directors, Maryland

22. Tehma Hallie Smith

District 45

810 N. Luzerne Avenue Baltimore, MD 21205

Member of the Maryland Economic Development Corporation Board of Directors; appointed to serve a term of four years from July 1, 2016

23. Richard G. Woo

District 39

11629 Scarlet Leaf Circle Germantown, MD 20876

Member of the Maryland Economic Development Corporation Board of Directors; appointed to serve a term of four years from July 1, 2015

Elevator Safety Review Board

24. Charles E. Meeks, Jr. 601 S. Pacific Avenue Ocean City, MD 21842 District 38

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

25. Robert L. Purkey 12806 W. Old Baltimore Road Boyds, MD 20841 District 39

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

26. Phylis A. Seman 2243 Schuster Road Jarrettsville, MD 21084 District 7

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

Emergency Number Systems Board

27. David W. Darrell 118 Westwood Lane Chestertown, MD 21620

District 36

Member of the Emergency Number Systems Board; appointed to serve a term of four years from July 1, 2014

28. Laura L. Herman 3118 Woodspring Drive Abingdon, MD 21009

District 34

Member of the Emergency Number Systems Board; appointed to serve a term of four years from July 1, 2013

Judicial Disabilities, Commission on

29. Sally McLane Young Ridgely 314 West Wind Road Baltimore, MD 21204 District 42

Member of the Commission on Judicial Disabilities; appointed to serve remainder of a term of four years from January 1, 2012 and a term of four years from January 1, 2016

30. Marisa A. Trasatti, Esq. 1457 Fallston Road Fallston, MD 21047 District 7

Member of the Commission on Judicial Disabilities; appointed to serve remainder of a term of four years from January 1, 2013

Labor Relations Board, Public School

31. Elizabeth M. Morgan, Ph.D. 2657 Brook Valley Road Frederick, MD 21701 District 3

Member of the Public School Labor Relations Board; appointed to serve a term of five years from July 1, 2014

Maryland Environmental Service, Board of Directors of

32. William B.C. Addison, Jr. 14540 Candy Hill Road Upper Marlboro, MD 20772 District 27

Member of the Board of Directors of Maryland Environmental Service; reappointed to serve a term of four years from July 1, 2016

Master Electricians, State Board of

33. Paul (P.J.) Donaghue 116 Copper Oaks Court Woodsboro, MD 21798 District 4

Member of the State Board of Master Electricians; appointed to serve a term of three years from July 1, 2013 and a term of three years from July 1, 2016

Open Meetings Law Compliance Board, State

34. Jonathan A. Hodgson, Esq. District 30

5 Steffen Point

Annapolis, MD 21401

Chair of the State Open Meetings Law Compliance Board; appointed to serve a term of three years from July 1, 2015

Professional Standards and Teacher Education Board

Peter F. Baily 35.

District 41

2541 Pickwick Road

Baltimore, MD 21207

Member of the Professional Standards and Teacher Education Board; appointed to serve a term of three years from July 1, 2015

Kandace M. Hoppin 36.

District 99

3510 15th Street North, Apt. 1

Arlington, VA 22201

Member of the Professional Standards and Teacher Education Board; appointed to serve a term of three years from July 1, 2015

Psychologists, State Board of

37. Rivka I. Olley, Ph.D. 108 Old Plantation Way

Pikesville, MD 21208

District 11

Member of the State Board of Psychologists; appointed to serve remainder of a term of four years from July 1, 2012

Public Defender, Office of the Board of Trustees of the

38. Kevin B. Collins, Esq. 7108 Crabbury Court

District 9

Clarksville, MD 21029

Member of the Board of Trustees of the Office of the Public Defender; appointed to serve a term of three years from June 1, 2015

Public Information Act Compliance Board, State

39. Deborah F. Moore-Carter 13 Hickory Ridge Court

District 44

Baltimore, MD 21228

Member of the State Public Information Act Compliance Board; appointed to serve a term to expire June 30, 2018

School for the Deaf, Board of Trustees of the Maryland

40. Ricardo A. Hernandez District 39

9828 Canal Road

Montgomery Village, MD 20886

Member of the Board of Trustees of the Maryland School for the Deaf; reappointed to serve a term of six years from October 1, 2014

Denise Gagnon Perdue 41.

District 36

5112 Main Street

Grasonville, MD 21638

Member of the Board of Trustees of the Maryland School for the Deaf; reappointed to serve a term of six years from October 1, 2016

Stationary Engineers, State Board of

Robert E. Bates 42.

District 7

15 Andrews Court

Parkton, MD 21120

Member of the State Board of Stationary Engineers; appointed to serve a term of three years from July 1, 2015

Tourism Development Board, Maryland

Ruth Umbel 43.

District 1

1002 Mosser Road

McHenry, MD 21541

Member of the Maryland Tourism Development Board; appointed to serve a term of three years from July 1, 2014

University System of Maryland Board of Regents

44. D'Ana E. Johnson, Esq. 2004 Huntwood Drive Gambrills, MD 21054

District 33

Member of the University System of Maryland Board of Regents; appointed to serve a term of five years from July 1, 2014

Veterans' Home Commission, Maryland

45. Rodney S. Azama 15101 Timberlake Drive Silver Spring, MD 20905 District 14

Member of the Maryland Veterans' Home Commission; appointed to serve remainder of a term of five years from July 1, 2012

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.

Apprenticeship and Training Council

S–1. Michelle L. Butt 11464 Old Frederick Road Marriottsville, MD 21104

District 9

Member of the Apprenticeship and Training Council; reappointed to serve a term of four years from July 1, 2016

Archaeology, Advisory Committee on

S-2. Marian Craig Creveling 1707 Forestville Road Edgewater, MD 21037

District 30

Member of the Advisory Committee on Archaeology; reappointed to serve a term of three years from July 1, 2016

S–3. Robert D. Wall, Ph.D. 1602 Beechwood Avenue Catonsville, MD 21228 District 12

Member of the Advisory Committee on Archaeology; reappointed to serve a term of three years from July 1, 2016

Architects, State Board of

S-4. Kevin G. Sneed 9215 Whitney Street Silver Spring, MD 20901 District 20

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

Arts Council, Maryland State

S–5. Shelley Cole Morhaim 11 Whitebridge Court District 11

Baltimore, MD 21208

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

Blind Industries and Services of Maryland, Board of Trustees of

S–6. George H. Littrell, Jr. 5209 Reel's Mill Road

Frederick, MD 21704

District 3

Member of the Board of Trustees of Blind Industries and Services of Maryland; reappointed to serve a term of three years from July 1, 2015

S-7. Melba J. Taylor 11902 Frost Drive District 24

Bowie, MD 20720

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

Canal Place Preservation and Development Authority

S–8. Janice S. Keene

District 1

101 Braddock Heights Frostburg, MD 21532

Member of the Canal Place Preservation and Development Authority; reappointed to serve a term of four years from June 1, 2016

Chiropractic and Massage Therapy Examiners, State Board of

S-9. Gloria W. Boddie-Epps

District 47

914 Cox Avenue

Hyattsville, MD 20783

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

Civil Rights, Commission on

S-10. Gina McKnight-Smith, Pharm.D.

District 10

8706 Winands Road

Randallstown, MD 21133

Member of the Commission on Civil Rights; reappointed to serve a term of six years from July 1, 2015

Dietetic Practice, State Board of

S-11. Nancy H. Ferrone

District 11

2141 Kimrick Place

Lutherville, MD 21093

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

S–12. Ivis T. Forrester, Ph.D.

District 10

6210 Glen Falls Road

Reisterstown, MD 21136

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

S-13. Concepcion Placiente 9107 Kilbride Road Nottingham, MD 21236

District 8

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

Elevator Safety Review Board

S-14. Steven A. Joss 5476 Wingborne Court Columbia, MD 21045 District 12

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

S-15. Michael William Moran

District 33

1434 Saint Stephens Church Road Crownsville, MD 21032

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

Maryland Agricultural and Resource–Based Industry Development Corporation (MARBIDCO) Board of Directors

S–16. John P. Jastrzembski 780 Bishop Walsh Road Cumberland, MD 21502

District 1

Member of the Maryland Agricultural and Resource–Based Industry Development Corporation (MARBIDCO) Board of Directors; reappointed to serve a term of four years from July 1, 2016

School for the Deaf, Board of Trustees of the Maryland

S–17. Julie C. Bourne 9053 Major Smith Lane Frederick, MD 21704

District 3

Member of the Board of Trustees of the Maryland School for the Deaf; reappointed to serve a term of six years from October 1, 2016

S–18. Stephen Hlibok 5911 Trumpet Sound Court Clarksville, MD 21029 District 13

Member of the Board of Trustees of the Maryland School for the Deaf; reappointed to serve a term of six years from October 1, 2015

S-19. Jennifer L. Smart, Ph.D. 702 Sawyer Court Towson, MD 21286 District 42

Member of the Board of Trustees of the Maryland School for the Deaf; reappointed to serve a term of six years from October 1, 2016

Senator Raskin moved, duly seconded, to make the Report a Special Order for March 11, 2016.

The motion was adopted.

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 1052 – Senators Ferguson, Miller, Currie, DeGrange, Edwards, Guzzone, King, Madaleno, Manno, McFadden, Peters, and Serafini

AN ACT concerning

University of Maryland Strategic Partnership Act of 2016

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (11) AND THE FAVORABLE REPORT.

SB1052/209338/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 1052

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Edwards,"; in the same line, strike "Peters, and Serafini" and substitute "and Peters"; strike beginning with "requiring" in line 4 down through "time;" in line 6; in line 7, after "Maryland;" insert "requiring the presidents of the

University of Maryland campuses to submit a certain report to the University System of Maryland Board of Regents and the Chancellor of the University System of Maryland each year;"; and in line 19, strike "in certain fiscal years" and substitute "beginning in a certain fiscal year".

On pages 1 and 2, strike beginning with "requiring" in line 30 on page 1 down through "Regents;" in line 1 on page 2.

On page 2, strike beginning with "requiring" in line 2 down through "Grove;" in line 4 and substitute "requiring the Governor to provide a certain amount of general funds to the University System of Maryland Office in certain fiscal years to be distributed to certain institutions and to include a certain distribution in a certain budget in all future fiscal years; requiring certain Presidents to have an opportunity to meet with the Governor to discuss certain fiscal matters; prohibiting a certain construction of the strategic partnership and of this Act;"; in the same line, after "requiring" insert "certain Presidents to make certain recommendations to"; in line 5, strike "to make a certain evaluation and recommendation"; in line 12, after "persons;" insert "specifying certain findings and declaring the intent of the General Assembly;"; and in line 30, strike "13–601,".

On page 3, strike in their entirety lines 6 through 9, inclusive, and substitute:

 $\hbox{``Article-Alcoholic Beverages'}$

Section 26–1009(b)(1) and (e)(4)

Annotated Code of Maryland

(As enacted by Chapter ___(S.B. 724) of the Acts of the General Assembly of 2016)".

On page 13, in line 24, strike "FACULTY".

On page 18, in line 31, after "DEVELOPMENT" insert "(UMCEED)".

On pages 22 and 23, strike in their entirety the lines beginning with line 30 on page 22 through line 31 on page 23, inclusive.

On page 29, strike in their entirety lines 16 through 27, inclusive, and substitute:

 $\hbox{``Article-Alcoholic Beverages'}$

title; and

- (b) The Board may issue the license to an individual who is:
 - (1) <u>authorized by the University of Maryland, College Park CAMPUS to:</u>
 - (i) act on its behalf under the license; and
 - (ii) be subject to the penalties, conditions, and restrictions under this

(e) The Board:

(4) shall require the Department of Dining Services of the University of Maryland, College Park CAMPUS to report to the Board at least 5 days before a University—related catered function at which beer, wine, or liquor is intended to be sold or served.".

On page 36, in line 1, after the first "of" insert "<u>A UNIVERSITY OF MARYLAND</u> CAMPUS OR ANOTHER INSTITUTION IN".

On page 37, in line 38, strike "July" and substitute "October".

AMENDMENT NO. 2

On page 6, after line 32, insert:

"WHEREAS, The missions of University of Maryland, College Park and University of Maryland, Baltimore include commitment to the social and economic health and development of the communities in which they are located, including collaboration in the areas of health care, housing and development, transportation, public education, public safety, and sustainability; and

WHEREAS, The University of Maryland, College Park, as a land grant college, the City of College Park, and Prince George's County in recent years have successfully collaborated on joint projects, including the redevelopment of Route 1, the Innovation District, M Square, College Park Academy, the expansion of police protection, traffic cameras and security cameras, bike and pedestrian routes, bus service, and the Purple light rail line; and

WHEREAS, The University of Maryland, Baltimore and the City of Baltimore collaborate on joint projects, including the assistance of the professional schools in creating employment opportunities for Baltimore City residents; and

WHEREAS, The University of Maryland, Baltimore, and the City of Baltimore also collaborate on joint projects, including the UMB Community Engagement Center in West Baltimore, Baltimore City community schools, the Promise Heights neighborhood, development of the University of Maryland BioPark and redevelopment of the city's west side, the UMB CURE Scholars program, tutoring and mentoring initiatives throughout West Baltimore, and the provision of health care and social services to underserved city residents; and".

AMENDMENT NO. 3

On page 10, in lines 16 and 18, in each instance, after "CAMPUS" insert "WITHIN THE UNIVERSITY SYSTEM OF MARYLAND".

On page 11, in line 18, strike "President" and substitute "<u>PRESIDENTS</u>"; in line 19, strike ", College Park CAMPUS" and substitute "<u>CAMPUSES</u>"; in line 23, after the second "the" insert "<u>UNIVERSITY OF MARYLAND, BALTIMORE CAMPUS AND THE</u>"; and in line 28, after "institutions" insert "<u>AND THE UNIVERSITY OF MARYLAND CAMPUSES</u>".

AMENDMENT NO. 4

On page 14, strike in their entirety lines 23 through 28, inclusive.

On page 15, in lines 1, 7, and 23, strike "(C)", "(D)", and "(E)", respectively, and substitute "(B)", "(C)", and "(D)", respectively; in line 5, strike "EACH PRESIDENT" and substitute "THE PRESIDENT OF EACH CAMPUS"; and in line 6, strike "ONE" and substitute "THAT".

On page 36, strike in their entirety lines 8 through 22, inclusive.

AMENDMENT NO. 5

On page 15, in lines 18 and 19, strike "PROVIDE A TIMELINE AND AN IMPLEMENTATION PROCESS FOR COMBINING THE PERSONNEL SYSTEMS OF EACH CAMPUS" and substitute "PROMOTE EFFECTIVENESS AND EFFICIENCIES BETWEEN THE CAMPUSES, INCLUDING POTENTIAL SAVINGS IN HUMAN RESOURCES, PROCUREMENT, AND INFORMATION TECHNOLOGY";

and after line 30, insert:

"(E) NOTHING IN THE STRATEGIC PARTNERSHIP MAY BE CONSTRUED TO PREVENT OR RESTRICT COLLABORATION OR COORDINATION BETWEEN THE UNIVERSITY OF MARYLAND AND OTHER INSTITUTIONS.".

On page 36, in line 24, after the first "the" insert "Presidents of the University of Maryland campuses shall study and recommend to the"; and strike beginning with "shall" in line 24 down through "effect" in line 25 and substitute "mechanisms that would permit".

AMENDMENT NO. 6

On page 15, before line 31, insert:

"(F) THE PRESIDENTS SHALL REPORT ANNUALLY TO THE UNIVERSITY SYSTEM OF MARYLAND BOARD OF REGENTS AND THE CHANCELLOR OF THE UNIVERSITY SYSTEM OF MARYLAND REGARDING COLLABORATION WITH THE CITY OF BALTIMORE, PRINCE GEORGE'S COUNTY, AND THE CITY OF COLLEGE PARK IN THE AREA OF COMMUNITY DEVELOPMENT."

AMENDMENT NO. 7

On page 16, in line 17, strike "AND"; after line 17, insert:

"(6) CARRY OUT THE PROGRAMS AND POLICIES ESTABLISHED UNDER THE MPOWER PROGRAM AS DIRECTED BY THE PRESIDENTS; AND";

and in line 18, strike "(6)" and substitute "(7)".

AMENDMENT NO. 8

On page 18, in lines 21 and 24, in each instance, strike "FOR EACH OF FISCAL YEARS 2018 THROUGH 2022" and substitute "BEGINNING IN FISCAL YEAR 2018 AND IN EACH FISCAL YEAR THEREAFTER".

On page 36, after line 22, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That, for each of fiscal years 2018 through 2021, the Governor shall appropriate in the annual budget at least an additional \$4,000,000 to the University System of Maryland Office for the purpose of increasing the estimated funding guideline attainment levels of the primarily residential institutions in the System with the lowest estimated funding guideline attainment levels in fiscal year 2016. The University System of Maryland shall allocate the funds each year in a manner

that brings the primarily residential institutions with the lowest estimated funding guideline attainment levels in fiscal year 2016 as close as possible to a 64% estimated funding guideline attainment level by fiscal year 2021. The general funds distributed under this section each year are in addition to the annual appropriation for each institution, and shall be included in each institution's base budget for all fiscal years after the distribution."

AMENDMENT NO. 9

On page 19, in line 2, strike "**UMCEED**" and substitute "<u>FOLLOWING ALL STATE</u> <u>LAW, REGULATIONS, AND PROCESSES FOR PROGRAM REVIEW AND APPROVAL, UMCEED".</u>

On page 36, before line 23, insert:

"SECTION 5. AND BE IT FURTHER ENACTED, That nothing in this Act shall be construed to alter the academic program approval process established under §§ 11–206 and 11–206.1 of the Education Article."

AMENDMENT NO. 10

On page 19, in line 5, after "VIRTUAL" insert "AND AUGMENTED"; after line 6, insert:

"(3) BIOMEDICAL DEVICES;";

and in lines 7 and 8, strike "(3)" and "(4)", respectively, and substitute "(4)" and "(5)", respectively.

AMENDMENT NO. 11

On page 37, after line 29, insert:

"SECTION 13. AND BE IT FURTHER ENACTED, That:

(a) The General Assembly finds that, because of their position as major anchor institutions and employers in their respective communities, the University of Maryland campuses in Baltimore City and Prince George's County have a responsibility and an opportunity to provide collaborative leadership, as well as intellectual, policy, and financial investment, in the development of their respective communities.

(b) It is the intent of the General Assembly, therefore, that the University of Maryland campuses in Baltimore City and Prince George's County focus their community development priorities in their respective communities in the areas of health care, housing and development, transportation, public safety, public education, and sustainability.";

and in lines 30 and 37, strike "13." and "14.", respectively, and substitute "14." and "15.", respectively.

The preceding 11 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #16

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

Senate Bill 436 – Senators Feldman and Hershey

AN ACT concerning

Insurance - Surplus Lines - Short-Term Medical Insurance

SB0436/417378/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 436

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Hershey" and substitute ", Hershey, Astle, Benson, Jennings, Kelley, Klausmeier, Mathias, Middleton, Pugh, and Reilly"; in line 8, after "insurer;" insert "prohibiting the inclusion of certain provisions in a short–term medical insurance policy procured from a nonadmitted insurer; requiring the Maryland Insurance Commissioner to develop and make available on the Web site of the Maryland Insurance Administration a certain consumer guide; requiring a certain affidavit to include certain information; altering a certain requirement for an applicant for a certain certificate of qualification;"; in line 17, strike "and" and substitute a comma; and in the same line, after "3–306.2" insert ", 3–307, and 3–311".

AMENDMENT NO. 2

On page 3, in line 16, after "TIME" insert "TO:

(I) RESIDENTS OF THE UNITED STATES WHO TRAVEL TO ANOTHER COUNTRY WITHIN 30 DAYS AFTER THE EFFECTIVE DATE OF COVERAGE; AND

(II) RESIDENTS OF ANOTHER COUNTRY WHO:

- 1. TRAVEL TO THE UNITED STATES WITHIN 30 DAYS
 AFTER THE EFFECTIVE DATE OF COVERAGE; AND
- 2. ARE NOT TRAVELING TO THE UNITED STATES FOR THE PURPOSE OF ATTENDING AN INSTITUTION OF HIGHER EDUCATION, AS DEFINED IN § 10–101 OF THE EDUCATION ARTICLE".

AMENDMENT NO. 3

On page 3, in line 18, strike "Disability" and substitute "SUBJECT TO SUBSECTIONS (B) THROUGH (E) OF THIS SECTION, DISABILITY".

On page 4, in line 5, strike "AND"; after line 7, insert:

- "(III) STATING THAT THE SHORT-TERM MEDICAL INSURANCE MAY BE AVAILABLE FROM AN ADMITTED INSURER;
- (IV) STATING THAT SIMILAR COVERAGE MAY BE AVAILABLE FROM AN ADMITTED INSURER OFFERING TRAVEL INSURANCE, AS DEFINED IN § 10–101 OF THIS ARTICLE; AND

(V) STATING THAT:

1. THE SHORT-TERM MEDICAL INSURANCE DOES NOT MEET THE REQUIREMENTS FOR MINIMUM ESSENTIAL COVERAGE UNDER THE AFFORDABLE CARE ACT; AND

2. <u>A PURCHASER OF THE SHORT-TERM MEDICAL</u>
INSURANCE MAY BE SUBJECT TO TAX PENALTIES FOR NOT HAVING MINIMUM
ESSENTIAL COVERAGE;";

and after line 10, insert:

- "(D) SHORT-TERM MEDICAL INSURANCE MAY NOT BE PROCURED FROM A NONADMITTED INSURER UNLESS:
- (1) THE INSURANCE IS PROCURED THROUGH A QUALIFIED SURPLUS LINES BROKER;
- (2) IF THE INSURANCE IS OFFERED ON A WEB SITE ON THE INTERNET,
 THE WEB SITE IDENTIFIES THE QUALIFIED SURPLUS LINES BROKER THROUGH
 WHOM THE INSURANCE MAY BE PROCURED; AND
- (3) THE DILIGENT SEARCH REQUIRED UNDER §§ 3–306 AND 3–306.1
 OF THIS SUBTITLE INCLUDES A SEARCH OF THE SHORT-TERM MEDICAL INSURANCE
 POLICIES OFFERED FOR SALE BY ADMITTED INSURERS.
- (E) A SHORT-TERM MEDICAL INSURANCE POLICY PROCURED FROM A NONADMITTED INSURER MAY NOT INCLUDE:
- (1) A PREEXISTING CONDITION EXCLUSION, UNLESS THE EXCLUSION RELATES TO A CONDITION THAT WAS FIRST MANIFESTED, TREATED, OR DIAGNOSED BEFORE THE EFFECTIVE DATE OF THE POLICY; OR
- (2) A DEFINITION OF SICKNESS OR ILLNESS THAT EXCLUDES ANY SICKNESS OR ILLNESS THAT BEGAN, EXISTED, OR HAD ITS ORIGIN BEFORE THE EFFECTIVE DATE OF THE POLICY, UNLESS THE SICKNESS OR ILLNESS WAS FIRST MANIFESTED, TREATED, OR DIAGNOSED BEFORE THE EFFECTIVE DATE OF THE POLICY.
- (F) THE COMMISSIONER SHALL DEVELOP AND MAKE AVAILABLE ON THE ADMINISTRATION'S WEB SITE A CONSUMER GUIDE ON SHORT-TERM MEDICAL INSURANCE THAT INCLUDES INFORMATION ON:

- (1) THE AVAILABILITY OF COVERAGE FROM ADMITTED INSURERS;
 AND
- (2) THE TYPES OF COVERAGE AND PROVISIONS IN SHORT-TERM MEDICAL INSURANCE POLICIES THAT MAY BE IMPORTANT TO CONSUMERS.

3 - 307.

- (a) An affidavit that sets forth the facts referred to in § 3–306 of this subtitle and any other facts required by the Commissioner must be personally executed by the surplus lines broker or the originating insurance producer at the time the surplus lines insurance is placed.
- (b) The affidavit must be filed with the Commissioner on or before the 45th day after the last day of the calendar quarter in which the surplus lines insurance was placed.
- (C) FOR SHORT-TERM MEDICAL INSURANCE PROCURED FROM A NONADMITTED INSURER UNDER THIS SUBTITLE, THE AFFIDAVIT SHALL INCLUDE, FOR EACH DECLINING AUTHORIZED INSURER, THE REASON FOR THE DECLINATION.

3-311.

An applicant for a certificate of qualification [must be] SHALL:

- (1) BE qualified as an insurance producer [for property insurance and casualty insurance];
- (2) HOLD AN INSURANCE PRODUCER'S LICENSE FOR THE KIND OF INSURANCE BEING SOLICITED OR SOLD; and
- [(2)](3) BE competent and trustworthy, as determined by the Commissioner.".

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 887 - Senator Middleton

Health Insurance - Consumer Health Claim Filing Fairness Act

SB0887/507474/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 887

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Senator Middleton" and substitute "<u>Senators Middleton</u>, Astle, Benson, Feldman, Hershey, Jennings, Kelley, Klausmeier, Mathias, Pugh, and Reilly".

AMENDMENT NO. 2

On page 2, in line 12, after "ORGANIZATION;" insert "OR"; strike line 13 in its entirety; in line 14, strike "5." and substitute "4."; and in line 20, strike "15–140" and substitute "15–1301".

On page 3, in line 6, strike "THE DELAY WAS NOT UNREASONABLE" and substitute "IT WAS NOT REASONABLY POSSIBLE TO SUBMIT THE CLAIM WITHIN 1 YEAR AFTER THE DATE OF SERVICE".

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

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 361 - Senators Raskin and Zirkin

AN ACT concerning

Civil Actions – Hydraulic Fracturing Liability Act

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0361/268372/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 361

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "providing" in line 3 down through "action;" in line 6; and in line 18, strike "3–2106" and substitute "3–2105".

AMENDMENT NO. 2

On page 2, in line 10, strike "AND" and substitute "FOR".

AMENDMENT NO. 3

On page 3, strike in their entirety lines 8 through 18, inclusive; in line 24, strike "3–2104." and substitute "3–2103.", respectively; in line 21, strike "THIS SUBTITLE" and substitute "APPLICABLE LAW"; and in the same line, after "LIABILITY" insert "UNDER APPLICABLE LAW".

On page 4, in lines 3 and 10, strike "3–2105." and "3–2106.", respectively, and substitute "3–2104." and "3–2105.", respectively; and in line 6, strike "A" and substitute "THE".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0361/213627/1

BY: Senator Edwards

(First Reading File Bill)

AMENDMENT NO. 1

On page 3, in line 27, after "FRACTURING" insert ", EXCLUDING THE PARTICULAR PERCENTAGES OF THE CHEMICAL CONSTITUENTS COMPOSING THE HYDRAULIC FRACTURING FLUIDS,".

AMENDMENT NO. 2

On page 4, in line 19, strike "\$5,000,000" and substitute "\$2,500,000"; and in line 24, strike "\$10,000,000" and substitute "\$5,000,000".

The preceding 2 amendments were read only.

Senator Middleton moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senate Bill 275 - Senators Feldman, Astle, Kelley, and Klausmeier

AN ACT concerning

Railroad Company - Movement of Freight - Required Crew

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

FLOOR AMENDMENT

SB0275/653325/2

BY: Senator Hough

AMENDMENTS TO SENATE BILL 275, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 2, after "Freight" insert "or Passengers"; in line 5, after "members;" insert "prohibiting a high speed passenger or commuter train from being operated in the State unless it has a certain number of crew members;"; in line 6, strike "crew" and substitute "crews required"; in the same line, strike "a train or light engine" and substitute "trains and light engines to be operated in the State"; and strike beginning with "used" in line 6 down through "freight" in line 7.

AMENDMENT NO. 2

On page 1 of the Finance Committee Amendments (SB0275/507371/1), in line 3 of Amendment No. 2, after "TO" insert ":

<u>(I)</u>";

and in line 6, after "TRAIN" insert "; AND

(II) A HIGH SPEED PASSENGER OR COMMUTER TRAIN".

On page 1 of the bill, in line 17, after "TO" insert ":

<u>(I)</u>";

and in line 20, after "SERVICE" insert "; OR

(II) A METRORAIL TRAIN".

On page 2 of the Finance Committee Amendments, in line 1 of Amendment No. 2, strike "(II)" and substitute "1."; in the same line, strike "(III)" and substitute "2."; and in line 4, after "(3)" insert "(I)".

On page 2 of the bill, after line 3, insert:

"(II) A HIGH SPEED PASSENGER OR COMMUTER TRAIN MAY NOT BE OPERATED IN THE STATE UNLESS THE TRAIN HAS A CREW OF AT LEAST TWO INDIVIDUALS.".

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

Affirmative – 17 Negative – 28 (See Roll Call No. 458)

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. 459)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #39

Senate Bill 148 – Senator Feldman

AN ACT concerning

Corporations and Real Estate Investment Trusts – Directors and Trustees – Duties and Immunity From Liability

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

Affirmative – 46 Negative – 0 (See Roll Call No. 460)

The Bill was then sent to the House of Delegates.

Senate Bill 370 – Senators Madaleno, Feldman, Ferguson, Guzzone, Kelley, Lee, Peters, Raskin, Rosapepe, and Young, and McFadden

AN ACT concerning

Board of Public Works Transparency Act of 2016

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

Affirmative – 46 Negative – 0 (See Roll Call No. 461)

The Bill was then sent to the House of Delegates.

Senate Bill 378 – The President (By Request – Administration)

AN ACT concerning

State Employees – Merit Increases in Salary

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

Affirmative – 46 Negative – 0 (See Roll Call No. 462)

The Bill was then sent to the House of Delegates.

Senate Bill 411 – Senators Eckardt, Hershey, and Mathias

AN ACT concerning

Income Tax - Credit for Physician Preceptors in Areas With Health Care Workforce Shortages

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

Affirmative – 46 Negative – 0 (See Roll Call No. 463)

The Bill was then sent to the House of Delegates.

Senate Bill 422 – Senator Kasemeyer <u>Senators Kasemeyer and McFadden</u>

AN ACT concerning

Education - Maryland School for the Blind - Funding

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

Affirmative – 35 Negative – 11 (See Roll Call No. 464)

The Bill was then sent to the House of Delegates.

Senate Bill 473 – Senator Peters (Chair, Joint Committee on Pensions)

AN ACT concerning

Correctional Officers' Retirement System – Clifton T. Perkins Maximum Security Guards – Vested Allowances

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

Affirmative – 46 Negative – 0 (See Roll Call No. 465)

The Bill was then sent to the House of Delegates.

Senate Bill 475 – Senator Rosapepe

AN ACT concerning

Vehicle Laws - School Crossing Guards - Authority to Direct Traffic

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

Affirmative – 46 Negative – 0 (See Roll Call No. 466)

The Bill was then sent to the House of Delegates.

Senate Bill 520 – Washington County Senators

AN ACT concerning

Washington County Boards of Education - Motor Fuel Tax <u>Exemption and Refund</u>

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

Affirmative – 46 Negative – 0 (See Roll Call No. 467)

The Bill was then sent to the House of Delegates.

Senate Bill 552 – Senators Pugh, Conway, Ferguson, McFadden, and Nathan-Pulliam Nathan-Pulliam, and Gladden

AN ACT concerning

Baltimore City - Property Tax Credit - Public Safety Officers

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

Affirmative – 46 Negative – 0 (See Roll Call No. 468)

The Bill was then sent to the House of Delegates.

Senate Bill 591 – Senator King

AN ACT concerning

Tax Sales - Condominium Assessments and Homeowners Association Fees

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

Affirmative – 46 Negative – 0 (See Roll Call No. 469)

The Bill was then sent to the House of Delegates.

Senate Bill 905 – Senators King, Miller, Astle, Conway, DeGrange, Ferguson, Gladden, Guzzone, Kagan, Klausmeier, Madaleno, Manno, McFadden, Middleton, Muse, Nathan-Pulliam, Peters, Pugh, Ramirez, Raskin, Rosapepe, Zirkin, and Zucker

AN ACT concerning

Commission on Innovation and Excellence in Education

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

Affirmative – 46 Negative – 0 (See Roll Call No. 470)

The Bill was then sent to the House of Delegates.

Senate Bill 1033 - Senator Mathias

EMERGENCY BILL

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2015 – Worcester County – Delmarva Discovery Center and Museum

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

Affirmative – 45 Negative – 0 (See Roll Call No. 471)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #40

Senate Bill 342 – Senators Feldman, Benson, Guzzone, Kelley, Klausmeier, Madaleno, and Pugh Pugh, and Manno

AN ACT concerning

State Finance and Procurement - Public Senior Higher Education Institutions - Policies Concerning Procurement Contracts

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

Affirmative – 46 Negative – 0 (See Roll Call No. 472)

The Bill was then sent to the House of Delegates.

Senate Bill 346 – Senators Ramirez, <u>Brochin</u>, Cassilly, <u>Hough</u>, Lee, Madaleno, <u>Muse</u>, <u>and Raskin</u> <u>Raskin</u>, <u>Ready</u>, and <u>Zirkin</u>

AN ACT concerning

Peace Orders - Grounds for Relief

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

Affirmative – 46 Negative – 0 (See Roll Call No. 473)

The Bill was then sent to the House of Delegates.

Senate Bill 372 – Senators Peters, Currie, and McFadden

AN ACT concerning

Horse Racing - Track Winnings - Intercepts for Restitution and Child Support
Payments

Task Force to Study Intercepting Horse Racing Winnings for Child Support and
Restitution

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

Affirmative – 46 Negative – 0 (See Roll Call No. 474)

The Bill was then sent to the House of Delegates.

Senate Bill 408 - Senator Manno

AN ACT concerning

Election Law – State Elected Officials – Campaign Fund–Raising During General Assembly Session – Civil Penalty

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

Affirmative – 46 Negative – 0 (See Roll Call No. 475)

The Bill was then sent to the House of Delegates.

Senate Bill 421 – Senators Ramirez, Raskin, Cassilly, and Rosapepe

AN ACT concerning

Special Education – Translations of Individualized Education Programs or Individualized Family Service Plans – Native Language

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

Affirmative – 46 Negative – 0 (See Roll Call No. 476)

The Bill was then sent to the House of Delegates.

Senate Bill 526 – Senator Bates

AN ACT concerning

Agriculture - Donation of Commercial Feed - Exemption

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

Affirmative – 46 Negative – 0 (See Roll Call No. 477)

The Bill was then sent to the House of Delegates.

Senate Bill 541 – Senator Feldman

AN ACT concerning

Portable Electronics Insurance - Required Notices - Method of Mailing

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

Affirmative – 46 Negative – 0 (See Roll Call No. 478)

The Bill was then sent to the House of Delegates.

Senate Bill 651 – Senator Bates

AN ACT concerning

State Department of Education – Virtual Learning Opportunities – Survey and Report

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

Affirmative -45 Negative -0 (See Roll Call No. 479)

The Bill was then sent to the House of Delegates.

Senate Bill 670 – Senator Kasemeyer

AN ACT concerning

Howard County - Alcoholic Beverages - Continuing Care Retirement Community License Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 480)

The Bill was then sent to the House of Delegates.

Senate Bill 695 - Senators Young and Hough

AN ACT concerning

Frederick County - Alcoholic Beverages - Beauty Salon License

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

Affirmative – 46 Negative – 0 (See Roll Call No. 481)

The Bill was then sent to the House of Delegates.

Senate Bill 830 – Senator Conway

AN ACT concerning

State Board of Cosmetologists - Limited License - Hair Services - Blow Drying

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

Affirmative – 44 Negative – 2 (See Roll Call No. 482)

The Bill was then sent to the House of Delegates.

Senate Joint Resolution 7 – Senator Madaleno

A Senate Joint Resolution concerning

Extending the Lewis and Clark National Historic Trail

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

Affirmative – 46 Negative – 0 (See Roll Call No. 483)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #41

Senate Bill 161 – Senators Hough, Raskin, and Zirkin Brochin, Cassilly, Lee, Muse, Ramirez, Raskin, Ready, and Zirkin

AN ACT concerning

Criminal Procedure - Seizure and Forfeiture

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

Affirmative – 46 Negative – 0 (See Roll Call No. 484)

The Bill was then sent to the House of Delegates.

Senate Bill 249 – Senator Middleton

EMERGENCY BILL

AN ACT concerning

Income Tax Credit - Qualified Farms - Food Donation Pilot Program

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

Affirmative – 46 Negative – 0 (See Roll Call No. 485)

The Bill was then sent to the House of Delegates.

Senate Bill 263 – Senators Edwards, Astle, Bates, Cassilly, Conway, Currie, DeGrange, Eckardt, Hershey, Hough, Jennings, Kagan, Kasemeyer, King, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Muse, Norman, Ready, Salling, Serafini, and Waugh Waugh, Ferguson, Guzzone, and Peters

AN ACT concerning

Payment in Lieu of Taxes – State Forests, State Parks, and Wildlife Management Areas

Read the third time and passed by year and navs as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 486)

The Bill was then sent to the House of Delegates.

Senate Bill 283 – Senators Lee, Gladden, Guzzone, Hershey, Madaleno, Manno, Raskin, Ready, and Young

AN ACT concerning

Criminal Law - Cruelty to Animals - Implement of Dogfighting

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

Affirmative – 45 Negative – 0 (See Roll Call No. 487)

The Bill was then sent to the House of Delegates.

Senate Bill 322 – Senators Pinsky, Astle, Benson, Conway, Currie, Ferguson, Guzzone, Kasemeyer, King, Lee, Manno, McFadden, Middleton, Miller, Ramirez, Rosapepe, Young, and Zirkin

AN ACT concerning

Homeowners' Property Tax Credit Program - Eligibility Awareness Campaign

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

Affirmative – 46 Negative – 0 (See Roll Call No. 488)

The Bill was then sent to the House of Delegates.

Senate Bill 355 – Senators Feldman, Raskin, Astle, Benson, Brochin, Cassilly, Conway, Currie, DeGrange, Ferguson, Gladden, Guzzone, Hershey, Jennings, Kagan, Kasemeyer, Kelley, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Muse, Nathan-Pulliam, Norman, Peters, Pinsky, Pugh, Ramirez, Ready, Rosapepe, Serafini, Simonaire, Waugh, Young, and Zirkin Zirkin, Edwards, Eckardt, and Zucker

AN ACT concerning

Maryland Achieving a Better Life Experience (ABLE) Program – Establishment

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

Affirmative – 46 Negative – 0 (See Roll Call No. 489)

The Bill was then sent to the House of Delegates.

Senate Bill 368 - Senators Ferguson, McFadden, and Nathan-Pulliam

AN ACT concerning

Baltimore City - Police Commissioner - Length of Term

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

Affirmative – 46 Negative – 0 (See Roll Call No. 490)

The Bill was then sent to the House of Delegates.

Senate Bill 423 – Senators Norman, Brochin, Cassilly, Gladden, Hough, Lee, Muse, Ramirez, Raskin, Ready, and Zirkin

AN ACT concerning

Motor Vehicles – Driver Education Program Curriculum – Police Traffic Stop Procedures

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

Affirmative – 46 Negative – 0 (See Roll Call No. 491)

The Bill was then sent to the House of Delegates.

Senate Bill 439 - Senator Lee

AN ACT concerning

Correctional Training Commission – Department of Juvenile Services Employees – Revocation of Certification and Reinstatement

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

Affirmative – 46 Negative – 0 (See Roll Call No. 492)

The Bill was then sent to the House of Delegates.

Senate Bill 575 – Senator Ramirez

AN ACT concerning

County Boards of Education - Limit on Liability

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

Affirmative – 32 Negative – 14 (See Roll Call No. 493)

The Bill was then sent to the House of Delegates.

Senate Bill 603 - Senator Pugh

AN ACT concerning

Criminal Law - Pretrial Release - Prior Crime of Violence Crimes

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

Affirmative – 46 Negative – 0 (See Roll Call No. 494)

The Bill was then sent to the House of Delegates.

Senate Bill 629 – Senator Hershey

AN ACT concerning

Kent County - Prospective Employees and Volunteers - Criminal History Records Check

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

Affirmative – 46 Negative – 0 (See Roll Call No. 495)

The Bill was then sent to the House of Delegates.

Senate Bill 696 – Senators Young and Hough

AN ACT concerning

Frederick County <u>and St. Mary's County</u> – Alcoholic Beverages – Art Gallery Beer and Wine License

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

Affirmative – 46 Negative – 0 (See Roll Call No. 496)

The Bill was then sent to the House of Delegates.

INTRODUCTION OF BILLS

Senator Manno moved, duly seconded, 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 1166 – Senators Manno, Astle, Benson, Cassilly, Currie, DeGrange, Eckardt, Edwards, Feldman, Ferguson, Guzzone, Hershey, Hough, Jennings, Kagan, Kelley, King, Klausmeier, Lee, Madaleno, Mathias, McFadden, Nathan-Pulliam, Norman, Peters, Pugh, Ramirez, Raskin, Rosapepe, Serafini, Waugh, Young, and Zirkin

AN ACT concerning

Income Tax Subtraction Modification – Retirement Income of Law Enforcement, Fire, Rescue, and Emergency Services Personnel

FOR the purpose of providing a subtraction modification under the Maryland income tax under certain circumstances for certain retirement income attributable to a resident's employment as a law enforcement officer or the individual's service as fire, rescue, or emergency services personnel; providing for the application of this Act; and generally relating to a subtraction modification under the Maryland income tax for certain retirement income attributable to a resident's employment as a law enforcement officer or the individual's service as fire, rescue, or emergency services personnel.

BY repealing and reenacting, with amendments,

Article – Tax – General Section 10–209 Annotated Code of Maryland (2010 Replacement Volume and 2015 Supplement)

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

QUORUM CALL

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

(See Roll Call No. 497)

ADJOURNMENT

At 11:39 A.M. on motion of Senator Pugh, seconded, the Senate adjourned until 11:00 A.M. on Friday, March 11, 2016.

Annapolis, Maryland Friday, March 11, 2016 11:00 A.M. Session

The Senate met at 11:09 A.M.

Prayer by Senator Kagan.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 499)

On motion of Senator Pugh it was ordered that Senators Gladden and Salling be excused from today's session.

The Journal of March 10, 2016 was read and approved.

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 361 - Senators Raskin and Zirkin

AN ACT concerning

Civil Actions - Hydraulic Fracturing Liability Act

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENTS (2) OFFERED FROM THE FLOOR BY SENATOR EDWARDS.

FLOOR AMENDMENT

SB0361/213627/1

BY: Senator Edwards

AMENDMENTS TO SENATE BILL 361

(First Reading File Bill)

AMENDMENT NO. 1

On page 3, in line 27, after "FRACTURING" insert ", EXCLUDING THE PARTICULAR PERCENTAGES OF THE CHEMICAL CONSTITUENTS COMPOSING THE HYDRAULIC FRACTURING FLUIDS,".

AMENDMENT NO. 2

On page 4, in line 19, strike "\$5,000,000" and substitute "\$2,500,000"; and in line 24, strike "\$10,000,000" and substitute "\$5,000,000".

The preceding 2 amendments were read only.

Senator Zirkin moved, duly seconded, to make the Bill and Amendments a Special Order for March 15, 2016.

The motion was adopted.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #23

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

Senate Bill 859 - Senators Young and Hough

AN ACT concerning

Frederick County – Development Rights and Responsibilities Agreements – Administrative Appeals

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 860 – Senators Young and Hough

AN ACT concerning

Frederick County - Alcoholic Beverages - Refillable Container Permits

<u>Favorable report adopted.</u>

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 861 - Senators Young and Hough

AN ACT concerning

Frederick County - Dry Election Districts - Repeal

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 878 - Senator Edwards

AN ACT concerning

Allegany County - Alcoholic Beverages - Sunday Sales

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 916 – Harford County Senators

AN ACT concerning

Harford County - Alcoholic Beverages - Community College 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 959 – Senator Hershey

AN ACT concerning

Kent County - Alcoholic Beverages - Limited Distillery License

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #17

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

Senate Bill 212 - Senator Middleton

AN ACT concerning

Health Insurance - Large Employers - Disclosure of Aggregate Incurred Claims

SB0212/377571/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 212

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Senator Middleton" and substitute "<u>Senators Middleton and Serafini</u>"; in line 5, after "at" insert "<u>a</u>"; and in the same line, strike "times" and substitute "<u>time</u>".

AMENDMENT NO. 2

On page 2, strike beginning with the colon in line 7 down through "(2)" in line 10; and in line 10, after "AFTER" insert "RECEIPT OF".

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 505 – Senators Klausmeier, Astle, Bates, Benson, Conway, Currie, DeGrange, Eckardt, Edwards, Feldman, Ferguson, Guzzone, Hershey, Hough, Jennings, Kagan, King, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Norman, Peters, Pinsky, Pugh, Ramirez, Raskin, Rosapepe, Serafini, and Simonaire

AN ACT concerning

Workers' Compensation Insurance – Premium Discount – Alcohol– and Drug–Free Workplace Program

SB0505/717676/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 505

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Simonaire" and substitute "<u>Simonaire</u>, <u>Kelley, and Reilly</u>"; in line 4, strike "requiring" and substitute "<u>authorizing</u>"; in the same line, strike "provide" and substitute "<u>file a certain rating plan with the Insurance Commissioner that provides for</u>"; in line 5, after "discount" insert "<u>for certain risks</u>"; in the same line, strike "for" and substitute "<u>that has a</u>"; in the same line, after "workplace" insert "<u>policy that may include certain</u>"; and strike beginning with "instituted" in line 6 down through "testing" in line 9 and substitute "<u>providing that a certain insurer is not required to provide a certain premium discount</u>".

AMENDMENT NO. 2

On page 2, in line 18, strike "SHALL PROVIDE" and substitute "MAY FILE A RATING PLAN WITH THE COMMISSIONER THAT PROVIDES FOR"; in the same line, strike "OF 1%" and substitute "FOR APPROPRIATE CLASSIFICATIONS OR SUBCLASSIFICATIONS OF A RISK OF UP TO 4%"; in the same line, after "INSURED" insert "THAT HAS AN ALCOHOL—AND DRUG—FREE WORKPLACE POLICY THAT MAY INCLUDE ONE OR MORE OF THE FOLLOWING PROGRAMS"; strike in their entirety lines 19 and 20; in lines 21, 23, 25, and 27, strike "A.", "B.", "C.", and "D.", respectively, and substitute "1.", "2.", "3.", and "4.", respectively; in line 21, strike "ALCOHOL—AND A DRUG—FREE WORKPLACE" and substitute "ALCOHOL AND DRUG TESTING"; in lines 26 and 29, in each instance, strike the second "AND"; in line 30, strike "2." and substitute "5."; in the same line, strike "THAT INSTITUTES AND MAINTAINS A POLICY" and substitute "A PROGRAM"; and in line 32, after "TESTING" insert "; AND

6. ANY OTHER PROGRAM THAT THE INSURER DEEMS EFFECTIVE TO ENCOURAGE AN ALCOHOL- AND DRUG-FREE WORKPLACE".

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

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 285 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Maryland Home Improvement Commission – Subcontractor Licensing Requirement – Repeal

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

SB0285/624133/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 285

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 16, after "terms;" insert "<u>requiring the Maryland Home Improvement Commission to identify certain persons eligible for a certain license and to encourage them to apply for a certain license;</u>".

AMENDMENT NO. 2

On page 9, after line 3, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Home Improvement Commission shall identify subcontractors in the State that may be eligible

for a contractor license and shall encourage those subcontractors to apply for a contractor license.";

and in line 4, 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.

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #4

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.

Jamie Raskin Chair

Senate Executive Nominations Committee Report #4 March 10, 2016

District Court, Allegany County (District 12)

1. H. Jack Price, Jr.

District 1

Judge of the District Court of Maryland, District 12, Allegany County; reappointed to serve a term of ten years from March 31, 2016

District Court, Baltimore City (District 1)

2. Devy Patterson Russell

District 40

Judge of the District Court of Maryland, District 1, Baltimore City; reappointed to serve a term of ten years from February 10, 2016

District Court, Howard County (District 10)

3. Mary Cecilia Reese

District 9

Judge of the District Court of Maryland, District 10, Howard County; reappointed to serve a term of ten years from April 21, 2016

African American History and Culture, Commission on

4. Edwin T. Johnson, Ph.D.

District 43

P.O. Box 24546

Baltimore, MD 21214

Member of the Commission on African American History and Culture; appointed to serve remainder of a term of four years from July 1, 2012 and a term of four years from July 1, 2016

Appalachian States Low-Level Radioactive Waste Commission

5. Clifford Seth Mitchell, M.D.

District 46

10 E. Lee Street, #1909

Baltimore, MD 21202

Member of the Appalachian States Low-Level Radioactive Waste Commission; appointed to serve a term of two years from May 6, 2015

6. Albert J. Romanosky, M.D., Ph.D.

District 31

107 Solomons Ridge Court

Millersville, MD 21108

Member of the Appalachian States Low-Level Radioactive Waste Commission; appointed to serve a term of two years from May 6, 2015

Architects, State Board of

7. Paul D. Edmeades 1418 Saratoga Drive Bel Air, MD 21014 District 34

Member of the State Board of Architects; reappointed to serve a term of five years from July 1, 2016

Assistive Technology Loan Program Board of Directors

8. Sama Bellomo

District 13

6670 Washington Blvd. Elkridge, MD 21075

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

9. Sally S. Chan

District 43

3004 Cresmont Avenue Baltimore, MD 21211

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

Automobile Insurance Fund, Board of Trustees of the Maryland

10. Ann Cox Ansel

District 8

9327 Perglen Road Baltimore, MD 21236

Member of the Board of Trustees of the Maryland Automobile Insurance Fund; appointed to serve a term of five years from October 1, 2016

11. William Daniel Mayer

District 28

11275 Annabelle Drive Swan Point, MD 20645

Member of the Board of Trustees of the Maryland Automobile Insurance Fund; appointed to serve a term of five years from October 1, 2015

12. Robert L. McKinney

District 46

48 East Montgomery Street Baltimore, MD 21230

Member of the Board of Trustees of the Maryland Automobile Insurance Fund; appointed to serve a term of five years from October 1, 2016

Aviation Commission, Maryland

13. Calvin D. Peacock 5616 N. Nithsdale Drive Salisbury, MD 21801 District 37

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

Chesapeake and Atlantic Coastal Bays, Critical Area Commission for the

14. Bob Culver District 37

125 North Division Street Salisbury, MD 21801

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

15. Gary Mangum
District 36

200 Bridgeview Lane Stevensville, MD 21666

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

16. Donald E. Sutton

District 36

P.O. Box 157 Betterton, MD 21610

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

Civil Rights, Commission on

17. Roberto N. Allen, Esq. 804 Quincy Road Towson, MD 21286

District 42

Member of the Commission on Civil Rights; appointed to serve a term of six years from July 1, 2015

Deaf and Hard of Hearing, Office of the

18. Kelby N. Brick, Esq. 2118 Stonewall Road Catonsville, MD 21228 District 44

Director of the Office of the Deaf and Hard of Hearing; appointed to serve at the pleasure of the Governor

Dental Examiners, State Board of

19. Stefan N. Miller 12206 Faulkner Drive Owings Mills, MD 21117 District 11

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

Economic Development Commission, Maryland

20. Julia C. Lenzer 1155 Ripley Street, Apt. 1801 Silver Spring, MD 20910 District 20

Member of the Maryland Economic Development Commission; appointed to serve a term of three years from July 1, 2016

21. Elizabeth Rendon-Sherman 5105 Little Creek Drive Ellicott City, MD 21043 District 12

Member of the Maryland Economic Development Commission; appointed to serve remainder of a term of three years from July 1, 2013 and a term of 3 years from July 1, 2016

Economic Development Corporation Board of Directors, Maryland

22. Tehma Hallie Smith 810 N. Luzerne Avenue Baltimore, MD 21205 District 45

Member of the Maryland Economic Development Corporation Board of Directors; appointed to serve a term of four years from July 1, 2016

23. Richard G. Woo 11629 Scarlet Leaf Circle Germantown, MD 20876

District 39

Member of the Maryland Economic Development Corporation Board of Directors; appointed to serve a term of four years from July 1, 2015

Elevator Safety Review Board

24. Charles E. Meeks, Jr. 601 S. Pacific Avenue Ocean City, MD 21842 District 38

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

25. Robert L. Purkey 12806 W. Old Baltimore Road Boyds, MD 20841 District 39

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

26. Phylis A. Seman 2243 Schuster Road Jarrettsville, MD 21084

District 7

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

Emergency Number Systems Board

27. David W. Darrell 118 Westwood Lane Chestertown, MD 21620 District 36

Member of the Emergency Number Systems Board; appointed to serve a term of four years from July 1, 2014

28. Laura L. Herman 3118 Woodspring Drive Abingdon, MD 21009

District 34

Member of the Emergency Number Systems Board; appointed to serve a term of four years from July 1, 2013

Judicial Disabilities, Commission on

29. Sally McLane Young Ridgely 314 West Wind Road Baltimore, MD 21204 District 42

Member of the Commission on Judicial Disabilities; appointed to serve remainder of a term of four years from January 1, 2012 and a term of four years from January 1, 2016

30. Marisa A. Trasatti, Esq. 1457 Fallston Road Fallston, MD 21047 District 7

Member of the Commission on Judicial Disabilities; appointed to serve remainder of a term of four years from January 1, 2013

Labor Relations Board, Public School

31. Elizabeth M. Morgan, Ph.D. 2657 Brook Valley Road Frederick, MD 21701 District 3

Member of the Public School Labor Relations Board; appointed to serve a term of five years from July $1,\,2014$

Maryland Environmental Service, Board of Directors of

32. William B.C. Addison, Jr. 14540 Candy Hill Road Upper Marlboro, MD 20772 District 27

Member of the Board of Directors of Maryland Environmental Service; reappointed to serve a term of four years from July 1, 2016

Master Electricians, State Board of

33. Paul (P.J.) Donaghue 116 Copper Oaks Court Woodsboro, MD 21798 District 4

Member of the State Board of Master Electricians; appointed to serve a term of three years from July 1, 2013 and a term of three years from July 1, 2016

Open Meetings Law Compliance Board, State

34. Jonathan A. Hodgson, Esq. District 30

5 Steffen Point

Annapolis, MD 21401

Chair of the State Open Meetings Law Compliance Board; appointed to serve a term of three years from July 1, 2015

Professional Standards and Teacher Education Board

Peter F. Baily 35.

District 41

2541 Pickwick Road

Baltimore, MD 21207

Member of the Professional Standards and Teacher Education Board; appointed to serve a term of three years from July 1, 2015

Kandace M. Hoppin 36.

District 99

3510 15th Street North, Apt. 1

Arlington, VA 22201

Member of the Professional Standards and Teacher Education Board; appointed to serve a term of three years from July 1, 2015

Psychologists, State Board of

37. Rivka I. Olley, Ph.D. District 11

108 Old Plantation Way Pikesville, MD 21208

Member of the State Board of Psychologists; appointed to serve remainder of a term of four years from July 1, 2012

Public Defender, Office of the Board of Trustees of the

38. Kevin B. Collins, Esq. 7108 Crabbury Court

District 9

Clarksville, MD 21029

Member of the Board of Trustees of the Office of the Public Defender; appointed to serve a term of three years from June 1, 2015

Public Information Act Compliance Board, State

39. Deborah F. Moore–Carter 13 Hickory Ridge Court District 44

Baltimore, MD 21228

Member of the State Public Information Act Compliance Board; appointed to serve a term to expire June 30, 2018

School for the Deaf, Board of Trustees of the Maryland

40. Ricardo A. Hernandez

District 39

9828 Canal Road

Montgomery Village, MD 20886

Member of the Board of Trustees of the Maryland School for the Deaf; reappointed to serve a term of six years from October 1, 2014

41. Denise Gagnon Perdue

District 36

5112 Main Street

Grasonville, MD 21638

Member of the Board of Trustees of the Maryland School for the Deaf; reappointed to serve a term of six years from October 1, 2016

Stationary Engineers, State Board of

42. Robert E. Bates

District 7

15 Andrews Court

Parkton, MD 21120

Member of the State Board of Stationary Engineers; appointed to serve a term of three years from July 1, 2015

Tourism Development Board, Maryland

43. Ruth Umbel

District 1

1002 Mosser Road

McHenry, MD 21541

Member of the Maryland Tourism Development Board; appointed to serve a term of three years from July 1, 2014

University System of Maryland Board of Regents

44. D'Ana E. Johnson, Esq. 2004 Huntwood Drive Gambrills, MD 21054

District 33

Member of the University System of Maryland Board of Regents; appointed to serve a term of five years from July 1, 2014

Veterans' Home Commission, Maryland

45. Rodney S. Azama 15101 Timberlake Drive Silver Spring, MD 20905 District 14

Member of the Maryland Veterans' Home Commission; appointed to serve remainder of a term of five years from July 1, 2012

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.

Apprenticeship and Training Council

S-1. Michelle L. Butt 11464 Old Frederick Road Marriottsville, MD 21104

District 9

Member of the Apprenticeship and Training Council; reappointed to serve a term of four years from July 1, 2016

Archaeology, Advisory Committee on

S–2. Marian Craig Creveling 1707 Forestville Road Edgewater, MD 21037

District 30

Member of the Advisory Committee on Archaeology; reappointed to serve a term of three years from July 1, 2016

District 12

S–3. Robert D. Wall, Ph.D.

1602 Beechwood Avenue

Catonsville, MD 21228

Member of the Advisory Committee on Archaeology; reappointed to serve a term of three years from July 1, 2016

Architects, State Board of

S-4. Kevin G. Sneed

District 20

9215 Whitney Street Silver Spring, MD 20901

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

Arts Council, Maryland State

S-5. Shelley Cole Morhaim

District 11

11 Whitebridge Court

Baltimore, MD 21208

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

Blind Industries and Services of Maryland, Board of Trustees of

S-6. George H. Littrell, Jr.

District 3

5209 Reel's Mill Road Frederick, MD 21704

Member of the Board of Trustees of Blind Industries and Services of Maryland; reappointed to serve a term of three years from July 1, 2015

S-7. Melba J. Taylor

District 24

11902 Frost Drive

Bowie, MD 20720

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

Canal Place Preservation and Development Authority

S–8. Janice S. Keene

District 1

101 Braddock Heights Frostburg, MD 21532

Member of the Canal Place Preservation and Development Authority; reappointed to serve a term of four years from June 1, 2016

Chiropractic and Massage Therapy Examiners, State Board of

S-9. Gloria W. Boddie-Epps

District 47

914 Cox Avenue

Hyattsville, MD 20783

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

Civil Rights, Commission on

S-10. Gina McKnight-Smith, Pharm.D.

District 10

8706 Winands Road

Randallstown, MD 21133

Member of the Commission on Civil Rights; reappointed to serve a term of six years from July 1, 2015

Dietetic Practice, State Board of

S-11. Nancy H. Ferrone

District 11

2141 Kimrick Place

Lutherville, MD 21093

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

S-12. Ivis T. Forrester, Ph.D.

District 10

6210 Glen Falls Road

Reisterstown, MD 21136

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

S-13. Concepcion Placiente 9107 Kilbride Road Nottingham, MD 21236

District 8

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

Elevator Safety Review Board

S-14. Steven A. Joss 5476 Wingborne Court Columbia, MD 21045 District 12

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

S–15. Michael William Moran

District 33

1434 Saint Stephens Church Road Crownsville, MD 21032

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

Maryland Agricultural and Resource–Based Industry Development Corporation (MARBIDCO) Board of Directors

S–16. John P. Jastrzembski 780 Bishop Walsh Road Cumberland, MD 21502

District 1

Member of the Maryland Agricultural and Resource–Based Industry Development Corporation (MARBIDCO) Board of Directors; reappointed to serve a term of four years from July 1, 2016

School for the Deaf, Board of Trustees of the Maryland

S–17. Julie C. Bourne 9053 Major Smith Lane Frederick, MD 21704

District 3

Member of the Board of Trustees of the Maryland School for the Deaf; reappointed to serve a term of six years from October 1, 2016

S-18. Stephen Hlibok 5911 Trumpet Sound Court Clarksville, MD 21029 District 13

Member of the Board of Trustees of the Maryland School for the Deaf; reappointed to serve a term of six years from October 1, 2015

S–19. Jennifer L. Smart, Ph.D. 702 Sawyer Court

Townson, MD 21286

District 42

Member of the Board of Trustees of the Maryland School for the Deaf; reappointed to serve a term of six years from October 1, 2016

STATUS: QUESTION IS WILL THE SENATE ADVISE AND CONSENT TO THE NOMINATIONS OF THE EXECUTIVE?

The President of the Senate put the following question: "With the exception of Nominee No. 31, Will the Senate advise and consent to the above nominations of the Executive?"

The above nominations of the Executive, with the exception of Nominee No. 31, were all confirmed by roll call vote as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 500)

Senator Raskin moved, duly seconded, to make Nominee No. 31 a Special Order for March 18, 2016.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 501)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #42

Senate Bill 395 – Senator Conway

AN ACT concerning

Ethics - Local Government - Conflict of Interest and Financial Disclosure

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

Affirmative – 43 Negative – 1 (See Roll Call No. 502)

The Bill was then sent to the House of Delegates.

Senate Bill 1052 – Senators Ferguson, Miller, Currie, DeGrange, Edwards, Guzzone, King, Madaleno, Manno, McFadden, Peters, and Serafini and Peters

AN ACT concerning

University of Maryland Strategic Partnership Act of 2016

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

Affirmative – 33 Negative – 10 (See Roll Call No. 503)

The Bill was then sent to the House of Delegates.

QUORUM CALL

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

(See Roll Call No. 504)

ADJOURNMENT

At 11:39 A.M. on motion of Senator Pugh, seconded, the Senate adjourned until 8:00 P.M. on Monday, March 14, 2016.

Annapolis, Maryland Monday, March 14, 2016 8:00 P.M. Session

The Senate met at 8:09 P.M.

Prayer by Father James R. Day, DeMatha Catholic High School, guest of Senator Peters.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 506)

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

The Journal of March 11, 2016 was read and approved.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 74 – The Speaker (By Request – Maryland Judiciary)

AN ACT concerning

Judgeships – Circuit Courts and District Court

FOR the purpose of altering the number of resident judges of the circuit court in certain counties and Baltimore City; altering the number of resident judges of the District Court in certain districts; and generally relating to judgeships in the circuit courts and the District Court.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 1–503 and 1–603(b)
Annotated Code of Maryland
(2013 Replacement Volume and 2015 Supplement)

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

House Bill 132 – Delegates Lafferty, Healey, Lierman, and S. Robinson, Carr, and Bromwell

AN ACT concerning

State Government - Pollinator Habitat Plans

FOR the purpose of requiring eertain State agencies that own or manage property or land the Department of Natural Resources, the Maryland Environmental Service, and the State Highway Administration, in consultation with the Department of Agriculture, to each establish a certain pollinator habitat plans plan on or before a certain date; requiring eertain State agencies the Department of Natural Resources, the Maryland Environmental Service, and the State Highway Administration to make a certain pollinator habitat plans plan publicly available in a certain manner on or before a certain date; requiring eertain State agencies the Department of Natural Resources, the Maryland Environmental Service, and the State Highway Administration to implement a certain pollinator habitat plans plan on or before a certain date; requiring eertain State agencies the Department of Natural Resources, the Maryland Environmental Service, and the State Highway Administration to each report to certain committees of the General Assembly on or before a certain date; and generally relating to pollinator habitat plans.

BY adding to

Article – Agriculture

Section 2–1701 to be under the new subtitle "Subtitle 17. Pollinator Habitat Plans" Annotated Code of Maryland

(2007 Replacement Volume and 2015 Supplement)

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

House Bill 169 - Carroll County Delegation

EMERGENCY BILL

AN ACT concerning

Carroll County - Turkey Hunting on Private Property - Sundays

FOR the purpose of authorizing a person to hunt turkey on private property on certain Sundays in Carroll County; making this Act an emergency measure; and generally relating to turkey hunting on Sundays in Carroll County.

BY repealing and reenacting, without amendments,

Article – Natural Resources Section 10–410(a)(1) Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources Section 10–410(a)(2) Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

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

House Bill 202 – Delegates Bromwell, Aumann, Brooks, Ciliberti, Cluster, Folden, Grammer, Jameson, Luedtke, Metzgar, Miele, Morgan, O'Donnell, Patterson, West, and C. Wilson

AN ACT concerning

Gaming Payouts - Donation of Coins - Maryland Veterans Trust Fund

FOR the purpose of requiring the State Lottery and Gaming Control Commission to adopt regulations requiring authorizing certain video lottery facility licensees to adopt certain procedures for certain players to donate coins to the Maryland Veterans Trust Fund under certain circumstances; requiring the Commission to adopt regulations requiring authorizing certain licensees to attach certain boxes near exits in certain video lottery facilities for certain purposes; specifying the source of certain revenues for the Fund; and generally relating to gaming payouts and revenues for the Maryland Veterans Trust Fund.

BY repealing and reenacting, with amendments,

Article – State Government Section 9–1A–04(d) and 9–913(g) Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government
Section 9–913(e)(2)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

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

House Bill 234 – Delegates Grammer and Metzgar

AN ACT concerning

State Highways - Electronic Map of State Roads by State Legislative District

FOR the purpose of requiring the State Highway Administration to develop and make available to the public on its Web site in an accessible and searchable electronic format a map of each State legislative district that includes all State roads; requiring each map to include certain information; requiring each map to be updated or audited in a certain manner and according to a certain schedule; and generally relating to electronic maps of State roads by State legislative district.

BY adding to

Article – Transportation Section 8–657 Annotated Code of Maryland (2015 Replacement Volume and 2015 Supplement)

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

House Bill 263 - Delegate Rosenberg

AN ACT concerning

Civil Actions - Strategic Lawsuits Against Public Participation

FOR the purpose of altering the conditions under which a lawsuit is deemed to be a strategic lawsuit against public participation (SLAPP suit); altering the conditions under which a defendant in a SLAPP suit is not civilly liable for certain communications; altering the remedies available to a defendant in an alleged SLAPP suit; requiring a court to hear and rule on a motion to dismiss an alleged SLAPP suit within certain time periods; providing that a motion to dismiss shall be deemed denied if the court fails to rule on the motion within a certain time period; requiring a court to dismiss a SLAPP suit under certain circumstances; providing for the admissibility and effect of a certain finding; requiring a court to stay discovery and other pending hearings or motions in an alleged SLAPP suit until a certain time; providing a certain exception; requiring a court to award costs and reasonable attorney's fees under certain circumstances; providing that a ruling or failure to rule on a certain motion is immediately appealable; providing for the application of this Act; and generally relating to SLAPP suits.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings Section 5–807 and 12–303 Annotated Code of Maryland (2013 Replacement Volume and 2015 Supplement)

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

House Bill 299 – Delegate Otto

AN ACT concerning

Worcester County - Alcoholic Beverages - Refillable Container Permit for Draft Beer

FOR the purpose of establishing a refillable container permit for draft beer in Worcester County; authorizing the Worcester County Board of License Commissioners to issue a refillable container permit for draft beer to certain holders of certain licenses under certain circumstances and conditions; specifying that a refillable container permit authorizes a holder to sell draft beer for off-premises consumption in a certain refillable container under certain circumstances and conditions; specifying the term, hours for sale, and advertising, posting of notice, and public hearing requirements associated with a refillable container permit; specifying the hours of sale for the permit; specifying a permit fee; requiring an applicant for a refillable container permit to take certain actions before the Board may issue a refillable container permit to an applicant; requiring that certain receipts collected be included in certain calculations of average daily receipts; defining a certain term; and generally relating to refillable container permits for draft beer in Worcester County.

BY repealing and reenacting, with amendments,

Article 2B - Alcoholic Beverages

Section 8-103

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

BY adding to

Article 2B - Alcoholic Beverages

Section 8-224.1

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article 2B - Alcoholic Beverages

Section 21-107

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 33-102

Annotated Code of Maryland

(As enacted by Chapter ___ (S.B. 724) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

<u>Article – Alcoholic Beverages</u>

Section 33–1101

Annotated Code of Maryland

(As enacted by Chapter _ (S.B. 724) of the Acts of the General Assembly of 2016)

BY adding to

Article – Alcoholic Beverages

Section 33-1103

Annotated Code of Maryland

(As enacted by Chapter _ (S.B. 724) 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 309 – Delegates Busch, Walker, Angel, B. Barnes, D. Barnes, Barron, Davis, Fennell, Frush, Gaines, Healey, Holmes, C. Howard, Jackson, Knotts, Pena-Melnyk, Proctor, Sanchez, Tarlau, Valderrama, Valentino-Smith, Vallario, Vaughn, and A. Washington

AN ACT concerning

Prince George's County Regional Medical Center Act of 2016

FOR the purpose of requiring that in certain fiscal years certain amounts be provided in a certain manner as an operating grant to the Board of Directors of the University of Maryland Medical System Corporation for certain purposes; requiring the Governor to include certain appropriations in the budget bill for certain fiscal years for certain purposes; requiring Prince George's County to provide certain funds and other financial assistance to the Board of Directors of the University of Maryland Medical System Corporation; requiring that certain State and Prince George's County funds be used for certain purposes, including the construction of the Prince George's County Regional Medical Center; requiring the Governor to include certain amounts in the capital or operating budget bill for certain fiscal years; declaring the intent of the General Assembly; making this Act subject to a certain contingency; requiring a certain allocation of capital funding for a certain purpose; providing for the termination of this Act; and generally relating to funding for certain purposes in connection with the construction of the Prince George's County Regional Medical Center.

BY adding to

Article – Health – General

Section 19–2401 to be under the new subtitle "Subtitle 24. Prince George's County Regional Medical Center"

Annotated Code of Maryland

(2015 Replacement Volume)

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

House Bill 344 – Delegates Afzali and C. Howard

AN ACT concerning

Voter Registration – Affiliation With Political Party and Participation in Primary Election, Caucus, or Convention

FOR the purpose of requiring certain voter registration applications used in the State to include a certain statement concerning registration with a political party and the effect of the failure of the voter to affiliate with a political party on the voter's right to participate in primary elections, caucuses, or conventions for a political party; providing that certain voter registration applications may continue to be used after the effective date of this Act; and generally relating to voter registration applications.

BY repealing and reenacting, with amendments,

Article – Election Law Section 3–202 Annotated Code of Maryland (2010 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Election Law Section 3–203 and 3–303 Annotated Code of Maryland (2010 Replacement Volume and 2015 Supplement)

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

House Bill 359 – Delegates Dumais and B. Wilson

AN ACT concerning

Criminal Procedure – Charges Against Correctional Officer – Review by State's Attorney

FOR the purpose of altering a certain definition to make certain provisions of law requiring State's Attorney review of an application for a statement of charges against a law enforcement officer applicable to an application for a statement of charges against a correctional officer; and generally relating to charging documents against law enforcement officers.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings Section 2–608 Annotated Code of Maryland (2013 Replacement Volume and 2015 Supplement)

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

House Bill 373 – Delegates Stein, Beidle, Fraser-Hidalgo, and Frush

AN ACT concerning

Motor Vehicles - Passenger Seat Belt Requirement - Primary Offense

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

BY repealing and reenacting, with amendments,

Article – Transportation

Section 22–412.3(a) and (c)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

House Bill 381 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Board of Trustees – Designee Appointments and Fiduciary Duties

FOR the purpose of authorizing the Secretary of Budget and Management, the State Comptroller, and the State Treasurer to appoint certain individuals to serve as designees on the Board of Trustees for the State Retirement and Pension System; altering a certain defined term to provide for certain fiduciary duties of members of certain committees established by the Board; and generally relating to the Board of Trustees for the State Retirement and Pension System.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions Section 21–104(a) and 21–201(b)

Annotated Code of Maryland

(2015 Replacement Volume)

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

House Bill 385 – Delegate Anderson (By Request – Baltimore City Administration)

AN ACT concerning

Baltimore City - Abandoned Property - Tax Sales - Ground Rent

FOR the purpose of repealing a limitation on selling the whole fee simple interest in certain property in Baltimore City when the property is subject to a ground rent or certain lease; and generally relating to the tax sales of property.

BY repealing and reenacting, with amendments,

Article – Tax – Property Section 14–816(b) Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

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

House Bill 410 – Delegates O'Donnell, Aumann, Beitzel, and Holmes Holmes, Arentz, and Carey

AN ACT concerning

Natural Resources - Poaching Restitution Act of 2016

FOR the purpose of requiring a court to order a person convicted of poaching deer on privately owned land any land in the State to pay the State certain restitution in accordance with certain requirements under certain circumstances and to perform community service under certain circumstances; authorizing a person convicted of peaching deer on privately owned land to pay a certain amount of restitution instead of performing community service under certain circumstances: requiring certain restitution collected to be credited to the State Wildlife Management and Protection Fund; requiring the Department of Natural Resources to adopt certain regulations; encouraging the Department and the Office of Administrative Hearings Office of the Courts to develop a certain database; requiring the Department and the Office of Administrative Office of the Courts Hearings to report to certain committees of the General Assembly on or before a certain date; encouraging the Department to work with local law enforcement agencies in developing certain protocols and strategies; defining a certain term; providing for the application of certain provisions of this Act; and generally relating to penalties for poaching deer on privately owned any land in the State.

BY renumbering

Article – Natural Resources Section 10–101(q) through (cc), respectively to be Section 10–101(r) through (dd), respectively Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

BY adding to

Article – Natural Resources Section 10–101(q) and 10–1101.1 Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources Section 10–212(a) and 10–1102 Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

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

House Bill 443 – Delegates Fraser-Hidalgo, Beidle, Lam, and Morhaim

AN ACT concerning

Agriculture - Industrial Hemp - Agricultural or Academic Research

FOR the purpose of authorizing the Department of Agriculture or an institution of higher education to grow or cultivate industrial hemp if the industrial hemp is grown or cultivated for agricultural <u>research</u> or academic research purposes; requiring certain sites used to grow or cultivate industrial hemp to be certified by and registered with the Department; authorizing the Department to adopt certain regulations; defining a certain term certain terms; providing for the termination of this Act; and generally relating to growing or cultivating industrial hemp for agricultural <u>research</u> or academic research purposes.

BY adding to

Article – Agriculture

Section 14–101 and 14–102 to be under the new title "Title 14. Industrial Hemp" Annotated Code of Maryland (2007 Replacement Volume and 2015 Supplement)

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

House Bill 490 – Delegate Cullison

AN ACT concerning

Maryland Nurse Practice Act – Peer Review and Advisory Committees and Penalties

FOR the purpose of repealing the requirement that the State Board of Nursing appoint certain peer review committees to oversee the use of certain insurance and certain benefits; authorizing the Board to appoint peer advisory committees to provide the Board with certain advice; providing that a member of a peer advisory committee is entitled to receive certain compensation and reimbursement for certain expenses; altering the maximum amount of a certain civil fine the Board may impose for certain violations; altering the application of certain criminal penalties; altering the maximum amount of a certain fine and the maximum term of imprisonment to which a certain person is subject for certain violations; repealing the exemption from certain penalties for certain persons who are licensed, certified, or otherwise authorized to provide health care services under certain provisions of law; repealing certain definitions; and generally relating to the Maryland Nurse Practice Act.

BY repealing

Article – Health Occupations Section 8–503 Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement)

BY adding to

Article – Health Occupations Section 8–503 Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations Section 8–707 and 8–710 Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement)

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

House Bill 505 - Charles County Delegation

AN ACT concerning

Charles County Sheriff - Salaries and Collective Bargaining

FOR the purpose of requiring that the salary schedule for deputy sheriffs of Charles County correspond to the Department of State Police salary schedule; requiring that the salary schedule for the deputy sheriffs of Charles County be revised to reflect any revision made to the Department of State Police salary schedule; requiring the County Commissioners of Charles County to appropriate certain funds to provide certain salaries of the deputy sheriffs except under certain circumstances; providing that the County Commissioners are not required to grant certain step increases to

the deputy sheriffs; providing that certain step increases are subject to appropriations by the Board; authorizing certain sworn law enforcement officers and correctional officers in Charles County to collectively bargain with the County Commissioners of Charles County, in addition to the Sheriff, with respect to certain matters; prohibiting the resolution or adjustment of a certain dispute from being inconsistent with the terms of a certain collective bargaining agreement; prohibiting the County Commissioners from recognizing an exclusive representative except under certain circumstances; providing for the decertification of a certain exclusive representative under certain circumstances; altering the maximum number of individuals that the Sheriff and the exclusive representative may designate to represent the Sheriff or the exclusive representative in collective bargaining; authorizing the County Commissioners to designate a certain number of individuals to represent the County Commissioners in collective bargaining under certain circumstances; altering the date by which negotiations for the collective bargaining agreement shall begin; altering the time period during which an exclusive bargaining agreement may be valid; requiring an agreement involving the County Commissioners as a party, or a modification to that agreement, to be signed and ratified by the County Commissioners in order to be effective or valid; requiring that the terms of a collective bargaining agreement prevail in a certain conflict except under certain circumstances; authorizing any party to collective bargaining to seek mediation under certain circumstances; requiring the party seeking mediation to provide certain notice to certain persons; authorizing any party to a certain collective bargaining agreement to declare a bargaining impasse under certain circumstances; establishing procedures and timelines for the mediation and arbitration of collective bargaining disputes involving the exclusive representative of certain sworn law enforcement officers or correctional officers in the Charles County Sheriff's Office; providing that certain recommendations of the arbitrator are not binding; authorizing the Sheriff or the County Commissioners to adopt or reject certain recommendations under certain circumstances; requiring the parties to accept or reject the recommendations within a certain period of time; establishing a certain method of distributing the costs of the mediation and arbitration; authorizing the parties to reach a voluntary settlement on unresolved issues at any time; providing that the terms and conditions of a certain collective bargaining agreement shall remain in effect under certain circumstances until a certain time; requiring the Sheriff and the County Commissioners, under certain circumstances, to recognize certain exclusive representatives as of a certain date as the exclusive representatives of certain employees; making a conforming change; and generally relating to the salaries and collective bargaining rights of sworn law enforcement officers and correctional officers of the Charles County Sheriff's Office.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 2–309(a) and (a–1)
Annotated Code of Maryland
(2013 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings Section 2–309(j)(3) and (5) Annotated Code of Maryland (2013 Replacement Volume and 2015 Supplement)

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

House Bill 543 – Allegany County Delegation

AN ACT concerning

Allegany County - Alcoholic Beverages - Minimum Age to Serve Liquor

FOR the purpose of altering in Allegany County the minimum age for an individual to serve liquor; and generally relating to alcoholic beverages in Allegany County.

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 9–1902

Annotated Code of Maryland

(As enacted by Chapter ____(S.B. ____)(6lr1406) 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 549 - Caroline County Delegation

AN ACT concerning

Caroline County - Alcoholic Beverages - Refillable Container Permit

FOR the purpose of authorizing the Board of License Commissioners for Caroline County to issue a refillable container permit for draft beer to a holder of a Class B alcoholic beverages license or a Class H alcoholic beverages license; and generally relating to alcoholic beverages in Caroline County.

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 15-1101

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General Assembly of 2016)

BY adding to

Article – Alcoholic Beverages

Section 15-1102

Anr	otated Cod	le of Maryla	ınd								
(As	enacted b	y Chapter		(S.B	_)(6lr1406)	of	the	Acts	of	the	General
	Assembl	ly of 2016)									

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

House Bill 550 - Delegates Clippinger, Hammen, and Lierman

AN ACT concerning

Distillery License Holders - Sale of Product to Participants in Guided Tours

FOR the purpose of repealing a certain provision of law that limits a distillery license holder to selling product and related merchandise to an individual on a guided tour of the distillery only if the license holder manufactures not more than a certain gallonage annually; and generally relating to sales of alcoholic beverages by holders of distillery licenses.

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 2–202

Annotated Code of Maryland

(As enacted by Chapter ___ (S.B. ___)(6lr1406) 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 555 - Delegate Kipke

AN ACT concerning

Office of Cemetery Oversight – Perpetual Care Trust Funds – Report Submission Requirement

FOR the purpose of altering the time period within which a sole proprietor registered cemeterian, certain permit holders, or certain other persons subject to certain perpetual care trust requirements are required to submit a certain report regarding a certain perpetual care trust fund to the Director of the Office of Cemetery Oversight; and generally relating to perpetual care trust funds and the Office of Cemetery Oversight.

BY repealing and reenacting, without amendments,

Article – Business Regulation

Section 5–603(b)

Annotated Code of Maryland

(2015 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article - Business Regulation

Section 5-606

Annotated Code of Maryland

(2015 Replacement Volume and 2015 Supplement)

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

House Bill 612 – Delegates Vallario, Anderson, Atterbeary, Carter, Cluster, Dumais, Glass, Kittleman, Malone, McComas, Moon, Proctor, Rey, Rosenberg, Sanchez, Smith, Valentino-Smith, and B. Wilson, Barkley, Barve, Carr, Clippinger, Conaway, Cullison, Fraser-Hidalgo, Frick, Gilchrist, Gutierrez, Hixson, Kaiser, Kelly, Korman, Kramer, Lisanti, Luedtke, McKay, A. Miller, Morales, Platt, Reznik, S. Robinson, Sydnor, Waldstreicher, and C. Wilson

AN ACT concerning

Manslaughter by Motor Vehicle or Vessel While Under the Influence or Impaired – Penalty

FOR the purpose of altering the penalty for manslaughter by vehicle or vessel; and generally relating to manslaughter by vehicle or vessel of establishing certain crimes of manslaughter by motor vehicle or vessel while under the influence of alcohol, under the influence of alcohol per se, impaired by a drug, a combination of drugs, or a combination of one or more drugs and alcohol, or impaired by a controlled dangerous substance; providing for certain penalties; providing for the form of certain charging documents; and generally relating to establishing certain crimes of manslaughter involving drunk or drugged driving.

BY repealing and reenacting, with amendments,

Article - Criminal Law

Section 2-209

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law

The subtitle designation "Subtitle 5. Manslaughter and Homicide by Motor

Vehicle or Vessel While Impaired or Under the Influence" immediately

preceding Section 2–501

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

<u>Article – Criminal Law</u>
<u>Section 2–501</u>
<u>Annotated Code of Maryland</u>
(2012 Replacement Volume and 2015 Supplement)

BY adding to

<u>Article – Criminal Law</u>
<u>Section 2–502.1 through 2–502.4</u>
<u>Annotated Code of Maryland</u>
(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law
Section 2–507
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

House Bill 616 - Delegate Barkley

AN ACT concerning

Alcoholic Beverages - Class 1 Distillery Licenses

FOR the purpose of altering the activities allowed to be conducted at a plant established and operated by a holder of a Class 1 distillery license; allowing the license holder to acquire alcoholic beverages from a holder of any manufacturer's license or wholesaler's license or a holder of a nonresident dealer's permit for use in manufacturing; repealing a provision of law requiring that the license holder acquire certain alcoholic beverages in bulk; authorizing the license holder to serve at no cost or for a fee certain product samples to certain participants in a guided tour of the licensed premises; altering the amount and contents of product samples that may be served; altering the amount of products that the license holder may sell to certain participants in a guided tour of the licensed premises; repealing a certain restriction on license holders who sell products to certain participants in a guided tour; altering a certain annual license fee; and generally relating to Class 1 distillery licenses.

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 2-202

Annotated Code of Maryland

(As enacted by Chapter __(S.B. ___)(6lr1406) 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 627 – Delegate Gilchrist

AN ACT concerning

Vehicle Laws - Drivers' Education Schools and Instructors

FOR the purpose of authorizing a drivers' school to have multiple driver education instructor trainers; requiring the Motor Vehicle Administration to establish an annual training schedule for driver education instructor trainers; authorizing the Administration to establish an appropriate fee for the training; requiring the Administration to provide written notice to a drivers' school or driving instructor license holder or applicant before imposing certain administrative penalties; authorizing the Administration to allow a license holder or an applicant to remedy the violation before imposing certain administrative penalties; authorizing a licensee to provide required documents electronically in certain circumstances in a searchable format determined by the Administration; requiring the Administration to provide to all drivers' schools a compilation of all changes to certain policies on or before a certain date each year; establishing that the Administration, with respect to inspection of drivers' school classroom facilities, may require only certain fire safety inspections; authorizing the Administration to require a drivers' school to provide an appropriate zoning certification; authorizing the Administration to allow certain persons to conduct certain driving tests and evaluations; authorizing the Administration to adopt certain regulations; and generally relating to drivers' education schools and instructors.

BY repealing and reenacting, with amendments,

Article – Transportation Section 15–709, 15–710, and 15–807 Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

BY adding to

Article – Transportation Section 15–711 and 15–808 Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

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

House Bill 632 – Howard County Delegation

AN ACT concerning

Howard County - Alcoholic Beverages - Luxury Restaurants and Farm Breweries - Licenses Ho. Co. 14-16 FOR the purpose of altering the maximum number of certain beer, wine and liquor licenses the holder of a Class 8 farm brewery license may hold in Howard County; altering the number of Class BLX (luxury restaurant) (on—sale) beer, wine and liquor licenses the Board of License Commissioners may issue for separate premises to an individual or for the use of a partnership, corporation, or unincorporated association in Howard County; and generally relating to alcoholic beverages licenses in Howard County.

BY repeali	ing and	l reena	acting	, withou	t ame	endme	ents,								
Arti	icle - A	lcohol	ic Bev	verages											
Sect	tion 23	-902(a	a), (c),	and (f)											
Ann	otated	Code	of Ma	ryland											
(As	enacte	ed by	Chap	ter	(S.	В)(6	lr1406)	of	the	Acts	of	the	Gen	eral
	Asse	embly	of 201	16)											
BY repeali	ing and	l reena	acting	, with ar	nend	ments	١,								
BY repealing and reenacting, with amendments, Article – Alcoholic Beverages															
				23–1606	3										
		`	′	ryland											
				ter	(S.	B.)(6	lr1406)	of	the	Acts	of	the	Gen	eral
`		embly		· · · · · · · · · · · · · · · · · · ·	- \			,							
					_										
Read the	first	time	and	referrec	l to	the	Comi	<u>mittee</u>	on	Edu	<u>ıcatio</u> ı	n,	Hea]	lth,	and

House Bill 639 – Delegates Kelly, Frick, Jalisi, Korman, Lam, Reznik, and Waldstreicher Waldstreicher, Hill, Hammen, Angel, Barron, Bromwell, Cullison, Hayes, Kipke, Krebs, McDonough, McMillan, Miele, Morgan, Morhaim, Oaks, Pena-Melnyk, Pendergrass, Rose, Saab, Sample-Hughes, West, and K. Young

AN ACT concerning

Environmental Affairs.

Health Insurance – Provider Claims – Payment by Credit Card – Prohibited <u>or</u> <u>Electronic Funds Transfer Payment Method</u>

FOR the purpose of prohibiting authorizing an insurer, nonprofit health service plan, or health maintenance organization from paying, under certain circumstances, to pay certain claims for reimbursement submitted by certain providers of health care services using a credit card or electronic funds transfer payment method that imposes a fee or similar charge; requiring the acceptance by a certain provider or the provider's designee of a certain payment method to apply to certain claims; defining a certain term; and generally relating to the payment by insurers, nonprofit health service plans, and health maintenance organizations of claims for reimbursement submitted by health care providers.

BY repealing and reenacting, with amendments,

Article – Insurance Section 15–1005 Annotated Code of Maryland (2011 Replacement Volume and 2015 Supplement)

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

House Bill 649 – Delegate Anderson (By Request – Baltimore City Administration)

AN ACT concerning

Law Enforcement Officers' Bill of Rights – Extension of Time for Review and Final Order by Chief

FOR the purpose of altering the period of time that a chief of a law enforcement agency has to review the findings, conclusions, and recommendations of a hearing board and issue a final order under the Law Enforcement Officers' Bill of Rights; and generally relating to the Law Enforcement Officers' Bill of Rights.

BY repealing and reenacting, with amendments,

Article – Public Safety Section 3–108(d) Annotated Code of Maryland (2011 Replacement Volume and 2015 Supplement)

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

House Bill 654 - Howard County Delegation

AN ACT concerning

Howard County - Alcoholic Beverages - Class D Beer, Wine, and Liquor Licenses Ho. Co. 10-16

FOR the purpose of requiring an applicant for a certain Class D beer, wine, and liquor license in Howard County to attest to a certain proportion of future food and alcoholic beverages sales based on gross receipts before obtaining the license; requiring an applicant for renewal of a certain Class D beer, wine, and liquor license to attest to a certain proportion of food and alcoholic beverages sales based on gross receipts before renewing the license; authorizing the holder of a Class D license to employ an individual at least a certain age to sell or serve beer and wine; and generally relating to alcoholic beverages in Howard County.

BY repealing and reenacting, with amendments, Article – Alcoholic Beverages Section 23–905 and 23–1902
Annotated Code of Maryland
(As enacted by Chapter ____(S.B. ____)(6lr1406) of the Acts of the General Assembly of 2016)

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

House Bill 655 - Howard County Delegation

AN ACT concerning

Howard County - Alcoholic Beverages - Class D Licenses Ho. Co. 7-16

FOR the purpose of making a Class D (on—and off—sale) beer, wine, and liquor license part of certain groups of alcoholic beverages licenses that the Board of License Commissioners for Howard County may issue to an individual or for the use of a partnership, a corporation, or an unincorporated association person; making certain technical changes; and generally relating to alcoholic beverages licenses in Howard County.

BY repealing and reenacting, with amendments,

Article 2B - Alcoholic Beverages

Section 9-102(o)

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

<u>Article – Alcoholic Beverages</u>

Section 23–1606

Annotated Code of Maryland

(As enacted by Chapter (S.B. 724) of the Acts of the General Assembly of 2016)

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

House Bill 661 – Delegate Conaway

AN ACT concerning

Public Safety - Law Enforcement Officers - Firearm Cameras

FOR the purpose of authorizing a law enforcement officer to use a certain firearm camera to intercept a certain oral communication under certain circumstances; and generally relating to law enforcement.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 10–402(c)(11) Annotated Code of Maryland (2013 Replacement Volume and 2015 Supplement)

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

House Bill 680 – Delegate Kipke

AN ACT concerning

Health Occupations - Dental Hygienists - Local Anesthesia

FOR the purpose of altering the circumstances under which a dental hygienist may administer local anesthesia by infiltration or inferior nerve block; and generally relating to the administration of local anesthesia by dental hygienists.

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 4–101(a), (k), and (l)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 4-206.1 and 4-206.3

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

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

House Bill 688 – Delegate Lam

AN ACT concerning

Vehicle Laws - Electric Personal Assistive Mobility Device - Definition

FOR the purpose of altering the definition of "electric personal assistive mobility device" to require that the device have a certain steering mechanism and a certain platform on which the rider stands; and generally relating to electric personal assistive mobility devices.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 21–101(a), 21–501.1(a), and 21–1201(c)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–101(j)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

House Bill 706 - Delegates Jameson, Patterson, and C. Wilson

AN ACT concerning

Charles County - Alcoholic Beverages - Entertainment Concessionaire and Entertainment Facility Licenses

FOR the purpose of authorizing the Board of License Commissioners for Charles County to issue a certain entertainment concessionaire license to certain persons for certain purposes in conjunction with an entertainment facility; authorizing the Board to issue a certain entertainment facility license to a person that owns an entertainment facility in which video lottery terminals and table games are offered to the public; providing that an applicant for an entertainment facility license need not meet certain requirements; specifying the scope of the licenses; providing that beer, wine, and liquor sold under either license may be taken and consumed anywhere in the licensed premises; specifying that the licenses authorize the playing of music and dancing; specifying for the licenses the annual fee and payment date; providing for the application to certain persons of certain penalties and sanctions for violations occurring on certain premises; defining certain terms; and generally relating to alcoholic beverages and entertainment facilities in Charles County.

BY repealing and reenacting, without amendments,
 Article – Alcoholic Beverages
 Section 18–102
 Annotated Code of Maryland
 (As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General Assembly of 2016)

BY adding to
 Article – Alcoholic Beverages
 Section 18–1002.1 and 18–1002.2
 Annotated Code of Maryland
 (As enacted by Chapter ____ (S.B. ____)(6lr1406) 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 739 - Delegate Barkley

AN ACT concerning

Alcoholic Beverages - Nonprofit Beer Festival Permit - Revisions

FOR the purpose of increasing the amount of beer that a nonprofit beer festival permit holder may provide to a consumer under certain circumstances; requiring a person to submit an application for a nonprofit beer festival permit to the Comptroller instead of a local licensing board; requiring a person to provide the Comptroller instead of a local licensing board with a list of certain brewing company off—site permit holders that will attend a certain festival; making a technical correction; and generally relating to nonprofit beer festival permits.

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages
Section 2–131
Annotated Code of Maryland
(As enacted by Chapter ____ (S.B. ____)(6lr1406) 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 766 – Chair, Environment and Transportation Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Natural Resources - Fish and Fisheries

FOR the purpose of clarifying the uses of the Fisheries Research and Development Fund; authorizing the Department of Natural Resources to establish by regulation certain vessel marking requirements; altering certain standards, procedures, requirements governing scientific collection permits for fisheries; requiring the Department to adopt regulations to establish fishing areas where a trout stamp is required; altering the standards that apply to the requirement to obtain a trout stamp; altering a certain trout stamp exemption; repealing restrictions on the use of certain fishing gear; repealing the prohibition against a nonresident fishing with a net in nontidal waters; authorizing the use of a gig and gig iron only for recreational fishing purposes in certain State waters; repealing certain obsolete coordinate language related to an area in which a certain pound net may be used; repealing a provision of law requiring a Natural Resources police officer to inspect certain fishing equipment and take certain action under certain circumstances; clarifying the time period when a person is prohibited from fishing with a haul seine under certain circumstances; clarifying the time period when a person may catch carp in Baltimore County and Harford County under certain circumstances; repealing a duplicative

provision of law prohibiting the hauling of a seine in certain waters on certain dates; clarifying a certain boundary line in the Wicomico River in Charles County related to catching fish with a net; repealing certain obsolete boundary lines related to fishing with a hook and line, an eel pot, or a certain net in Dorchester County; clarifying the minimum publication frequency of certain public notices for certain regulations; authorizing the Department to issue certain annual complimentary fishing licenses to certain individuals; establishing certain maximums for the number of certain complimentary fishing licenses that may be outstanding at one time; repealing a provision of law exempting a certain person crabbing from a "for hire" boat from obtaining a certain license under certain circumstances; making technical corrections; and generally relating to fish and fisheries.

BY repealing and reenacting, without amendments,

Article – Natural Resources Section 4–209(a), (b), (c), and (f), 4–711(a), 4–729, 4–745(a)(1), and 4–803(a) Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources
Section 4–209(g), 4–210(e)(1), 4–614, 4–617, 4–701(b) and (r), 4–710(a), 4–711(f)(1),
4–713, 4–718(c), 4–719(e), 4–739, 4–745(e), 4–803(c), and 4–804
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

BY repealing

Article – Natural Resources Section 4–212, 4–618, and 4–716 Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

BY adding to

Article – Natural Resources Section 4–212 Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

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

House Bill 773 – Delegates Valentino-Smith, Atterbeary, and B. Wilson

AN ACT concerning

Drunk and Drugged Driving - Evidence of Blood Test

FOR the purpose of providing that, if a law enforcement officer testifies that the officer witnessed the taking of a blood specimen by a person who the officer reasonably believed was a qualified medical person, the officer's testimony shall be sufficient evidence that the person was a qualified medical person without testimony by the person who obtained the blood specimen; repealing certain procedures relating to the admissibility of evidence of a blood test in a prosecution for certain drunk or drugged driving offenses; altering a certain definition; and generally relating to the admissibility of evidence of a blood test in a prosecution for certain drunk or drugged driving offenses.

BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings Section 10–304(a)(1) Annotated Code of Maryland (2013 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings Section 10–304(a)(2) and (c)(1) Annotated Code of Maryland (2013 Replacement Volume and 2015 Supplement)

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

House Bill 779 - Delegate Parrott

AN ACT concerning

Alcoholic Beverages - Washington County - Local Penalties

FOR the purpose of authorizing the Board of License Commissioners of Washington County to impose a certain fine on an employee of a holder of an alcoholic beverages license in the County under certain circumstances; and generally relating to the imposition of fines by the Board of License Commissioners of Washington County.

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 31–2702

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. ____)(6lr1406) 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 841 – Frederick County Delegation

AN ACT concerning

Frederick County - Alcoholic Beverages - Hotel Lobby License

FOR the purpose of establishing in Frederick County a hotel lobby license; authorizing the Board of License Commissioners to issue the license for use by a certain hotel; establishing that the license authorizes the license holder to sell beer and wine by the bottle to patrons of the hotel for on–premises consumption; providing for the hours of sale; specifying an annual license fee; and generally relating to alcoholic beverages in Frederick County.

BY adding to

Article – Alcoholic Beverages

Section 20-1007.1

Annotated Code of Maryland

(As enacted by Chapter __(S.B. __)(6lr1406) 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 842 - Frederick County Delegation

AN ACT concerning

Frederick County - Alcoholic Beverages - Art Gallery Beer and Wine License

FOR the purpose of authorizing the Board of License Commissioners for Frederick County to issue an art gallery beer and wine license to nonprofit and for—profit retail businesses that display and sell original artwork by an individual or a group of artists; prohibiting a certain type of business from being issued the license; specifying that a holder of the license may sell or serve beer and wine at retail for on—premises consumption when snacks are served during certain hours; specifying a license fee; prohibiting the license from being transferred from the location for which the license was originally issued to another location; and generally relating to an art gallery license in Frederick County.

BY renumbering

Article – Alcoholic Beverages

Section 20–1001

to be Section 20–1001.1

Annotated Code of Maryland

(As enacted by Chapter ___ (S.B.___)(6lr1406) of the Acts of the General Assembly of 2016)

BY adding to

Article – Alcoholic Beverages

Section 20–1001
Annotated Code of Maryland
(As enacted by Chapter ___ (S.B.___)(6lr1406) 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 844 - Frederick County Delegation

AN ACT concerning

Frederick County - Alcohol Awareness Program - Absence From Licensed Premises

FOR the purpose of authorizing in Frederick County an individual certified by an approved alcohol awareness program to be absent from a licensed premises for a personal or business reason under certain circumstances; and generally relating to alcoholic beverages in Frederick County.

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 20-1903

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. ____)(6lr1406) 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 995 – Allegany County Delegation

AN ACT concerning

Allegany County - Alcoholic Beverages - Sunday Sales

FOR the purpose of altering the hours for sale of certain alcoholic beverages on Sundays by a holder of a Class D beer license, a Class D beer and light wine license, a Class B beer, wine, and liquor license, and a Class D beer, wine, and liquor license in Allegany County under certain circumstances; submitting this Act to a referendum of the qualified voters of Allegany County; and generally relating to the hours for sale of alcoholic beverages on Sundays in Allegany County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 9–101(a) and (b), 9–102, and 9–2005

Annotated Code of Maryland

(As enacted by Chapter	_ (S.B	_)(6lr1406)	of t	the	Acts	of	the	General			
Assembly of 2016)											
BY repealing and reenacting, with a	mendments										
Article – Alcoholic Beverages	inciraliteitis,										
E	10.0004/	1) 1/1)									
Section 9–2002(d), 9–2003(d), and 9–2004(b) and (d)											
Annotated Code of Maryland											
(As enacted by Chapter	_ (S.B	_)(6lr1406)	of t	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 1064 – Montgomery County Delegation

AN ACT concerning

Montgomery County - Sale of Alcoholic Beverages - Distance From Places of Worship, Schools, and Youth Centers MC 18-16

FOR the purpose of repealing certain provisions of law prohibiting the Montgomery County Board of License Commissioners from approving an application for a license to sell alcoholic beverages within a certain distance of a place of worship, an elementary or secondary school, or a certain youth center; repealing certain provisions of law that authorize the Board of License Commissioners to approve an application for a license to sell alcoholic beverages more than a certain distance away from a place of worship, an elementary or secondary school, or a certain youth center under certain circumstances; and generally relating to the sale of alcoholic beverages in Montgomery County.

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 25–1608

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General Assembly of 2016)

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

House Bill 1068 – Delegates Hammen, Clippinger, and Lierman

AN ACT concerning

Baltimore City - Alcoholic Beverages - Pub Crawl Promoter's Permits

FOR the purpose of creating a pub crawl promoter's permit in Baltimore City; authorizing the Baltimore City Board of License Commissioners to issue a pub crawl promoter's permit to a certain applicant who has submitted an application to the Board of License Commissioners no less than a certain number of days before a certain date; requiring an applicant to obtain a certain special event permit and provide a copy of the special event permit to the Board of License Commissioners before being issued the pub crawl promoter's permit; requiring certain license holders to sign and date a certain application and pay a certain fee; specifying that the permit authorizes the holder to conduct a pub crawl; requiring a pub crawl to be held on certain premises; specifying the duration of a permit; authorizing the Board of License Commissioners to adopt certain regulations; specifying a certain application fee and permit fee; establishing a certain penalty; and generally relating to pub crawl promoter's permits in Baltimore City.

BY adding to Article – Alcoholic Beverages Section 12–1101.1 Annotated Code of Maryland (As enacted by Chapter ___ (S.B. ___)(6lr1406) of the Acts of the General Assembly of 2016) BY repealing and reenacting, without amendments, Article – Alcoholic Beverages Section 12–2801 Annotated Code of Maryland (As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General Assembly of 2016) BY repealing and reenacting, with amendments, Article – Alcoholic Beverages Section 12-2802 Annotated Code of Maryland (As enacted by Chapter ____ (S.B. ____)(6lr1406) 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 1073 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Alcoholic Beverages – License Applications – Online Notice MC 5–16 FOR the purpose of authorizing the Montgomery County Board of License Commissioners to fulfill a certain notice requirement by posting online a completed application for an alcoholic beverages license a certain number of days before the hearing date; and generally relating to alcoholic beverages in Montgomery County.

BY repealing and reenacting, without amendments,
 Article – Alcoholic Beverages
 Section 4–208
 Annotated Code of Maryland
 (As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 25–1506

Annotated Code of Maryland

(As enacted by Chapter ___ (S.B. ___)(6lr1406) 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 1074 – Montgomery County Delegation

EMERGENCY BILL

AN ACT concerning

Montgomery County - Laytonsville - Alcoholic Beverages Licenses MC 22-16

FOR the purpose of authorizing the Board of License Commissioners for Montgomery County to issue, renew, and transfer and otherwise provide a maximum of a certain number of alcoholic beverages licenses for use in the town of Laytonsville under certain conditions; specifying that the licenses may be any combination of certain types of licenses; providing for the effective date of certain provisions of this Act; making this Act an emergency measure; and generally relating to alcoholic beverages licenses in Montgomery County.

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 8-216(a)(2)(i)

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments, Article 2B – Alcoholic Beverages Section 8–216(e) Annotated Code of Maryland (2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 25–1605

Annotated Code of Maryland

(As enacted by Chapter_(S.B._)(6lr1406) 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 1076 - Montgomery County Delegation

AN ACT concerning

Montgomery County - Alcoholic Beverages - Sports Stadium License MC 19-16

FOR the purpose of creating in Montgomery County a sports stadium license; authorizing the Board of License Commissioners to issue the license to certain individuals; establishing certain criteria for the sports stadium; establishing a certain residency requirement; authorizing the sale of beer and wine for on–premises consumption during a professional sports event or other event held at the stadium; allowing sales to take place at a service bar or throughout the stadium by individual sales vendors on behalf of the licensee; providing for the hours of sale for the license; requiring that all beer and wine intended for consumption at the stadium be purchased from the Montgomery County Department of Liquor Control; requiring that each server of alcoholic beverages hold a certain certificate; establishing an annual license fee; and generally relating to a sports stadium beer and wine license in Montgomery County.

BY adding to

Article – Alcoholic Beverages

Section 25–1011.1

Annotated Code of Maryland

(As enacted by Chapter __(S.B.__)(6lr1406) 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 1109 - Frederick County Delegation

AN ACT concerning

Frederick County - Dry Election Districts - Repeal

FOR the purpose of repealing certain provisions of law that prohibit the Board of License Commissioners for Frederick County from issuing certain alcoholic beverages licenses in certain election districts in the County; providing that the Board may issue anywhere in the County, regardless of election district, any license authorized under a certain provision of law except as otherwise provided under a certain provision; requiring that a certain public hearing be held for a license; specifying that the Board may issue a Class C beer, wine, and liquor license to certain organizations; 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

(As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 20-1602

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 724) 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 1144 – Delegate W. Miller

AN ACT concerning

Gas and Electric Companies – Retail Choice Customer Education and Protection Fund

FOR the purpose of establishing the Retail Choice Customer Education and Protection Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Public Service Commission 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 that certain civil penalties be paid into the Fund; defining a certain term; and generally relating to the Retail Choice Customer Education and Protection Fund.

BY adding to

Article - Public Utilities

Section 7–310

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Utilities

Section 7–505(b)(7), 7–507, 7–603, 7–604, 7–606, and 13–201(b)

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Utilities

Section 13–201(e)

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)

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

House Bill 1156 - Calvert County Delegation

AN ACT concerning

Calvert County - Alcoholic Beverages - Beer or Wine Festival License

FOR the purpose of altering the wine festival license in Calvert County to be the beer or wine festival license; establishing that beer festivals and beer and wine festivals are subject to certain authorizations and requirements applicable to wine festivals; authorizing the Calvert County Board of License Commissioners to issue the beer or wine festival license to certain persons; providing that the primary purpose of the license is to authorize the holder to sell certain beer or wine; authorizing the Board to approve up to a certain number of weekends for beer or wine festivals per license applicant each year and requiring the Board to approve the location for a festival; and generally relating to the beer or wine festival license in Calvert County.

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 14–1304

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 724) 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 1182 – Delegate Sydnor

AN ACT concerning

Charitable Organizations and Representatives – Fund–Raising Counsel – Definition

FOR the purpose of providing that a person who is engaged as an independent contractor directly by a charitable organization and who provides certain services relating to written materials prepared by a charitable organization or an employee of the charitable organization or provides certain services relating to event planning is not included in the definition of fund-raising counsel; and generally relating to fund-raising counsel and charitable organizations and representatives.

BY repealing and reenacting, without amendments,

Article – Business Regulation Section 6–101(a), (c), (d), and (f) Annotated Code of Maryland (2015 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Regulation Section 6–101(h) Annotated Code of Maryland (2015 Replacement Volume and 2015 Supplement)

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

House Bill 1210 - Delegates Clippinger, Hammen, and Lierman

AN ACT concerning

Baltimore City - Alcoholic Beverages - Class C Beer, Wine, and Liquor Licenses

FOR the purpose of establishing in Baltimore City a Class D beer license to be issued to a holder of a Class 5 brewery license; specifying that the Class D beer license authorizes the license holder to sell at retail beer brewed on the brewery premises for on–premises consumption; requiring the Board of License Commissioners for Baltimore City to establish hours and days of sale under the license and an annual license fee; reducing the minimum amount of average daily receipts derived from the sale of food that is required for certain restaurants for which a Class B beer, wine, and liquor license is issued; authorizing the Board of License Commissioners for Baltimore City to issue Class C beer, wine, and liquor licenses and a Class D beer license in certain locations in Baltimore City; altering the areas for which the Board may waive certain distance restrictions between a building for which a license is transferred and a place of worship or school; and generally relating to Class C beer, wine, and liquor alcoholic beverages licenses in Baltimore City.

BY repealing and reenacting, without amendments, Article – Alcoholic Beverages

Section 12-102

Annotated Code of Maryland (As enacted by Chapter __ (S.B.724) of the Acts of the General Assembly of 2016)

BY adding to

<u>Article – Alcoholic Beverages</u>

<u>Section 12–604</u>

Annotated Code of Maryland

(As enacted by Chapter __ (S.B. 724) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 12–1603, 12–1604(c)(2)(iv), and 12–1605(a)

Annotated Code of Maryland

(As enacted by Chapter __ (S.B.724) 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 1316 – Delegate Arentz

AN ACT concerning

Alcoholic Beverages - Class 9 Limited Distillery Licenses

FOR the purpose of authorizing the Comptroller to issue a Class 9 limited distillery license to the holder of a certain Class B beer, wine, and liquor license under certain circumstances; applying provisions relating to Class 9 limited distillery licenses to each county in the State and to the City of Annapolis and the City of Baltimore; and generally relating to Class 9 limited distillery licenses.

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 2–203, 9–401, 10–401, 11–401, 12–401, 13–401, 14–401, 15–401, 16–401, 17–401, 18–401, 19–401, 20–401, 21–401, 22–401, 23–401, 24–401, 25–401, 26–401, 27–401, 28–401, 29–401, 30–401, 31–401, and 32–401

Annotated Code of Marvland

(As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

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

House Bill 1337 – Delegate Barkley

AN ACT concerning

Alcoholic Beverages – Liquor – Manufacturer's and Wholesaler's Licenses and Permits

FOR the purpose of establishing a nonresident distillery permit; authorizing the Comptroller to issue the permit to certain persons who produce not more than a certain amount of liquor annually; authorizing a permit holder to sell and deliver certain liquor from a location outside the State to certain retail license or permit holders in the State; requiring a permit holder to comply with certain provisions of law; establishing a certain annual permit fee; authorizing a holder of a Class 1 distillery license to apply for and obtain a certain wholesaler's license; establishing the Class 8 liquor wholesaler's license; authorizing the issuance of the Class 8 wholesaler's license to certain persons; authorizing a Class 8 wholesaler's license holder to sell and deliver not more than a certain amount annually of certain liquor to certain license or permit holders; establishing a certain annual license fee; authorizing a Class 8 wholesaler's license holder to use an additional location for the warehousing, sale, and delivery of liquor under certain circumstances; authorizing a holder of a Class 8 wholesaler's license or a nonresident distillery permit to sell or deliver its own liquor in Montgomery County to a dispensary, restaurant, or other retail dealer authorized to sell liquor; authorizing in Montgomery County, a dispensary, restaurant, or other retail dealer authorized to sell liquor to purchase liquor directly from a holder of a Class 8 wholesaler's license or a nonresident distillery permit; and generally relating to manufacturer's and wholesaler's liquor licenses and permits.

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

The part designation to be "Part IV. Beer, Wine, and Liquor Permits" immediately preceding Section 2–129

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 2–129 and 2–202(a)

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

BY adding to

Article – Alcoholic Beverages

Section 2-132.1 and 2-308.1

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 2-212(b) and 25-307

Annotated Code of Maryland

(As enacted by Chapter (S.B. 724) of the Acts of the General Assembly of 2016)

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

House Bill 1353 - Calvert County Delegation

AN ACT concerning

Calvert County - Alcoholic Beverages - Special Event Festival Permit

FOR the purpose of altering a requirement that an applicant for a special event festival beer, wine, and liquor permit in Calvert County demonstrate a certain expectation of attendance; and generally relating to alcoholic beverages permits in Calvert County.

BY repealing and reenacting, without amendments,
 Article – Alcoholic Beverages
 Section 14–102
 Annotated Code of Maryland
 (As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,
 Article – Alcoholic Beverages
 Section 14–906
 Annotated Code of Maryland
 (As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General Assembly of 2016)

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

LETTERS OF REASSIGNMENT

ANNOUNCEMENT BY THE PRESIDENT

Senate Bill 1149 - Senator McFadden

AN ACT concerning

Reduction of Lead Risk in Housing - Fees and Enforcement

Reassigned to the Committee on Judicial Proceedings under Rule 33(d).

Read and ordered journalized.

THE COMMITTEE ON FINANCE REPORT #18

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

Senate Bill 417 – Senators Kelley, Astle, Benson, Guzzone, Jennings, Klausmeier, Peters, Pugh, Reilly, and Young

AN ACT concerning

Labor and Employment – Minimum Wage – Individuals With Disabilities (Ken Capone Equal Employment Act)

SB0417/447479/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 417

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Young" and substitute "Young, Feldman, Middleton, Mathias, and Hershey"; strike in their entirety lines 2 and 3 and substitute "Individuals With Disabilities – Minimum Wage and Community Integration"; in line 4, strike "except"; strike beginning with "requiring" in line 7 down through "date" in line 8 and substitute "authorizing certain work activities centers and certain sheltered workshops to pay new employees a certain wage only under certain circumstances"; in line 9, strike "Department of Labor, Licensing, and Regulation" and substitute "Developmental <u>Disabilities Administration and the Department of Disabilities</u>"; in line 12, after "the" insert "Administration and the"; in line 13, after "plan;" insert "requiring the Administration and the Department to submit a certain plan to the Governor and the General Assembly on or before a certain date;"; in line 15, strike the first "a"; in the same line, strike "date each year" and substitute "dates"; strike beginning with "prohibiting" in line 15 down through "circumstances;" in line 17 and substitute "requiring a certain individual and a certain resource coordinator, in consultation with certain individuals, to develop a certain supplemental plan; requiring a certain resource coordinator to use appropriate communication devices and techniques to facilitate the involvement of a certain individual in the development of the individual's supplemental plan; requiring that an individual's plan include certain information; requiring the Administration, in consultation with certain stakeholders, to develop the planning protocol and format for a supplemental plan; requiring a certain individual and the individual's resource coordinator and team to discuss a certain job setting on an annual basis and at any other time requested by the individual; requiring the resource coordinator to document certain information in a certain individual's annual individual plan; requiring the Administration to track the progress of certain individuals by collecting certain data; requiring the Administration to report certain information to the Governor and the General Assembly on or before certain dates; prohibiting the Administration from funding certain providers beginning on a certain date; requiring a certain new employee to be informed by the employee's employer of certain opportunities, have a plan of habilitation that includes certain information, be engaged in certain work when choosing to work, choose the employer and employment, and be informed of certain rights;"; in line 20, after "the" insert "Administration and the"; in line 21, after "reports;" insert "repealing certain provisions of law requiring certain individuals to have a certain supplemental plan; repealing certain provisions of law requiring that a certain new employee be informed by the employee's employer of certain opportunities, have a plan of habilitation that includes certain information, be engaged in certain work when choosing to work, choose the employer and employment, and be informed of certain rights; authorizing certain work activities centers and other workshops, beginning on a certain date, to pay less than the federal prevailing wage of pay to the extent authorized under federal law and under certain circumstances; requiring the Administration and the Department to conduct a certain study, determine certain information, and make certain recommendations; requiring the Administration and the Department to consult certain State agencies, other entities, and relevant stakeholders in carrying out certain duties; requiring the Administration and the Department to report their findings and recommendations to the Governor and certain committees of the General Assembly on or before a certain date;"; in line 23, strike "under the Maryland Wage and Hour Law and" and substitute "to and community integration of"; and after line 24, insert:

"BY adding to

<u>Article – Health – General</u> <u>Section 7–207, 7–1012, 7–1013, and 7–1014</u> <u>Annotated Code of Maryland</u> (2015 Replacement Volume)".

On page 2, strike in their entirety lines 1 through 10, inclusive, and substitute:

"BY repealing

Article – Health – General
Section 7–1012, 7–1013, and 7–1014
Annotated Code of Maryland
(2015 Replacement Volume)
(As enacted by Section 1 of this Act)";

in line 11, after "repealing" insert "and reenacting, with amendments,"; and in line 13, strike "and 3–414.1".

AMENDMENT NO. 2

On page 3, after line 5, insert:

"Article - Health - General

7–207.

BEGINNING OCTOBER 1, 2020, THE ADMINISTRATION MAY NOT FUND PROVIDERS THAT PAY INDIVIDUALS LESS THAN THE MINIMUM WAGE UNDER A CERTIFICATE THAT THE UNITED STATES DEPARTMENT OF LABOR ISSUES TO A WORK ACTIVITIES CENTER OR OTHER SHELTERED WORKSHOP TO ALLOW THE WORK ACTIVITIES CENTER OR WORKSHOP TO PAY AN INDIVIDUAL LESS THAN THE WAGE OTHERWISE REQUIRED FOR THAT THE INDIVIDUAL UNDER FEDERAL LAW.

7-1012.

- (A) THE ADMINISTRATION AND THE DEPARTMENT OF DISABILITIES, IN PARTNERSHIP WITH RELEVANT STATE AGENCIES, INCLUDING THE DEPARTMENT OF ECONOMIC COMPETITIVENESS AND COMMERCE, THE STATE DEPARTMENT OF EDUCATION, AND THE DIVISION OF REHABILITATION SERVICES, SHALL DEVELOP AND IMPLEMENT A PLAN TO PHASE OUT ON OR BEFORE OCTOBER 1, 2020, AUTHORIZATIONS UNDER § 3–414 OF THE LABOR AND EMPLOYMENT ARTICLE TO PAY AN EMPLOYEE WITH A DISABILITY LESS THAN THE MINIMUM WAGE OTHERWISE REQUIRED FOR THE EMPLOYEE UNDER TITLE 3, SUBTITLE 4 OF THE LABOR AND EMPLOYMENT ARTICLE.
- (B) THE PLAN DEVELOPED AND IMPLEMENTED UNDER SUBSECTION (A) OF THIS SECTION SHALL INCLUDE:
- (1) BENCHMARKS AND DESIRED OUTCOMES FOR EACH YEAR OF THE PHASE-OUT;
- (2) A LIST OF THE RESOURCES NECESSARY TO ENSURE THAT INDIVIDUALS WITH DISABILITIES RECEIVE SUPPORT ACCORDING TO THE NEEDS

AND PREFERENCES OF THE INDIVIDUALS AND IN AN INTEGRATED SETTING, REGARDLESS OF THE NATURE OR SEVERITY OF THE INDIVIDUALS' DISABILITIES;

- (3) APPLICATION FOR AND USE OF ALL FEDERAL AND STATE FUNDING PROGRAMS, INCLUDING PROGRAMS AVAILABLE UNDER MEDICAID WAIVER AMENDMENTS AND RESOURCES UNDER THE WORKFORCE INNOVATION AND OPPORTUNITY ACT, TO ASSIST INDIVIDUALS WITH DISABILITIES TO OBTAIN COMPETITIVE, INTEGRATED EMPLOYMENT; AND
- (4) THE TRACKING OF OUTCOMES OF INDIVIDUALS WITH DISABILITIES ON THE BASIS OF:
 - (I) WAGES;
 - (II) UNEMPLOYMENT RATES;
- (III) THE NUMBER OF INDIVIDUALS WHO MOVE FROM SUBMINIMUM WAGE POSITIONS TO COMPETITIVE, INTEGRATED EMPLOYMENT; AND
- (IV) THE NUMBER OF INDIVIDUALS WHO MOVE FROM SUBMINIMUM WAGE POSITIONS TO NONPAYING ACTIVITIES.
- (C) IN IMPLEMENTING THE PLAN DEVELOPED UNDER SUBSECTION (A) OF THIS SECTION, THE ADMINISTRATION AND THE DEPARTMENT OF DISABILITIES SHALL ENGAGE STATEWIDE ORGANIZATIONS, INCLUDING THE MARYLAND DEVELOPMENTAL DISABILITIES COUNCIL, AND PROVIDER AND FAMILY STATEWIDE ADVOCACY ORGANIZATIONS REPRESENTING THOSE IMPACTED BY THE PHASE-OUT.
- (D) (1) ON OR BEFORE OCTOBER 1, 2017, THE ADMINISTRATION AND THE DEPARTMENT OF DISABILITIES SHALL SUBMIT THE PLAN DEVELOPED UNDER SUBSECTION (A) OF THIS SECTION TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.
- (2) ON OR BEFORE OCTOBER 1, 2018, 2019, AND 2020, THE ADMINISTRATION AND THE DEPARTMENT OF DISABILITIES SHALL REPORT TO THE

GOVERNOR AND, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON:

- (I) THE BENCHMARKS AND STATUS OF ACHIEVING THE OUTCOMES INCLUDED IN THE PLAN UNDER SUBSECTION (B)(1) OF THIS SECTION; AND
- (II) RECOMMENDATIONS FOR FUNDING LEVELS OR OTHER RESOURCES NECESSARY TO IMPLEMENT THE PLAN DEVELOPED UNDER SUBSECTION (A) OF THIS SECTION.

7-1013.

- (A) (1) EACH INDIVIDUAL WHO IS BEING PAID LESS THAN THE MINIMUM WAGE UNDER § 3–414 OF THE LABOR AND EMPLOYMENT ARTICLE AND THE INDIVIDUAL'S RESOURCE COORDINATOR, IN CONSULTATION WITH MEMBERS FROM THE INDIVIDUAL'S TEAM, SHALL DEVELOP AS PART OF THE INDIVIDUAL'S ANNUAL INDIVIDUAL PLAN A SUPPLEMENTAL PLAN THAT ADDRESSES HOW COMMUNITY INTEGRATION AND EMPLOYMENT WILL BE ACCOMPLISHED.
- (2) THE RESOURCE COORDINATOR SHALL USE APPROPRIATE COMMUNICATION DEVICES AND TECHNIQUES, INCLUDING SIGN LANGUAGE, TO FACILITATE THE INVOLVEMENT OF THE INDIVIDUAL IN THE DEVELOPMENT OF THE INDIVIDUAL'S SUPPLEMENTAL PLAN.

(B) AN INDIVIDUAL'S SUPPLEMENTAL PLAN SHALL INCLUDE:

- (1) THE RESOURCE COORDINATOR'S RECOMMENDATION ON THE MOST INTEGRATED SETTING APPROPRIATE TO MEET THE INDIVIDUAL'S NEEDS;
- (2) A DESCRIPTION OF THE SERVICES AND SUPPORTS THAT ARE REQUIRED FOR THE INDIVIDUAL TO RECEIVE SERVICES IN THE MOST INTEGRATED SETTING APPROPRIATE TO MEET THE INDIVIDUAL'S NEEDS;
- (3) A LISTING OF BARRIERS THAT PREVENT THE INDIVIDUAL FROM RECEIVING THE SERVICES AND SUPPORTS REQUIRED FOR THE INDIVIDUAL TO

WORK IN THE MOST INTEGRATED SETTING APPROPRIATE TO MEET THE INDIVIDUAL'S NEEDS, INCLUDING:

- (I)BARRIERS TO ACCESSING FUNDING AND RESOURCES, INCLUDING FOR STAFFING, TRANSPORTATION, AND OTHER NEEDED SERVICES AND **SUPPORTS**;
- (II) DECISION MAKING BY THE INDIVIDUAL OR THE INDIVIDUAL'S REPRESENTATIVE, AS APPROPRIATE;
- (III) BARRIERS TO ACCESSING MEDICAL OR BEHAVIORAL SUPPORT NEEDS; AND
 - (IV) FAMILY MEMBERS' CONCERNS OR OPPOSITION; AND
- **(4)** AN UPDATE ON THE STATUS AND PROGRESS TOWARD ADDRESSING AND RESOLVING BARRIERS IDENTIFIED UNDER ITEM (3) OF THIS SUBSECTION IN A PREVIOUS SUPPLEMENTAL PLAN.
- THE ADMINISTRATION SHALL DEVELOP, IN CONSULTATION WITH INTERESTED STAKEHOLDERS, THE PLANNING PROTOCOL AND FORMAT FOR THE SUPPLEMENTAL PLAN.
- (D) **(1)** ON AN ANNUAL BASIS AND AT ANY OTHER TIME REQUESTED BY AN INDIVIDUAL WHO IS PAID LESS THAN THE MINIMUM WAGE UNDER § 3–414 OF THE LABOR AND EMPLOYMENT ARTICLE, THE INDIVIDUAL AND THE INDIVIDUAL'S RESOURCE COORDINATOR AND TEAM SHALL DISCUSS THE MOST INTEGRATED EMPLOYMENT SETTING THAT IS APPROPRIATE FOR THE INDIVIDUAL IN ACCORDANCE WITH THE FEDERAL AMERICANS WITH DISABILITIES ACT.
- **(2)** THE RESOURCE COORDINATOR SHALL DOCUMENT IN THE INDIVIDUAL'S ANNUAL INDIVIDUAL PLAN:
- **(I)** ANY DISCUSSIONS HELD UNDER PARAGRAPH (1) OF THIS SUBSECTION; AND

- (II) ANY RECOMMENDATIONS THAT RESULTED FROM THE DISCUSSIONS.
- (E) (1) THE ADMINISTRATION SHALL TRACK THE PROGRESS OF INDIVIDUALS WITH A SUPPLEMENTAL PLAN BY COLLECTING THE FOLLOWING DATA:
 - (I) THE WAGES OF THE INDIVIDUALS;
 - (II) THE UNEMPLOYMENT RATES OF THE INDIVIDUALS;
- (III) THE NUMBER OF INDIVIDUALS WHO MOVE FROM SUBMINIMUM WAGE POSITIONS TO COMPETITIVE, INTEGRATED EMPLOYMENT; AND
- (IV) THE NUMBER OF INDIVIDUALS WHO MOVE FROM SUBMINIMUM WAGE POSITIONS TO NONPAYING ACTIVITIES.
- (2) ON OR BEFORE SEPTEMBER 1, 2018, 2019, AND 2020, THE ADMINISTRATION SHALL SUBMIT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY A SUMMARY OF THE DATA COLLECTED UNDER PARAGRAPH (1) OF THIS SUBSECTION ON A STATEWIDE AND REGIONAL BASIS.

7–1014.

A NEW EMPLOYEE EMPLOYED AT LESS THAN THE MINIMUM WAGE UNDER § 3–414 OF THE LABOR AND EMPLOYMENT ARTICLE SHALL:

- (1) <u>BE INFORMED BY THE EMPLOYEE'S EMPLOYER OF ALL</u> OPPORTUNITIES TO OBTAIN COMPETITIVE, INTEGRATED EMPLOYMENT;
- (2) HAVE A PLAN OF HABILITATION UNDER § 7–1006 OF THIS SUBTITLE THAT INCLUDES:
 - (I) A GOAL TO ACHIEVE A SPECIFIC EMPLOYMENT OUTCOME;

- (II) A DESCRIPTION OF THE SUPPORTS NEEDED TO ACHIEVE THE GOAL;
 - (III) A PLAN FOR MONITORING PROGRESS TOWARD THE GOAL;
- (IV) THE BARRIERS TO COMPETITIVE, INTEGRATED EMPLOYMENT; AND
- (V) GOALS AND ACTIVITIES FOR THE EMPLOYEE WHEN WORK IS

 NOT AVAILABLE OR THE EMPLOYEE CHOOSES NOT TO WORK ON A SPECIFIC DAY OR

 DURING A SPECIFIC SHIFT;
- (3) WHEN CHOOSING TO WORK, BE ENGAGED IN WORK THAT IS CONSISTENT WITH THE EMPLOYEE'S UNIQUE STRENGTHS, RESOURCES, PRIORITIES, CONCERNS, ABILITIES, CAPABILITIES, INTERESTS, AND INFORMED CHOICE;
 - (4) CHOOSE THE EMPLOYER AND THE EMPLOYMENT; AND
- (5) BE INFORMED OF THE EMPLOYEE'S RIGHT TO CHOOSE WHEN TO WORK.".

AMENDMENT NO. 3

On page 3, strike in their entirety lines 12 and 13; in line 14, strike "(c)" and substitute "(B) (1)"; in the same line, strike "NOT"; strike beginning with "UNLESS" in line 17 down through "SUBTITLE" in line 24; after line 24, insert:

- "(2) THE COMMISSIONER MAY NOT AUTHORIZE A WORK ACTIVITIES

 CENTER OR OTHER SHELTERED WORKSHOP TO PAY AN EMPLOYEE WITH A

 DISABILITY LESS THAN THE MINIMUM WAGE UNDER PARAGRAPH (1) OF THIS

 SUBSECTION IF THE WORK ACTIVITIES CENTER OR WORKSHOP WAS NOT

 AUTHORIZED TO DO SO BEFORE OCTOBER 1, 2016.
- (3) A WORK ACTIVITIES CENTER OR OTHER SHELTERED WORKSHOP MAY PAY A NEW EMPLOYEE WITH A DISABILITY LESS THAN THE MINIMUM WAGE UNDER PARAGRAPH (1) OF THIS SUBSECTION ONLY IF THE REQUIREMENTS OF § 7–1014 OF THE HEALTH GENERAL ARTICLE ARE MET.";

and in line 25, strike "(d)" and substitute "(C)".

On page 4, in lines 7 and 13, strike "(e)" and "(f)", respectively, and substitute "(D)" and "(E)", respectively; strike beginning with the colon in line 7 down through "(I)" in line 8; and strike beginning with the semicolon in line 8 down through "2019" in line 9.

AMENDMENT NO. 4

On pages 4 through 6, strike in their entirety the lines beginning with line 21 on page 4 through line 7 on page 6, inclusive.

On page 6, after line 9, insert:

"Article – Health – General

<u>[7–1012.</u>

- (a) The Administration and the Department of Disabilities, in partnership with relevant State agencies, including the Department of Economic Competitiveness and Commerce, the State Department of Education, and the Division of Rehabilitation Services, shall develop and implement a plan to phase out on or before October 1, 2020, authorizations under § 3–414 of the Labor and Employment Article to pay an employee with a disability less than the minimum wage otherwise required for the employee under Title 3, Subtitle 4 of the Labor and Employment Article.
- (b) The plan developed and implemented under subsection (a) of this section shall include:
 - (1) Benchmarks and desired outcomes for each year of the phase-out;
- (2) A list of the resources necessary to ensure that individuals with disabilities receive support according to the needs and preferences of the individuals and in an integrated setting, regardless of the nature or severity of the individuals' disabilities;
- (3) Application for and use of all federal and State funding programs, including programs available under Medicaid waiver amendments and resources under the Workforce Innovation and Opportunity Act, to assist individuals with disabilities to obtain competitive, integrated employment; and
 - (4) The tracking of outcomes of individuals with disabilities on the basis of:

- (i) Wages;
- (ii) <u>Unemployment rates;</u>
- (iii) The number of individuals who move from subminimum wage positions to competitive, integrated employment; and
- (iv) The number of individuals who move from subminimum wage positions to nonpaying activities.
- (c) In implementing the plan developed under subsection (a) of this section, the Administration and the Department of Disabilities shall engage statewide organizations, including the Maryland Developmental Disabilities Council, and provider and family statewide advocacy organizations representing those impacted by the phase—out.
- (d) (1) On or before October 1, 2017, the Administration and the Department of Disabilities shall submit the plan developed under subsection (a) of this section to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.
- (2) On or before October 1, 2018, 2019, and 2020, the Administration and the Department of Disabilities shall report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly on:
- (i) The benchmarks and status of achieving the outcomes included in the plan under subsection (b)(1) of this section; and
- (ii) Recommendations for funding levels or other resources necessary to implement the plan developed under subsection (a) of this section.]

[7–1013.

(a) (1) Each individual who is being paid less than the minimum wage under § 3–414 of the Labor and Employment Article and the individual's resource coordinator, in consultation with members from the individual's team, shall develop as part of the individual's annual individual plan a supplemental plan that addresses how community integration and employment will be accomplished.

- (2) The resource coordinator shall use appropriate communication devices and techniques, including sign language, to facilitate the involvement of the individual in the development of the individual's supplemental plan.
 - (b) An individual's supplemental plan shall include:
- (1) The resource coordinator's recommendation on the most integrated setting appropriate to meet the individual's needs;
- (2) A description of the services and supports that are required for the individual to receive services in the most integrated setting appropriate to meet the individual's needs:
- (3) A listing of barriers that prevent the individual from receiving the services and supports required for the individual to work in the most integrated setting appropriate to meet the individual's needs, including:
- (i) Barriers to accessing funding and resources, including for staffing, transportation, and other needed services and supports;
- (ii) <u>Decision making by the individual or the individual's</u> representative, as appropriate;
 - (iii) Barriers to accessing medical or behavioral support needs; and
 - (iv) Family members' concerns or opposition; and
- (4) An update on the status and progress toward addressing and resolving barriers identified under item (3) of this subsection in a previous supplemental plan.
- (c) The Administration shall develop, in consultation with interested stakeholders, the planning protocol and format for the supplemental plan.
- (d) (1) On an annual basis and at any other time requested by an individual who is paid less than the minimum wage under § 3–414 of the Labor and Employment Article, the individual and the individual's resource coordinator and team shall discuss the most integrated employment setting that is appropriate for the individual in accordance with the federal Americans with Disabilities Act.

- (2) The resource coordinator shall document in the individual's annual individual plan:
 - (i) Any discussions held under paragraph (1) of this subsection; and
 - (ii) Any recommendations that resulted from the discussions.
- (e) (1) The Administration shall track the progress of individuals with a supplemental plan and by collecting the following data:
 - (i) The wages of the individuals;
 - (ii) The unemployment rates of the individuals;
- (iii) The number of individuals who move from subminimum wage positions to competitive, integrated employment; and
- (iv) The number of individuals who move from subminimum wage positions to nonpaying activities.
- (2) On or before September 1, 2018, 2019, and 2020, the Administration shall submit to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly a summary of the data collected under paragraph (1) of this subsection on a statewide and regional basis.]

[7–1014.

A new employee employed at less than the minimum wage under § 3–414 of the Labor and Employment Article shall:

- (1) Be informed by the employee's employer of all opportunities to obtain competitive, integrated employment;
 - (2) Have a plan of habilitation under § 7–1006 of this subtitle that includes:
 - (i) A goal to achieve a specific employment outcome;
 - (ii) A description of the supports needed to achieve the goal;

- (iii) A plan for monitoring progress toward the goal;
- (iv) The barriers to competitive, integrated employment; and
- (v) Goals and activities for the employee when work is not available or the employee chooses not to work on a specific day or during a specific shift;
- (3) When choosing to work, be engaged in work that is consistent with the employee's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice;
 - (4) Choose the employer and the employment; and
 - (5) Be informed of the employee's right to choose when to work.]

SECTION 3. AND BE IT FURTHER EANCTED, That the Laws of Maryland read as follows:";

in line 11, strike the bracket; strike in their entirety lines 16 and 17; in line 18, strike "(c)" and substitute "(b) [(1)"; in the same line, strike "not"; strike beginning with "unless" in line 21 down through "subtitle" in line 26; after line 26, insert:

- "(2)] (1) [The] BEGINNING OCTOBER 1, 2020, THE Commissioner may not authorize a work activities center or other sheltered workshop to pay an employee with a disability less than the minimum wage [under paragraph (1) of this subsection if the work activities center or workshop was not authorized to do so before October 1, 2016] OTHERWISE REQUIRED UNDER THIS SUBTITLE FOR THE EMPLOYEE.
- (2) BEGINNING OCTOBER 1, 2020, A WORK ACTIVITIES CENTER OR WORKSHOP MAY PAY AN EMPLOYEE WITH A DISABILITY LESS THAN THE FEDERAL PREVAILING WAGE OF PAY TO THE EXTENT AUTHORIZED BY FEDERAL LAW IF THE WORK ACTIVITIES CENTER OR OTHER SHELTERED WORKSHOP:
- (I) WAS AUTHORIZED BY THE COMMISSIONER BEFORE OCTOBER 1, 2016, TO PAY AN EMPLOYEE WITH A DISABILITY LESS THAN THE MINIMUM WAGE THAT WAS OTHERWISE REQUIRED UNDER THIS SUBTITLE FOR THE EMPLOYEE THROUGH THE ACCEPTANCE OF A FEDERAL CERTIFICATE; AND

(II) THE WORK ACTIVITIES CENTER OR WORKSHOP MAINTAINS THE FEDERAL CERTIFICATE.

[(3) A work activities center or other sheltered workshop may pay a new employee with a disability less than the minimum wage under paragraph (1) of this subsection only if the requirements of § 7–1014 of the Health – General Article are met.]";

and in line 27, strike "(d) (1)" and substitute "(c) [(1)".

On page 7, in line 7, after "(2)" insert a closing bracket; in lines 10 and 16, strike "(e)" and "(f)", respectively, and substitute "(d)" and "(e)", respectively; strike beginning with the colon in line 10 down through "(i)" in line 11; strike beginning with the semicolon in line 11 down through "2019" in line 12; and in line 23, strike the bracket.

On pages 7 and 8, strike in their entirety the lines beginning with line 24 on page 7 through line 28 on page 8, inclusive.

On page 8, in line 30, strike "2019" and substitute "2021"; and after line 30, insert:

"SECTION 6. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take effect October 1, 2020.".

AMENDMENT NO. 5

On page 8, after line 28, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That:

- (a) The Developmental Disabilities Administration and the Department of Disabilities shall:
- (1) conduct a study of employees who earn at least the federal minimum wage but less than the federal prevailing wage of pay for a nondisabled employee under a federal certificate that authorizes the payment of a wage that is less than the wage otherwise required for the employees under federal law;

(2) <u>determine</u>:

- (i) the number and demographics of employees employed between the federal minimum wage and federal prevailing wage prevailing wage of pay for nondisabled employees;
- (ii) whether the employment of the employees complies with the integration requirements under 42 C.F.R. § 441.71;
- (iii) the type of employment of the employees, including whether employees are employed under federal Ability One contracts;
- (iv) whether any changes in federal law or policy regarding the payment of lower wages to the employees occurred after October 1, 2016, or are likely to occur and, if changes have occurred or are likely to occur, what the changes were or are likely to be; and
- (v) whether there are prospects for the employees to obtain employment at similar rates of pay without federal certificates; and
- (3) make any recommendations for State legislative or policy changes regarding the employment of individuals with disabilities.
- (b) In carrying out the duties described in subsection (a) of this section, the Developmental Disabilities Administration and the Department of Disabilities shall consult:
- (1) the State agencies specified in § 7–1012(a) of the Health General Article, as enacted by Section 1 of this Act;
 - (2) Maryland Works;
 - (3) People on the Go;
 - (4) the Maryland Association of Community Services;
 - (5) the National Federation of the Blind;
 - (6) the Association of People Supporting Employment;
 - (7) the ARC Maryland; and

- (8) any other relevant stakeholders.
- (c) On or before October 1, 2017, the Developmental Disabilities Administration and the Department of Disabilities shall report their findings and recommendations to the Governor and, in accordance with § 2–1246 of the State Government Article, the Senate Finance Committee, the House Economic Matters Committee, and the House Health and Government Operations Committee.";

in lines 29 and 31, strike "3." and "4.", respectively, and substitute "<u>5.</u>" and "<u>7.</u>", respectively; and in lines 31 and 32, strike "Section 3" and substitute "<u>Sections 5 and 6</u>".

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 785 – Senators Zucker and Middleton

AN ACT concerning

Foster Youth Summer Internship Program

SB0785/267078/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 785

(First Reading File Bill)

On page 1, in the sponsor line, strike "and Middleton" and substitute "<u>Middleton</u>, Astle, Benson, Feldman, Hershey, Jennings, Kelley, Klausmeier, Mathias, Pugh, and Reilly".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #7

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

Senate Bill 425 - Senator Reilly

AN ACT concerning

Maryland Income Tax Refunds - Warrant Intercept Program - Statewide

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 460 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Arnold Elementary School
Anne Arundel County
in recognition of
having won the great honor of being a
2015–2016 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 14th day of March 2016.

Senate Resolution No. 461 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Pasadena Elementary School
Anne Arundel County
in recognition of
having won the great honor of being a
2015–2016 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 14th day of March 2016.

Senate Resolution No. 462 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
George Washington Carver Center for Arts & Technology
Baltimore County
in recognition of
having won the great honor of being a
2015–2016 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 14th day of March 2016.

Senate Resolution No. 463 - The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Hereford High School
Baltimore County
in recognition of
having won the great honor of being a
2015–2016 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 14th day of March 2016.

Senate Resolution No. 464 - The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
North Harford Elementary School
Harford County
in recognition of
having won the great honor of being a
2015–2016 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 14th day of March 2016.

Senate Resolution No. 465 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
White Marsh Elementary School
St. Mary's County
in recognition of
having won the great honor of being a
2015–2016 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 14th day of March 2016.

The preceding 6 resolutions were read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 507)

THE COMMITTEE ON BUDGET AND TAXATION REPORT #7

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

Senate Bill 706 – Senators DeGrange, Currie, Eckardt, Edwards, Jennings, Klausmeier, McFadden, Middleton, Miller, Muse, Peters, Reilly, and Serafini

AN ACT concerning

Maryland Education Credit

Senator Kagan moved, duly seconded, to make the Bill and Report a Special Order for March 15, 2016.

The motion was adopted.

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

Senate Bill 729 - Senators Hershey, Eckardt, Mathias, and Norman

AN ACT concerning

Maryland Income Tax Refunds – Eastern Shore Counties – Warrant Intercept 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:

Senate Bill 821 – Senator Peters (Chair, Joint Committee on Pensions)

AN ACT concerning

Participating Governmental Units - Amortization Schedule

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 979 - Senator Peters

AN ACT concerning

Optional Retirement Program - Eligibility - Alterations

SB0979/599533/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 979

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike "authorizing" and substitute "requiring".

AMENDMENT NO. 2

On page 2, in line 19, strike "may" and substitute "SHALL".

On page 3, in line 2, strike "MAY" and substitute "SHALL".

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 Ready moved, duly seconded, 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 1167 - Senator Ready

AN ACT concerning

Carroll County - Local Government Tort Claims Act

FOR the purpose of removing a reference to a certain public transportation provider in Carroll County from the definition of "local government" under the Local Government Tort Claims Act; and generally relating to the definition of "local government" under the Local Government Tort Claims Act.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings Section 5–301(d)(25) Annotated Code of Maryland (2013 Replacement Volume and 2015 Supplement)

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

THE COMMITTEE ON BUDGET AND TAXATION REPORT #8

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

Senate Bill 190 – The President and the Speaker (By Request – Administration)

Budget Bill

(Fiscal Year 2017)

REPORT OF THE SENATE BUDGET AND TAXATION COMMITTEE TO THE SENATE OF MARYLAND – 2016 SESSION – RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION PERTAINING TO SENATE BILL 190 – THE BUDGET BILL

(See Exhibit H of Appendix III)

SENATE BUDGET AND TAXATION COMMITTEE REPRINT TO SENATE BILL 190 – THE BUDGET BILL

(See Exhibit I of Appendix III)

SENATE BUDGET AND TAXATION COMMITTEE
SUMMARY REPORT ON SENATE BILL 190 – THE BUDGET BILL

(See Exhibit J of Appendix III)

The preceding 147 amendments were read only.

Senator Kasemeyer moved, duly seconded, that the Bill be laid over under the Rule.

The motion was adopted.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #12

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

Senate Bill 360 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Juvenile Causes – Permanency Plans – Age Restrictions on Use of Another Planned Permanent Living Arrangement

SB0360/848870/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 360

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Age"; in line 5, after "age;" insert "requiring a local department of social services to document certain efforts and steps at certain permanency planning hearings, certain permanency plan review hearings, and certain guardianship review hearings, under certain circumstances;"; and in line 9, after "3–823(e)" insert "and (h)".

AMENDMENT NO. 2

On page 2, after line 19, insert:

- "(3) AT A PERMANENCY PLANNING HEARING FOR A CHILD WHOSE RECOMMENDED PERMANENCY PLAN IS ANOTHER PLANNED PERMANENT LIVING ARRANGEMENT THAT MEETS THE REQUIREMENTS OF PARAGRAPH (1)(I)5 OF THIS SUBSECTION, THE LOCAL DEPARTMENT SHALL DOCUMENT:
- (I) THE ONGOING EFFORTS TO PLACE THE CHILD PERMANENTLY WITH A PARENT OR RELATIVE OR IN A GUARDIANSHIP OR AN ADOPTIVE PLACEMENT; AND
- (II) THE STEPS THAT THE LOCAL DEPARTMENT IS TAKING TO ENSURE THAT:
- 1. THE CHILD'S RESOURCE PROVIDER IS FOLLOWING THE REASONABLE AND PRUDENT PARENT STANDARD; AND
- 2. THE CHILD HAS REGULAR OPPORTUNITIES TO ENGAGE IN AGE OR DEVELOPMENTALLY APPROPRIATE ACTIVITIES.
- (h) (1) (i) Except as provided in subparagraphs (ii) and (iii) of this paragraph, the court shall conduct a hearing to review the permanency plan at least every 6 months until commitment is rescinded or a voluntary placement is terminated.
- (ii) The court shall conduct a review hearing every 12 months after the court determines that the child shall be continued in out—of—home placement with a specific caregiver who agrees to care for the child on a permanent basis.
- (iii) 1. Unless the court finds good cause, a case shall be terminated after the court grants custody and guardianship of the child to a relative or other individual.
- 2. If the court finds good cause not to terminate a case, the court shall conduct a review hearing every 12 months until the case is terminated.

- 3. The court may not conclude a review hearing under subsubparagraph 2 of this subparagraph unless the court has seen the child in person.
 - (2) At the review hearing, the court shall:
- (i) Determine the continuing necessity for and appropriateness of the commitment;
- (ii) Determine and document in its order whether reasonable efforts have been made to finalize the permanency plan that is in effect;
- (iii) Determine the extent of progress that has been made toward alleviating or mitigating the causes necessitating commitment;
- (iv) Project a reasonable date by which a child in placement may be returned home, placed in a preadoptive home, or placed under a legal guardianship;
- (v) Evaluate the safety of the child and take necessary measures to protect the child; and
- (vi) Change the permanency plan if a change in the permanency plan would be in the child's best interest.
- (3) AT EACH REVIEW HEARING FOR A CHILD WHOSE PERMANENCY PLAN IS ANOTHER PLANNED PERMANENT LIVING ARRANGEMENT THAT MEETS THE REQUIREMENTS OF SUBSECTION (E)(1)(I)5 OF THIS SECTION, THE LOCAL DEPARTMENT SHALL DOCUMENT:
- (I) THE ONGOING EFFORTS TO PLACE THE CHILD PERMANENTLY WITH A PARENT OR RELATIVE OR IN A GUARDIANSHIP OR AN ADOPTIVE PLACEMENT; AND
- (II) THE STEPS THAT THE LOCAL DEPARTMENT IS TAKING TO ENSURE THAT:
- 1. THE CHILD'S RESOURCE PROVIDER IS FOLLOWING THE REASONABLE AND PRUDENT PARENT STANDARD; AND

2. THE CHILD HAS REGULAR OPPORTUNITIES TO ENGAGE IN AGE OR DEVELOPMENTALLY APPROPRIATE ACTIVITIES.

[(3)] (4) Every reasonable effort shall be made to effectuate a permanent placement for the child within 24 months after the date of initial placement.".

On page 4, after line 29, insert:

- "(9) AT EACH GUARDIANSHIP REVIEW HEARING FOR A CHILD WHOSE PERMANENCY PLAN IS ANOTHER PLANNED PERMANENT LIVING ARRANGEMENT THAT MEETS THE REQUIREMENTS OF PARAGRAPH (6)(III) OF THIS SUBSECTION, THE LOCAL DEPARTMENT SHALL DOCUMENT:
- (I) THE ONGOING EFFORTS TO PLACE THE CHILD PERMANENTLY WITH A PARENT OR RELATIVE OR IN A GUARDIANSHIP OR AN ADOPTIVE PLACEMENT; AND
- (II) THE STEPS THAT THE LOCAL DEPARTMENT IS TAKING TO ENSURE THAT:
- 1. THE CHILD'S RESOURCE PROVIDER IS FOLLOWING
 THE REASONABLE AND PRUDENT PARENT STANDARD; AND
- 2. THE CHILD HAS REGULAR OPPORTUNITIES TO ENGAGE IN AGE OR DEVELOPMENTALLY APPROPRIATE ACTIVITIES.".

On page 5, in lines 1 and 4, strike "(9)" and "(10)", respectively, and substitute "(10)" and "(11)", respectively.

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 715 – Cecil County Senators

AN ACT concerning

Cecil County - Marriage Licenses - Applications

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 716 – Cecil County Senators

AN ACT concerning

Public Safety - Fire Police - Cecil County

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 924 – Senator Ramirez

AN ACT concerning

Family Law - Protective Orders - Notification of Service - Sunset Repeal

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 508)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #43

Senate Bill 275 – Senators Feldman, Astle, Kelley, and Klausmeier <u>Klausmeier</u>, <u>Middleton, and Mathias</u>

AN ACT concerning

Railroad Company - Movement of Freight - Required Crew

Senator Hershey moved, duly seconded, to make the Bill a Special Order for March 15, 2016.

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

Affirmative – 15 Negative – 30 (See Roll Call No. 509)

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

Affirmative – 32 Negative – 14 (See Roll Call No. 510)

The Bill was then sent to the House of Delegates.

Senate Bill 436 – Senators Feldman and Hershey, Hershey, Astle, Benson, Jennings, Kelley, Klausmeier, Mathias, Middleton, Pugh, and Reilly

AN ACT concerning

Insurance - Surplus Lines - Short-Term Medical Insurance

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

Affirmative – 46 Negative – 0 (See Roll Call No. 511)

The Bill was then sent to the House of Delegates.

Senate Bill 887 – Senator Middleton <u>Senators Middleton</u>, <u>Astle, Benson, Feldman</u>, Hershey, Jennings, Kelley, Klausmeier, Mathias, Pugh, and Reilly

Health Insurance - Consumer Health Claim Filing Fairness Act

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

Affirmative – 46 Negative – 0 (See Roll Call No. 512)

The Bill was then sent to the House of Delegates.

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

(See Roll Call No. 513)

ADJOURNMENT

At 9:32 P.M. on motion of Senator Pugh, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, March 15, 2016.

Annapolis, Maryland Tuesday, March 15, 2016 10:00 A.M. Session

The Senate met at 10:08 A.M.

Prayer by Reverend Doctor Isam Ballenger, Calvary United Methodist Church, guest of Senator Young.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 516)

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

The Journal of March 14, 2016 was read and approved.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 190 – Delegates Lierman, Vallario, Dumais, Anderson, Atterbeary, Barron, Carter, Morales, Rosenberg, Sanchez, Smith, and Valentino-Smith

AN ACT concerning

Civil Penalties for Shoplifting and Employee Theft - Repeal

FOR the purpose of repealing certain provisions establishing liability to a merchant for civil penalties for shoplifting and employee theft; and generally relating to civil penalties for shoplifting and employee theft.

BY repealing

Article – Courts and Judicial Proceedings

Section 3–1301 through 3–1308 and the subtitle "Subtitle 13. Civil Penalties for Shoplifting and Employee Theft"

Annotated Code of Maryland

(2013 Replacement Volume and 2015 Supplement)

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

House Bill 403 – Delegates Morhaim, Branch, Bromwell, Fennell, Glenn, Kipke, Krebs, Lam, McCray, Miele, W. Miller, Oaks, B. Robinson, Szeliga, Vaughn, Walker, and West

AN ACT concerning

Construction Contracts - Change Orders (State Procurement Change Order Fairness Act)

FOR the purpose of prohibiting a unit from requiring a prime contractor, and a prime contractor from requiring a subcontractor, to begin work under a contract until the procurement officer for the unit issues a certain change order; providing that certain acceptance letters for certain procurement contracts for construction have the same force and effect as change orders for certain purposes until certain units issue written change orders; providing, under certain circumstances, that nothing in a certain provision of this Act prohibits a procurement officer from issuing a certain order, authorizes a prime contractor to refuse refusal to perform certain work or furnish certain labor and materials, or prejudices or impairs the right of a prime contractor to submit a certain claim or dispute to a procurement officer; prohibiting a change order from being required, under certain circumstances, for work to continue and be completed beyond certain quantities; requiring a certain unit to make a certain determination and issue a certain change order after certain work is completed; requiring, under certain circumstances, a unit to pay an invoice for work performed and accepted under a change order within a certain time period and in accordance with a certain provision of law; requiring a prime contractor to provide, within a certain time period, a subcontractor with a copy of a certain change order and a certain amount to be paid to the subcontractor; requiring the Board of Public Works to propose certain regulations before a certain date; requiring each unit to issue certain guidelines on or before a certain date; requiring that certain guidelines be updated and reissued under certain circumstances; providing that certain provisions of this Act have effect only to the extent that the provisions do not conflict with federal law or regulation; applying certain provisions of this Act to certain procurements and units of State government that are generally excluded from State procurement law; providing for the application of certain provisions of this Act; requiring the Secretary of General Services to convene a certain workgroup to develop recommendations that address certain issues; requiring the workgroup to include representatives from certain entities and to coordinate its activities with a certain commission for a certain purpose; requiring the workgroup to report its recommendations to certain committees of the General Assembly on or before a certain date; providing that a certain catchline is not law and may not be considered to have been enacted as part of this Act; providing for the effective dates of this Act; and generally relating to change orders for State procurement contracts for construction.

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement Section 11–203(a) and (e)(1), (2), and (5) Annotated Code of Maryland (2015 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement Section 11–203(b)(1) and (c) Annotated Code of Maryland (2015 Replacement Volume)

BY adding to

Article – State Finance and Procurement Section 15–112 Annotated Code of Maryland (2015 Replacement Volume)

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

House Bill 606 - Delegate Dumais

AN ACT concerning

Patient Safety Early Intervention Programs

FOR the purpose of providing that a statement made by a party during a discussion held in accordance with a certain patient safety early intervention program is inadmissible as certain evidence in a certain proceeding or civil action; authorizing a hospital, a related institution, or an insurer that provides professional liability insurance to a certain health care provider to establish a patient safety early intervention program; establishing certain requirements for a patient safety early intervention program; providing that services or support provided to a patient or the patient's family does not affect the right of the patient or the patient's family to certain compensation; defining certain terms; providing for the application of this Act; and generally relating to patient safety early intervention programs and the admissibility of evidence in proceedings or actions relating to health care malpractice.

BY adding to

Article – Courts and Judicial Proceedings Section 10–920.1 Annotated Code of Maryland (2013 Replacement Volume and 2015 Supplement) BY adding to

Article – Health – General Section 19–304.1 Annotated Code of Maryland (2015 Replacement Volume)

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

House Bill 642 – Delegates Sophocleus, Carey, and Chang <u>Anne Arundel County</u> <u>Delegation</u>

AN ACT concerning

Anne Arundel County - Alcoholic Beverages - Licenses

FOR the purpose of authorizing in Anne Arundel County a holder of a certain Class BLX license to be issued a music permit, an entertainment permit, an outdoor permit, or an outdoor entertainment permit; authorizing a holder of a certain Class BLX license to be issued a dancing permit, except under certain circumstances; exempting certain alcoholic beverages licenses in the county from a prohibition against issuing multiple licenses to any one person; exempting a certain class of license from a prohibition against issuing an alcoholic beverages license for a location within a certain distance from a place of worship or school; allowing a license holder to be issued a second or third alcoholic beverages license of a certain type for a restaurant if the restaurant is located in a shopping center that has a certain zoning classification; and generally relating to alcoholic beverages licenses in Anne Arundel County.

BY repealing and reenacting, without amendments,
 Article – Alcoholic Beverages
 Section 11–102
 Annotated Code of Maryland
 (As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,
 Article – Alcoholic Beverages
 Section 11–1102, 11–1507, 11–1603, and 11–1607
 Annotated Code of Maryland
 (As enacted by Chapter ____ (S.B. ____)(6lr1406) 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 717 – Dorchester County Delegation

Dorchester County - Class B Beer, Wine, and Liquor License - Minimum Seating Requirement

FOR the purpose of altering the minimum seating requirement for facilities for which a certain Class B beer, wine, and liquor license may be issued in Dorchester County; and generally relating to Class B beer, wine, and liquor licenses in Dorchester County.

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages
Section 19–902
Annotated Code of Maryland
(As enacted by Chapter ____ (S.B. ____)(6lr1406) 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 730 – Delegates Sample-Hughes, Anderton, Angel, Aumann, Barkley, Clippinger, Cullison, Hayes, Hill, C. Howard, Jameson, Kelly, Kramer, Krebs, Krimm, McComas, McDonough, McMillan, Miele, A. Miller, Morales, Morhaim, Oaks, Patterson, Pena-Melnyk, Saab, Valentino-Smith, M. Washington, and West

AN ACT concerning

Virginia I. Jones Alzheimer's Disease and Related Disorders Council – Membership and Extension of Termination Date

FOR the purpose of altering the membership of the Virginia I. Jones Alzheimer's Disease and Related Disorders Council; extending the termination date of certain provisions of law that establish and govern the Council; and generally relating to the Virginia I. Jones Alzheimer's Disease and Related Disorders Council.

BY repealing and reenacting, without amendments,

Article – Health – General Section 13–3201 Annotated Code of Maryland (2015 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Health – General Section 13–3203 Annotated Code of Maryland (2015 Replacement Volume) BY repealing and reenacting, with amendments,

Chapter 305 of the Acts of the General Assembly of 2013 Section 2

BY repealing and reenacting, with amendments,

Chapter 306 of the Acts of the General Assembly of 2013 Section 2

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

House Bill 737 - Carroll County Delegation

AN ACT concerning

Carroll County - Alcoholic Beverages Licenses - Beginning Hour of Sale

FOR the purpose of altering the beginning hour of sale for certain alcoholic beverages licenses issued in Carroll County; and generally relating to alcoholic beverages in Carroll County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 16–102

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 16-2004 and 16-2005

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. ____)(6lr1406) 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 744 – Delegates Kramer, Angel, Barkley, B. Barnes, Barve, Branch, Brooks, Chang, Cullison, Fraser-Hidalgo, Frush, Healey, Krimm, Luedtke, McComas, Morales, Pena-Melnyk, Platt, Reznik, Valderrama, and Waldstreicher Waldstreicher, Carey, Frick, Glenn, Jameson, Lisanti, Vaughn, and C. Wilson

AN ACT concerning

FOR the purpose of altering the purpose of and programs to be funded by the Universal Service Trust Fund; altering the amount of a certain monthly surcharge that the Public Service Commission may authorize under certain circumstances: requiring the Secretary of Information Technology to certify certain information; requiring the Commission to determine the amount of a certain monthly surcharge; requiring the Legislative Auditor to conduct certain postaudits for a certain additional purpose; establishing the Senior Call-Check Service Program; providing a mechanism for the funding of the Program; specifying that an individual who meets a certain requirement is eligible for the Program; requiring the Department of Information Technology, in consultation with the Department of Aging, to establish and maintain the Program and to adopt certain regulations; specifying a sequence of telephone calls that satisfy Program requirements; authorizing the Department to contract with a certain private vendor or nonprofit organization to provide a certain service; providing for immunity from civil liability and criminal penalty for entities and individuals participating in the Program; defining certain terms; and generally relating to telephone service and the Senior Call-Check Service Program.

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement Section 3A–101 and 3A–501 Annotated Code of Maryland (2015 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement Section 3A–506 Annotated Code of Maryland (2015 Replacement Volume)

BY adding to

Article – State Finance and Procurement Section 3A–701 and 3A–702 to be under the new subtitle "Subtitle 7. Senior Call–Check Service Program"

Annotated Code of Maryland (2015 Replacement Volume)

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

House Bill 752 - Delegate Cullison

EMERGENCY BILL

AN ACT concerning

Physicians – Prescriptions Written by Physician Assistants <u>or Nurse</u> <u>Practitioners</u> – Preparing and Dispensing FOR the purpose of providing that certain provisions of law do not prohibit a licensed physician who complies with certain requirements from personally preparing and dispensing a prescription written by a physician assistant in accordance with a certain delegation agreement or a nurse practitioner who is authorized to practice under a certain provision of law and is working with the physician in a certain setting if the physician complies with certain requirements; making this Act an emergency measure; and generally relating to delegation agreements between physicians and physician assistants and the preparing and dispensing by physicians of prescriptions by physicians written by physician assistants or nurse practitioners.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 12–102(c)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

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

House Bill 791 - Carroll County Delegation

AN ACT concerning

Carroll County - Alcoholic Beverages - Beer, Wine, and Liquor Tasting License

FOR the purpose of creating in Carroll County a beer, wine, and liquor (BWL) tasting license; specifying to whom the license may be issued; authorizing the license holder and the holder of a solicitor's permit to allow the consumption of beer, wine, and liquor for tasting by certain individuals under certain circumstances; requiring the Board of License Commissioners to regulate the quantity of beer and wine served to certain individuals and the number of bottles of beer or wine or other containers of beer from which a certain quantity is served; specifying the quantity of liquor an individual may consume at a liquor tasting; specifying the time the license is valid; specifying a certain license fee; and generally relating to alcoholic beverages in Carroll County.

BY adding to

Article – Alcoholic Beverages

Section 16–308.1

Annotated Code of Maryland

(As enacted by Chapter ___ (S.B. ___)(6lr1406) 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 798 – Chair, Health and Government Operations Committee (By Request – Departmental – Maryland Insurance Administration)

AN ACT concerning

Health Insurance - Reporting Requirements - Repeal

FOR the purpose of repealing a requirement that an annual report be filed with the Maryland Insurance Commissioner by insurers, nonprofit health service plans, health maintenance organizations, dental plan organizations, and certain other persons or entities regarding a summary description of certain clinical issues and diagnostic and therapeutic services; repealing a requirement that an annual report be submitted to the Commissioner by insurers, nonprofit health service plans, and health maintenance organizations regarding health benefit plans; repealing a requirement that a private review agent submit to the Commissioner certain criteria and standards and modifications or revisions to the criteria and standards; making a conforming change; and generally relating to the repeal of reporting requirements for health insurance carriers and private review agents.

BY repealing

Article – Insurance Section 15–123(k) and 15–10B–05(b) Annotated Code of Maryland (2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance Section 15–123(l), (m), and (n), 15–605(a), and 15–10B–05(c), (d), and (e) Annotated Code of Maryland (2011 Replacement Volume and 2015 Supplement)

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

House Bill 822 – Delegates Atterbeary, Dumais, Kittleman, McComas, Moon, Morales, Rosenberg, Sanchez, Smith, Sydnor, Valentino-Smith, and B. Wilson

AN ACT concerning

Criminal Law – Altering References From Mentally Defective to Substantially Cognitively Impaired Individual

FOR the purpose of altering references to the term "mentally defective" individual to "substantially cognitively impaired" individual in provisions of law concerning certain sexual offenses and in provisions of law concerning the licensing of certain individuals to engage in business as an explosives manufacturer or dealer or to

possess explosives for certain purposes; making stylistic changes; and generally relating to the term "mentally defective individual".

BY repealing and reenacting, with amendments,

Article - Criminal Law

Section 3-301, 3-304(a)(2), 3-306(a)(2), and 3-307(a)(2)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 11-107(b)(7)

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

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

House Bill 840 - Frederick County Delegation

AN ACT concerning

Frederick County - Alcoholic Beverages - Theater License

FOR the purpose of altering the scope of a certain alcoholic beverages license in Frederick County so that it may be issued to all theaters that meet a certain seating requirement; making a certain technical correction; and generally relating to alcoholic beverages licenses in Frederick County.

BY renumbering

Article – Alcoholic Beverages

Section 20–1008, 20–1009, 20–1010, 20–1011, 20–1012, and 20–1013, respectively to be Section 20–1013, 20–1008, 20–1009, 20–1010, 20–1011, and 20–1012, respectively

Annotated Code of Maryland

(As enacted by Chapter __(S.B. __)(6lr1406) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 20–1013

Annotated Code of Maryland

(As enacted by Section 1 of this Act)

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

House Bill 849 – Delegates Sample-Hughes, Holmes, Anderton, Carr, Fennell, Ghrist, Healey, C. Howard, Jalisi, McCray, McKay, Otto, Patterson, Proctor, and Sanchez Sanchez, and Queen

AN ACT concerning

Public Safety - Rental Dwelling Units - Carbon Monoxide Alarms

FOR the purpose of altering certain requirements relating to carbon monoxide alarms as the requirements apply to certain rental dwelling units; requiring certain rental dwelling units, on or after a certain date, to have a certain carbon monoxide alarm installed in a certain manner, subject to a certain exception; defining a certain term; altering a certain definition; and generally relating to carbon monoxide alarms.

BY repealing and reenacting, without amendments,

Article – Environment Section 6–801(a) and (t) Annotated Code of Maryland (2013 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety Section 12–1101, 12–1102, and 12–1104 Annotated Code of Maryland (2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Safety Section 12–1103, 12–1105, and 12–1106 Annotated Code of Maryland (2011 Replacement Volume and 2015 Supplement)

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

House Bill 873 - Delegates Smith, Luedtke, Hixson, and P. Young

AN ACT concerning

Election Law – Special Elections – Absentee Ballots for Absent Uniformed Services Voters and Overseas Voters

FOR the purpose of requiring a county council to set the date for a special election to fill a vacancy in certain county offices that allows the local board of elections time to provide absentee ballots for the special election to absent uniformed services voters and overseas voters at least a certain number of days before the special election; requiring the State Administrator of Elections to require local boards of elections to

provide absentee ballots for a special election to fill a vacancy in the office of Representative in Congress to absent uniformed services voters and overseas voters at least a certain number of days before the special election; altering the time frame within which the Governor may set by proclamation the date for a special primary election and a special general election to fill a vacancy in the office of Representative in Congress; requiring the State Board of Elections to adopt regulations concerning notice and the process for voting by absentee ballot in special elections by absent uniformed services voters and overseas voters; and generally relating to absentee voting in special elections by absent uniformed services voters and overseas voters.

BY repealing and reenacting, with amendments,

Article – Election Law Section 8–401 and 8–710 Annotated Code of Maryland (2010 Replacement Volume and 2015 Supplement)

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

House Bill 926 – Delegate Lierman

AN ACT concerning

Optional Retirement Program - Eligibility - Alterations

FOR the purpose of altering the eligibility provisions of the Optional Retirement Program to include individuals in certain position categories designated by certain governing boards of institutions of higher education or the Secretary of Higher Education; authorizing requiring an individual who was a participant in the Optional Retirement Program as of a certain date to continue to participate in the Program under certain circumstances; conforming certain terminology to current institutional policies regarding employment categories; and generally relating to eligibility for the Optional Retirement Program.

BY repealing and reenacting, with amendments, Article – State Personnel and Pensions Section 30–301 Annotated Code of Maryland (2015 Replacement Volume)

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

House Bill 984 – Delegates Saab, Cullison, Grammer, Kelly, Kittleman, Krebs, Metzgar, Miele, W. Miller, Morgan, Pena-Melnyk, Rose, Shoemaker, and West

AN ACT concerning

Open Meetings Act - Retention of Minutes and Recordings - Revision

FOR the purpose of increasing the number of years after the date of an open session a public body is required to keep a copy of certain minutes of the open session and any recording made under certain provisions of law; requiring certain public bodies to post online certain minutes or recordings, to the extent practicable; altering a certain requirement relating to the preparation of minutes; making certain stylistic and conforming changes; and generally relating to the retention of minutes and tape recordings under the Open Meetings Act.

BY repealing and reenacting, with amendments,

Article – General Provisions Section 3–206(b)(2)(iii) and (3) and 3–306(b) through (e) Annotated Code of Maryland (2014 Volume and 2015 Supplement)

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

House Bill 989 - Delegate Holmes

AN ACT concerning

Residential Real Property - Sales Contracts - Notice of Water and Sewer Charges

FOR the purpose of making clarifying changes to a certain notice requirement about water and sewer charges in a contract for the initial sale of residential real property; requiring a contract for the resale of residential real property that is served by public water or wastewater facilities for which deferred water and sewer charges have been established by a recorded covenant or declaration to contain a certain notice concerning the deferred water and sewer charges; providing that a purchaser is entitled to certain rights for a violation of this Act; providing for the application of certain provisions of this Act; and generally relating to notices of water and sewer charges in contracts for the sale of residential real property.

BY repealing and reenacting, with amendments,

Article – Real Property Section 14–117(a) and (b) Annotated Code of Maryland (2015 Replacement Volume)

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

House Bill 994 – Allegany County Delegation

AN ACT concerning

Allegany County - Alcoholic Beverages - Sunday Sales for Class A Licenses

FOR the purpose of authorizing a holder of a Class A beer license, a Class A beer and light wine license, or a Class A beer, wine, and liquor license to sell certain alcoholic beverages during certain hours under certain circumstances in Allegany County; authorizing the Board of License Commissioners for Allegany County to issue a certain Sunday sales permit to holders of certain licenses under certain circumstances; specifying that an applicant for a certain Sunday sales permit need not have certain kitchen facilities on the licensed premises; providing that a certain Sunday sales permit authorizes the holder to sell certain alcoholic beverages for off—premises consumption during certain hours on not more than a certain number of Sundays in a year; specifying the fee for each time a certain Sunday sales permit is used; and generally relating to alcoholic beverages in Allegany County.

BY repealing and reenacting, without amendments,
 Article – Alcoholic Beverages
 Section 9–101(a) and (b), 9–102, and 9–2005
 Annotated Code of Maryland
 (As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 9–2002(a), 9–2003(a), and 9–2004(a)

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. ____)(6lr1406) 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 1028 – Delegate Beitzel

AN ACT concerning

Garrett County - Alcoholic Beverages - Sunday Sales

FOR the purpose of submitting to a referendum of the qualified voters of certain election districts and precincts of election districts in Garrett County the question of whether the holders of certain alcoholic beverages licenses in Garrett County should be authorized to sell alcoholic beverages for off–premises consumption on certain Sundays under certain circumstances; submitting to a referendum of the qualified voters of certain election districts and precincts of election districts in Garrett County the question of whether the holders of certain alcoholic beverages licenses in Garrett County should be authorized to sell alcoholic beverages for on– or

off-premises consumption on certain Sundays under certain circumstances; requiring the Board of County Commissioners and the Board of Supervisors of Elections of Garrett County to take certain actions regarding each referendum required under this Act; requiring the County Board of License Commissioners to report certain information to the Department of Legislative Services by a certain date; requiring the publishers of the Annotated Code of Maryland to list in the Annotated Code each district and precinct in Garrett County that has approved the sale of alcoholic beverages by certain license holders on Sundays; submitting this Act to a referendum of the qualified voters of certain election districts and precincts of election districts in Garrett County; and generally relating to the sale of alcoholic beverages in Garrett County on Sundays.

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

House Bill 1029 - Montgomery County Delegation

AN ACT concerning

Montgomery County - Alcoholic Beverages - Class BD-BWL License - Hours of Sale MC 17-16

FOR the purpose of altering the hours of sale for consumption on the licensed premises of a holder of a Class BD–BWL license in Montgomery County; authorizing the Board of License Commissioners to issue a caterer's license to a holder of a Class BD–BWL license; specifying that a certain limit on the maximum number of certain licenses a person may hold includes no more than a certain number of Class BD–BWL licenses; and generally relating to the sale of alcoholic beverages in Montgomery County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 25-903(a) and (b) and 25-1615

Annotated Code of Maryland

(As enacted by Chapter ___ (S.B. ___)(6lr1406) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 25–903(i), 25–1202, and 25–1614

Annotated Code of Maryland

(As enacted by Chapter ___ (S.B. ___)(6lr1406) of the Acts of the General Assembly of 2016)

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

House Bill 1031 – Frederick County Delegation

AN ACT concerning

Frederick County - Alcoholic Beverages - Refillable Container Permits

FOR the purpose of authorizing the Board of License Commissioners for Frederick County to issue a refillable container permit for draft beer and for wine to a holder of a Class A alcoholic beverages license or a Class B alcoholic beverages license; providing for certain permit fees; and generally relating to alcoholic beverages in Frederick County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 20–102

Annotated Code of Maryland

(As enacted by Chapter __ (S.B. 724) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 20–1101

Annotated Code of Maryland

(As enacted by Chapter __ (S.B. 724) of the Acts of the General Assembly of 2016)

BY adding to

Article – Alcoholic Beverages

Section 20-1104 and 20-1105

Annotated Code of Maryland

(As enacted by Chapter __ (S.B. 724) 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 1051 - Delegate Lisanti Harford County Delegation

AN ACT concerning

Harford County - Alcoholic Beverages - Community College License

FOR the purpose of establishing a Class CC (community college) beer and wine license in Harford County; authorizing the Board of License Commissioners to issue the license to an officer officers of a community college for use on certain parts of the community college campus; providing that the license authorizes the sale of beer and wine for on–premises consumption to individuals who attend certain public events and to members of certain groups and their guests who attend events held for those groups; prohibiting a license holder from selling beer and wine at certain events; limiting the number of days per year the license holder may sell beer and wine at certain events; prohibiting a license holder from allowing alcoholic beverages to be consumed during

a certain time; prohibiting, with a certain exception, a license holder from allowing an individual to carry alcoholic beverages onto or from the licensed premises; providing for an annual license fee; and generally relating to alcoholic beverages licenses in Harford County.

BY repealing and reenacting, without Article – Alcoholic Beverages	amendmen	ts,						
Section 22–102								
Annotated Code of Maryland	(C. T.	\					. •	~ 1
(As enacted by Chapter Assembly of 2016)	(S.B	_)(6lr1406)	of	the	Acts	of	the	General
BY adding to								
Article – Alcoholic Beverages								
Section 22–807.1								
Annotated Code of Maryland								
(As enacted by Chapter Assembly of 2016)	(S.B	_)(6lr1406)	of	the	Acts	of	the	General

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

House Bill 1059 – Delegates Morales, Carr, Cullison, Ebersole, Fennell, Fraser-Hidalgo, Frush, Gutierrez, Healey, Hill, Hixson, C. Howard, Jalisi, Knotts, Lafferty, Lam, Moon, S. Robinson, Sanchez, Tarlau, A. Washington, and M. Washington

AN ACT concerning

Landlord and Tenant - Security Deposit - Contents of Lease

FOR the purpose of requiring a written lease for residential property to include a certain receipt for the security deposit under certain circumstances; making a stylistic change; and generally relating to security deposits and leases for residential property.

BY repealing and reenacting, without amendments,

Article – Real Property Section 8–203(a), (e), (f), and (g), 8–203.1, and 8–208(a) and (b) Annotated Code of Maryland (2015 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Real Property Section 8–203(c) and 8–208(c) Annotated Code of Maryland (2015 Replacement Volume) Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1062 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County - Alcoholic Beverages - Permits, Training, Prohibited Acts, and Violations

FOR the purpose of altering the serving size of a sample serving of beer permitted to be served to an individual by a holder of a Class BWTS beer and wine tasting or sampling permits in St. Mary's County; establishing a BWT beer and wine tasting permit in St. Mary's County for a certain purpose; authorizing the Board of License Commissioners for St. Mary's County to issue the permit only to a holder of a certain license; providing for the application and fees for, maximum permit periods, and restrictions associated with the permit; requiring an applicant for an alcoholic beverages license in St. Mary's County to attend certain training within a certain time after the application is approved; providing that attendance at certain training does not fulfill a certain training requirement; prohibiting a person who operates a certain establishment in St. Mary's County without an alcoholic beverages license from knowingly allowing a customer to bring alcoholic beverages for consumption into, or on the grounds of, the establishment; providing that a person who violates a certain law is subject to license revocation or suspension and a certain civil penalty imposed by the Board; authorizing the Board to impose a certain fine on a certain employee of a holder of an alcoholic beverages license for selling alcoholic beverages to certain individuals; and generally relating to the regulation of alcoholic beverages in St. Mary's County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 28–102 and 28–1306(a)

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 28–1306(f), 28–2501, and 28–2802

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

BY adding to

Article – Alcoholic Beverages

Section 28-1307 and 28-1411

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 724) 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 1072 – Delegate Beitzel

AN ACT concerning

Garrett County - Alcoholic Beverages - Various Licenses

FOR the purpose of specifying certain annual fees for certain 7-day alcoholic beverages licenses; altering the number of days after the expiration date of a wine festival license that a holder of a State wholesale, Class 3 winery, or Class 4 limited winery license may accept returns from a holder of a wine festival license; providing that the Garrett County Board of License Commissioners is not required to hold a hearing before issuing certain Class C temporary licenses; and generally relating to alcoholic beverages in Garrett County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 21–102, 21–601(a), 21–602(a), 21–604(a), 21–701(a), 21–801(a), 21–802(a), 21–803(a), 21–805(a), 21–902(a), 21–903(a), 21–904(b), 21–905(a)(1), 21–1001(a), 21–1002(a), and 21–1305(a)(1)

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B.724) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 21–601(c), 21–602(d), 21–604(c), 21–701(d), 21–801(c), 21–802(d), 21–803(e), 21–805(e), 21–902(g), $\frac{21-903(f)}{2}$, 21–904(g), 21–905(e), 21–1001(e), 21–1002(e), 21–1305(i), 21–1309, and 21–1501

Annotated Code of Maryland

(As enacted by Chapter (S.B. 724) of the Acts of the General Assembly of 2016)

BY adding to

<u>Article – Alcoholic Beverages</u>

Section 21–602(e), 21–802(e), 21–803(f), 21–805(f), 21–902(h), 21–903(f) and (g), and 21–905(f)

Annotated Code of Maryland

(As enacted by Chapter __(S.B. 724) of the Acts of the General Assembly of 2016)

BY repealing

Article – Alcoholic Beverages

Section 21–903(f)

Annotated Code of Maryland

(As enacted by Chapter (S.B. 724) 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 1148 – Delegates Gilchrist, Barkley, Kipke, and Simonaire, Afzali, D. Barnes, Buckel, Ebersole, Hixson, Hornberger, C. Howard, Long, Luedtke, Metzgar, Patterson, Platt, Reilly, Shoemaker, Tarlau, Turner, Walker, and M. Washington

AN ACT concerning

Income Tax - Subtraction Modification - Retirement Income Income Tax - Retirement Income - Collection of Information

FOR the purpose of altering the calculation of the maximum subtraction modification allowed under the Maryland income tax for certain retirement income for certain taxable years; including income from certain retirement plans within a certain subtraction modification for certain retirement income under certain circumstances; and generally relating to an income tax subtraction modification for certain retirement income.

BY repealing and reenacting, with amendments,

Article - Tax - General

Section 10-209

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)

FOR the purpose of requiring the Comptroller to collect certain information on State income tax forms; requiring the Comptroller to produce a certain report; authorizing the Comptroller to adopt certain regulations; and generally relating to the collection of information pertaining to retirement income.

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

House Bill 1149 - Frederick County Delegation

AN ACT concerning

Frederick Center for Research and Education in Science and Technology – Funding

FOR the purpose of requiring the Governor to annually appropriate a certain amount to Frederick Center for Research and Education in Science and Technology (CREST) an amount that is equivalent to an amount appropriated to a certain regional higher education center and that, for certain fiscal years, is in addition to an amount that covers certain costs for certain purposes; and generally relating to Frederick CREST.

BY repealing and reenacting, without amendments,

Article – Education Section 24–1002 Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Education Section 24–1004(h) Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement)

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

House Bill 1161 – Delegate Lisanti

AN ACT concerning

Municipalities - Boat Docking and Storage - User Fees - Authorized Uses

FOR the purpose of authorizing a municipality to use revenue from a certain user fee on charges for the docking and storage of boats for land acquisition and the related construction and maintenance of public facilities to enhance public use and water access; and generally relating to municipal user fees on charges for the docking and storage of boats.

BY repealing and reenacting, with amendments,

Article – Local Government Section 20–608 Annotated Code of Maryland (2013 Volume and 2015 Supplement)

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

House Bill 1320 – Delegate B. Wilson

AN ACT concerning

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

FOR the purpose of establishing a Class CT (cinema/theater) (on—sale) beer, wine, and liquor license in Washington County; authorizing the Board of License Commissioners for Washington County to issue the license for use in a cinema or theater that meets certain requirements; authorizing the license holder to sell <u>and serve</u> beer, wine, and liquor for on—premises consumption under certain circumstances; authorizing a license holder to serve beer, wine, and liquor without serving food; requiring a certain individual to dispose of or destroy empty bottles;

requiring a license holder to obtain a certain crowd control training certificate and have a certain certified crowd control manager present at the licensed premises at certain times; requiring the license holder to have a certain individual who has received certification from a certain alcohol awareness program to be present at the licensed premises under certain circumstances; specifying the hours and days for sale of beer, wine, and liquor; specifying a certain annual license fee; <u>providing for the termination of this Act</u>; and generally relating to the sale of alcoholic beverages in Washington County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 4–505, 31–101(a) and (b), 31–102, 31–207, 31–1901, and 31–1903

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

BY adding to

Article – Alcoholic Beverages

Section 31–1001.1

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 724) 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 1581 – Harford County Delegation

EMERGENCY BILL

AN ACT concerning

Harford County Deputy Sheriff Patrick Dailey Sheriffs Dailey and Logsdon Benefits Memorial Act

FOR the purpose of increasing the maximum age at which certain children of deceased members of the Law Enforcement Officers' Pension System who are killed in the line of duty are no longer eligible to receive a certain death benefit; requiring the Board of Trustees to pay a certain death benefit in a certain manner under certain circumstances; requiring the State Retirement Agency and the Department of Legislative Services to review certain provisions of law regarding death benefits and report to the Joint Committee on Pensions on or before a certain date; providing for the application of this Act; making this Act an emergency measure; providing for the termination of this Act; and generally relating to death benefits for members of the Law Enforcement Officers' Pension System who are killed in the line of duty.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 29-203

Annotated Code of Maryland (2015 Replacement Volume)

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

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 454 - Senator George C. Edwards:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Paul D. Baumgardner
Mid Atlantic Farm Credit
in recognition of

the Farm Credit System's 100 years of service in providing credit and financial services for rural communities and agriculture. Congratulations!

The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 15th day of March 2016.

Senate Resolution No. 455 - Senator George C. Edwards:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
F. J. Grady
Farm Credit of the Virginias
in recognition of

the Farm Credit System's 100 years of service in providing credit and financial services for rural communities and agriculture. Congratulations!

The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 15th day of March 2016.

The preceding 2 resolutions were read and adopted by a roll call vote as follows:

Affirmative – 43 Negative – 0 (See Roll Call No. 517)

LETTERS OF REASSIGNMENT

ANNOUNCEMENT BY THE PRESIDENT

House Bill 654 – Howard County Delegation

AN ACT concerning

Howard County – Alcoholic Beverages – Class D Beer, Wine, and Liquor Licenses Ho. Co. 10–16

Reassigned to the Committee on Education, Health, and Environmental Affairs under Rule 33(d).

Read and ordered journalized.

ANNOUNCEMENT BY THE PRESIDENT

House Bill 655 - Howard County Delegation

AN ACT concerning

Howard County - Alcoholic Beverages - Class D Licenses Ho. Co. 7-16

Reassigned to the Committee on Education, Health, and Environmental Affairs under Rule 33(d).

Read and ordered journalized.

ANNOUNCEMENT BY THE PRESIDENT

House Bill 1064 – Montgomery County Delegation

AN ACT concerning

Montgomery County - Sale of Alcoholic Beverages - Distance From Places of Worship, Schools, and Youth Centers

MC 18-16

Reassigned to the Committee on Education, Health, and Environmental Affairs under Rule 33(d).

Read and ordered journalized.

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 190 – The President and the Speaker (By Request – Administration)

Budget Bill

(Fiscal Year 2017)

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (124) AND THE FAVORABLE REPORT.

REPORT OF THE SENATE BUDGET AND TAXATION COMMITTEE
TO THE SENATE OF MARYLAND – 2016 SESSION –
RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION
PERTAINING TO SENATE BILL 190 – THE BUDGET BILL

(See Exhibit H of Appendix III)

SENATE BUDGET AND TAXATION COMMITTEE
REPRINT TO SENATE BILL 190 – THE BUDGET BILL

(See Exhibit I of Appendix III)

SENATE BUDGET AND TAXATION COMMITTEE
SUMMARY REPORT ON SENATE BILL 190 – THE BUDGET BILL

(See Exhibit J of Appendix III)

The preceding 147 amendments were read only.

Senator Kasemeyer moved, duly seconded, to make the Bill and Amendments a Special Order for March 16, 2016.

The motion was adopted.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 361 - Senators Raskin and Zirkin

AN ACT concerning

Civil Actions – Hydraulic Fracturing Liability Act

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENTS (2) OFFERED FROM THE FLOOR BY SENATOR EDWARDS.

FLOOR AMENDMENT

SB0361/213627/1

BY: Senator Edwards

AMENDMENTS TO SENATE BILL 361

(First Reading File Bill)

AMENDMENT NO. 1

On page 3, in line 27, after "FRACTURING" insert ", EXCLUDING THE PARTICULAR PERCENTAGES OF THE CHEMICAL CONSTITUENTS COMPOSING THE HYDRAULIC FRACTURING FLUIDS,".

AMENDMENT NO. 2

On page 4, in line 19, strike "\$5,000,000" and substitute "\$2,500,000"; and in line 24, strike "\$10,000,000" and substitute "\$5,000,000".

The preceding 2 amendments were read only.

Senator Zirkin moved, duly seconded, to make the Bill and Amendments a Special Order for March 16, 2016.

The motion was adopted.

Senate Bill 706 – Senators DeGrange, Currie, Eckardt, Edwards, Jennings, Klausmeier, McFadden, Middleton, Miller, Muse, Peters, Reilly, and Serafini

AN ACT concerning

Maryland Education Credit

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

Favorable report adopted.

FLOOR AMENDMENT

SB0706/453921/2

BY: Senator Kagan

AMENDMENT TO SENATE BILL 706

(First Reading File Bill)

On page 4, in line 16, after "ADMISSIONS" insert "OR STUDENT RETENTION".

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

Affirmative – 17 Negative – 27 (See Roll Call No. 518)

FLOOR AMENDMENT

SB0706/523425/1

BY: Senator Feldman

AMENDMENTS TO SENATE BILL 706

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 27, after "Act;" insert "providing for the termination of this Act;".

AMENDMENT NO. 2

On page 10, in line 8, after "2015" insert ", but before January 1, 2019. It shall remain effective for a period of 3 years and, at the end of June 30, 2019, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect".

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

Affirmative – 19 Negative – 26 (See Roll Call No. 519)

FLOOR AMENDMENT

SB0706/543321/1

BY: Senator Pinsky

AMENDMENTS TO SENATE BILL 706

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "organizations;" insert "providing that, for purposes of calculating the credit, a contribution made by a certain subsidiary of a business entity shall

be attributed to the business entity under certain circumstances; prohibiting a subsidiary of a business entity from claiming the credit under certain circumstances;".

AMENDMENT NO. 2

On page 5, in line 15, after "(2)" insert "(II)"; in the same line, strike "A" and substitute "SUBJECT TO SUBPARAGRAPHS (II) AND (III) OF THIS PARAGRAPH, A"; and after line 16, insert:

"(II) FOR PURPOSES OF CALCULATING THE CREDIT ALLOWED UNDER THIS SECTION, A CONTRIBUTION MADE BY A SUBSIDIARY OF A BUSINESS ENTITY SHALL BE ATTRIBUTED TO THE BUSINESS ENTITY IF 30% OR MORE OF THE EQUITY OF THE SUBSIDIARY IS OWNED OR CONTROLLED BY THE BUSINESS ENTITY.

(III) A SUBSIDIARY OF A BUSINESS ENTITY MAY NOT CLAIM A CREDIT UNDER THIS SECTION FOR A CONTRIBUTION MADE TO A STUDENT ASSISTANCE ORGANIZATION IF THE CONTRIBUTION OF THE SUBSIDIARY IS ATTRIBUTED TO THE BUSINESS ENTITY UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH."

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 19 Negative – 26 (See Roll Call No. 520)

FLOOR AMENDMENT

SB0706/303529/1

BY: Senator Pinsky

AMENDMENT TO SENATE BILL 706

(First Reading File Bill)

On page 3, in line 29, after the second "SCHOOL" insert ", IF AT LEAST 45% OF THE STUDENTS ENROLLED IN THE PROGRAM OR AT THE SCHOOL ARE ELIGIBLE FOR FREE OR REDUCED PRICE MEALS".

On page 4, in line 2, after the second "SCHOOL" insert ":

in lines 3, 5, 10, 12, 14, and 16, strike "1.", "2.", "3.", "4.", "5.", and "6.", respectively, and substitute "A.", "B.", "C.", "D.", "E.", and "F.", respectively; and in line 17, after "ORIENTATION" insert "; AND

2. AT WHICH AT LEAST 45% OF THE ENROLLED STUDENTS ARE ELIGIBLE FOR FREE OR REDUCED PRICE MEALS".

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 17 Negative – 29 (See Roll Call No. 521)

Senator Young moved, duly seconded, 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 46 Members present.

(See Roll Call No. 522)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #44

CONSENT CALENDAR #2

BILL NO.	SPONSOR	CONTENT	COMMITTEE
SB 859	Sen. Young	Frederick Co – Dvlp Rights and Responsibilities Agreements – Administrative Appeals	ЕНЕ
SB 860	Sen. Young	Frederick County – Alcoholic Beverages – Refillable Container Permits	ЕНЕ

BILL NO.	SPONSOR	CONTENT	COMMITTEE
SB 861	Sen. Young	Frederick County – Dry Election Districts – Repeal	EHE
SB 878	Sen. Edwards	Allegany County – Alcoholic Beverages – Sunday Sales	ЕНЕ
SB 916	Harford County Senators	Harford County – Alcoholic Beverages – Community College License	EHE
SB 959	Sen. Hershey	Kent County – Alcoholic Beverages – Limited Distillery License	EHE

By Order,

William B. C. Addison, Jr., Secretary

All of the above listed bills on the Third Reading Consent Calendar No. 2 were read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 523)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #45

Senate Bill 212 - Senator Middleton Senators Middleton and Serafini

AN ACT concerning

Health Insurance - Large Employers - Disclosure of Aggregate Incurred Claims

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 524)

The Bill was then sent to the House of Delegates.

Senate Bill 285 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Maryland Home Improvement Commission – Subcontractor Licensing Requirement – Repeal

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 525)

The Bill was then sent to the House of Delegates.

Senate Bill 505 – Senators Klausmeier, Astle, Bates, Benson, Conway, Currie, DeGrange, Eckardt, Edwards, Feldman, Ferguson, Guzzone, Hershey, Hough, Jennings, Kagan, King, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Norman, Peters, Pinsky, Pugh, Ramirez, Raskin, Rosapepe, Serafini, and Simonaire Simonaire, Kelley, and Reilly

AN ACT concerning

Workers' Compensation Insurance – Premium Discount – Alcohol– and Drug–Free Workplace Program

Read the third time and passed by yeas and navs as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 526)

The Bill was then sent to the House of Delegates.

THE COMMITTEE ON FINANCE REPORT #19

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 663 – Senators Benson, Feldman, Jennings, Lee, Madaleno, Pugh, Raskin, and Salling

AN ACT concerning

Commercial Sale of Dogs and Cats – Prohibited Acts (Companion Animal Welfare Act)

SB0663/307676/1

BY: Finance Committee

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Salling" and substitute "Salling, Middleton, Astle, Kelley, Klausmeier, Reilly, Mathias, and Hershey"; in line 8, after "persons;" insert "requiring a retail pet store to ensure that certain persons meet certain requirements;"; in line 9, after "records;" insert "requiring a retail pet store that sells dogs to post on each dog's cage certain information and maintain a certain record that includes certain information about a dealer, if applicable;"; in lines 12 and 13, strike "and construction"; in line 22, after "19–703," insert "and"; and in the same line, strike ", and 19–707".

AMENDMENT NO. 2

On page 5, in line 7, before "A" insert "(A)"; in line 10, strike "OR"; in line 11, strike "A PERSON THAT" and substitute "THE ORIGINAL BREEDER OF THE DOG OR CAT IF THE BREEDER MEETS THE REQUIREMENTS UNDER SUBSECTION (B) OF THIS SECTION; OR

- (4) A DEALER THAT OBTAINED THE DOG OR CAT FROM THE ORIGINAL BREEDER IF THE DEALER AND ORIGINAL BREEDER MEET THE REQUIREMENTS UNDER SUBSECTION (B) OF THIS SECTION.
- (B) A RETAIL PET STORE SHALL ENSURE THAT A PERSON UNDER SUBSECTION (A)(3) OR (4) OF THIS SECTION FROM WHICH THE RETAIL PET STORE OBTAINS A DOG OR CAT";

in the same line, strike "RECEIVED" and substitute "RECEIVES"; in lines 13, 15, 18, 21, 25, and 27, strike "(I)", "(II)", "1.", "2.", "3.", and "4.", respectively, and substitute "(1)", "(2)", "(II)", "(III)", and "(IV)", respectively; in line 13, strike "CLASS A"; in lines 19 and 23, in each instance, strike "3–YEAR" and substitute "2–YEAR"; in line 25, strike "THE" and substitute "BOTH OF THE TWO"; and in line 26, strike "REPORT" and substitute "REPORTS".

On page 6, in lines 4, 6, 15, and 19, in each instance, strike "or" and substitute "<u>AND</u>, **IF APPLICABLE**, **THE**"; and in lines 6 and 19, in each instance, strike ", if required".

On pages 7 and 8, strike in their entirety the lines beginning with line 26 on page 7 through line 7 on page 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:

Senate Bill 684 – Senator Astle

AN ACT concerning

Energy Efficiency Programs – Heating, Ventilation, Air Conditioning, and Refrigeration Services

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 758 – Senators Madaleno, Benson, Ferguson, Guzzone, Kagan, Manno, Pugh, and Raskin

AN ACT concerning

Food Stamp Program - Minimum Benefit - State Supplement

SB0758/207079/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 758

(First Reading File Bill)

On page 1, in the sponsor line, strike "and Raskin" and substitute "Raskin, Middleton, Astle, Kelley, Feldman, Mathias, Jennings, Hershey, and Klausmeier"; and in line 3, after the second "a" insert "certain".

On page 2, in line 1, after "HOUSEHOLD" insert "THAT CONSISTS OF ONE INDIVIDUAL WHO IS AT LEAST 62 YEARS OLD".

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 880 - Senator Jennings

AN ACT concerning

Family Investment Administration – Electronic Benefits Transfer Card – Photograph

SB0880/987478/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 880

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 2 and 3 and substitute "<u>Task Force to Study Welfare Reform in Maryland</u>"; strike beginning with "requiring" in line 4 down through "programs" in line 13 and substitute "<u>establishing the Task Force to Study Welfare Reform in Maryland</u>; providing for the composition, chair, and staffing of the <u>Task Force</u>; requiring the <u>Task Force to study and make recommendations regarding certain matters</u>; requiring the <u>Task Force to report its findings and recommendations to the Governor and the Senate Finance Committee and the House Appropriations Committee on or before a certain date; providing for the termination of this Act; and generally relating to the <u>Task Force to Study Welfare Reform in Maryland</u>"; and strike in their entirety lines 14 through 18, inclusive.</u>

AMENDMENT NO. 2

On page 1, in line 20, strike "the Laws of Maryland read as follows".

On pages 1 and 2, strike in their entirety the lines beginning with line 21 on page 1 through line 24 on page 2, inclusive, and substitute:

- "(a) There is a Task Force to Study Welfare Reform in Maryland.
- (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 Human Resources, or the Secretary's designee;
- (4) the Secretary of Health and Mental Hygiene, or the Secretary's designee;
- (5) the Secretary of Housing and Community Development, or the Secretary's designee;
 - (6) the Secretary of Commerce, or the Secretary's designee;
- (7) the Secretary of Labor, Licensing, and Regulation, or the Secretary's designee; and
 - (8) the following members appointed by the Governor:
 - (i) a representative of a human services provider within the State;
- (ii) five representatives of groups that advocate for the interests of recipients of safety—net benefits in the State; and
 - (iii) one current or former recipient of safety-net benefits.
 - (c) The Secretary of Human Resources shall chair the Task Force.
 - (d) The Department of Human Resources shall staff 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 all federal and State programs that provide assistance to individuals with limited incomes;
- (2) study data on fraud and abuse in welfare programs, metrics of success of programs, duplication in programming, work requirements, federal requirements and waivers for welfare programs, and any other topics as determined by the Chair;
- (3) <u>develop a comprehensive legislative proposal that incorporates</u> recommendations of the Task Force related to welfare programs that provide assistance to individuals with limited incomes in order to help such individuals achieve self—sufficiency within a reasonable period of time; and
- (4) <u>develop a comprehensive legislative proposal that addresses fraud and abuse in welfare programs.</u>
- (g) On or before December 31, 2016, the Task Force shall report its findings and recommendations to the Governor and, in accordance with § 2–1246 of the State Government Article, the Senate Finance Committee and the House Appropriations Committee."

On page 2, in line 26, strike "October" and substitute "June"; and in the same line, after the period, insert "It shall remain effective for a period of 7 months and, at the end of December 31, 2016, 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.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #13

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 356 - Senator Zirkin

AN ACT concerning

Local Government Tort Claims Act and Maryland Tort Claims Act – Statute of Limitations and Repeal of Certain Notice Requirements

SB0356/728674/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 356

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "Repeal of Certain"; strike beginning with "repealing" in line 4 down through the semicolon in line 7; in line 8, after "incompetent" insert "<u>under the Local Government Tort Claims Act or the Maryland Tort Claims Act</u>"; in lines 8 and 9, strike "the claimant shall file an action" and substitute "<u>an action must be filed</u>"; in line 9, after "removed" insert "<u>and a certain notice is not required</u>"; and in line 12, after "repealing" insert "and reenacting, with amendments,".

AMENDMENT NO. 2

On page 1 in line 25, on page 2 in lines 25, 28, 30, and 31, and on page 3 in lines 5, 9, and 12, in each instance, strike the bracket.

AMENDMENT NO. 3

On page 2, in line 3, strike "(a) and (d)" and substitute "(A), (D), AND (E)"; after line 21, insert:

- "(D) WHEN A CAUSE OF ACTION ACCRUES IN FAVOR OF A MINOR OR MENTAL INCOMPETENT:
- (1) THE ACTION SHALL BE BROUGHT WITHIN 3 YEARS AFTER THE DISABILITY IS REMOVED; AND
 - (2) NO NOTICE SHALL BE REQUIRED UNDER THIS SECTION.";

in line 22, strike "(d)" and substitute "(E)"; and in line 30, strike "(B)" and substitute "AND (D)".

On page 3, in line 6, strike "(B)" and substitute "(C)"; in line 7, after "CLAIMANT" insert ":

(1)";

in line 8, after "REMOVED" insert "; AND

(2) IS NOT REQUIRED TO SUBMIT A WRITTEN CLAIM UNDER THIS SECTION";

and in line 9, strike "(c)" and substitute "(D)".

The preceding 3 amendments were read only.

Senator Serafini moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 414 - Senator Brochin

AN ACT concerning

Vehicle Laws - Mechanical Repair Contracts

SB0414/748079/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 414

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 3 and 4, strike "a designated" and substitute "<u>an</u>"; in line 4, strike "of an" and substitute "<u>and a registered</u>"; in line 5, after "contract;" insert "<u>establishing that an obligor or a vehicle dealer is liable for the actions of its agent under certain circumstances; establishing a civil penalty for an agent or an agent's employee that violates certain provisions of this Act; requiring an obligor or a licensed vehicle dealer that uses an agent to sell a mechanical repair contract to maintain a certain list and, on request, make</u>

the list available to the Insurance Commissioner; requiring an agent to maintain a certain list and, on request, make the list available to the agent's obligor or licensed vehicle dealer within a certain period of time; providing that a list maintained under this Act may be stored in an electronic format; increasing the penalty for a violation of certain provisions of this Act; making conforming changes;"; in line 9, after "(c)" insert "and 27–101(ff)"; and after line 11, insert:

"BY renumbering

<u>Article – Transportation</u>

Section 15–311.2(d), (e), (f), (g), (h), (i), (j), (k), (l), (m), and (n), respectively to be Section 15–311.2(e), (f), (g), (h), (i), (j), (k), (l), (m), (n), and (o), respectively Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY adding to

<u>Article – Transportation</u>

Section 15–311.2(d)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 15–311.2(d), (e), (f), (g), (h), (i), (j), (k), (l), (m), and (n), respectively, of Article – Transportation of the Annotated Code of Maryland be renumbered to be Section(s) 15–311.2(e), (f), (g), (h), (i), (j), (k), (l), (m), and (o), respectively.";

and in line 12, strike "1." and substitute "2.".

AMENDMENT NO. 2

On page 1, in line 17, after "(2)" insert "<u>*AGENT" MEANS A BUSINESS ENTITY THAT</u>

IS AUTHORIZED BY AN OBLIGOR OR A LICENSED VEHICLE DEALER TO SELL A

MECHANICAL REPAIR CONTRACT.

(3)";

in line 18, strike "A DESIGNATED" and substitute "AN"; and in lines 18 and 19, strike "OF AN OBLIGOR".

On page 2, in line 27, strike "(3)" and substitute "(4)".

AMENDMENT NO. 3

On page 3, in line 13, strike beginning with "Other" in line 13 down through the second "not" in line 14 and substitute "ONLY A LICENSED VEHICLE DEALER, AN AGENT, A REGISTERED OBLIGOR, AN EMPLOYEE OF A LICENSED VEHICLE DEALER, AN AGENT, OR A REGISTERED OBLIGOR MAY"; in line 16, after "(ii)" insert "AN OBLIGOR OR A LICENSED VEHICLE DEALER IS LIABLE FOR THE ACTIONS OF ITS AGENT WHEN THE AGENT IS OFFERING OR SELLING A MECHANICAL REPAIR CONTRACT ON BEHALF OF THE OBLIGOR OR VEHICLE DEALER.

<u>(III)</u>".

AMENDMENT NO. 4

On page 4, in line 4, strike "not" and substitute ":

(I) **NOT**";

in line 5, after "section" insert "; AND

- (II) NOT LESS THAN \$100 BUT NOT EXCEEDING \$5,000 FOR EACH VIOLATION OF THIS SECTION COMMITTED BY AN AGENT OR THE AGENT'S EMPLOYEE WHILE OFFERING OR SELLING A MECHANICAL REPAIR CONTRACT ON BEHALF OF THE REGISTRANT.
- (D) (1) AN OBLIGOR OR A LICENSED VEHICLE DEALER THAT USES AN AGENT TO SELL A MECHANICAL REPAIR CONTRACT SHALL:
 - (I) MAINTAIN A LIST OF ITS AGENTS; AND
- (II) MAKE THE LIST AVAILABLE TO THE INSURANCE COMMISSIONER ON REQUEST.

(2) AN AGENT SHALL:

(I) MAINTAIN A LIST CONTAINING THE NAMES OF EACH EMPLOYEE WHO IS AUTHORIZED TO SELL A MECHANICAL REPAIR CONTRACT; AND

- (II) ON REQUEST, PROVIDE THE LIST TO ITS OBLIGOR OR LICENSED VEHICLE DEALER WITHIN 10 BUSINESS DAYS FROM RECEIPT OF THE REQUEST.
- (3) A LIST MAINTAINED UNDER THIS SUBSECTION MAY BE STORED IN AN ELECTRONIC FORMAT";

after line 5, insert:

"<u>27–101.</u>

- (ff) A person that is convicted of a violation of § 15–311.2(c)(5) of this article:
- (1) <u>Is subject to a fine of not more than [\$1,000] \$5,000 or imprisonment for not more than 1 year or both; and</u>
 - (2) May be required to pay restitution.";

and in line 6, 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 448 – Senators Kelley, Astle, Benson, Currie, Guzzone, Jennings, Kagan, King, Klausmeier, Lee, Madaleno, Manno, McFadden, Middleton, Muse, Nathan-Pulliam, Peters, Pinsky, Ramirez, Raskin, Rosapepe, Young, and Zirkin

AN ACT concerning

Guardianship and Child in Need of Assistance Proceedings – Jurisdiction and Authority of Juvenile Court

SB0448/778677/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 448

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "or" in line 5 down through "welfare" in line 6 and substitute "<u>to a certain child</u>"; and strike beginning with "or" in line 7 down through "welfare" in line 8 and substitute "<u>to a certain child</u>".

On page 2, after line 4, insert:

"BY repealing and reenacting, without amendments,

Article – Family Law

<u>Section 5–324(b)</u>

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)";

and in line 7, strike "5–324(b) and".

AMENDMENT NO. 2

On page 3, strike beginning with "or" in line 4 down through "disability" in line 6.

On page 4, strike beginning with "**DIRECT**" in line 29 down through "**INCLUDING**" in line 31 and substitute "**FOR A CHILD WITH A DISABILITY, DIRECT THE PROVISION OF**".

On page 5, in line 2, after "EFFECTIVE" insert "<u>UNTIL</u>"; strike line 3 in its entirety; in lines 4 and 6, strike "(I)" and "(II)", respectively, and substitute "(1)" and "(2)", respectively; in lines 6 and 9, strike "1." and "2.", respectively, and substitute "(I)" and "(II)", respectively; and strike beginning with the semicolon in line 12 down through "ENDS" in line 14.

On page 6, strike beginning with "DIRECT" in line 11 down through "INCLUDING" in line 13 and substitute "FOR A CHILD WITH A DISABILITY, DIRECT THE PROVISION OF"; in line 18, after "EFFECTIVE" insert "UNTIL"; strike line 19 in its entirety; in lines 20 and 22, strike "(I)" and "(II)", respectively, and substitute "(1)" and "(2)", respectively; in lines 22 and 25, strike "1." and "2.", respectively, and substitute "(I)" and "(II)", respectively; and strike beginning with the semicolon in line 28 down through "ENDS" in line 30.

On page 7, in lines 25 and 27, in each instance, strike the brackets.

Strike beginning with "OR" in line 27 on page 7 down through "AND" in line 3 on page 8.

On page 9, in line 24, strike "OR C".

AMENDMENT NO. 3

On page 5, in line 5, on page 6, in line 21, and on page 8, in line 32, in each instance, after "CARE" insert "IF ADULT GUARDIANSHIP IS NECESSARY AND THERE IS NO LESS RESTRICTIVE ALTERNATIVE THAT MEETS THE NEEDS OF THE CHILD".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #14

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 508 – Senators Ramirez and Ferguson

AN ACT concerning

Civil Penalties for Shoplifting and Employee Theft - Repeal

SB0508/368978/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 508

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after "Ramirez" insert ", Norman,"; in line 2, strike "– Repeal"; strike beginning with "repealing" in line 3 down through "theft" in line 4 and substitute "altering requirements for certain demand letters relating to alleged acts of shoplifting or employee theft; providing that a responsible person who prevails in a certain

civil action is entitled to an award of court costs and reasonable attorney's fees, under certain circumstances; requiring a court to reduce the amount of restitution awarded in a certain criminal proceeding by an amount equal to certain damages and civil penalties; prohibiting a person from taking certain actions in recovering or attempting to recover a certain civil penalty; establishing a certain penalty for certain violations; making stylistic changes"; and strike in their entirety lines 6 through 11, inclusive, and substitute:

"BY repealing and reenacting, without amendments,

<u>Article – Courts and Judicial Proceedings</u>

Section 3–1301, 3–1302, 3–1304, 3–1307, and 3–1308

Annotated Code of Maryland

(2013 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

<u>Article – Courts and Judicial Proceedings</u>

Section 3–1303, 3–1305, and 3–1306

Annotated Code of Maryland

(2013 Replacement Volume and 2015 Supplement)

BY adding to

Article – Courts and Judicial Proceedings

Section 3–1306.1

Annotated Code of Maryland

(2013 Replacement Volume and 2015 Supplement)".

AMENDMENT NO. 2

On page 1 in lines 15 and 16, on page 2 in lines 23 and 24, on page 3 in lines 3 and 4, on page 4 in lines 16, 17, 21, 22, 30, and 31, and on page 5 in lines 3, 4, 10, 11, and 14, in each instance, strike the bracket.

AMENDMENT NO. 3

On page 3, in line 12, after "letter" insert ", PREPARED BY A LAWYER ADMITTED TO PRACTICE LAW IN THE STATE,"; in line 18, after "committed" insert ", INCLUDING THE DATE AND TIME THE ACT IS ALLEGED TO HAVE OCCURRED;

(II) SPECIFY THE BASIS ON WHICH THE RESPONSIBLE PERSON OR, IF APPLICABLE, THE CHILD OF THE RESPONSIBLE PERSON HAS BEEN ACCUSED OF THE ACT OF SHOPLIFTING OR EMPLOYEE THEFT";

in lines 19, 21, 23, 25, and 29, strike "(ii)", "(iii)", "(iv)", "(v)", and "(vi)", respectively, and substitute "(III)", "(IV)", "(V)", "(VI)", and "(VII)", respectively; in line 28, strike "and"; in line 31, after "letter" insert "; AND

(VIII) SPECIFY THAT, IF THE RESPONSIBLE PERSON DISPUTES LIABILITY FOR THE ALLEGED ACT OF SHOPLIFTING OR EMPLOYEE THEFT:

- 1. THE RESPONSIBLE PERSON MAY REFUSE TO PAY THE DAMAGES AND CIVIL PENALTY; AND
- 2. If the responsible person prevails in a civil suit for damages and penalties arising from the alleged act of shoplifting or employee theft, the responsible person is entitled to an award of court costs and reasonable attorney's fees";

and after line 31, insert:

"(3) IF APPLICABLE, THE MERCHANT SHALL CAUSE A COPY OF ANY POLICE REPORT CONCERNING THE ALLEGED ACT OF SHOPLIFTING OR EMPLOYEE THEFT TO BE ATTACHED TO THE INITIAL DEMAND LETTER.".

On page 3 in line 15, and on page 4 in line 3, in each instance, after "address" insert "BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED".

On page 4, in line 2, after the second "letter" insert ", PREPARED BY A LAWYER ADMITTED TO PRACTICE LAW IN THE STATE,"; in line 6, strike "(v)" and substitute "(VIII)"; in line 28, after "(b)" insert "In a civil action brought under this subtitle, the merchant shall submit proof to the court that the MERCHANT COMPLIED WITH ALL REQUIREMENTS UNDER § 3–1303 OF THIS SUBTITLE CONCERNING DEMAND LETTERS.

(C)";

and after line 30, insert:

"(D) IF THE RESPONSIBLE PERSON PREVAILS IN A CIVIL ACTION BROUGHT UNDER THIS SUBTITLE, THE RESPONSIBLE PERSON SHALL BE ENTITLED TO AN

AWARD OF COURT COSTS AND REASONABLE ATTORNEY'S FEES, TO BE ASSESSED WITHOUT REGARD TO THE ABILITY OF THE MERCHANT TO PAY.".

On page 5, in line 2, strike "However, the" and substitute:

"(C) THE";

and after line 3, insert:

"(D) A COURT SHALL REDUCE THE AMOUNT OF ANY RESTITUTION AWARDED IN A CRIMINAL PROCEEDING REGARDING AN ACT FOR WHICH A RESPONSIBLE PERSON HAS PAID DAMAGES AND CIVIL PENALTIES UNDER THIS SUBTITLE BY AN AMOUNT EQUAL TO THOSE DAMAGES AND CIVIL PENALTIES.".

AMENDMENT NO. 4

On page 5, before line 4, insert:

"3-1306.1.

- (A) IN RECOVERING OR ATTEMPTING TO RECOVER DAMAGES OR A CIVIL PENALTY ARISING FROM AN ALLEGED ACT OF SHOPLIFTING OR EMPLOYEE THEFT UNDER THIS SUBTITLE, A PERSON MAY NOT:
 - (1) USE OR THREATEN FORCE OR VIOLENCE;
- (2) COMMUNICATE WITH A RESPONSIBLE PERSON, IN A MANNER THAT REASONABLY CAN BE EXPECTED TO ABUSE OR HARASS THE RESPONSIBLE PERSON, INCLUDING COMMUNICATING WITH EXCESSIVE FREQUENCY OR AT UNUSUAL HOURS;
- (3) USE OBSCENE OR GROSSLY ABUSIVE LANGUAGE IN COMMUNICATING WITH THE RESPONSIBLE PERSON;
- (4) CLAIM, ATTEMPT, OR THREATEN TO ENFORCE A RIGHT WITH KNOWLEDGE THAT THE RIGHT DOES NOT EXIST; OR

- (5) USE A COMMUNICATION THAT SIMULATES LEGAL OR JUDICIAL PROCESS OR GIVES THE APPEARANCE OF BEING AUTHORIZED, ISSUED, OR APPROVED BY A GOVERNMENT, GOVERNMENTAL AGENCY, OR LAWYER WHEN IT IS NOT.
- (B) A PERSON WHO VIOLATES THIS SECTION IS LIABLE FOR ANY DAMAGES PROXIMATELY CAUSED BY THE VIOLATION, INCLUDING DAMAGES FOR EMOTIONAL DISTRESS OR MENTAL ANGUISH SUFFERED WITH OR WITHOUT ACCOMPANYING PHYSICAL INJURY.".

The preceding 4 amendments were read only.

Senator Jennings moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 863 – Senators Lee, Benson, Madaleno, Manno, Ramirez, Raskin, Rosapepe, and Zucker

AN ACT concerning

Workgroup to Study Safe Harbor Policy for Youth Victims of Human Trafficking
– Sunset Extension

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 883 – Senators Hough and Young

AN ACT concerning

Frederick County - Local Government Tort Claims Act - Notice of Claim

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #24

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 824 - Senator Conway

AN ACT concerning

Real Estate Licensees - Verification of Service Provider Licensing Status

SB0824/474430/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 824

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after "verify" insert "annually"; and strike beginning with "at" in line 7 down through "time" in line 8.

AMENDMENT NO. 2

On page 2, in line 10, strike "FIRST" and substitute "ANNUALLY"; and in line 11, strike "CURRENTLY".

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 828 – Senator Conway

AN ACT concerning

Real Estate Brokers – Agency Relationships in Residential Real Estate Transactions – Disclosure and Consent Requirements

SB0828/634137/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 828

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike the third "a"; and in line 7, strike "exception" and substitute "exceptions".

AMENDMENT NO. 2

On page 5, in line 9, strike "PARAGRAPH (2)" and substitute "PARAGRAPHS (2) AND (3)"; and after line 16, insert:

- "(3) IN ADDITION TO THE WRITTEN DISCLOSURE REQUIRED UNDER SUBSECTION (B) OF THIS SECTION:
- (I) IF THE FIRST CONTACT BETWEEN A SELLER'S AGENT AND A PROSPECTIVE BUYER OR LESSOR IS NOT A FACE-TO-FACE CONTACT, THE SELLER'S AGENT SHALL DISCLOSE, THROUGH THE MEDIUM IN WHICH THE CONTACT OCCURS, THAT THE SELLER'S AGENT REPRESENTS THE SELLER OR LESSOR; AND
- (II) IF THE FIRST CONTACT BETWEEN A BUYER'S AGENT AND A PROSPECTIVE SELLER OR LESSEE IS NOT A FACE-TO-FACE CONTACT, THE BUYER'S AGENT SHALL DISCLOSE, THROUGH THE MEDIUM IN WHICH THE CONTACT OCCURS, THAT THE BUYER'S AGENT REPRESENTS THE BUYER OR LESSEE.".

AMENDMENT NO. 3

On page 8, in line 12, strike "identify" and substitute "<u>INCLUDE AN AFFIRMATION</u> <u>THAT IDENTIFIES</u>"; strike beginning with the second "THE" in line 13 down through "OF" in line 14; in line 31, after "seller," insert "<u>NEITHER AN INTRA-COMPANY AGENT NOR</u>"; in the same line, strike "not"; and in lines 33 and 34, in each instance, strike the bracket.

On page 9, in line 1, after "buyer," insert "<u>NEITHER AN INTRA-COMPANY AGENT</u> <u>NOR</u>"; in the same line, strike "not"; and in lines 3 and 4, in each instance, strike the bracket.

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 856 - Senators Kelley, Ferguson, and Nathan-Pulliam

AN ACT concerning

Public Health - HIV Testing During Pregnancy

<u>Favorable report adopted.</u>

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 923 – Senator Rosapepe

AN ACT concerning

Occupational Licenses - Denial for Criminal Conviction - Notice of Prohibition and Task Force

SB0923/324335/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 923

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "and Task Force"; strike beginning with "establishing" in line 10 down through "date;" in line 17; and strike beginning with "providing" in line 17 down through "Act;" in line 18 and substitute "requiring the publishers of the Annotated Code of Maryland to make certain changes under certain circumstances;".

AMENDMENT NO. 2

On pages 8 through 10, strike in their entirety the lines beginning with line 23 on page 8 through line 11 on page 10, inclusive.

On page 10, after line 11, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That, if Chapter (S.B. 804) of the Acts of the General Assembly of 2016 takes effect, the publisher of the Annotated Code of Maryland, in consultation with and subject to the approval of the Department of Legislative Services, shall correct, with no further action required by the General Assembly, cross—references and terminology rendered incorrect in this Act by Chapter (S.B. 804) of the Acts of 2016. The publisher shall adequately describe such correction in an editor's note following the section affected.";

and strike beginning with "Section" in line 13 down through "effect." in line 15.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #25

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 427 – Senators Pinsky, Conway, Ferguson, Guzzone, Middleton, Raskin, and Young

AN ACT concerning

Higher Education – Institutions of Postsecondary Education – Consumer Protection Provisions

SB0427/764336/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 427
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "schools" insert "and certain for—profit institutions of higher education"; strike beginning with "including" in line 7 down through "funds;" in line 8; and in line 15, after "circumstances;" insert "providing for the application of a certain provision of this Act".

AMENDMENT NO. 2

On page 2, in lines 8, 13, and 18, in each instance, after "SCHOOL" insert "OR FOR-PROFIT INSTITUTION OF HIGHER EDUCATION"; in line 8, strike "10–101(J)" and substitute "10–101"; in lines 10, 14, and 20, in each instance, after "LICENSURE" insert "OR CERTIFICATION"; strike in their entirety lines 15 through 17, inclusive; after line 17, insert:

"(2) THE STATE ENTITY THAT LICENSES OR CERTIFIES INDIVIDUALS IN THE FIELD REQUIRES AS A CONDITION OF LICENSURE OR CERTIFICATION THAT THE PRIVATE CAREER SCHOOL OR FOR-PROFIT INSTITUTION OF HIGHER EDUCATION ATTENDED BY THE INDIVIDUAL SATISFIES A STATUTORY OR REGULATORY REQUIREMENT, AND THE SCHOOL DOES NOT SATISFY THE REQUIREMENT; OR";

in line 18, after "AWARE" insert "OR REASONABLY SHOULD HAVE BEEN AWARE"; in line 19, strike "CHARACTERISTICS OF THE STUDENT OR OF THE PROGRAM" and substitute "FACTORS"; in the same line, strike "WOULD" and substitute "MAY"; and in line 20, strike "SEEK" and substitute "PURSUE".

AMENDMENT NO. 3

On page 3, strike in their entirety lines 16 through 30, inclusive; after line 30, insert:

- "(2) (I) THE FOR-PROFIT INSTITUTIONS OF HIGHER EDUCATION
 FUND AND THE PRIVATE CAREER SCHOOL FUND SHALL BE USED:
- 1. IN THE EVENT OF A SCHOOL CLOSURE BY A FOR-PROFIT INSTITUTION OF HIGHER EDUCATION OR A PRIVATE CAREER SCHOOL, TO PROVIDE A FULL REFUND OF TUITION AND FEES INCURRED BY A STUDENT THAT HAVE NOT BEEN REIMBURSED OR DISCHARGED;
- 2. SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION,
 TO PROVIDE A REFUND, AS DETERMINED BY THE SECRETARY, OF TUITION AND FEES

INCURRED BY A STUDENT THAT HAVE NOT BEEN REIMBURSED OR DISCHARGED, IF A FOR-PROFIT INSTITUTION OF HIGHER EDUCATION OR A PRIVATE CAREER SCHOOL FAILS TO:

A. PERFORM FAITHFULLY ANY ENROLLMENT AGREEMENT OR CONTRACT WITH THE STUDENT; OR

B. COMPLY WITH ANY PROVISIONS OF THIS ARTICLE; OR

3. FOR ANY OTHER REASON DIRECTLY RELATED TO THE ORIGINAL PURPOSE OF THE FUND DEEMED APPROPRIATE BY THE SECRETARY.";

and in line 31, strike "(iii)" and substitute "(III)".

On page 4, in lines 14 and 20, strike "(iv)" and "(v)", respectively, and substitute "(III)" and "(IV)", respectively.

AMENDMENT NO. 4

On page 4, in line 25, after "CLAIM" insert "UNDER PARAGRAPH (2)(II)2 OF THIS SUBSECTION"; and in line 27, after "COMPLAINT" insert "FILED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH".

AMENDMENT NO. 5

On page 6, after line 16, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That § 11–203(d)(2)(i)1 of the Education Article, as enacted by Section 1 of this Act, does not apply to a for–profit institution of higher education that underwent an orderly closure that included a teachout that was finalized on or before January 1, 2016.";

and in line 17, strike "2." and substitute "3.".

The preceding 5 amendments were read only.

Senator Hershey moved, duly seconded, 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 533 – Senator Pinsky

AN ACT concerning

Education - Administration of Assessments - Provision of Information

SB0533/504438/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 533

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Administration of"; in the same line, before "Provision" insert "Administration and"; in line 3, after "of" insert "extending the period of time by which the State Department of Education is required to develop a certain assessment in a certain core content area;"; in line 4, after "system" insert "under certain circumstances"; and after line 8, insert:

"BY repealing and reenacting, with amendments,

<u>Article – Education</u>

Section 7-203(b)(3)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)".

AMENDMENT NO. 2

On page 1, after line 16, insert:

"<u>7–203.</u>

(b) (3) (i) After the 2014–2015 school year, the State Board shall determine whether the assessments at the middle school and high school levels required under paragraph (2)(iii)3 of this subsection adequately measure the skills and knowledge set forth in the State's adopted curricula for the core content areas of reading, language, mathematics, science, and social studies.

(ii) If the State Board makes a determination under subparagraph (i) of this paragraph that an assessment does not adequately measure the skills and knowledge set forth in the State's adopted curricula for a core content area, the Department shall develop a State—specific assessment in that core content area to be implemented in the [2016–2017] 2018–2019 school year.";

and after line 17, insert:

- "(A) (1) IN THIS SECTION, "ASSESSMENT" MEANS A LOCALLY, STATE, OR FEDERALLY MANDATED TEST THAT IS INTENDED TO MEASURE A STUDENT'S ACADEMIC READINESS, LEARNING PROGRESS, AND SKILL ACQUISITION.
- (2) "ASSESSMENT" DOES NOT INCLUDE A TEACHER-DEVELOPED QUIZ OR TEST.
- (B) THIS SECTION DOES NOT APPLY TO AN ASSESSMENT OR TEST GIVEN TO A STUDENT RELATING TO:
 - (I) A STUDENT'S 504 PLAN;
- (II) THE FEDERAL INDIVIDUALS WITH DISABILITIES EDUCATION ACT, 20 U.S.C. 1400; OR
- (III) FEDERAL LAW RELATING TO ENGLISH LANGUAGE LEARNERS.".

On page 1 in line 18, and on page 2 in line 8, strike "(A)" and "(B)", respectively, and substitute "(C)" and "(D)", respectively.

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 595 – Senator Rosapepe

AN ACT concerning

Education - Dual Enrollment - Middle School Students

SB0595/354634/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 595

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Dual Enrollment –"; in the same line, after "Students" insert "— Awarding of Credit"; strike beginning with "altering" in line 3 down through "for" in line 9 and substitute "requiring certain county boards of education to award credit to certain middle school students under certain circumstances; and generally relating to the awarding of credit to"; and strike in their entirety lines 10 through 15, inclusive, and substitute:

"BY adding to

Article - Education

Section 4–132

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)".

AMENDMENT NO. 2

On page 1, after line 18, insert:

"4-132**.**

NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A COUNTY BOARD SHALL AWARD CREDIT TO A MIDDLE SCHOOL STUDENT FOR ANY COURSE FOR WHICH A HIGH SCHOOL STUDENT WOULD BE AWARDED CREDIT IF THE MIDDLE SCHOOL STUDENT MEETS THE SAME REQUIREMENTS AS THE HIGH SCHOOL STUDENT.".

On pages 1 through 3, strike in their entirety the lines beginning with line 19 on page 1 through line 25 on page 3, inclusive.

The preceding 2 amendments were read and adopted.

1709

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 764 – Senators Raskin and Rosapepe

AN ACT concerning

Education - Student Journalists - Freedom of Speech and Freedom of the Press

Senator Hershey moved, duly seconded, to make the Bill and Report a Special Order for March 16, 2016.

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 794 – Senators Jennings, Kagan, Klausmeier, Waugh, Young, and Zucker

AN ACT concerning

Education - Prekindergarten and Kindergarten Assessments - Administration

SB0794/694432/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 794

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Zucker" and substitute "Zucker, and Salling"; in line 5, after "State" insert ", subject to a certain exception"; in line 6, after "skills;" insert "authorizing certain county boards of education and certain principals and teachers to administer a certain statewide kindergarten assessment under certain circumstances;"; and in line 7, after "students" insert ", subject to a certain exception".

AMENDMENT NO. 2

On page 1, in line 19, strike "A" and substitute "EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A"; and in line 21, after "SAMPLE" insert ", AS DETERMINED BY THE DEPARTMENT,".

On page 2, after line 5, insert:

- "(B) IN ACCORDANCE WITH A COLLECTIVE BARGAINING AGREEMENT EXECUTED UNDER TITLE 6, SUBTITLE 4 OR SUBTITLE 5 OF THIS ARTICLE OR AN AMENDMENT TO AN EXISTING AGREEMENT, A PRINCIPAL AND A TEACHER WHO ARE IN MUTUAL AGREEMENT OR A COUNTY BOARD MAY ADMINISTER A STATEWIDE KINDERGARTEN ASSESSMENT WITH THE PURPOSE OF MEASURING SCHOOL READINESS IF:
- (1) THE ASSESSMENT IS COMPLETED BEFORE THE FIRST FULL DAY OF KINDERGARTEN; AND
- (2) THE AGGREGATE RESULTS ARE RETURNED WITHIN 45 DAYS AFTER ADMINISTRATION OF THE ASSESSMENT.";
- in line 6, strike "(B) A" and substitute "(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A"; in the same line, strike "A" and substitute "AN ENROLLED"; after line 7, insert:
- "(2) A STANDARDIZED TEST MAY BE ADMINISTERED TO AN ENROLLED PREKINDERGARTEN STUDENT BY A SCHOOL PSYCHOLOGIST OR OTHER SCHOOL-BASED PROFESSIONAL WHO INTENDS TO USE THE RESULTS IN ORDER TO IDENTIFY A DISABILITY.";

and in line 8, strike "(C)" and substitute "(D)".

The preceding 2 amendments were read only.

Senator Ferguson moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #26

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 200 – Senator Conway (Chair, Education, Health, and Environmental Affairs Committee)

AN ACT concerning

Health Occupations - Environmental Health Specialists - Regulation

SB0200/384733/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 200

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Environmental Health Specialists – Regulation" and substitute "<u>State Board of Environmental Health Specialists – Sunset Extension and Revisions</u>".

On page 1, in line 3, after the first "of" insert "continuing the State Board of Environmental Health Specialists in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; requiring a certain annual report filed by the Board to include a plan for special fund revenues; requiring the Board, on or before a certain date, to adopt certain regulations regarding continuing education, conduct a certain review of continuing education units and providers, make certain information available through the Board's Web site, conduct a certain evaluation, implement an online continuing education unit process, overhaul the Board's Web site to include certain content, and establish a method to improve the accuracy of licensee contact information; requiring the Board to monitor the Long Term Environmental Health Workforce Work Group's activities and certain recommendations and assist the Work Group in instituting certain statutory and regulatory changes and distributing information to licensees; requiring the Board, on or before a certain date, to report to certain committees of the General Assembly on the implementation of the requirements of certain provisions of this Act; requiring the Board

to develop a certain plan, submit certain legislation to certain committees of the General Assembly on or before a certain date, and report certain information to certain committees of the General Assembly on or before certain dates; and generally relating to the State Board of Environmental Health Specialists.".

On pages 1 and 2, strike beginning with "repealing" in line 3 on page 1 down through "specialists." in line 3 on page 2.

On page 2, strike in their entirety lines 4 through 41, inclusive, and substitute:

"BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 21–205 and 21–502

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

<u>Article – State Government</u>

Section 8–403(a)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

<u>Article – State Government</u>

Section 8-403(b)(20)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)".

AMENDMENT NO. 2

On pages 3 through 9, strike in their entirety the lines beginning with line 1 on page 3 through line 9 on page 9, inclusive, and substitute:

"SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Health Occupations

- (a) In addition to the powers set forth elsewhere in this title, the Board may:
- (1) Adopt rules, regulations, and bylaws to carry out the provisions of this title;
 - (2) Sue to enforce any provision of this title by injunction; and
- (3) <u>Issue subpoenas, summon witnesses, administer oaths, take affidavits,</u> and take testimony about matters that relate to the jurisdiction of the Board.
 - (b) In addition to the duties set forth elsewhere in this title, the Board shall:
 - (1) Keep a current record of all licensed environmental health specialists;
 - (2) Collect and account for fees provided under this title;
- (3) Pay all necessary expenses of the Board in accordance with the State budget;
 - (4) Keep a complete record of its proceedings;
- (5) File an annual report of its activities [, including a financial statement,] with the Governor and the Secretary THAT INCLUDES:
 - (I) A FINANCIAL STATEMENT; AND
 - (II) A PLAN FOR SPECIAL FUND REVENUES; and
 - (6) Adopt an official seal.

21-502.

Subject to the evaluation and reestablishment provisions of the Program Evaluation Act, the provisions of this title and of any rule or regulation adopted under this title shall terminate and be of no effect after July 1, [2017] **2022**.

<u>Article – State Government</u>

- (a) On or before December 15 of the evaluation year specified, the Department shall:
- (1) conduct a preliminary evaluation of each governmental activity or unit to be evaluated under this section; and
 - (2) prepare a report on each preliminary evaluation conducted.
- (b) Each of the following governmental activities or units and the statutes and regulations that relate to the governmental activities or units are subject to preliminary evaluation in the evaluation year specified:
- (20) Environmental Health Specialists, State Board of (§ 21–201 of the Health Occupations Article: [2014] 2021);

SECTION 2. AND BE IT FURTHER ENACTED, That:

- (a) On or before January 1, 2017, the Board of Environmental Health Specialists shall:
 - (1) adopt regulations regarding continuing education that include:
- (i) a list of continuing education unit providers who are automatically approved; and
- (ii) for continuing education units that are not automatically approved, a deadline by which the continuing education unit shall be submitted to the Board for approval;
- (2) review the list of preapproved continuing education units and providers on the Board's Web site, remove the units and providers that are obsolete, and list the preapproved units and providers in a user–friendly format;
- (3) make available, through the Board's Web site and by e-mail to licensees, a summary of the continuing education process, including any deadlines and preapproved providers;

- (4) evaluate whether to implement an audit—based continuing education unit review system through which the Board will conduct a random audit of a minimum of 10% of licensees to determine compliance with the continuing education unit requirement;
 - (5) implement an online continuing education unit process;
 - (6) overhaul the Board's Web site to include the following specific content:
 - (i) fees;
 - (ii) application forms;
 - (iii) examination study links and resources;
 - (iv) board meeting minutes;
 - (v) continuing education training opportunities; and
- (vi) links to National Environmental Health Association study aids and training; and
- (7) establish a method to improve the accuracy of licensee contact information.

(b) The Board shall:

- (1) monitor the Long Term Environmental Health Workforce Work Group's activities and recommendations for improving recruitment and retention of environmental health specialists and for statutory licensing exemptions; and
- (2) <u>assist the Work Group in instituting any statutory or regulatory changes necessary to implement the recommendations of the Work Group and distributing information to licensees in a timely manner.</u>
- (c) On or before January 1, 2017, the Board 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 on the implementation of the requirements of subsections (a) and (b) of this section."

AMENDMENT NO. 3

On page 9, after line 9, insert:

- "SECTION 3. AND BE IT FURTHER ENACTED, That the State Board of Environmental Health Specialists shall:
 - (1) develop a plan for prospective licensees that will:
- (i) <u>better align current licensure requirements with the requirements of the National Environmental Health Association (NEHA);</u>
- (ii) encourage licensees to acquire the education and training necessary to obtain the NEHA credential, or to otherwise overcome any obstacles to obtaining the NEHA credential;
- (iii) provide assistance to licensees in obtaining the NEHA credential; and
- (iv) review State policy relating to the environmental health specialist profession in order to address any shortages in the availability of environmental health specialists and, as part of the review, examine the regulatory structure of the profession;
- (2) on or before November 1, 2016, submit 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, draft legislation needed to implement the plan developed under item (1) of this section; and
- (3) on or before December 1, 2017, December 1, 2018, and December 1, 2019, report to the Governor and, in accordance with § 2–1246 of the State Government Article, to the Senate Education, Health, and Environmental Affairs Committee and the House Health and Government Operations Committee regarding:
- (i) the number of licensees who meet the requirements to obtain the NEHA credential; and

(ii) the number of licensees who are unable to meet the requirements to obtain the NEHA credential, including a detailed explanation of why the licensees are unable to meet the requirements.";

and in line 10, strike "8." 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 557 - Senator Astle

AN ACT concerning

Members of the National Guard and Maryland Defense Force – Employment and Reemployment Rights – Enforcement

SB0557/524834/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 557

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Senator Astle" and substitute "Senators Astle and Salling"; and in lines 2, 4 and 5, 8, and 10, in each instance, strike "and Maryland Defense Force".

AMENDMENT NO. 2

On page 2, in lines 9 and 10 and 14, in each instance, strike "OR MARYLAND DEFENSE FORCE".

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 614 – Senator Conway

AN ACT concerning

Veterinarians, Pharmacies, and Pharmacists – Dispensing Compounded Preparations for Use by Companion Animals

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 1020 - Senator Pugh

AN ACT concerning

State Board of Physicians – Authority to Adopt Regulations – Physician Licensing Reciprocity

SB1020/724638/1

BY: Education, Health, and Environmental Affairs Committee

<u>AMENDMENTS TO SENATE BILL 1020</u>

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Authority to Adopt Regulations –"; strike beginning with "authorizing" in line 4 down through "Physicians" in line 9 and substitute "<u>requiring the State Board of Physicians to license certain applicants to practice medicine under certain circumstances; requiring the Board to adopt certain regulations; and generally relating to reciprocal licensure for physicians".</u>

AMENDMENT NO. 2

On page 1, after line 18, insert:

"(J) (1) THE BOARD SHALL LICENSE AN APPLICANT TO PRACTICE MEDICINE IF:

(I) THE APPLICANT:

- 1. BECAME LICENSED OR CERTIFIED AS A PHYSICIAN IN ANOTHER JURISDICTION UNDER REQUIREMENTS THAT THE BOARD DETERMINES ARE SUBSTANTIALLY EQUIVALENT TO THE LICENSING REQUIREMENTS OF THIS TITLE;
- 2. <u>IS IN GOOD STANDING UNDER THE LAWS OF THE OTHER JURISDICTION;</u>
- 3. SUBMITS AN APPLICATION TO THE BOARD ON A FORM THAT THE BOARD REQUIRES; AND
- 4. PAYS TO THE BOARD AN APPLICATION FEE SET BY THE BOARD; AND
- (II) THE JURISDICTION IN WHICH THE APPLICANT IS LICENSED OR CERTIFIED OFFERS A SIMILAR RECIPROCAL LICENSING PROCESS FOR INDIVIDUALS LICENSED TO PRACTICE MEDICINE BY THE BOARD.
- (2) THE BOARD SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SUBSECTION.".

On pages 1 and 2, strike in their entirety the lines beginning with line 19 on page 1 through line 6 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.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #27

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 630 - Senator Hershey

AN ACT concerning

Comptroller - Distillery Off-Site Permit

SB0630/744437/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 630

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after "Permit" insert "and Liquor Festival Permit"; in line 3, strike "the Office of"; in line 4, strike "manufacturer's" and substitute "distillery license or a Class 9 limited distillery"; in line 6, after "that" insert "distillery off-site"; in line 7, after the first "the" insert "distillery off-site"; in the same line, after the third "the" insert "distillery off-site"; in line 8, after "liquor" insert "at certain events"; in line 10, after "program;" insert "requiring the distillery off-site permit holder to notify the Comptroller of the permit holder's intention to attend an event within a time period that the Comptroller determines; requiring that the notice be on a certain form; authorizing the Comptroller to adopt certain regulations; authorizing the Comptroller to issue a liquor festival permit to a certain organization; providing that the permit authorizes the permit holder to conduct a liquor festival for a certain time and purchase liquor at wholesale for certain purposes; requiring the liquor festival permit holder to provide space at a liquor festival for holders of distillery off-site permits; providing that a holder of a distillery off-site permit that attends a liquor festival may provide liquor to a consumer in a certain manner; authorizing the liquor festival permit holder to provide or sell at a liquor festival only certain alcoholic beverages; allowing a liquor sample to be served that is blended with certain products; requiring that the liquor festival permit holder have present at all times at least two individuals who are certified by an approved alcohol awareness program; requiring an applicant for a liquor festival permit to submit an application to the Comptroller before a certain time; requiring that the application be on a certain form and contain certain information; requiring a holder of a liquor festival permit to provide the Comptroller with a certain list before a certain time; establishing a fee for a liquor festival permit;"; in the same line, strike "liquor and" and substitute "liquor,"; in the same line, after "permits" insert ", and liquor festival permits"; and strike in their entirety lines 11 through 15, inclusive, and substitute:

"BY repealing and reenacting, with amendments, Article – Alcoholic Beverages The part designation "Part IV. Beer, Wine, and Liquor Permits" immediately preceding Section 2–129

Annotated Code of Maryland

(As enacted by Chapter ___ (S.B. 724) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, without amendments,

<u>Article – Alcoholic Beverages</u>

Section 2–129

Annotated Code of Maryland

(As enacted by Chapter ___ (S.B. 724) of the Acts of the General Assembly of 2016)

BY adding to

<u>Article – Alcoholic Beverages</u>

Section 2-132.1 and 2-132.2

Annotated Code of Maryland

(As enacted by Chapter (S.B. 724) of the Acts of the General Assembly of 2016)".

AMENDMENT NO. 2

On page 1, in line 18, strike "2B".

On pages 1 and 2, strike in their entirety the lines beginning with line 19 on page 1 through line 28 on page 2, inclusive, and substitute:

"Part IV. Beer [and Wine], WINE, AND LIQUOR Permits.

2-129.

This part applies statewide.

2–132.1.

- (A) THERE IS A DISTILLERY OFF-SITE PERMIT.
- (B) THE COMPTROLLER MAY ISSUE THE PERMIT TO A HOLDER OF A CLASS 1 DISTILLERY LICENSE OR A CLASS 9 LIMITED DISTILLERY LICENSE THAT MEETS THE REQUIREMENTS OF THIS SECTION.

- (C) DURING AN EVENT LISTED IN SUBSECTION (E) OF THIS SECTION, THE PERMIT HOLDER MAY:
- **(1)** PROVIDE TO A CONSUMER NOT MORE THAN FOUR LIQUOR **SAMPLES THAT:**
 - (I)HAVE BEEN PRODUCED BY THE PERMIT HOLDER; AND
- (II)DO NOT EXCEED ONE-QUARTER OF 1 FLUID OUNCE FOR EACH OFFERING; AND
- **(2)** SELL TO A CONSUMER LIQUOR THAT HAS BEEN PRODUCED BY THE PERMIT HOLDER FOR OFF-PREMISES CONSUMPTION.
- WHILE SELLING LIQUOR OR PROVIDING SAMPLES OF LIQUOR AT AN (D) EVENT, THE PERMIT HOLDER SHALL HAVE PRESENT AT LEAST ONE INDIVIDUAL WHO IS CERTIFIED BY AN APPROVED ALCOHOL AWARENESS PROGRAM.
 - **(E)** THE PERMIT MAY BE USED AT THE FOLLOWING EVENTS:
 - **(1)** THE FREDERICK COUNTY AGRICULTURAL FAIR;
 - **(2)** THE MARYLAND STATE AGRICULTURAL FAIR;
 - **(3)** THE MONTGOMERY COUNTY AGRICULTURAL FAIR;
- **(4)** THE NORTH BEACH FRIDAY NIGHT FARMERS' MARKET AND FOUR OTHER FARMERS' MARKETS THAT ARE LISTED ON THE FARMERS' MARKET DIRECTORY OF THE MARYLAND DEPARTMENT OF AGRICULTURE;
 - A LIQUOR FESTIVAL UNDER § 2–132.2 OF THIS SUBTITLE; AND **(5)**
- **(6)** NOT MORE THAN SIX OTHER EVENTS IN A YEAR THAT HAVE AS THE MAJOR PURPOSE OF THE EVENT AN ACTIVITY:

- (I) THAT IS OTHER THAN THE SALE AND PROMOTION OF ALCOHOLIC BEVERAGES; AND
- (II) FOR WHICH THE PARTICIPATION OF A DISTILLERY IS A SUBORDINATE ACTIVITY.
- (F) AN APPLICANT FOR A PERMIT SHALL COMPLETE AN APPLICATION ON A FORM THAT THE COMPTROLLER PROVIDES.
- (G) (1) (I) THE PERMIT HOLDER SHALL NOTIFY THE COMPTROLLER OF THE PERMIT HOLDER'S INTENTION TO ATTEND AN EVENT WITHIN A TIME PERIOD THAT THE COMPTROLLER DETERMINES.
- (II) THE NOTICE SHALL BE ON A FORM THAT THE COMPTROLLER PROVIDES.
- (2) THE COMPTROLLER MAY ADOPT REGULATIONS TO REQUIRE THE PERMIT HOLDER TO NOTIFY THE LOCAL LICENSING BOARD FOR THE JURISDICTION WHERE THE EVENT IS BEING HELD OF THE PERMIT HOLDER'S INTENTION TO ATTEND THE EVENT.
 - (H) THE ANNUAL PERMIT FEE IS \$250.

2-132.2.

- (A) THERE IS A LIQUOR FESTIVAL PERMIT.
- (B) THE COMPTROLLER MAY ISSUE THE PERMIT TO A NONPROFIT ORGANIZATION, AS DEFINED BY § 501(C) OF THE INTERNAL REVENUE CODE, THAT MEETS THE REQUIREMENTS OF THIS SECTION.
 - (C) (1) THE PERMIT AUTHORIZES THE PERMIT HOLDER TO:
- (I) CONDUCT A LIQUOR FESTIVAL FOR AT LEAST 1 DAY BUT NOT MORE THAN 3 CONSECUTIVE DAYS; AND

(II) PURCHASE LIQUOR AT WHOLESALE TO:

- 1. PROVIDE TO A CONSUMER AT NO COST OR FOR A FEE

 NOT MORE THAN FOUR SAMPLES THAT DO NOT EXCEED ONE-QUARTER OF 1 FLUID

 OUNCE FOR EACH OFFERING: AND
- 2. <u>SELL TO A CONSUMER LIQUOR FOR OFF-PREMISES</u> CONSUMPTION.
- (2) THE PERMIT HOLDER SHALL PROVIDE SPACE AT A LIQUOR FESTIVAL FOR HOLDERS OF DISTILLERY OFF—SITE PERMITS.
- (3) A HOLDER OF A DISTILLERY OFF-SITE PERMIT THAT ATTENDS A LIQUOR FESTIVAL MAY PROVIDE LIQUOR TO A CONSUMER IN THE SAME MANNER AS THE HOLDER OF THE LIQUOR FESTIVAL PERMIT.
- (4) (I) THE PERMIT HOLDER MAY PROVIDE OR SELL AT THE LIQUOR FESTIVAL ONLY ALCOHOLIC BEVERAGES PROVIDED BY THE PERMIT HOLDER OR A HOLDER OF A DISTILLERY OFF-SITE PERMIT WHO IS IN ATTENDANCE.
- (II) A SAMPLE MAY BE SERVED THAT IS BLENDED WITH PRODUCTS MANUFACTURED BY A HOLDER OF A DISTILLERY OFF-SITE PERMIT AND NONALCOHOLIC INGREDIENTS.
- (D) AT ALL TIMES DURING THE LIQUOR FESTIVAL, THE PERMIT HOLDER SHALL HAVE PRESENT AT LEAST TWO INDIVIDUALS, ONE OF WHOM MAY BE THE PERMIT HOLDER, WHO ARE CERTIFIED BY AN APPROVED ALCOHOL AWARENESS PROGRAM.
- (E) (1) NOT LESS THAN 30 DAYS BEFORE THE DAY THE LIQUOR FESTIVAL IS SCHEDULED TO BEGIN, AN APPLICANT FOR THE PERMIT SHALL SUBMIT A COMPLETED APPLICATION TO THE COMPTROLLER.

(2) THE APPLICATION SHALL:

(I) BE ON A FORM THAT THE COMPTROLLER PROVIDES;

- (II) STATE THAT THE PRIMARY PURPOSE OF THE LIQUOR FESTIVAL IS TO PROMOTE MARYLAND LIQUOR;
- (III) PROVIDE DETAILS OF THE LIQUOR FESTIVAL, INCLUDING THE LOCATION, DATES, AND TIMES OF OPERATION; AND
- (IV) INCLUDE APPROPRIATE EVIDENCE THAT THE APPLICANT HAS BEEN GIVEN PERMISSION BY THE OWNER OF THE PROPERTY WHERE THE LIQUOR FESTIVAL IS TO BE HELD.
- (F) NOT LESS THAN 15 DAYS BEFORE THE LIQUOR FESTIVAL, THE PERMIT HOLDER SHALL PROVIDE THE COMPTROLLER WITH A LIST OF DISTILLERY OFF-SITE PERMIT HOLDERS THAT WILL ATTEND.
 - (G) THE PERMIT FEE IS \$100.".

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 877 – Washington County Senators

AN ACT concerning

Washington County - Alcoholic Beverages - Class CT (Cinema/Theater) License

SB0877/424139/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 877

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 16, after "fee;" insert "providing for the termination of this Act;".

AMENDMENT NO. 2

On page 4, in line 25, strike "**THE**" and substitute "**SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE**".

On page 5, after line 8, insert:

"(2) A LICENSE HOLDER MAY EXERCISE THE PRIVILEGES OF THE LICENSE ONLY ON THURSDAYS.";

in lines 9 and 11, strike "(2)" and "(3)", respectively, and substitute "(3)" and "(4)", respectively; and strike in their entirety lines 26 through 29, inclusive.

On page 7, in line 5, after "2016." insert "It shall remain effective for a period 15 months and, at the end of October 1, 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 Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 879 - Senator Edwards

AN ACT concerning

Garrett County - Alcoholic Beverages - Various Licenses

SB0879/614533/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 879

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "7-day"; in line 21, strike "21-903(f),"; and after line 25, insert:

"BY adding to

<u>Article – Alcoholic Beverages</u>

Section 21–602(e), 21–802(e), 21–803(f), 21–805(f), 21–902(h), 21–903(f) and (g), and 21–905(f)

Annotated Code of Maryland

(As enacted by Chapter (S.B. 724) of the Acts of the General Assembly of 2016)

BY repealing

<u>Article – Alcoholic Beverages</u>

Section 21–903(f)

Annotated Code of Maryland

(As enacted by Chapter (S.B. 724) of the Acts of the General Assembly of 2016)".

AMENDMENT NO. 2

On page 2, in line 9, strike "new-license" and substitute "**BOARD SHALL CHARGE A ONE-TIME**"; in the same line, strike "is \$150 and shall be paid in addition" and substitute "**FOR A NEW LICENSE IN AN AMOUNT EQUAL**"; in line 13, after "The" insert "**ANNUAL LICENSE**"; in line 14, after "(1)" insert "**\$150**"; strike beginning with the colon in line 14 down through "fee" in line 15; in line 17, after "(2)" insert "**\$250**"; strike beginning with the colon in line 17 down through "fee" in line 19; in line 20, after "(3)" insert "**\$175**"; strike beginning with the colon in line 20 down through "**FEE**" in line 22; and in line 23, after "(4)" insert "**\$275**".

On pages 2 and 3, strike beginning with the colon in line 23 on page 2 down through "FEE" in line 2 on page 3.

On page 3 after line 2 and on page 4 after line 12, in each instance, insert:

"(E) THE BOARD SHALL CHARGE A ONE-TIME ISSUING FEE FOR A NEW LICENSE IN AN AMOUNT EQUAL TO THE ANNUAL LICENSE FEE."

On page 3, in line 8, strike "new-license issuing fee is \$150 and" and substitute "BOARD"; in the same line, strike "be paid in addition" and substitute "CHARGE A ONE-TIME ISSUING FEE FOR A NEW LICENSE IN AN AMOUNT EQUAL"; strike beginning with "one-time" in line 12 down through "The" in line 13; after line 15, insert:

"(2) THE BOARD SHALL CHARGE A ONE-TIME ISSUING FEE FOR A NEW LICENSE IN AN AMOUNT EQUAL TO THE ANNUAL LICENSE FEE.";

and in line 21, strike "issuing fee for a new license is \$350, in addition" and substitute "BOARD SHALL CHARGE A ONE-TIME ISSUING FEE FOR A NEW LICENSE IN AN AMOUNT EQUAL".

On page 4, in line 1, after "(d)" insert "<u>THE ANNUAL LICENSE FEES ARE:</u>"; and in the same line, strike "For" and substitute "\$350 FOR".

AMENDMENT NO. 3

On page 4, strike beginning with the colon in line 1 down through the period in line 3 and substitute a semicolon; in line 4, strike "For" and substitute "\$475 FOR"; strike beginning with the colon in line 4 down through the period in line 6 and substitute a semicolon; in line 7, strike "FOR" and substitute "\$410 FOR"; strike beginning with the colon in line 7 down through the period in line 9 and substitute "\$4ND"; in line 10, strike "FOR" and substitute "\$535 FOR"; strike beginning with the colon in line 10 down through "\$535" in line 12; in line 15, after "(e)" insert "THE ANNUAL LICENSE FEES ARE:"; in the same line, strike "For" and substitute "\$500 FOR"; strike beginning with the colon in line 15 down through the period in line 17 and substitute a semicolon; in line 18, strike "For" and substitute "\$625 FOR"; strike beginning with the colon in line 18 down through the period in line 20 and substitute a semicolon; and in line 21, strike "FOR" and substitute "\$585 FOR".

On pages 4 and 5, strike beginning with the colon in line 21 on page 4 down through the period in line 1 on page 5 and substitute "; AND".

On page 5, in line 2, strike "FOR" and substitute "\$710 FOR"; strike beginning with the colon in line 2 down through "\$710" in line 4; after lines 4 and 18, in each instance, insert:

"(F) THE BOARD SHALL CHARGE A ONE-TIME ISSUING FEE FOR A NEW LICENSE IN AN AMOUNT EQUAL TO THE ANNUAL LICENSE FEE.";

in line 7, after "(e)" insert "<u>THE ANNUAL LICENSE FEES ARE:</u>"; in the same line, strike "For" and substitute "<u>\$350 FOR</u>"; strike beginning with the colon in line 7 down through the period in line 9 and substitute a semicolon; in line 10, strike "For" and substitute "<u>\$475</u>

<u>FOR</u>"; strike beginning with the colon in line 10 down through the period in line 12 and substitute a semicolon; in line 13, strike "FOR" and substitute "\$410 FOR"; strike beginning with the colon in line 13 down through the period in line 15 and substitute "\$AND"; in line 16, strike "FOR" and substitute "\$535 FOR"; strike beginning with the colon in line 16 down through "\$535" in line 18; in line 21, after "(g)" insert "THE ANNUAL LICENSE FEES ARE:"; in the same line, strike "For" and substitute "\$1,500 FOR"; strike beginning with ", the" in line 21 down through the period in line 22 and substitute a semicolon; in line 23, strike "For" and substitute "\$2,000 FOR"; and strike beginning with ", the" in line 23 down through the period in line 24 and substitute a semicolon.

On page 6, in line 1, strike "FOR" and substitute "\$1,750 FOR"; and strike beginning with ", THE" in line 1 down through the period in line 2 and substitute "; AND".

AMENDMENT NO. 4

On page 6, in line 3, strike "FOR" and substitute "\$2,250 FOR"; strike beginning with ", THE" in line 3 down through "\$2,000" in line 4; after line 4, insert:

"(H) THE BOARD SHALL CHARGE A ONE-TIME ISSUING FEE FOR A NEW LICENSE IN AN AMOUNT EQUAL TO THE ANNUAL LICENSE FEE.";

strike in their entirety lines 7 through 12, inclusive, and substitute:

- "(F) THE ANNUAL LICENSE FEES ARE:
 - (1) \$2,250 FOR A 6-DAY LICENSE WITHOUT A CATERING OPTION;
 - (2) \$2,750 FOR A 6-DAY LICENSE WITH A CATERING OPTION;
 - (3) \$2,625 FOR A 7-DAY LICENSE WITHOUT A CATERING OPTION; AND
 - (4) \$3,125 FOR A 7-DAY LICENSE WITH A CATERING OPTION.
- (G) THE BOARD SHALL CHARGE A ONE-TIME ISSUING FEE FOR A NEW LICENSE IN AN AMOUNT EQUAL TO THE ANNUAL LICENSE FEE.";

in line 18, strike "issuance" and substitute "**BOARD SHALL CHARGE A ONE-TIME ISSUING**"; in the same line, strike "is \$1,500, in addition" and substitute "**IN AN AMOUNT EQUAL**"; and in line 24, after "(e)" insert "**THE ANNUAL LICENSE FEES ARE:**".

AMENDMENT NO. 5

On pages 6 and 7, strike beginning with "(1)" in line 24 on page 6 down through the period in line 16 on page 7 and substitute:

- "(1) \$1,500 FOR A 6-DAY (ON-SALE) LICENSE WITHOUT A CATERING OPTION;
- (2) \$2,000 FOR A 6-DAY (ON-SALE) LICENSE WITH A CATERING OPTION;
 - (3) \$3,000 FOR A 6-DAY (OFF-SALE) LICENSE;
- (4) \$1,750 FOR A 7-DAY (ON-SALE) LICENSE WITHOUT A CATERING OPTION;
- (5) \$2,250 FOR A 7-DAY (ON-SALE) LICENSE WITH A CATERING OPTION; AND
 - (6) \$3,500 FOR A 7-DAY (OFF-SALE) LICENSE.
- (F) THE BOARD SHALL CHARGE A ONE-TIME ISSUING FEE FOR A NEW LICENSE IN AN AMOUNT EQUAL TO THE ANNUAL LICENSE FEE.".

On page 7, in line 19, strike "fee FOR A 6-DAY LICENSE is" and substitute "FEES ARE"; in lines 20, 21, and 23, in each instance, after "a" insert "6-DAY"; in line 22, strike "and"; strike beginning with the period in line 23 down through "IS:" in line 24 and substitute a semicolon; in lines 25, 27, and 29, strike "(I)", "(II)", and "(III)", respectively, and substitute "(IV)", "(V)", and "(VI)", respectively; and in lines 25, 27, and 29, in each instance, after "A" insert "7-DAY".

On page 8, in line 1, strike "(3)" and substitute "(F)"; in the same line, strike the first "an" and substitute "A ONE-TIME"; and in the same line, after "fee" insert "FOR A NEW LICENSE".

AMENDMENT NO. 6

On page 8, in line 5, strike "FOR A 6-DAY LICENSE"; in line 6, after "(i)" insert "\$3,000 FOR A 6-DAY LICENSE"; in the same line, strike ", \$3,000; and" and substitute a semicolon; in line 7, after "(ii)" insert "\$1,500"; in the same line, strike ", \$1,500." and substitute "FOR A 6-DAY LICENSE;"; strike beginning with "(2)" in line 8 down through "(I)" in line 9 and substitute:

"(III) \$3,500 FOR A 7-DAY LICENSE";

in line 9, strike ", \$3,500"; in line 10, strike "(II)" and substitute "(IV) \$1,750"; in the same line, strike ", \$1,750" and substitute "FOR A 7-DAY LICENSE"; and in line 11, strike "(3)" and substitute "(F)".

The preceding 6 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 958 – Cecil County Senators

AN ACT concerning

Cecil County - Alcoholic Beverages - Class 9 Limited Distillery Licenses and Class 7 Micro-Brewery Licenses

SB0958/294734/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 958

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with "Class" in line 2 down through "Micro-Brewery" in line 3; in line 19, after "license;" insert "repealing certain provisions of law authorizing the Board of License Commissioners for Cecil County to issue a certain license to sell beer,

wine, and liquor to the owner of a certain hotel;"; and in line 20, strike "Class 9 limited distillery licenses and Class 7 micro—brewery" and substitute "alcoholic beverages".

On page 2, in line 1, after "17–401" insert "and 17–902".

AMENDMENT NO. 2

On page 4, after line 14, insert:

"17–902.

- (a) There is a Class B beer, wine, and liquor license.
- (b) The Board may issue the license to the owner of a hotel that:
- (1) is in a building at least three stories tall that was originally constructed for hotel purposes;
 - (2) has a capital investment of at least \$500,000; and
 - (3) has:
 - (i) at least one passenger elevator;
 - (ii) at least 100 rooms for the accommodation of the public; and
- (iii) a dining room with facilities for preparing and serving regular meals for at least 125 individuals at one seating.
- (c) The license authorizes the license holder to sell beer, wine, and liquor at a [hotel or] restaurant at retail at the place described in the license, for on— or off—premises consumption.
 - [(d)](C) The annual license fee is \$750.".

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 967 - Senator Mathias

AN ACT concerning

Worcester County - Alcoholic Beverages - Class A Beer, Wine, and Liquor License

SB0967/534138/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 967

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "County;" insert "authorizing the Board of License Commissioners to issue the license to an individual for use at a certain store or certain establishments under certain conditions; providing that a certain distance restriction expires on the earlier of certain dates;".

AMENDMENT NO. 2

On page 2, after line 5, insert:

- "(B) (1) THE BOARD MAY ISSUE THE LICENSE TO AN INDIVIDUAL FOR USE
 AT:
- (I) A STORE PREVIOUSLY OPERATED BY THE DEPARTMENT OF LIQUOR CONTROL;
- (II) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AN ESTABLISHMENT OUTSIDE A 10-BLOCK RADIUS OF A STORE PREVIOUSLY OPERATED BY THE DEPARTMENT OF LIQUOR CONTROL THAT IS IN OCEAN CITY; OR
- (III) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AN ESTABLISHMENT OUTSIDE A 1-MILE RADIUS OF A STORE PREVIOUSLY OPERATED BY THE DEPARTMENT OF LIQUOR CONTROL THAT IS NOT IN OCEAN CITY.

(2) A DISTANCE RESTRICTION DESCRIBED IN PARAGRAPH (1)(II) OR (III) OF THIS SUBSECTION ON ISSUING LICENSES TO ESTABLISHMENTS EXPIRES ON THE EARLIER OF:

(I) JULY 1, 2017; OR

(II) THE DATE A LICENSE IS ISSUED FOR USE BY A STORE PREVIOUSLY OPERATED BY THE DEPARTMENT OF LIQUOR CONTROL TO WHICH THE DISTANCE RESTRICTION APPLIES.";

in lines 6 and 13, strike "(B)" and "(C)", respectively, and substitute "(C)" and "(D)", respectively; and in line 7, after "LIQUOR" insert ", AT RETAIL,".

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 1159 – Senators Conway and Nathan-Pulliam

EMERGENCY BILL

AN ACT concerning

Baltimore City Board of License Commissioners – Members – Terms and Appointment

SB1159/904636/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1159

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Nathan–Pulliam" and substitute ". <u>Nathan–Pulliam, Ferguson, Gladden, McFadden, and Pugh</u>"; in line 8, after "occurs;" insert

"repealing the requirement that the Governor appoint all of the members of the Board of License Commissioners for Baltimore City; requiring the Mayor of Baltimore City and the President of the City Council of Baltimore City to appoint all of the members of the Board in a certain manner; repealing the requirement that the Governor appoint members of the Board alone under certain circumstances; requiring the Mayor and the President of the City Council to appoint the members of the Board alone under certain circumstances; requiring the Mayor and the President of the City Council to make an appointment to fill a vacancy on the Board within a certain number of days after the vacancy occurs; repealing the requirement that the Governor designate a chair of the Board; requiring the Board to designate a chair from among the regular members of the Board; repealing the authority of the Governor to remove a member of the Board under certain circumstances and in accordance with certain requirements; authorizing the Mayor and the President of the City Council to remove a member of the Board under certain circumstances and in accordance with certain requirements; making certain provisions of this Act effective on a certain date subject to a certain contingency;"; strike in their entirety lines 11 through 15, inclusive; in line 18, strike "15–101(d)" and substitute "15–101(a) and (d) and 15–110"; and after line 20, insert:

"BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 15–101(d)

Annotated Code of Maryland

(As enacted by Section 1 of this Act)".

On page 2, in line 1, after "12–202" insert "and 12–203".

AMENDMENT NO. 2

On page 3, in line 12, strike "30" and substitute "15".

AMENDMENT NO. 3

On page 3, after line 14, insert:

"Article 2B – Alcoholic Beverages

<u>15–101.</u>

(a) (1) For the jurisdictions in which this section is effective, the Governor, biennially, by and with the advice and consent of the Senate, if in session, and if not in session, then the Governor alone, shall appoint three persons who shall constitute and be

styled "The Board of License Commissioners for [Baltimore City or] County", as the case may be.

- (2) In making the appointments, the Governor shall designate one of the appointees in [Baltimore City and] each of the counties to be the chairman of the respective boards.
- (3) The commissioners shall be residents and voters of Baltimore City or the respective counties, as the case may be, and they shall be persons of high character and integrity and of recognized business capacity.
- (4) In the case of any vacancies in the number of the license commissioners in [Baltimore City or in] any county which occur when the legislature is not in session, the Governor shall appoint some eligible person to fill the vacancy during the remainder of the term of office of the person originally appointed.
 - (d) (1) This subsection applies in Baltimore City.
- (2) (i) The Board of Liquor License Commissioners consists of three regular members and one alternate member.
- (ii) The [Governor] MAYOR SHALL APPOINT TWO REGULAR MEMBERS TO THE BOARD AND THE PRESIDENT OF THE CITY COUNCIL shall appoint [all of the members of the Board] ONE REGULAR MEMBER AND ONE ALTERNATE MEMBER TO THE BOARD.
 - (iii) The appointments shall be made:
- 1. If the Senate is in session, with the advice and consent of the Senate; or
- 2. If the Senate is not in session, by the [Governor] MAYOR AND THE PRESIDENT OF THE CITY COUNCIL alone.
- (iv) The alternate member may serve on the Board if any permanent member of the Board is absent or recused.

- (v) Each appointee shall be a resident and voter of Baltimore City and be an individual of high character and integrity and of recognized business capacity.
- (vi) At least one appointee shall be a member of the Bar of the Court of Appeals of Maryland.
- (VII) WHEN EVALUATING AN APPLICANT FOR MEMBERSHIP ON THE BOARD, THE MAYOR AND THE PRESIDENT OF THE CITY COUNCIL SHALL CONSIDER THE NEED FOR GEOGRAPHIC, POLITICAL, RACIAL, ETHNIC, CULTURAL, AND GENDER DIVERSITY ON THE BOARD.
- (3) (i) The term of a member of the Board is 2 years and begins on July 1.
- (ii) The terms of the members are staggered as required by the terms provided for members of the Board on July 1, 2014.
- (iii) At the end of a term, a member continues to serve until a successor is appointed.
- (iv) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed.
- (V) 1. TO FILL A VACANCY THAT OCCURS DURING THE TERM OF OFFICE, AN ELIGIBLE INDIVIDUAL SHALL BE APPOINTED BY:
- A. THE MAYOR, IF THE VACANCY OCCURS DURING THE TERM OF OFFICE OF AN INDIVIDUAL ORIGINALLY APPOINTED BY THE MAYOR; OR
- B. THE PRESIDENT OF THE CITY COUNCIL, IF THE VACANCY OCCURS DURING THE TERM OF OFFICE OF AN INDIVIDUAL ORIGINALLY APPOINTED BY THE PRESIDENT OF THE CITY COUNCIL.
- 2. AN APPOINTMENT UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH SHALL BE MADE WITHIN 15 DAYS AFTER THE VACANCY OCCURS.

(4) THE BOARD SHALL DESIGNATE A CHAIR FROM AMONG THE REGULAR MEMBERS OF THE BOARD.

<u>15–110.</u>

- (a) [The] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, THE Governor may remove any member of any board of license commissioners appointed by him under the provisions of this article, for misconduct in office, incompetency or willful neglect of duty, giving him a copy of the charges against him and an opportunity of being publicly heard in person, or by counsel, in his own defense, upon not less than ten days' notice. If any member shall be removed, the Governor shall file in the office of the Secretary of State, a statement of the charges made against such member and his findings thereon.
- (b) The board of county commissioners may remove any member of any board of license commissioners appointed by them, for the causes in this section prescribed. In Montgomery County, the County Executive may, with the approval of the County Council, remove any member of the Board of License Commissioners for the causes in this section prescribed.
 - (C) (1) THIS SUBSECTION APPLIES ONLY IN BALTIMORE CITY.
- (2) IN THIS SUBSECTION, "APPOINTING OFFICER" MEANS THE MAYOR OR THE PRESIDENT OF THE CITY COUNCIL.
- (3) THE MAYOR AND THE PRESIDENT OF THE CITY COUNCIL MAY REMOVE A MEMBER FOR MISCONDUCT IN OFFICE, INCOMPETENCE, OR WILLFUL NEGLECT OF DUTY.
- (4) A MEMBER WHO IS CHARGED SHALL BE GIVEN BY THE APPOINTING OFFICER WHO APPOINTED THE MEMBER A COPY OF THE CHARGES AGAINST THE MEMBER AND, WITH AT LEAST 10 DAYS' NOTICE, AN OPPORTUNITY TO BE HEARD PUBLICLY IN PERSON OR BY COUNSEL.
- (5) If a member is removed, the appointing officer who removed the member shall file with the Office of the Secretary of State a statement of charges against the member and the Governor's findings made on the charges.

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

<u>Article 2B – Alcoholic Beverages</u>

<u>15–101.</u>

- (2) In making the appointments, the Governor shall designate one of the appointees in [Baltimore City and] each of the counties to be the chairman of the respective boards.
- (3) The commissioners shall be residents and voters of Baltimore City or the respective counties, as the case may be, and they shall be persons of high character and integrity and of recognized business capacity.
- (4) In the case of any vacancies in the number of the license commissioners in [Baltimore City or in] any county which occur when the legislature is not in session, the Governor shall appoint some eligible person to fill the vacancy during the remainder of the term of office of the person originally appointed.
 - (d) (1) This subsection applies in Baltimore City.
- (2) (i) The Board of Liquor License Commissioners consists of three regular members and one alternate member.
- (ii) The [Governor] MAYOR SHALL APPOINT TWO REGULAR MEMBERS TO THE BOARD AND THE PRESIDENT OF THE CITY COUNCIL shall appoint [all of the members of the Board] ONE REGULAR MEMBER AND ONE ALTERNATE MEMBER TO THE BOARD.
 - (iii) The appointments shall be made:

- 1. If the Senate is in session, with the advice and consent of the Senate; or
- 2. If the Senate is not in session, by the [Governor] MAYOR AND THE PRESIDENT OF THE CITY COUNCIL alone.
- (iv) The alternate member may serve on the Board if any permanent member of the Board is absent or recused.
- (v) Each appointee shall be a resident and voter of Baltimore City and be an individual of high character and integrity and of recognized business capacity.
- (vi) At least one appointee shall be a member of the Bar of the Court of Appeals of Maryland.
- (vii) When evaluating an applicant for membership on the Board, the Governor MAYOR AND THE PRESIDENT OF THE CITY COUNCIL shall consider the need for geographic, political, racial, ethnic, cultural, and gender diversity on the Board.
- (3) (i) The term of a member of the Board is 2 years and begins on July 1.
- (ii) The terms of the members are staggered as required by the terms provided for members of the Board on July 1, 2014.
- (iii) At the end of a term, a member continues to serve until a successor is appointed.
- (iv) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed.
- <u>[(v) 1. The Governor shall appoint an eligible person to fill a vacancy that occurs during the term of office of the person originally appointed in accordance with paragraph (2) of this subsection.</u>
- 2. The Governor shall make the appointment within 15 days after the vacancy occurs.]

- (V) 1. TO FILL A VACANCY THAT OCCURS DURING THE TERM OF OFFICE, AN ELIGIBLE INDIVIDUAL SHALL BE APPOINTED BY:
- A. THE MAYOR, IF THE VACANCY OCCURS DURING THE TERM OF OFFICE OF AN INDIVIDUAL ORIGINALLY APPOINTED BY THE MAYOR; OR
- B. THE PRESIDENT OF THE CITY COUNCIL, IF THE VACANCY OCCURS DURING THE TERM OF OFFICE OF AN INDIVIDUAL ORIGINALLY APPOINTED BY THE PRESIDENT OF THE CITY COUNCIL.
- 2. AN APPOINTMENT UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH SHALL BE MADE WITHIN 15 DAYS AFTER THE VACANCY OCCURS.
- (4) THE BOARD SHALL DESIGNATE A CHAIR FROM AMONG THE REGULAR MEMBERS OF THE BOARD.

<u>15–110.</u>

- (a) [The] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, THE Governor may remove any member of any board of license commissioners appointed by him under the provisions of this article, for misconduct in office, incompetency or willful neglect of duty, giving him a copy of the charges against him and an opportunity of being publicly heard in person, or by counsel, in his own defense, upon not less than ten days' notice. If any member shall be removed, the Governor shall file in the office of the Secretary of State, a statement of the charges made against such member and his findings thereon.
- (b) The board of county commissioners may remove any member of any board of license commissioners appointed by them, for the causes in this section prescribed. In Montgomery County, the County Executive may, with the approval of the County Council, remove any member of the Board of License Commissioners for the causes in this section prescribed.
 - (C) (1) THIS SUBSECTION APPLIES ONLY IN BALTIMORE CITY.
- (2) IN THIS SUBSECTION, "APPOINTING OFFICER" MEANS THE MAYOR OR THE PRESIDENT OF THE CITY COUNCIL.

- (3) THE MAYOR AND THE PRESIDENT OF THE CITY COUNCIL MAY REMOVE A MEMBER FOR MISCONDUCT IN OFFICE, INCOMPETENCE, OR WILLFUL NEGLECT OF DUTY.
- (4) A MEMBER WHO IS CHARGED SHALL BE GIVEN BY THE APPOINTING OFFICER WHO APPOINTED THE MEMBER A COPY OF THE CHARGES AGAINST THE MEMBER AND, WITH AT LEAST 10 DAYS' NOTICE, AN OPPORTUNITY TO BE HEARD PUBLICLY IN PERSON OR BY COUNSEL.
- (5) IF A MEMBER IS REMOVED, THE APPOINTING OFFICER WHO REMOVED THE MEMBER SHALL FILE WITH THE OFFICE OF THE SECRETARY OF STATE A STATEMENT OF CHARGES AGAINST THE MEMBER AND THE GOVERNOR'S FINDINGS MADE ON THE CHARGES.

SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:".

AMENDMENT NO. 4

On page 4, in line 19, strike "**30**" and substitute "<u>15</u>".

AMENDMENT NO. 5

On page 4, after line 29, insert:

"SECTION 5. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

<u>Article – Alcoholic Beverages</u>

<u>12–102.</u>

This title applies only in Baltimore City.

12-202.

(a) (1) The [Governor] MAYOR SHALL APPOINT TWO REGULAR MEMBERS
TO THE BOARD AND THE PRESIDENT OF THE CITY COUNCIL shall appoint [three] ONE
regular [members] MEMBER and one substitute member to the Board.

- (2) The appointments shall be made:
- (i) if the Senate is in session, with the advice and consent of the Senate; or
- (ii) if the Senate is not in session, by the [Governor] MAYOR OR PRESIDENT OF THE CITY COUNCIL alone.
 - (b) (1) Each member of the Board shall be:
 - (i) a resident and voter of the City; and
- (ii) an individual of high character and integrity and of recognized business capacity.
- (2) At least one member of the Board shall be a member of the Bar of the Court of Appeals of Maryland.
- (3) WHEN EVALUATING AN APPLICANT FOR MEMBERSHIP ON THE BOARD, THE MAYOR AND THE PRESIDENT OF THE CITY COUNCIL SHALL CONSIDER THE NEED FOR GEOGRAPHIC, POLITICAL, RACIAL, ETHNIC, CULTURAL, AND GENDER DIVERSITY ON THE BOARD.
- (c) The substitute member may serve on the Board if a regular member is absent or recused.
 - (d) (1) The term of a member is 2 years and begins on July 1.
- (2) The terms of the members are staggered as required by the terms provided for members of the Board on July 1, 2016.
- (3) At the end of a term, a member continues to serve until a successor is appointed and qualifies.
- (4) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.
- (e) (1) [The Governor shall appoint an eligible individual to fill a vacancy that occurs during the term of office of the individual originally appointed in accordance with

subsection (a) of this section.] TO FILL A VACANCY THAT OCCURS DURING THE TERM OF OFFICE, AN ELIGIBLE INDIVIDUAL SHALL BE APPOINTED BY:

- (I) THE MAYOR, IF THE VACANCY OCCURS DURING THE TERM OF OFFICE OF AN INDIVIDUAL ORIGINALLY APPOINTED BY THE MAYOR; OR
- (II) THE PRESIDENT OF THE CITY COUNCIL, IF THE VACANCY OCCURS DURING THE TERM OF OFFICE OF AN INDIVIDUAL ORIGINALLY APPOINTED BY THE PRESIDENT OF THE CITY COUNCIL.
- (2) AN APPOINTMENT UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE MADE WITHIN 15 DAYS AFTER THE VACANCY OCCURS.
- [(2)] (3) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.
- (f) (1) The [Governor] MAYOR OR PRESIDENT OF THE CITY COUNCIL may remove a member for misconduct in office, incompetence, or willful neglect of duty.
- (2) The Governor shall give a member who is charged a copy of the charges against the member and, with at least 10 days' notice, an opportunity to be heard publicly in person or by counsel.
- (3) If a member is removed, the Governor shall file with the Office of the Secretary of State a statement of charges against the member and the Governor's findings made on the charges.] IN THIS SUBSECTION, "APPOINTING OFFICER" MEANS THE MAYOR OR THE PRESIDENT OF THE CITY COUNCIL.
- (3) A MEMBER WHO IS CHARGED SHALL BE GIVEN BY THE APPOINTING OFFICER WHO APPOINTED THE MEMBER A COPY OF THE CHARGES AGAINST THE MEMBER AND, WITH AT LEAST 10 DAYS' NOTICE, AN OPPORTUNITY TO BE HEARD PUBLICLY IN PERSON OR BY COUNSEL.
- (4) If a member is removed, the appointing officer who removed the member shall file with the Office of the Secretary of State a statement of charges against the member and the Governor's findings made on the charges.

<u>12–203.</u>

<u>In making the appointments, the Governor</u> <u>THE BOARD</u> shall designate a chair from among the regular members of the Board.".

AMENDMENT NO. 6

On page 4, strike in their entirety lines 30 through 33, inclusive, and substitute:

"SECTION 6. AND BE IT FURTHER ENACTED, That, if Section 1 of this Act does not take effect before April 12, 2016, Section 2 of this Act shall take effect on the later of April 12, 2016, or the effective date of this Act, contingent on the failure of the Governor to appoint, and the Senate of Maryland to confirm, four members to the Board of License Commissioners for Baltimore City before April 12, 2016. If the Governor appoints, and the Senate of Maryland confirms four members to the Board of License Commissioners for Baltimore City before April 12, 2016, Section 2 of this Act shall be null and void without the necessity of further action by the General Assembly.

SECTION 7. AND BE IT FURTHER ENACTED, That, if Section 1 of this Act does take effect before April 12, 2016, Section 3 of this Act shall take effect April 12, 2016, contingent on the failure of the Governor to appoint, and the Senate of Maryland to confirm, four members to the Board of License Commissioners for Baltimore City before April 12, 2016. If the Governor appoints, and the Senate of Maryland confirms four members to the Board of License Commissioners for Baltimore City before April 12, 2016, Section 3 of this Act shall be null and void without the necessity of further action by the General Assembly.

SECTION 8. AND BE IT FURTHER ENACTED, That, if Section 2 of this Act takes effect, Sections 1 and 3 of this Act shall be null and void without the necessity of further action by the General Assembly.

SECTION 9. AND BE IT FURTHER ENACTED, That, if Section 3 of this Act takes effect, Section 1 of this Act shall be abrogated and of no further force and effect and Section 2 of this Act shall be null and void without the necessity of further action by the General Assembly.

SECTION 10. AND BE IT FURTHER ENACTED, That, if Section 2 of this Act takes effect, Section 5 of this Act shall take effect on the taking effect of Chapter (S.B. 724) of the Acts of the General Assembly of 2016. If Section 5 takes effect, Section 2 of this Act

shall be abrogated and of no further force and effect and Section 4 of this Act shall be null and void without the necessity of further action by the General Assembly.

SECTION 11. AND BE IT FURTHER ENACTED, That, if Section 3 of this Act takes effect, Section 5 of this Act shall take effect on the taking effect of Chapter (S.B. 724) of the Acts of the General Assembly of 2016. If Section 5 takes effect, Section 3 of this Act shall be abrogated and of no further force and effect and Section 4 of this Act shall be null and void without the necessity of further action by the General Assembly.

SECTION 12. AND BE IT FURTHER ENACTED, That, subject to Sections 10 and 11 of this Act, Section 4 of this Act shall take effect on the taking effect of Chapter (S.B. 724) of the Acts of the General Assembly of 2016. If Section 4 takes effect, Section 1 of this Act shall be abrogated and of no further force and effect and Section 5 of this Act shall be null and void without the necessity of further action by the General Assembly."

On page 5, in line 1, strike "4." and substitute "13."; and in line 4, strike "Section 3" and substitute "Sections 6, 7, 10, 11, and 12".

The preceding 6 amendments were read only.

Senator Jennings moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #28

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 717 - Senator Young

AN ACT concerning

Environment – Radiation Machines – Registration Fees and Inspections

SB0717/464936/1

BY: Education, Health, and Environmental Affairs Committee

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "and Inspections"; strike beginning with "requiring" in line 3 down through "sources" in line 5 and substitute "requiring the Department of the Environment to adopt certain regulations for licensing and registration associated with radiation machines; requiring the Department to adopt regulations that establish a certain rate for the registration of radiation machines"; in line 10, strike "repealing" and substitute "altering"; and in line 12, strike "and inspections".

AMENDMENT NO. 2

On page 2, in line 18, strike "may" and substitute "SHALL"; and in line 27, after "LICENSES" insert "AND OTHER SOURCES OF RADIATION".

On pages 2 and 3, strike beginning with "UNIFORM" in line 28 on page 2 down through "RADIATION" in line 2 on page 3 and substitute "A RATE FOR THE REGISTRATION OF RADIATION MACHINES THAT IS UNIFORM ACROSS PROFESSIONS FOR SIMILAR MACHINES".

On page 4, in line 23, after "title." insert "]"; in line 24, strike "(d)" and substitute "(C)"; strike beginning with "The" in line 24 down through "radiation" in line 25 and substitute "FEES ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION"; and in line 26, strike the bracket.

The preceding 2 amendments were read only.

Senator Cassilly moved, duly seconded, 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 775 - Senator Simonaire

AN ACT concerning

Natural Resources - Recreational License Donation Program - Establishment

SB0775/474038/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 775

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Senator Simonaire" and substitute "Senators Simonaire, Rosapepe, Bates, Young, Zucker, Conway, Waugh, Nathan–Pulliam, and Pinsky"; in line 6, after "by" insert "a Gold Star recipient,"; and strike beginning with "that" in line 18 down through "Fund" in line 19 and substitute "the Recreational License Donation 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; providing for the investment of money in and expenditures from the Fund; defining a certain term".

AMENDMENT NO. 2

On page 2, in line 2, after "(A)" insert "IN THIS SECTION, "GOLD STAR RECIPIENT" MEANS A RECIPIENT OF THE U.S. DEPARTMENT OF DEFENSE GOLD STAR FOR SURVIVING SPOUSES, PARENTS, AND NEXT OF KIN OF MEMBERS OF THE ARMED FORCES WHO LOST THEIR LIVES IN COMBAT.

(B)";

in lines 6, 17, 19, 24, and 29, strike "(B)", "(C)", "(D)", "(E)", and "(F)", respectively, and substitute "(C)", "(D)", "(E)", "(F)", and "(G)", respectively; in line 7, after "BY" insert "A GOLD STAR RECIPIENT,"; and in line 12, after "FOR" insert "GOLD STAR RECIPIENTS,".

On page 3, in line 1, strike "(G)" and substitute "(H)"; and strike beginning with "FUNDS" in line 1 down through "ARTICLE" in line 3 and substitute:

- "(1) IN THIS SUBSECTION, "FUND" MEANS THE RECREATIONAL LICENSE DONATION FUND.
 - (2) THERE IS A RECREATIONAL LICENSE DONATION FUND.
- (3) THE PURPOSE OF THE FUND IS TO PROVIDE RECREATIONAL HUNTING AND FISHING OPPORTUNITIES FOR GOLD STAR RECIPIENTS, DISABLED

VETERANS, DISABLED MEMBERS OF THE ARMED FORCES, AND PERMANENTLY DISABLED PERSONS WHO REQUIRE THE USE OF A WHEELCHAIR.

- (4) THE SECRETARY SHALL ADMINISTER THE FUND.
- (5) (I) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.
- (II) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(6) THE FUND CONSISTS OF:

- (I) REVENUE COLLECTED BY THE DEPARTMENT FOR THE PURCHASE AND DONATION OF RECREATIONAL HUNTING OR FISHING LICENSES OR STAMPS UNDER THIS SECTION;
- (II) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND; AND
- (III) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.
- (7) THE FUND MAY BE USED ONLY FOR DONATED RECREATIONAL HUNTING OR FISHING LICENSES OR STAMPS FOR USE BY GOLD STAR RECIPIENTS, DISABLED VETERANS, DISABLED MEMBERS OF THE ARMED FORCES, OR PERMANENTLY DISABLED PERSONS WHO REQUIRE THE USE OF A WHEELCHAIR.
- (8) (I) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.
- (II) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO THE GENERAL FUND OF THE STATE.
- (9) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.

(10) MONEY EXPENDED FROM THE FUND FOR DONATED RECREATIONAL LICENSES OR STAMPS IS SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR RECREATIONAL LICENSES OR STAMPS FOR USE BY GOLD STAR RECIPIENTS, DISABLED VETERANS, DISABLED MEMBERS OF THE ARMED FORCES, OR PERMANENTLY DISABLED PERSONS WHO REQUIRE THE USE OF A WHEELCHAIR".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 826 – Senator Conway

AN ACT concerning

Construction Contracts - Change Orders (State Procurement Change Order Fairness Act)

SB0826/714439/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 826

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after "order;" insert "providing that certain acceptance letters for certain procurement contracts for construction have the same force and effect as change orders for certain purposes until certain units issue written change orders;"; strike beginning with "prime" in line 8 down through "refuse" in line 9 and substitute "refusal"; in line 11, after "officer;" insert "prohibiting a change order from being required, under certain circumstances, for work to continue and be completed beyond certain quantities; requiring a certain unit to make a certain determination and issue a certain change order after certain work is completed;"; and in line 20, after "law" insert "or regulation".

AMENDMENT NO. 2

On page 6, in line 21, after "(1)" insert "(I)"; in the same line, strike "PARAGRAPH (2) OF THIS SUBSECTION" and substitute "SUBPARAGRAPH (II) OF THIS PARAGRAPH"; in line 23, strike "(2)" and substitute "(II)"; after line 25, insert:

"(2) FOR PURPOSES OF THIS SECTION, A WRITTEN ACCEPTANCE LETTER FOR A STATE HIGHWAY ADMINISTRATION OR MARYLAND AVIATION ADMINISTRATION PROCUREMENT CONTRACT FOR CONSTRUCTION SHALL HAVE THE SAME FORCE AND EFFECT AS A CHANGE ORDER UNTIL THE STATE HIGHWAY ADMINISTRATION OR MARYLAND AVIATION ADMINISTRATION ISSUES A WRITTEN CHANGE ORDER.";

in line 26, strike "PARAGRAPH (2)" and substitute "PARAGRAPHS (2) AND (3)"; strike beginning with "ON" in line 30 down through "BASIS" in line 32 and substitute a comma; and in line 32, after "CONTRACT" insert ", ON:

- (I) AN AGREED-TO PRICE WHICH MAY INCLUDE A PRE-ESTABLISHED CATALOG OR UNIT PRICES BASED ON LOCAL PREVAILING WAGE RATES AND EQUIPMENT AND MATERIAL COSTS FOR EACH TASK REQUIRED FOR THE CHANGE ORDER AS INCLUDED IN THE BID DOCUMENTS AT THE TIME OF BID;
 - (II) A FORCE ACCOUNT;
 - (III) A CONSTRUCTION CHANGE DIRECTIVE; OR
 - (IV) A TIME AND MATERIALS BASIS".

On page 7, in line 8, strike "PRIME CONTRACTOR TO REFUSE" and substitute "REFUSAL"; and after line 20, insert:

- "(3) (I) IF A UNIT IS TO PAY FOR A CONTRACT OR A PART OF A CONTRACT USING A UNIT PRICE METHODOLOGY, A CHANGE ORDER MAY NOT BE REQUIRED FOR WORK TO CONTINUE AND BE COMPLETED BEYOND THE ESTIMATED QUANTITIES IN THE CONTRACT.
 - (II) AFTER WORK IS COMPLETED, A UNIT SHALL:

1. <u>DETERMINE THE ACTUAL QUANTITY USED TO</u> COMPLETE THE CONTRACT; AND

2. IF NECESSARY, ISSUE A FINAL ADJUSTMENT CHANGE ORDER TO THE CONTRACTOR.".

AMENDMENT NO. 3

On page 8, in line 5, after "LAW" insert "OR REGULATION"; and in line 22, strike "of Metro Washington".

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 837 – Senator Waugh

AN ACT concerning

Crabs - Harvest Times - Trotlines and Crab Pots

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 876 – Senator Serafini

AN ACT concerning

Natural Resources - Black Fly Management and Control - Washington County

<u>Favorable report adopted.</u>

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #29

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 49 – Senator Young

AN ACT concerning

Maryland State Song - Replacement

SB0049/264339/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 49

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Senator Young" and substitute "Senators Young, Kelley, and Kagan"; in line 2, strike "Replacement" and substitute "Revision"; in line 3, strike "changing" and substitute "revising"; in line 11, strike "while teaching in Louisiana"; and strike beginning with "; and" in line 11 down through "time" in line 12.

On page 2, strike beginning with "After" in line 1 down through the second "it" in line 2 and substitute "The historic State song"; in line 3, after "represents" insert "a bygone era when our State was divided in the midst of the Civil War and expresses"; in the same line, strike "the" and substitute "that"; after line 4, insert:

"MHEREAS, John T. White, a native of Frederick County, also wrote a poem entitled "Maryland, My Maryland" in 1894, which celebrates the natural beauty of this State, an agreeable theme in which all Marylanders can take pride; and";

and strike beginning with "John" in line 8 down through "therefore," in line 12 and substitute "The State Song Advisory Group, headed by the State Archivist, convened in October 2015 and recommended alternatives to the current State song, one of which is to revise the State song by merging select verses from Mr. Randall's and Mr. White's poems that meet established State song criteria; and

<u>WHEREAS</u>, Mr. White's poem is more representative of a unified and inclusive Maryland; now, therefore,".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 17 through 19, inclusive, and substitute:

- "(A) THE POEM "MARYLAND! MY MARYLAND!", WRITTEN BY JAMES RYDER RANDALL IN 1861 AND SET TO THE TUNE OF "LAURIGER HORATIUS", IS THE HISTORIC STATE SONG.
- [(a)] (B) [The poem] SELECT VERSES FROM THE POEMS "Maryland! My Maryland!", written by James Ryder Randall in 1861, AND "MARYLAND, MY MARYLAND", WRITTEN BY JOHN T. WHITE IN 1894, and set to the tune of "Lauriger Horatius", [is] ARE the OFFICIAL State song.";

in line 20, strike "(b)" and substitute "(C)"; in the same line, after "the" insert "OFFICIAL"; and in line 21, strike the bracket.

On pages 2 and 3, strike in their entirety the lines beginning with line 22 on page 2 through line 3 on page 3, inclusive.

On pages 3 through 5, strike in their entirety the lines beginning with line 12 on page 3 through line 10 on page 5, inclusive, and substitute " $\underline{\mathbf{H}}$ ".

The preceding 2 amendments were read only.

Senator Cassilly moved, duly seconded, 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 420 - Senator Simonaire

AN ACT concerning

Election Law - Ballot Issues - Contributions or Donations by Foreign Nationals

SB0420/334832/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 420

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 3 and 4, strike "or a business entity owned by a foreign national".

On page 2, in lines 1 and 2, strike "OR A BUSINESS ENTITY OWNED BY A FOREIGN NATIONAL".

AMENDMENT NO. 2

On page 1, strike in their entirety lines 18 through 23, inclusive, and substitute:

"(A) IN THIS SECTION, "FOREIGN NATIONAL" HAS THE MEANING STATED IN 52 U.S.C, § 30121."

The preceding 2 amendments were read only.

Senator Ramirez moved, duly seconded, 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 459 – Senator Conway

AN ACT concerning

Campaign Finance - Ballot Issue Committees - Prospective Questions

SB0459/994939/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 459

(First Reading File Bill)

On page 4, in lines 27 and 32, in each instance, after "CONSTITUTION" insert "OR UNDER § 9–205 OF THE LOCAL GOVERNMENT ARTICLE".

The preceding amendment was read only.

Senator Hough moved, duly seconded, 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 555 – Senator Pinsky

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Attorney General and Comptroller - Special Elections to Fill a Vacancy

SB0555/954935/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 555

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Attorney General" and substitute "United States Senator, Attorney General,"; in the same line, before "Special" insert "Temporary Appointments and"; in line 3, after "of" insert "proposing an amendment to the Maryland Constitution to require the Governor to appoint an individual to fill a vacancy on a temporary basis, under certain circumstances, in the office of Attorney General or Comptroller from a list of names submitted by the State Central Committee of the political party of the vacating officeholder; altering certain provisions of law to require that the Governor appoint an individual to fill a vacancy on a temporary basis, under certain circumstances, in the office of United States Senator from a list of names submitted by the State Central Committee of the political party of the vacating officeholder; requiring individuals whose names are submitted to the Governor to have been affiliated with the political party, if any, of the vacating officeholder before the vacancy occurred; providing for the appointment of an individual to fill a vacancy in the office of United States Senator, Attorney General, or Comptroller if the political party of the vacating officeholder fails to submit names to the Governor within a certain period of time or the vacating officeholder was not affiliated with a political party;"; in line 12, strike "filling" and substitute "temporary appointments and the filling of"; in the same line, strike "either the Attorney General" and substitute "United States Senator, the Attorney General,"; in line 13, strike "by special election" and substitute "and a special election to fill a vacancy in the office of either the Attorney General or the Comptroller"; and after line 14, insert:

"BY repealing and reenacting, with amendments,

Article – Election Law

Section 8–602

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)".

AMENDMENT NO. 2

On page 1, after line 20, insert:

"SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

<u>Article – Election Law</u>

<u>8–602.</u>

- (a) (1) (I) If there is a vacancy in the office of United States Senator, the Governor shall appoint an eligible individual to fill the vacancy AS PROVIDED IN THIS PARAGRAPH.
- (II) THE GOVERNOR SHALL APPOINT ONE OF THREE INDIVIDUALS WHOSE NAMES ARE SUBMITTED TO THE GOVERNOR IN WRITING, WITHIN 30 DAYS AFTER THE OCCURRENCE OF THE VACANCY, BY THE STATE CENTRAL COMMITTEE OF THE POLITICAL PARTY, IF ANY, WITH WHICH THE VACATING SENATOR HAD BEEN AFFILIATED AT THE TIME OF THE SENATOR'S LAST ELECTION OR APPOINTMENT.
- (III) EACH INDIVIDUAL WHOSE NAME IS SUBMITTED TO THE GOVERNOR MUST HAVE BEEN A REGISTERED VOTER AFFILIATED WITH THE POLITICAL PARTY OF THE VACATING SENATOR ON THE DATE IMMEDIATELY PRECEDING THE DATE ON WHICH THE VACANCY OCCURRED.
- (IV) THE GOVERNOR SHALL MAKE THE APPOINTMENT WITHIN 15 DAYS AFTER NAMES ARE SUBMITTED BY THE STATE CENTRAL COMMITTEE OF THE APPROPRIATE POLITICAL PARTY.

- (V) IF NAMES ARE NOT SUBMITTED BY THE STATE CENTRAL COMMITTEE OF THE APPROPRIATE POLITICAL PARTY WITHIN 30 DAYS AFTER THE OCCURRENCE OF THE VACANCY, THE GOVERNOR SHALL APPOINT WITHIN ANOTHER PERIOD OF 15 DAYS ANY QUALIFIED INDIVIDUAL WHO WAS A REGISTERED VOTER AFFILIATED WITH THE POLITICAL PARTY OF THE VACATING SENATOR ON THE DATE IMMEDIATELY PRECEDING THE DATE ON WHICH THE VACANCY OCCURRED.
- (VI) IF THE VACATING SENATOR WAS NOT AFFILIATED WITH A POLITICAL PARTY AT THE TIME OF THE SENATOR'S LAST ELECTION OR APPOINTMENT, THE GOVERNOR SHALL APPOINT ANY QUALIFIED INDIVIDUAL WITHIN 30 DAYS AFTER THE OCCURRENCE OF THE VACANCY.
- (2) Except as provided in paragraph (3) of this subsection, the appointed individual shall serve until a successor is elected pursuant to subsection (b) of this section to fill the remainder of the term.
- (3) The appointed individual shall serve for the remainder of the term if the vacancy occurs after the date that is 21 days before the deadline for filing certificates of candidacy for the election that is held in the fourth year of the term.
- (b) If the vacancy occurs before the date that is 21 days before the deadline for filing certificates of candidacy for the next succeeding regular statewide election, the Governor shall issue a proclamation immediately after the occurrence of the vacancy declaring that a special primary election and a special general election shall be held at the same time as the next regular statewide primary election and regular statewide general election.";

and in line 21, strike "1." and substitute "2.".

AMENDMENT NO. 3

On page 2, in line 1, after "(A)" insert "(1)"; in line 4, after the bracket insert "AS PROVIDED IN THIS SUBSECTION"; and after line 4, insert:

"(2) THE GOVERNOR SHALL APPOINT ONE OF THE THREE INDIVIDUALS WHOSE NAMES ARE SUBMITTED TO THE GOVERNOR IN WRITING, WITHIN 30 DAYS AFTER THE OCCURRENCE OF THE VACANCY, BY THE STATE CENTRAL COMMITTEE OF THE POLITICAL PARTY, IF ANY, WITH WHICH THE

VACATING ATTORNEY GENERAL HAD BEEN AFFILIATED AT THE TIME OF THE ATTORNEY GENERAL'S LAST ELECTION OR APPOINTMENT.

- (3) EACH INDIVIDUAL WHOSE NAME IS SUBMITTED TO THE GOVERNOR MUST HAVE BEEN A REGISTERED VOTER AFFILIATED WITH THE POLITICAL PARTY OF THE VACATING ATTORNEY GENERAL ON THE DATE IMMEDIATELY PRECEDING THE DATE ON WHICH THE VACANCY OCCURRED.
- (4) THE GOVERNOR SHALL MAKE THE APPOINTMENT WITHIN 15
 DAYS AFTER NAMES ARE SUBMITTED BY THE STATE CENTRAL COMMITTEE OF THE
 APPROPRIATE POLITICAL PARTY.
- (5) IF NAMES ARE NOT SUBMITTED BY THE STATE CENTRAL COMMITTEE OF THE APPROPRIATE POLITICAL PARTY WITHIN 30 DAYS AFTER THE OCCURRENCE OF THE VACANCY, THE GOVERNOR SHALL APPOINT WITHIN ANOTHER PERIOD OF 15 DAYS ANY QUALIFIED INDIVIDUAL WHO WAS A REGISTERED VOTER AFFILIATED WITH THE POLITICAL PARTY OF THE VACATING ATTORNEY GENERAL ON THE DATE IMMEDIATELY PRECEDING THE DATE ON WHICH THE VACANCY OCCURRED.
- (6) IF THE VACATING ATTORNEY GENERAL WAS NOT AFFILIATED WITH A POLITICAL PARTY AT THE TIME OF THE ATTORNEY GENERAL'S LAST ELECTION OR APPOINTMENT, THE GOVERNOR SHALL APPOINT ANY QUALIFIED INDIVIDUAL WITHIN 30 DAYS AFTER THE OCCURRENCE OF THE VACANCY.".

AMENDMENT NO. 4

On page 2, in line 36, after "INDIVIDUAL" insert "AS PROVIDED IN THIS SUBSECTION"; and after line 36, insert:

"(2) THE GOVERNOR SHALL APPOINT ONE OF THE THREE INDIVIDUALS WHOSE NAMES ARE SUBMITTED TO THE GOVERNOR IN WRITING, WITHIN 30 DAYS AFTER THE OCCURRENCE OF THE VACANCY, BY THE STATE CENTRAL COMMITTEE OF THE POLITICAL PARTY, IF ANY, WITH WHICH THE VACATING COMPTROLLER HAD BEEN AFFILIATED AT THE TIME OF THE COMPTROLLER'S LAST ELECTION OR APPOINTMENT.

- (3) EACH INDIVIDUAL WHOSE NAME IS SUBMITTED TO THE GOVERNOR MUST HAVE BEEN A REGISTERED VOTER AFFILIATED WITH THE POLITICAL PARTY OF THE VACATING COMPTROLLER ON THE DATE IMMEDIATELY PRECEDING THE DATE ON WHICH THE VACANCY OCCURRED.
- (4) THE GOVERNOR SHALL MAKE THE APPOINTMENT WITHIN 15
 DAYS AFTER NAMES ARE SUBMITTED BY THE STATE CENTRAL COMMITTEE OF THE
 APPROPRIATE POLITICAL PARTY.
- (5) IF NAMES ARE NOT SUBMITTED BY THE STATE CENTRAL COMMITTEE OF THE APPROPRIATE POLITICAL PARTY WITHIN 30 DAYS AFTER THE OCCURRENCE OF THE VACANCY, THE GOVERNOR SHALL APPOINT WITHIN ANOTHER PERIOD OF 15 DAYS ANY QUALIFIED INDIVIDUAL WHO WAS A REGISTERED VOTER AFFILIATED WITH THE POLITICAL PARTY OF THE VACATING COMPTROLLER ON THE DATE IMMEDIATELY PRECEDING THE DATE ON WHICH THE VACANCY OCCURRED.
- (6) IF THE VACATING COMPTROLLER WAS NOT AFFILIATED WITH A POLITICAL PARTY AT THE TIME OF THE COMPTROLLER'S LAST ELECTION OR APPOINTMENT, THE GOVERNOR SHALL APPOINT ANY QUALIFIED INDIVIDUAL WITHIN 30 DAYS AFTER THE OCCURRENCE OF THE VACANCY.".

On page 3, in line 1, strike "(2)" and substitute "(D)(1)"; in the same line, strike "(3)" and substitute "(2)"; in line 2, strike "PARAGRAPH (1) OF THIS SUBSECTION" and substitute "SUBSECTION (C) OF THIS SECTION"; in lines 3, 5, and 10, strike "(4)", "(3)", and "(4)", respectively, and substitute "(3)", "(2)", and "(3)", respectively; in lines 5 and 6, strike "PARAGRAPH (1) OF THIS SUBSECTION" and substitute "SUBSECTION (C) OF THIS SECTION"; in lines 18 and 22, strike "(D)" and "(E)", respectively, and substitute "(E)" and "(F)", respectively; in lines 25 and 29, strike "2." and "3.", respectively, and substitute "3." and "4.", respectively; in lines 29 and 30, strike "aforegoing section proposed as an"; and in line 30, after "Constitution" insert "proposed by Section 2 of this Act".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 706 – Senators DeGrange, Currie, Eckardt, Edwards, Jennings, Klausmeier, McFadden, Middleton, Miller, Muse, Peters, Reilly, and Serafini

AN ACT concerning

Maryland Education Credit

STATUS OF BILL: BILL IS ON SECOND READING AND OPEN TO AMENDMENT.

FLOOR AMENDMENT

SB0706/143621/1

BY: Senator Young

AMENDMENT TO SENATE BILL 706

(First Reading File Bill)

On page 4, strike beginning with "A" in line 10 down through "TEST" in line 11 and substitute "ANY REQUIRED STATE ASSESSMENTS"; and in line 11, after "STUDENTS" insert "AND REPORTS THE RESULTS OF THOSE ASSESSMENTS TO THE STATE DEPARTMENT OF EDUCATION".

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 11 Negative – 30 (See Roll Call No. 528)

FLOOR AMENDMENT

SB0706/273621/1

BY: Senator Young

AMENDMENTS TO SENATE BILL 706

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 18, after "amount;" insert "prohibiting the Governor from making a certain appropriation to the Reserve Fund and prohibiting the Department from issuing

certain tax credit certificates under certain circumstances; requiring certain funds to revert to the General Fund from the Reserve Fund under certain circumstances;".

AMENDMENT NO. 2

On page 8, in line 19, strike "FOR" and substitute "EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF THIS PARAGRAPH, FOR"; after line 23, insert:

"(III) 1. IN ANY FISCAL YEAR, IF THE REVISED ESTIMATE OF TOTAL GENERAL FUND REVENUES FOR THE FISCAL YEAR IN WHICH THE BUDGET BILL IS BEING PREPARED, AS REFLECTED IN THE REPORT OF ESTIMATED STATE REVENUES SUBMITTED BY THE BOARD OF REVENUE ESTIMATES TO THE GOVERNOR UNDER § 6–106(B) OF THE STATE FINANCE AND PROCUREMENT ARTICLE, IN DECEMBER OF THAT FISCAL YEAR DOES NOT EXCEED THE ESTIMATE FOR THE PRIOR DECEMBER, ADJUSTED FOR TAX LAW CHANGES, BY MORE THAN 2%:

A. THE GOVERNOR MAY NOT MAKE AN APPROPRIATION
TO THE RESERVE FUND IN THE STATE BUDGET; AND

B. THE DEPARTMENT MAY NOT ISSUE A TAX CREDIT CERTIFICATE UNDER SUBSECTION (E) OF THIS SECTION.

2. If the Governor makes an appropriation to the Reserve Fund in the State budget in a fiscal year in which the revised estimate of total General Fund revenues for the fiscal year in which the budget bill is being prepared, as reflected in the report of estimated State revenues submitted by the Board of Revenue Estimates to the Governor under § 6–106(b) of the State Finance and Procurement Article, in December of that fiscal year does not exceed the estimate for the prior December, adjusted for tax law changes, by more than 2%, those funds shall revert to the General Fund.";

and in line 28, after "PARAGRAPH" insert "AND IN PARAGRAPH (4) OF THIS SUBSECTION".

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 14 Negative – 31 (See Roll Call No. 529)

FLOOR AMENDMENT

SB0706/533822/1

BY: Senator Kagan

AMENDMENTS TO SENATE BILL 706

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after "qualifications;" insert "requiring the legislative auditor to audit the accounts and transactions of each student assistance organization during a certain period of time;".

AMENDMENT NO. 2

On page 6, after line 11, insert:

"(3) EACH YEAR, THE LEGISLATIVE AUDITOR SHALL AUDIT THE ACCOUNTS AND TRANSACTIONS OF EACH STUDENT ASSISTANCE ORGANIZATION AS PROVIDED IN § 2–1220 OF THE STATE GOVERNMENT ARTICLE.".

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 16 Negative – 30 (See Roll Call No. 530)

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. 531)

ADJOURNMENT

At 12:49 P.M. on motion of Senator Pugh, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, March 16, 2016.

Annapolis, Maryland Wednesday, March 16, 2016 10:00 A.M. Session

The Senate met at 10:07 A.M.

Prayer by Pastor Ben Uybengkee, International Christian Fellowship, guest of Senator Jennings.

(See Exhibit A of Appendix III)

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 535)

On motion of Senator Pugh it was ordered that Senator Gladden be excused from today's session.

The Journal of March 15, 2016 was read and approved.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 352 – Delegates Ghrist, Arentz, Hornberger, S. Howard, and Jacobs Jacobs, and Jackson

SECOND PRINTING

AN ACT concerning

Office of Legislative Audits - Local School System Audits - Repeal

FOR the purpose of repealing the requirement that the Office of Legislative Audits conduct audits of certain local school systems within certain periods of time; repealing the requirement for the Legislative Auditor to appoint professional staff to conduct audits of local school systems; repealing the authorization for the Office of Legislative Audits to have access to certain information to perform audits of local school systems; repealing the requirement for the Office of Legislative Audits to provide certain information to a local school system and the Joint Audit Committee

following a certain review; repealing the authorization for the Joint Audit Committee to take certain actions relating to a certain review; requiring the Office of Legislative Audits to conduct an audit or a review of certain local school systems under certain circumstances; making conforming changes exempting a local school system from a certain audit requirement under certain circumstances; authorizing the Joint Audit Committee to direct the Office of Legislative Audits to conduct an audit of a local school system; and generally relating to the repeal of audits of local school systems by the Office of Legislative Audits.

BY repealing

Article - State Government
Section 2-1219(c), 2-1220(e), and 2-1224(g)(7) through (9)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article — State Government
Section 2—1220(b) and 2—1223(a)(3)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY renumbering

Article - State Government
Section 2-1220(f)
to be Section 2-1220(e)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government
Section 2–1220(e)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 445 – Delegates Lierman, Chang, Hettleman, Jackson, Korman, Krimm, and P. Young

AN ACT concerning

Food Stamp Program - Minimum Benefit - State Supplement

FOR the purpose of requiring authorizing the State to provide a certain supplement to a household that receives a federally funded benefit of less than a certain amount per month under the food stamp program; requiring the Department of Human Resources to notify the Department of Legislative Services within a certain time

period after the federal government fully funds a certain minimum benefit; providing for the termination of this Act; and generally relating to the food stamp program.

BY repealing and reenacting, with amendments,

Article – Human Services Section 5–501 Annotated Code of Maryland (2007 Volume and 2015 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 593 – Delegates M. Washington, Hettleman, Krimm, Lierman, and McKay

AN ACT concerning

Human Services - Interagency Council on Homelessness - Membership

FOR the purpose of altering the composition of the Interagency Council on Homelessness; increasing the number of representatives from diverse geographical regions of the State engaged in homeless advocacy; altering the method of selecting and qualifications of the chair of the Council; stating the intent of the General Assembly that certain designees have certain decision making authority under certain circumstances; making a stylistic change; and generally relating to the Interagency Council on Homelessness.

BY repealing and reenacting, without amendments,

Article – Human Services Section 6–418 Annotated Code of Maryland (2007 Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Human Services Section 6–419 <u>and 6–420</u> Annotated Code of Maryland (2007 Volume and 2015 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 843 – Frederick County Delegation

AN ACT concerning

Frederick County - Alcoholic Beverages - Beauty Salon License

FOR the purpose of establishing in Frederick County a beauty salon beer and wine license; requiring that a recipient of the license be a holder of a beauty salon permit;

authorizing a holder of the license to provide beer and wine by the glass for consumption by a certain customer when a certain cosmetology 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 renumbering

<u>Article – Alcoholic Beverages</u>

Section 20–1002 through 20–1014, respectively

to be Section 20–1003 through 20–1015, respectively

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

BY adding to

Article – Alcoholic Beverages

Section 20-1001.1 20-1002

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General Assembly of 2016)

(As enacted by Chapter (S.B. 724) of the Acts of the General Assembly of 2016);

BY repealing and reenacting, without amendments,

Article – Business Occupations and Professions

Section 5–101(a), (c), (d), (l), (m), (n), and (o) and 5–501

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 878 - Delegate Parrott

AN ACT concerning

Maryland Higher Education Commission – Religious Educational Institutions – Authority to Operate

FOR the purpose of repealing a certain condition under which a religious educational institution may operate without a certificate of approval from the Maryland Higher Education Commission and may enroll certain students in a certain online distance education program without a certain registration; and generally relating to the authority of religious educational institutions to operate without certificates of approval from the Maryland Higher Education Commission.

BY repealing and reenacting, with amendments,

Article – Education Section 11–202.1 Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 892 – Delegate Impallaria Harford County Delegation

AN ACT concerning

Harford County - Alcoholic Beverages - Movie Theater License

FOR the purpose of establishing a Class MT (movie theater) license in Harford County; authorizing the Harford County Board of License Commissioners to issue the license to an owner of a movie theater; requiring the owner of a movie theater to provide certain documentation to the Board to be eligible for the license; specifying that the license entitles the holder to sell beer and wine, wine, and liquor for on-premises consumption; specifying the hours and days of sale; requiring that beer, wine, and liquor be sold only in a certain manner; providing that a movie theater for which the license is issued is subject to certain alcohol awareness training requirements and shall offer for sale food other than candy and popcorn; specifying a certain annual license fee; and generally relating to the sale of alcoholic beverages in Harford County.

BY adding to

Article – Alcoholic Beverages

Section 22–1005.1

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. ____)(6lr1406) (S.B. 724) 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 969 - Delegates Impallaria and Lisanti Harford County Delegation

AN ACT concerning

Harford County - Alcoholic Beverages - Business Establishments Near Schools

FOR the purpose of altering the distance a business establishment in Harford County may be from a public or private school to be issued a license by authorizing the Harford County Board of License Commissioners to issue a license to a business establishment in Harford County if the business establishment is not located within

a certain distance of a public or private school; and generally relating to the sale of alcoholic beverages in Harford County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 22–102

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 22–1602

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 724) 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 1002 – Delegates B. Barnes, Anderson, Atterbeary, Brooks, Busch,
 Clippinger, Cullison, Davis, Ebersole, Fennell, Frush, Gutierrez, Healey,
 Hettleman, Hill, Hixson, Holmes, C. Howard, Jackson, Jalisi, Jameson,
 Jones, Kaiser, Korman, Krimm, Lafferty, Lam, Lierman, Luedtke, A. Miller,
 Moon, Morhaim, Platt, B. Robinson, Sanchez, Smith, Stein, Valderrama,
 and Waldstreicher

AN ACT concerning

Weapon-Free Higher Education Zones

FOR the purpose of prohibiting the carrying or possession of certain firearms, knives, or deadly weapons firearms on the property of public institutions of higher education; providing for certain exceptions to the prohibition; requiring a public institution of higher education to post certain signs at certain locations; and generally relating to the carrying or possession of firearms, knives, and deadly weapons at public institutions of higher education.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 4-102

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY adding to

Article - Education

<u>Section 15–119</u>

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 1090 - Howard County Delegation

AN ACT concerning

Howard County - Alcoholic Beverages - Continuing Care Retirement Community License Ho. Co. 15-16

FOR the purpose of creating in Howard County an exception to the alcoholic beverages license application or renewal requirements for a Class C (continuing care retirement community) beer, wine, and liquor license issued to a nonprofit organization; requiring that the license be applied for and issued to a manager or supervisor and two officers under certain circumstances; allowing residents and their guests in a continuing care retirement community that holds the license to consume wine beer, wine, or liquor not purchased from the community under certain circumstances; and generally relating to continuing care retirement community alcoholic beverages licenses in Howard County.

	ng and ree cle – Alcoh ion 23–102	olic Beve		ame	ndmer	nts,							
	otated Cod enacted b Assembl	y Chapt	er	(S.B	s	_)(6lr14	106) (of the	e Acts	of	the	Genera	1
Secti Anno	ng and ree ele – Alcoh ion 23–140 etated Cod enacted b Assembl	olic Beve 94(a) and e of Mar y Chapt	erages 23–270 yland er	4	·		106) d	of the	e Acts	of	the	Genera	ıl
Secti Anno	to ele – Alcoh ion 23–140 otated Cod enacted b Assembl	04(d) e of Mar y Chapt	yland er	(S.B	s	_)(6lr14	106) (of th	e Acts	of	the	Genera	.1
Read the	first tim	e and	referred	to	the (Committ	ee o	n Eo	ducatio	n,	Heal	lth, and	d

House Bill 1140 – Prince George's County Delegation and Montgomery County Delegation

Environmental Affairs.

Washington Suburban Sanitary Commission – Ratemaking Structure – Review by Office of Legislative Audits PG/MC 108–16

FOR the purpose of requiring the Office of Legislative Audits to complete a certain review of the ratemaking structure of the Washington Suburban Sanitary Commission on or before a certain date; and generally relating to the ratemaking structure of the Washington Suburban Sanitary Commission.

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 1162 – Delegate Reznik Delegates Reznik and Carozza

AN ACT concerning

Foster Youth Summer Internship Program

FOR the purpose of recodifying and making permanent the Foster Youth Summer Internship Pilot Program; altering the name of the program to be the Foster Youth Summer Internship Program; transferring certain responsibilities relating to the Program to the Secretary of Human Services; requiring the Secretary of Human Resources, in consultation with the Secretary of Budget and Management, to issue a certain report to the Senate Budget and Taxation Committee, the Senate Finance Committee, and the House Appropriations Committee of the General Assembly on or before a certain date; specifying the contents of the report; defining certain terms; providing for a delayed effective date; and generally relating to internship opportunities for certain foster youth.

BY repealing and reenacting, without amendments, Article – State Finance and Procurement Section 3–207 Annotated Code of Maryland (2015 Replacement Volume)

BY repealing and reenacting, without amendments, Chapter 317 of the Acts of the General Assembly of 2013 Section 2

BY adding to

Article – Human Services Section 4–304 Annotated Code of Maryland (2007 Volume and 2015 Supplement)

Read the first time and referred to the Committee on Finance.

House Bill 1291 - Delegates Davis and Delegate Kelly

AN ACT concerning

State Board of Cosmetologists - Limited License - Hair Services - Blow Drying

FOR the purpose of establishing a limited license to provide hair services – blow drying; requiring the State Board of Cosmetologists to establish by regulation certain curriculum standards for providing hair services – blow drying for use by certain entities for a certain purpose; establishing qualifications for a limited license to provide hair services – blow drying; providing that a certain limited license authorizes the licensee to provide only certain services; authorizing the establishment of a limited practice beauty salon for providing hair services – blow drying; prohibiting a person from providing hair services – blow drying in certain places subject to certain exceptions; defining certain terms; altering the definitions of certain terms; and generally relating to a limited license to provide hair services – blow drying.

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions Section 5–101, 5–205(c), 5–301, 5–305, 5–310, 5–501, and 5–605 Annotated Code of Maryland (2010 Replacement Volume and 2015 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1342 – Delegates Kramer, Fraser-Hidalgo, Adams, Angel, Atterbeary, Aumann, Barkley, B. Barnes, Barron, Barve, Beidle, Bromwell, Brooks, Carey, Carr, Carter, Chang, Cluster, Cullison, Dumais, Ebersole, Fennell, Frick, Frush, Gilchrist, Glass, Gutierrez, Hammen, Hayes, Hettleman, Hill, Hixson, Jackson, Jalisi, Kaiser, Kelly, Kipke, Kittleman, Knotts, Korman, Krebs, Krimm, Lam, Lisanti, Luedtke, McComas, McCray, McDonough, McKay, Metzgar, A. Miller, W. Miller, Moon, Morales, Morgan, Morhaim, Oaks, Parrott, Patterson, Pena-Melnyk, Pendergrass, Platt, Reznik, S. Robinson, Rosenberg, Sanchez, Simonaire, Smith, Stein, Szeliga, Tarlau, Valderrama, Waldstreicher, A. Washington, M. Washington, B. Wilson, C. Wilson, and P. Young P. Young, Anderson, Conaway, Malone, Proctor, Queen, Rey, Sydnor, and Vallario

AN ACT concerning

Drunk Driving Reduction Act of 2016 (Noah's Law)

FOR the purpose of increasing the suspension periods for the driver's license of a person who is convicted of certain offenses relating to driving under the influence of alcohol and driving while impaired; requiring the Motor Vehicle Administration to require

a person who is convicted of certain offenses relating to driving under the influence of alcohol and driving while impaired to participate in the Ignition Interlock System Program for certain periods of time; requiring that the Administration include certain information about the Program in notifications regarding certain revocations and suspensions; requiring the Administration to modify certain suspensions on revocations of the driver's license of a person who is convicted of certain offenses relating to driving under the influence of alcohol and driving while impaired: repealing the opportunity for a certain restricted license after a conviction of driving under the influence of alcohol; repealing a person's right to a hearing on financial hardship regarding the installation of an ignition interlock on a motor vehicle owned by the person; increasing the suspension periods for the driver's license of a person who has refused or has certain results after a test for breath alcohol concentration; adding advisements a police officer must give to certain detainees; altering the length of time a certain person must participate in the Program under certain circumstances; requiring a certain person whose license is suspended by the Administration after the person refuses or has certain results from a <u>certain</u> test for breath alcohol concentration to participate in the Program; authorizing the Administration to extend a certain person's participation period in the Program under certain circumstances repealing certain disqualifying criteria from participation in the Program; altering the period of time a certain person must participate in the Program; requiring the Administration to modify the suspension of a certain Program participant's license and issue the participant a restricted license; providing that a certain person who participates in the Program must receive credit for certain participation toward certain future participation; requiring a court to order a person to participate in the Program under certain circumstances; establishing certain completion requirements; requiring a certain person convicted of reckless or negligent driving to participate in the Program; altering the employerbased exception for a person who has a restricted license that requires an ignition interlock; making conforming changes; and generally relating to required participation in the Ignition Interlock System Program.

BY repealing and reenacting, with amendments,

Article – Transportation Section 16–205, 16–205.1, <u>and</u> 16–404.1, and 27–107 Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)

BY adding to

<u>Article – Transportation</u>
<u>Section 27–107.1</u>
<u>Annotated Code of Maryland</u>
(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–901.1 and 27–101(a), (b), and (g)
Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY adding to

Article - Transportation
Section 27-101(gg)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

LETTERS OF REASSIGNMENT

ANNOUNCEMENT BY THE PRESIDENT

House Bill 730 – Delegates Sample-Hughes, Anderton, Angel, Aumann, Barkley, Clippinger, Cullison, Hayes, Hill, C. Howard, Jameson, Kelly, Kramer, Krebs, Krimm, McComas, McDonough, McMillan, Miele, A. Miller, Morales, Morhaim, Oaks, Patterson, Pena-Melnyk, Saab, Valentino-Smith, M. Washington, and West

AN ACT concerning

Virginia I. Jones Alzheimer's Disease and Related Disorders Council – Membership and Extension of Termination Date

Reassigned to the Committee on Finance under Rule 33(d).

Read and ordered journalized.

ANNOUNCEMENT BY THE PRESIDENT

House Bill 1316 – Delegate Arentz

AN ACT concerning

Alcoholic Beverages - Class 9 Limited Distillery Licenses

Reassigned to the Committee on Education, Health, and Environmental Affairs under Rule 33(d).

Read and ordered journalized.

ANNOUNCEMENT BY THE PRESIDENT

House Bill 1337 – Delegate Barkley

AN ACT concerning

Alcoholic Beverages - Liquor - Manufacturer's and Wholesaler's Licenses and Permits

Reassigned to the Committee on Education, Health, and Environmental Affairs under Rule 33(d).

Read and ordered journalized.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 190 – The President and the Speaker (By Request – Administration)

Budget Bill

(Fiscal Year 2017)

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (124) AND THE FAVORABLE REPORT.

REPORT OF THE SENATE BUDGET AND TAXATION COMMITTEE
TO THE SENATE OF MARYLAND – 2016 SESSION –
RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION
PERTAINING TO SENATE BILL 190 – THE BUDGET BILL

(See Exhibit H of Appendix III)

SENATE BUDGET AND TAXATION COMMITTEE
REPRINT TO SENATE BILL 190 – THE BUDGET BILL

(See Exhibit I of Appendix III)

SENATE BUDGET AND TAXATION COMMITTEE
SUMMARY REPORT ON SENATE BILL 190 – THE BUDGET BILL

(See Exhibit J of Appendix III)

Committee amendments 1 through 10 were read and adopted.

Committee amendments 11 through 24 were read and adopted.

Committee amendments 25 through 30 were read and adopted.

Committee amendments 31 through 43 were read and adopted.

Committee amendments 44 through 53 were read and adopted.

Committee amendments 54 through 62 were read and adopted.

Committee amendments 63 through 75 were read and adopted.

Committee amendments 76 through 85 were read and adopted.

Committee amendments 86 through 115 were read and adopted.

Committee amendments 116 through 124 were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0190/853221/1

BY: Senator Ready

AMENDMENT TO SENATE BILL 190

(First Reading File Bill – Committee Reprint)

On pages 46 and 47, under:

Heading: THE SECRETARY'S OFFICE

Program: J00A01.03

Entitled: Facilities and Capital Equipment

Strike beginning with "<u>Further</u>" in line 33 on page 46 down through "<u>canceled</u>" in line 9 on page 47 and substitute "<u>Further provided that, contingent upon the enactment of legislation increasing the local share of Highway User Revenues, \$53,593,537 of this appropriation made for the purpose of providing transportation grants to local governments may only be transferred to the operating program of the State Highway Administration Program J00B01.05 County and Municipality Funds to be distributed as a portion of the local share of Highway User Revenues".</u>

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 16 Negative – 29 (See Roll Call No. 536)

FLOOR AMENDMENT

SB0190/373423/1

BY: Senator Cassilly

AMENDMENT TO SENATE BILL 190

(First Reading File Bill – Committee Reprint)

On page 80, under:

Heading: MEDICAL CARE PROGRAMS ADMINISTRATION

Program: M00Q01.03

Entitled: Medical Care Provider Reimbursements

Strike beginning with the semicolon in line 30 down through "health" in line 40.

On page 83, under:

Heading: MEDICAL CARE PROGRAMS ADMINISTRATION

Program: M00Q01.07

Entitled: Maryland Children's Health Program

Strike beginning with the semicolon in line 33 down through "health" in line 43.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 16 Negative – 27 (See Roll Call No. 537)

Read the second time and ordered prepared for Third Reading.

Senate Bill 361 – Senators Raskin and Zirkin

AN ACT concerning

Civil Actions - Hydraulic Fracturing Liability Act

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENTS (2) OFFERED FROM THE FLOOR BY SENATOR EDWARDS.

FLOOR AMENDMENT

SB0361/213627/1

BY: Senator Edwards

AMENDMENTS TO SENATE BILL 361

(First Reading File Bill)

AMENDMENT NO. 1

On page 3, in line 27, after "FRACTURING" insert ", EXCLUDING THE PARTICULAR PERCENTAGES OF THE CHEMICAL CONSTITUENTS COMPOSING THE HYDRAULIC FRACTURING FLUIDS,".

AMENDMENT NO. 2

On page 4, in line 19, strike "\$5,000,000" and substitute "\$2,500,000"; and in line 24, strike "\$10,000,000" and substitute "\$5,000,000".

The preceding 2 amendments were withdrawn.

FLOOR AMENDMENT

SB0361/503325/1

BY: Senators Zirkin and Edwards

AMENDMENTS TO SENATE BILL 361

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, after "coverage;" insert "requiring a permittee to file with the Department of the Environment and a certain local health department certain documentation; providing that the Department and the local health department shall maintain the confidentiality of certain information included in the documentation except under certain circumstances; requiring an individual or a certain agency to whom the documentation is disclosed to maintain the confidentiality of the contents of the documentation except under certain circumstances; providing for the construction of a certain provision of this Act;"; and after line 26, insert:

"BY adding to

Article – Environment

Section 14–111(h)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)".

AMENDMENT NO. 2

On page 3, strike line 28 in its entirety.

On page 4, in lines 1 and 2, strike "(2)" and "(3)", respectively, and substitute "(1)" and "(2)", respectively; and in line 1, after "DISCOVERABLE" insert ", SUBJECT TO § 14–111 OF THE ENVIRONMENT ARTICLE".

On page 5, after line 2, insert:

- "(H) (1) EVERY HOLDER OF A PERMIT TO DRILL FOR THE HYDRAULIC FRACTURING OF A WELL FOR THE EXPLORATION OR PRODUCTION OF NATURAL GAS IN THE STATE SHALL FILE WITH THE DEPARTMENT AND THE APPROPRIATE LOCAL HEALTH DEPARTMENT DOCUMENTATION STATING THE COMPOSITION OF THE INJECTION FLUID USED FOR HYDRAULIC FRACTURING OF THE WELL.
- (2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE DEPARTMENT AND THE LOCAL HEALTH DEPARTMENT SHALL KEEP THE SPECIFIC CONCENTRATION OF THE CHEMICAL CONSTITUENTS THAT ARE INCLUDED IN THE DOCUMENTATION FILED UNDER PARAGRAPH (1) OF THIS SUBSECTION CONFIDENTIAL.
- (II) ON REQUEST, THE DEPARTMENT OR A LOCAL HEALTH DEPARTMENT SHALL DISCLOSE THE CONTENTS OF THE DOCUMENTS FILED UNDER PARAGRAPH (1) OF THIS SUBSECTION TO:
- 1. A HEALTH CARE PROFESSIONAL FOR MEDICAL PURPOSES;
- 2. <u>A PARTY TO A CIVIL OR CRIMINAL ACTION FOR</u> LITIGATION PURPOSES;

- 3. A FEDERAL, STATE, OR LOCAL AGENCY; OR
- 4. A PUBLIC HEALTH PROFESSIONAL, A TOXICOLOGIST, OR AN EPIDEMIOLOGIST EMPLOYED IN THE FIELD OF PUBLIC HEALTH FOR PUBLIC HEALTH PURPOSES.
- (3) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II), (III), OR (IV) OF THIS PARAGRAPH, AN INDIVIDUAL OR A FEDERAL, STATE, OR LOCAL AGENCY TO WHOM DOCUMENTATION IS DISCLOSED UNDER PARAGRAPH (2)(II) OF THIS SUBSECTION SHALL MAINTAIN THE CONFIDENTIALITY OF THE CONTENTS OF THE DOCUMENTATION.
- (II) A HEALTH CARE PROFESSIONAL MAY SHARE THE DOCUMENTATION WITH OTHER INDIVIDUALS AS REASONABLY NECESSARY FOR PURPOSES OF PROVIDING MEDICAL CARE, INCLUDING WITH THE PATIENT TO WHOM THE PROFESSIONAL IS PROVIDING CARE AND OTHER HEALTH CARE PROFESSIONALS INVOLVED IN THE PATIENT'S CARE.
- (III) A PARTY TO A CIVIL OR CRIMINAL ACTION MAY SHARE THE DOCUMENTATION WITH EXPERT WITNESSES, JURORS, AND OTHER INDIVIDUALS AS REASONABLY NECESSARY FOR PURPOSES OF LITIGATING THE CIVIL OR CRIMINAL ACTION.
- (IV) A FEDERAL, STATE, OR LOCAL AGENCY MAY SHARE THE DOCUMENTATION WITH OTHER AGENCIES OR INDIVIDUALS AS REASONABLY NECESSARY TO PROTECT PUBLIC HEALTH AND SAFETY.
- (4) NOTHING IN THIS SUBSECTION MAY BE CONSTRUED TO REQUIRE THE DEPARTMENT, A LOCAL HEALTH DEPARTMENT, OR ANY OTHER PERSON TO KEEP THE IDENTITY OF ANY CHEMICAL CONSTITUENT THAT IS INCLUDED IN THE DOCUMENTATION FILED UNDER PARAGRAPH (1) OF THIS SUBSECTION CONFIDENTIAL."

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 764 – Senators Raskin and Rosapepe

AN ACT concerning

Education - Student Journalists - Freedom of Speech and Freedom of the Press

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator Hershey moved, duly seconded, to make the Bill and Report a Special Order for March 17, 2016.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 538)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #46

Senate Bill 360 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Juvenile Causes - Permanency Plans - Age Restrictions on Use of Another Planned Permanent Living Arrangement

Read the third time and passed by yeas and nays as follows:

Affirmative -44 Negative -0 (See Roll Call No. 539)

The Bill was then sent to the House of Delegates.

Senate Bill 417 – Senators Kelley, Astle, Benson, Guzzone, Jennings, Klausmeier, Peters, Pugh, Reilly, and Young

AN ACT concerning

Labor and Employment - Minimum Wage - Individuals With Disabilities

(Ken Capone Equal Employment Act)

Senator Mathias moved, duly seconded, to place **Senate Bill 417** 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

SB0417/613120/1

BY: Senator Mathias

AMENDMENT TO SENATE BILL 417

(Bill as Printed for Third Reading)

On page 1, in the sponsor line, strike "Mathias,".

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 425 - Senator Reilly

AN ACT concerning

Maryland Income Tax Refunds - Warrant Intercept Program - Statewide

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 540)

The Bill was then sent to the House of Delegates.

Senate Bill 715 – Cecil County Senators

AN ACT concerning

Cecil County - Marriage Licenses - Applications

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 541)

The Bill was then sent to the House of Delegates.

Senate Bill 716 – Cecil County Senators

AN ACT concerning

Public Safety - Fire Police - Cecil County

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 542)

The Bill was then sent to the House of Delegates.

Senate Bill 729 – Senators Hershey, Eckardt, Mathias, and Norman

AN ACT concerning

Maryland Income Tax Refunds – Eastern Shore Counties – Warrant Intercept Program

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 543)

The Bill was then sent to the House of Delegates.

Senate Bill 785 – Senators Zucker and Middleton, Middleton, Astle, Benson, Feldman, Hershey, Jennings, Kelley, Klausmeier, Mathias, Pugh, and Reilly

AN ACT concerning

Foster Youth Summer Internship Program

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 544)

The Bill was then sent to the House of Delegates.

Senate Bill 821 – Senator Peters (Chair, Joint Committee on Pensions)

AN ACT concerning

Participating Governmental Units - Amortization Schedule

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 545)

The Bill was then sent to the House of Delegates.

Senate Bill 924 – Senator Ramirez

AN ACT concerning

Family Law - Protective Orders - Notification of Service - Sunset Repeal

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 546)

The Bill was then sent to the House of Delegates.

Senate Bill 979 - Senator Peters

AN ACT concerning

Optional Retirement Program - Eligibility - Alterations

Read the third time and passed by year and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 547)

The Bill was then sent to the House of Delegates.

INTRODUCTION OF BILLS

Senator Manno moved, duly seconded, 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 1168 – Senator Manno

AN ACT concerning

Administrative Procedure Act – Proposed Regulation – Explanatory Reasons Justifying Adoption FOR the purpose of requiring a promulgating unit to include, under certain circumstances, certain explanatory reasons with the submission of a proposed regulation to the Joint Committee on Administrative, Executive, and Legislative Review and the Department of Legislative Services; and generally relating to regulatory adoption procedures under the Administrative Procedure Act.

BY repealing and reenacting, without amendments,

Article – State Government Section 10–101(a), (d), and (l) and 10–110(d)(1) Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement)

BY adding to

Article – State Government Section 10–110(d)(4) Annotated Code of Maryland (2014 Replacement Volume and 2015 Supplement)

Read the first time and referred to the Committee on Rules.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #47

Senate Bill 200 – Senator Conway (Chair, Education, Health, and Environmental Affairs Committee)

AN ACT concerning

Health Occupations – Environmental Health Specialists – Regulation State
Board of Environmental Health Specialists – Sunset Extension and Revisions

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 0 (See Roll Call No. 548)

The Bill was then sent to the House of Delegates.

Senate Bill 533 – Senator Pinsky

AN ACT concerning

Education - Administration of Assessments - Administration and Provision of Information

Read the third time and passed by yeas and nays as follows:

Affirmative – 34 Negative – 10 (See Roll Call No. 549)

The Bill was then sent to the House of Delegates.

Senate Bill 555 – Senator Pinsky

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Attorney General United States Senator, Attorney General, and Comptroller – Temporary Appointments and Special Elections to Fill a Vacancy

Read the third time and passed by yeas and nays as follows:

Affirmative – 30 Negative – 14 (See Roll Call No. 550)

The Bill was then sent to the House of Delegates.

Senate Bill 557 – Senator Astle Senators Astle and Salling

AN ACT concerning

Members of the National Guard and Maryland Defense Force – Employment and Reemployment Rights – Enforcement

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 551)

The Bill was then sent to the House of Delegates.

Senate Bill 595 – Senator Rosapepe

AN ACT concerning

Education - Dual Enrollment - Middle School Students - Awarding of Credit

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 552)

The Bill was then sent to the House of Delegates.

Senate Bill 614 – Senator Conway

AN ACT concerning

Veterinarians, Pharmacies, and Pharmacists – Dispensing Compounded Preparations for Use by Companion Animals

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 553)

The Bill was then sent to the House of Delegates.

Senate Bill 706 – Senators DeGrange, Currie, Eckardt, Edwards, Jennings, Klausmeier, McFadden, Middleton, Miller, Muse, Peters, Reilly, and Serafini

AN ACT concerning

Maryland Education Credit

Read the third time and passed by year and nays as follows:

Affirmative – 25 Negative – 19 (See Roll Call No. 554)

The Bill was then sent to the House of Delegates.

Senate Bill 775 – Senator Simonaire <u>Senators Simonaire</u>, <u>Rosapepe</u>, <u>Bates</u>, <u>Young</u>, <u>Zucker</u>, <u>Conway</u>, <u>Waugh</u>, <u>Nathan-Pulliam</u>, <u>and Pinsky</u>

AN ACT concerning

Natural Resources - Recreational License Donation Program - Establishment

Read the third time and passed by year and nays as follows:

Affirmative – 43 Negative – 0 (See Roll Call No. 555)

The Bill was then sent to the House of Delegates.

Senate Bill 826 – Senator Conway

AN ACT concerning

Construction Contracts - Change Orders (State Procurement Change Order Fairness Act)

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 556)

The Bill was then sent to the House of Delegates.

Senate Bill 837 – Senator Waugh

AN ACT concerning

Crabs - Harvest Times - Trotlines and Crab Pots

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 557)

The Bill was then sent to the House of Delegates.

Senate Bill 876 – Senator Serafini

AN ACT concerning

Natural Resources - Black Fly Management and Control - Washington County

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 558)

The Bill was then sent to the House of Delegates.

Senate Bill 1020 - Senator Pugh

AN ACT concerning

State Board of Physicians – Authority to Adopt Regulations – Physician Licensing Reciprocity

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 0 (See Roll Call No. 559)

The Bill was then sent to the House of Delegates.

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 356 – Senator Zirkin

AN ACT concerning

Local Government Tort Claims Act and Maryland Tort Claims Act – Statute of Limitations and Repeal of Certain Notice Requirements

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0356/728674/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 356

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "Repeal of Certain"; strike beginning with "repealing" in line 4 down through the semicolon in line 7; in line 8, after "incompetent" insert "<u>under the Local Government Tort Claims Act or the Maryland Tort Claims Act</u>"; in lines 8 and 9, strike "the claimant shall file an action" and substitute "<u>an action must be filed</u>"; in line 9, after "removed" insert "<u>and a certain notice is not required</u>"; and in line 12, after "repealing" insert "and reenacting, with amendments,".

AMENDMENT NO. 2

On page 1 in line 25, on page 2 in lines 25, 28, 30, and 31, and on page 3 in lines 5, 9, and 12, in each instance, strike the bracket.

AMENDMENT NO. 3

On page 2, in line 3, strike "(a) and (d)" and substitute "(A), (D), AND (E)"; after line 21, insert:

"(D) WHEN A CAUSE OF ACTION ACCRUES IN FAVOR OF A MINOR OR MENTAL INCOMPETENT:

(1) THE ACTION SHALL BE BROUGHT WITHIN 3 YEARS AFTER THE DISABILITY IS REMOVED; AND

(2) NO NOTICE SHALL BE REQUIRED UNDER THIS SECTION.";

in line 22, strike "(d)" and substitute "(E)"; and in line 30, strike "(B)" and substitute "AND (D)".

On page 3, in line 6, strike "(B)" and substitute "(C)"; in line 7, after "CLAIMANT" insert ":

(1)";

in line 8, after "REMOVED" insert "; AND

(2) IS NOT REQUIRED TO SUBMIT A WRITTEN CLAIM UNDER THIS SECTION";

and in line 9, strike "(c)" and substitute "(D)".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0356/163320/1

BY: Senator Serafini

AMENDMENT TO SENATE BILL 356, AS AMENDED

On page 1 of the Judicial Proceedings Committee Amendments (SB0356/728674/1), in line 3 of Amendment No. 3, after "<u>ACTION</u>" insert "<u>ALLEGING INJURY OR LOSS TO A</u> PERSON CAUSED BY THE INGESTION OF LEAD".

The preceding amendment was read and rejected.

Read the second time and ordered prepared for Third Reading.

Senate Bill 508 – Senators Ramirez and Ferguson

AN ACT concerning

Civil Penalties for Shoplifting and Employee Theft - Repeal

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (4) AND THE FAVORABLE REPORT.

SB0508/368978/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 508

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after "Ramirez" insert ", Norman,"; in line 2, strike "–Repeal"; strike beginning with "repealing" in line 3 down through "theft" in line 4 and substitute "altering requirements for certain demand letters relating to alleged acts of shoplifting or employee theft; providing that a responsible person who prevails in a certain civil action is entitled to an award of court costs and reasonable attorney's fees, under certain circumstances; requiring a court to reduce the amount of restitution awarded in a certain criminal proceeding by an amount equal to certain damages and civil penalties; prohibiting a person from taking certain actions in recovering or attempting to recover a certain civil penalty; establishing a certain penalty for certain violations; making stylistic changes"; and strike in their entirety lines 6 through 11, inclusive, and substitute:

"BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings

Section 3–1301, 3–1302, 3–1304, 3–1307, and 3–1308

Annotated Code of Maryland

(2013 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

<u>Article – Courts and Judicial Proceedings</u>

Section 3–1303, 3–1305, and 3–1306

Annotated Code of Maryland

(2013 Replacement Volume and 2015 Supplement)

BY adding to

Article – Courts and Judicial Proceedings

Section 3–1306.1

Annotated Code of Maryland

(2013 Replacement Volume and 2015 Supplement)".

AMENDMENT NO. 2

On page 1 in lines 15 and 16, on page 2 in lines 23 and 24, on page 3 in lines 3 and 4, on page 4 in lines 16, 17, 21, 22, 30, and 31, and on page 5 in lines 3, 4, 10, 11, and 14, in each instance, strike the bracket.

AMENDMENT NO. 3

On page 3, in line 12, after "letter" insert ", PREPARED BY A LAWYER ADMITTED TO PRACTICE LAW IN THE STATE,"; in line 18, after "committed" insert ", INCLUDING THE DATE AND TIME THE ACT IS ALLEGED TO HAVE OCCURRED;

(II) SPECIFY THE BASIS ON WHICH THE RESPONSIBLE PERSON OR, IF APPLICABLE, THE CHILD OF THE RESPONSIBLE PERSON HAS BEEN ACCUSED OF THE ACT OF SHOPLIFTING OR EMPLOYEE THEFT";

in lines 19, 21, 23, 25, and 29, strike "(ii)", "(iii)", "(iv)", "(v)", and "(vi)", respectively, and substitute "(III)", "(IV)", "(V)", "(VI)", and "(VII)", respectively; in line 28, strike "and"; in line 31, after "letter" insert "; AND

(VIII) SPECIFY THAT, IF THE RESPONSIBLE PERSON DISPUTES
LIABILITY FOR THE ALLEGED ACT OF SHOPLIFTING OR EMPLOYEE THEFT:

- 1. THE RESPONSIBLE PERSON MAY REFUSE TO PAY THE DAMAGES AND CIVIL PENALTY; AND
- 2. IF THE RESPONSIBLE PERSON PREVAILS IN A CIVIL SUIT FOR DAMAGES AND PENALTIES ARISING FROM THE ALLEGED ACT OF SHOPLIFTING OR EMPLOYEE THEFT, THE RESPONSIBLE PERSON IS ENTITLED TO AN AWARD OF COURT COSTS AND REASONABLE ATTORNEY'S FEES";

and after line 31, insert:

"(3) IF APPLICABLE, THE MERCHANT SHALL CAUSE A COPY OF ANY POLICE REPORT CONCERNING THE ALLEGED ACT OF SHOPLIFTING OR EMPLOYEE THEFT TO BE ATTACHED TO THE INITIAL DEMAND LETTER.".

On page 3 in line 15, and on page 4 in line 3, in each instance, after "address" insert "BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED".

On page 4, in line 2, after the second "letter" insert ", PREPARED BY A LAWYER ADMITTED TO PRACTICE LAW IN THE STATE,"; in line 6, strike "(v)" and substitute "(VIII)"; in line 28, after "(b)" insert "IN A CIVIL ACTION BROUGHT UNDER THIS SUBTITLE, THE MERCHANT SHALL SUBMIT PROOF TO THE COURT THAT THE MERCHANT COMPLIED WITH ALL REQUIREMENTS UNDER § 3–1303 OF THIS SUBTITLE CONCERNING DEMAND LETTERS.

(C)";

and after line 30, insert:

"(D) IF THE RESPONSIBLE PERSON PREVAILS IN A CIVIL ACTION BROUGHT UNDER THIS SUBTITLE, THE RESPONSIBLE PERSON SHALL BE ENTITLED TO AN AWARD OF COURT COSTS AND REASONABLE ATTORNEY'S FEES, TO BE ASSESSED WITHOUT REGARD TO THE ABILITY OF THE MERCHANT TO PAY.".

On page 5, in line 2, strike "However, the" and substitute:

"(C) <u>THE</u>";

and after line 3, insert:

"(D) A COURT SHALL REDUCE THE AMOUNT OF ANY RESTITUTION AWARDED IN A CRIMINAL PROCEEDING REGARDING AN ACT FOR WHICH A RESPONSIBLE PERSON HAS PAID DAMAGES AND CIVIL PENALTIES UNDER THIS SUBTITLE BY AN AMOUNT EQUAL TO THOSE DAMAGES AND CIVIL PENALTIES.".

AMENDMENT NO. 4

On page 5, before line 4, insert:

"3-1306.1.

- (A) IN RECOVERING OR ATTEMPTING TO RECOVER DAMAGES OR A CIVIL PENALTY ARISING FROM AN ALLEGED ACT OF SHOPLIFTING OR EMPLOYEE THEFT UNDER THIS SUBTITLE, A PERSON MAY NOT:
 - (1) USE OR THREATEN FORCE OR VIOLENCE;
- (2) COMMUNICATE WITH A RESPONSIBLE PERSON, IN A MANNER THAT REASONABLY CAN BE EXPECTED TO ABUSE OR HARASS THE RESPONSIBLE PERSON, INCLUDING COMMUNICATING WITH EXCESSIVE FREQUENCY OR AT UNUSUAL HOURS;
- (3) USE OBSCENE OR GROSSLY ABUSIVE LANGUAGE IN COMMUNICATING WITH THE RESPONSIBLE PERSON;
- (4) CLAIM, ATTEMPT, OR THREATEN TO ENFORCE A RIGHT WITH KNOWLEDGE THAT THE RIGHT DOES NOT EXIST; OR
- (5) USE A COMMUNICATION THAT SIMULATES LEGAL OR JUDICIAL PROCESS OR GIVES THE APPEARANCE OF BEING AUTHORIZED, ISSUED, OR APPROVED BY A GOVERNMENT, GOVERNMENTAL AGENCY, OR LAWYER WHEN IT IS NOT.
- (B) A PERSON WHO VIOLATES THIS SECTION IS LIABLE FOR ANY DAMAGES PROXIMATELY CAUSED BY THE VIOLATION, INCLUDING DAMAGES FOR EMOTIONAL DISTRESS OR MENTAL ANGUISH SUFFERED WITH OR WITHOUT ACCOMPANYING PHYSICAL INJURY.".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0508/513328/1

BY: Senator Jennings

AMENDMENT TO SENATE BILL 508, AS AMENDED

On page 5 of the Judicial Proceedings Committee Amendments (SB0508/368978/1), in line 5 of Amendment No. 4, strike "ANY" and substitute ":

(1) ANY ACTUAL";

and strike beginning with the comma in line 6 down through "INJURY" in line 8 and substitute "; AND

(2) REASONABLE COURT COSTS AND ATTORNEY'S FEES".

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 427 – Senators Pinsky, Conway, Ferguson, Guzzone, Middleton, Raskin, and Young

AN ACT concerning

Higher Education – Institutions of Postsecondary Education – Consumer Protection Provisions

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (5) AND THE FAVORABLE REPORT.

SB0427/764336/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 427

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after "schools" insert "and certain for—profit institutions of higher education"; strike beginning with "including" in line 7 down through "funds;" in line 8; and in line 15, after "circumstances;" insert "providing for the application of a certain provision of this Act;".

AMENDMENT NO. 2

On page 2, in lines 8, 13, and 18, in each instance, after "SCHOOL" insert "OR FOR-PROFIT INSTITUTION OF HIGHER EDUCATION"; in line 8, strike "10–101(J)" and substitute "10–101"; in lines 10, 14, and 20, in each instance, after "LICENSURE" insert

"OR CERTIFICATION"; strike in their entirety lines 15 through 17, inclusive; after line 17, insert:

"(2) THE STATE ENTITY THAT LICENSES OR CERTIFIES INDIVIDUALS
IN THE FIELD REQUIRES AS A CONDITION OF LICENSURE OR CERTIFICATION THAT
THE PRIVATE CAREER SCHOOL OR FOR-PROFIT INSTITUTION OF HIGHER
EDUCATION ATTENDED BY THE INDIVIDUAL SATISFIES A STATUTORY OR
REGULATORY REQUIREMENT, AND THE SCHOOL DOES NOT SATISFY THE
REQUIREMENT; OR";

in line 18, after "AWARE" insert "OR REASONABLY SHOULD HAVE BEEN AWARE"; in line 19, strike "CHARACTERISTICS OF THE STUDENT OR OF THE PROGRAM" and substitute "FACTORS"; in the same line, strike "WOULD" and substitute "MAY"; and in line 20, strike "SEEK" and substitute "PURSUE".

AMENDMENT NO. 3

On page 3, strike in their entirety lines 16 through 30, inclusive; after line 30, insert:

- "(2) (I) THE FOR-PROFIT INSTITUTIONS OF HIGHER EDUCATION
 FUND AND THE PRIVATE CAREER SCHOOL FUND SHALL BE USED:
- 1. IN THE EVENT OF A SCHOOL CLOSURE BY A FOR-PROFIT INSTITUTION OF HIGHER EDUCATION OR A PRIVATE CAREER SCHOOL, TO PROVIDE A FULL REFUND OF TUITION AND FEES INCURRED BY A STUDENT THAT HAVE NOT BEEN REIMBURSED OR DISCHARGED;
- 2. SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, TO PROVIDE A REFUND, AS DETERMINED BY THE SECRETARY, OF TUITION AND FEES INCURRED BY A STUDENT THAT HAVE NOT BEEN REIMBURSED OR DISCHARGED, IF A FOR-PROFIT INSTITUTION OF HIGHER EDUCATION OR A PRIVATE CAREER SCHOOL FAILS TO:
- A. PERFORM FAITHFULLY ANY ENROLLMENT
 AGREEMENT OR CONTRACT WITH THE STUDENT; OR
 - B. COMPLY WITH ANY PROVISIONS OF THIS ARTICLE; OR

3. FOR ANY OTHER REASON DIRECTLY RELATED TO THE ORIGINAL PURPOSE OF THE FUND DEEMED APPROPRIATE BY THE SECRETARY.";

and in line 31, strike "(iii)" and substitute "(II)".

On page 4, in lines 14 and 20, strike "(iv)" and "(v)", respectively, and substitute "(III)" and "(IV)", respectively.

AMENDMENT NO. 4

On page 4, in line 25, after "CLAIM" insert "<u>UNDER PARAGRAPH (2)(II)2 OF THIS SUBSECTION</u>"; and in line 27, after "COMPLAINT" insert "<u>FILED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH</u>".

AMENDMENT NO. 5

On page 6, after line 16, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That § 11–203(d)(2)(i)1 of the Education Article, as enacted by Section 1 of this Act, does not apply to a for–profit institution of higher education that underwent an orderly closure that included a teachout that was finalized on or before January 1, 2016.";

and in line 17, strike "2." and substitute "3.".

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 794 – Senators Jennings, Kagan, Klausmeier, Waugh, Young, and Zucker

AN ACT concerning

Education - Prekindergarten and Kindergarten Assessments - Administration

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0794/694432/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 794

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Zucker" and substitute "Zucker, and Salling"; in line 5, after "State" insert ", subject to a certain exception"; in line 6, after "skills;" insert "authorizing certain county boards of education and certain principals and teachers to administer a certain statewide kindergarten assessment under certain circumstances;"; and in line 7, after "students" insert ", subject to a certain exception".

AMENDMENT NO. 2

On page 1, in line 19, strike "A" and substitute "EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A"; and in line 21, after "SAMPLE" insert ", AS DETERMINED BY THE DEPARTMENT,".

On page 2, after line 5, insert:

- "(B) IN ACCORDANCE WITH A COLLECTIVE BARGAINING AGREEMENT EXECUTED UNDER TITLE 6, SUBTITLE 4 OR SUBTITLE 5 OF THIS ARTICLE OR AN AMENDMENT TO AN EXISTING AGREEMENT, A PRINCIPAL AND A TEACHER WHO ARE IN MUTUAL AGREEMENT OR A COUNTY BOARD MAY ADMINISTER A STATEWIDE KINDERGARTEN ASSESSMENT WITH THE PURPOSE OF MEASURING SCHOOL READINESS IF:
- (1) THE ASSESSMENT IS COMPLETED BEFORE THE FIRST FULL DAY OF KINDERGARTEN; AND
- (2) THE AGGREGATE RESULTS ARE RETURNED WITHIN 45 DAYS AFTER ADMINISTRATION OF THE ASSESSMENT.";
- in line 6, strike "(B) A" and substitute "(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A"; in the same line, strike "A" and substitute "AN ENROLLED"; after line 7, insert:
- "(2) A STANDARDIZED TEST MAY BE ADMINISTERED TO AN ENROLLED PREKINDERGARTEN STUDENT BY A SCHOOL PSYCHOLOGIST OR OTHER

SCHOOL-BASED PROFESSIONAL WHO INTENDS TO USE THE RESULTS IN ORDER TO IDENTIFY A DISABILITY.";

and in line 8, strike "(C)" and substitute "(D)".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0794/213829/1

BY: Senator Jennings

AMENDMENTS TO SENATE BILL 794, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 8, after "regulations;" insert "declaring the intent of the General Assembly;".

AMENDMENT NO. 2

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments (SB0794/694432/1), in Amendment No. 2, strike beginning with "<u>IN</u>" in line 5 down through the first "<u>A</u>" in line 7 and substitute "<u>A</u>"; in line 8, after "<u>AGREEMENT</u>" insert a comma; and in the same line, after "<u>BOARD</u>" insert a comma.

AMENDMENT NO. 3

On page 2 of the bill, after line 9, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that a teacher who administers a statewide kindergarten assessment in accordance with § 7–208(b) of the Education Article, as enacted by Section 1 of this Act, be paid for the time worked in accordance with a collective bargaining agreement executed under Title 6, Subtitle 4 or 5 of the Education Article.";

and in line 10, strike "2." and substitute "3.".

The preceding 3 amendments were read and adopted.

Senator Ferguson moved, duly seconded, to make the Bill a Special Order for the end of today's business.

The motion was adopted.

Senate Bill 1159 – Senators Conway and Nathan-Pulliam

EMERGENCY BILL

AN ACT concerning

Baltimore City Board of License Commissioners – Members – Terms and Appointment

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (6) AND THE FAVORABLE REPORT.

SB1159/904636/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1159

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Nathan-Pulliam" and substitute ", Nathan-Pulliam, Ferguson, Gladden, McFadden, and Pugh"; in line 8, after "occurs;" insert "repealing the requirement that the Governor appoint all of the members of the Board of <u>License Commissioners for Baltimore City; requiring the Mayor of Baltimore City and the</u> President of the City Council of Baltimore City to appoint all of the members of the Board in a certain manner; repealing the requirement that the Governor appoint members of the Board alone under certain circumstances; requiring the Mayor and the President of the City Council to appoint the members of the Board alone under certain circumstances; requiring the Mayor and the President of the City Council to make an appointment to fill a vacancy on the Board within a certain number of days after the vacancy occurs; repealing the requirement that the Governor designate a chair of the Board; requiring the Board to designate a chair from among the regular members of the Board; repealing the authority of the Governor to remove a member of the Board under certain circumstances and in accordance with certain requirements; authorizing the Mayor and the President of the City Council to remove a member of the Board under certain circumstances and in accordance with certain requirements; making certain provisions of this Act effective on a certain date

<u>subject to a certain contingency;</u>"; strike in their entirety lines 11 through 15, inclusive; in line 18, strike "15–101(d)" and substitute "15–101(a) and (d) and 15–110"; and after line 20, insert:

"BY repealing and reenacting, without amendments,

<u>Article 2B – Alcoholic Beverages</u>

Section 15–101(d)

Annotated Code of Maryland

(As enacted by Section 1 of this Act)".

On page 2, in line 1, after "12-202" insert "and 12-203".

AMENDMENT NO. 2

On page 3, in line 12, strike "30" and substitute "15".

AMENDMENT NO. 3

On page 3, after line 14, insert:

"Article 2B – Alcoholic Beverages

<u>15–101.</u>

- (2) <u>In making the appointments, the Governor shall designate one of the appointees in [Baltimore City and] each of the counties to be the chairman of the respective boards.</u>
- (3) The commissioners shall be residents and voters of Baltimore City or the respective counties, as the case may be, and they shall be persons of high character and integrity and of recognized business capacity.
- in [Baltimore City or in] any county which occur when the legislature is not in session, the

Governor shall appoint some eligible person to fill the vacancy during the remainder of the term of office of the person originally appointed.

- (d) (1) This subsection applies in Baltimore City.
- (2) (i) The Board of Liquor License Commissioners consists of three regular members and one alternate member.
- (ii) The [Governor] MAYOR SHALL APPOINT TWO REGULAR MEMBERS TO THE BOARD AND THE PRESIDENT OF THE CITY COUNCIL shall appoint [all of the members of the Board] ONE REGULAR MEMBER AND ONE ALTERNATE MEMBER TO THE BOARD.
 - (iii) The appointments shall be made:
- 1. If the Senate is in session, with the advice and consent of the Senate; or
- 2. If the Senate is not in session, by the [Governor] MAYOR AND THE PRESIDENT OF THE CITY COUNCIL alone.
- (iv) The alternate member may serve on the Board if any permanent member of the Board is absent or recused.
- (v) Each appointee shall be a resident and voter of Baltimore City and be an individual of high character and integrity and of recognized business capacity.
- (vi) At least one appointee shall be a member of the Bar of the Court of Appeals of Maryland.
- (VII) WHEN EVALUATING AN APPLICANT FOR MEMBERSHIP ON THE BOARD, THE MAYOR AND THE PRESIDENT OF THE CITY COUNCIL SHALL CONSIDER THE NEED FOR GEOGRAPHIC, POLITICAL, RACIAL, ETHNIC, CULTURAL, AND GENDER DIVERSITY ON THE BOARD.
- (3) (i) The term of a member of the Board is 2 years and begins on July 1.

- (ii) The terms of the members are staggered as required by the terms provided for members of the Board on July 1, 2014.
- (iii) At the end of a term, a member continues to serve until a successor is appointed.
- (iv) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed.
- (V) 1. TO FILL A VACANCY THAT OCCURS DURING THE TERM OF OFFICE, AN ELIGIBLE INDIVIDUAL SHALL BE APPOINTED BY:
- A. THE MAYOR, IF THE VACANCY OCCURS DURING THE TERM OF OFFICE OF AN INDIVIDUAL ORIGINALLY APPOINTED BY THE MAYOR; OR
- B. THE PRESIDENT OF THE CITY COUNCIL, IF THE VACANCY OCCURS DURING THE TERM OF OFFICE OF AN INDIVIDUAL ORIGINALLY APPOINTED BY THE PRESIDENT OF THE CITY COUNCIL.
- 2. AN APPOINTMENT UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH SHALL BE MADE WITHIN 15 DAYS AFTER THE VACANCY OCCURS.
- (4) THE BOARD SHALL DESIGNATE A CHAIR FROM AMONG THE REGULAR MEMBERS OF THE BOARD.

<u>15–110.</u>

- (a) [The] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, THE Governor may remove any member of any board of license commissioners appointed by him under the provisions of this article, for misconduct in office, incompetency or willful neglect of duty, giving him a copy of the charges against him and an opportunity of being publicly heard in person, or by counsel, in his own defense, upon not less than ten days' notice. If any member shall be removed, the Governor shall file in the office of the Secretary of State, a statement of the charges made against such member and his findings thereon.
- (b) The board of county commissioners may remove any member of any board of license commissioners appointed by them, for the causes in this section prescribed. In

Montgomery County, the County Executive may, with the approval of the County Council, remove any member of the Board of License Commissioners for the causes in this section prescribed.

- (C) (1) THIS SUBSECTION APPLIES ONLY IN BALTIMORE CITY.
- (2) IN THIS SUBSECTION, "APPOINTING OFFICER" MEANS THE MAYOR OR THE PRESIDENT OF THE CITY COUNCIL.
- (3) THE MAYOR AND THE PRESIDENT OF THE CITY COUNCIL MAY REMOVE A MEMBER FOR MISCONDUCT IN OFFICE, INCOMPETENCE, OR WILLFUL NEGLECT OF DUTY.
- (4) A MEMBER WHO IS CHARGED SHALL BE GIVEN BY THE APPOINTING OFFICER WHO APPOINTED THE MEMBER A COPY OF THE CHARGES AGAINST THE MEMBER AND, WITH AT LEAST 10 DAYS' NOTICE, AN OPPORTUNITY TO BE HEARD PUBLICLY IN PERSON OR BY COUNSEL.
- (5) If a member is removed, the appointing officer who removed the member shall file with the Office of the Secretary of State a statement of charges against the member and the Governor's findings made on the charges.

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article 2B – Alcoholic Beverages

<u>15–101.</u>

- (2) <u>In making the appointments, the Governor shall designate one of the appointees in [Baltimore City and] each of the counties to be the chairman of the respective boards.</u>
- (3) The commissioners shall be residents and voters of Baltimore City or the respective counties, as the case may be, and they shall be persons of high character and integrity and of recognized business capacity.
- (4) In the case of any vacancies in the number of the license commissioners in [Baltimore City or in] any county which occur when the legislature is not in session, the Governor shall appoint some eligible person to fill the vacancy during the remainder of the term of office of the person originally appointed.
 - (d) (1) This subsection applies in Baltimore City.
- (2) (i) The Board of Liquor License Commissioners consists of three regular members and one alternate member.
- (ii) The [Governor] MAYOR SHALL APPOINT TWO REGULAR MEMBERS TO THE BOARD AND THE PRESIDENT OF THE CITY COUNCIL shall appoint [all of the members of the Board] ONE REGULAR MEMBER AND ONE ALTERNATE MEMBER TO THE BOARD.
 - (iii) The appointments shall be made:
- 1. If the Senate is in session, with the advice and consent of the Senate; or
- 2. If the Senate is not in session, by the [Governor] MAYOR AND THE PRESIDENT OF THE CITY COUNCIL alone.
- (iv) The alternate member may serve on the Board if any permanent member of the Board is absent or recused.
- (v) Each appointee shall be a resident and voter of Baltimore City and be an individual of high character and integrity and of recognized business capacity.
- (vi) At least one appointee shall be a member of the Bar of the Court of Appeals of Maryland.

- (vii) When evaluating an applicant for membership on the Board, the [Governor] MAYOR AND THE PRESIDENT OF THE CITY COUNCIL shall consider the need for geographic, political, racial, ethnic, cultural, and gender diversity on the Board.
- (3) (i) The term of a member of the Board is 2 years and begins on July 1.
- (ii) The terms of the members are staggered as required by the terms provided for members of the Board on July 1, 2014.
- (iii) At the end of a term, a member continues to serve until a successor is appointed.
- (iv) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed.
- <u>[(v) 1. The Governor shall appoint an eligible person to fill a vacancy that occurs during the term of office of the person originally appointed in accordance with paragraph (2) of this subsection.</u>
- 2. The Governor shall make the appointment within 15 days after the vacancy occurs.
- (V) 1. TO FILL A VACANCY THAT OCCURS DURING THE TERM OF OFFICE, AN ELIGIBLE INDIVIDUAL SHALL BE APPOINTED BY:
- A. THE MAYOR, IF THE VACANCY OCCURS DURING THE TERM OF OFFICE OF AN INDIVIDUAL ORIGINALLY APPOINTED BY THE MAYOR; OR
- B. THE PRESIDENT OF THE CITY COUNCIL, IF THE VACANCY OCCURS DURING THE TERM OF OFFICE OF AN INDIVIDUAL ORIGINALLY APPOINTED BY THE PRESIDENT OF THE CITY COUNCIL.
- 2. AN APPOINTMENT UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH SHALL BE MADE WITHIN 15 DAYS AFTER THE VACANCY OCCURS.

(4) THE BOARD SHALL DESIGNATE A CHAIR FROM AMONG THE REGULAR MEMBERS OF THE BOARD.

<u>15–110.</u>

- (a) [The] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, THE Governor may remove any member of any board of license commissioners appointed by him under the provisions of this article, for misconduct in office, incompetency or willful neglect of duty, giving him a copy of the charges against him and an opportunity of being publicly heard in person, or by counsel, in his own defense, upon not less than ten days' notice. If any member shall be removed, the Governor shall file in the office of the Secretary of State, a statement of the charges made against such member and his findings thereon.
- (b) The board of county commissioners may remove any member of any board of license commissioners appointed by them, for the causes in this section prescribed. In Montgomery County, the County Executive may, with the approval of the County Council, remove any member of the Board of License Commissioners for the causes in this section prescribed.
 - (C) (1) THIS SUBSECTION APPLIES ONLY IN BALTIMORE CITY.
- (2) IN THIS SUBSECTION, "APPOINTING OFFICER" MEANS THE MAYOR OR THE PRESIDENT OF THE CITY COUNCIL.
- (3) THE MAYOR AND THE PRESIDENT OF THE CITY COUNCIL MAY REMOVE A MEMBER FOR MISCONDUCT IN OFFICE, INCOMPETENCE, OR WILLFUL NEGLECT OF DUTY.
- (4) A MEMBER WHO IS CHARGED SHALL BE GIVEN BY THE APPOINTING OFFICER WHO APPOINTED THE MEMBER A COPY OF THE CHARGES AGAINST THE MEMBER AND, WITH AT LEAST 10 DAYS' NOTICE, AN OPPORTUNITY TO BE HEARD PUBLICLY IN PERSON OR BY COUNSEL.
- (5) If a member is removed, the appointing officer who removed the member shall file with the Office of the Secretary of State a statement of charges against the member and the Governor's findings made on the charges.

SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:".

AMENDMENT NO. 4

On page 4, in line 19, strike "30" and substitute "15".

AMENDMENT NO. 5

On page 4, after line 29, insert:

"SECTION 5. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

<u>Article – Alcoholic Beverages</u>

<u>12–102.</u>

This title applies only in Baltimore City.

<u>12–202.</u>

- (a) (1) The [Governor] MAYOR SHALL APPOINT TWO REGULAR MEMBERS
 TO THE BOARD AND THE PRESIDENT OF THE CITY COUNCIL shall appoint [three] ONE
 regular [members] MEMBER and one substitute member to the Board.
 - (2) The appointments shall be made:
- (i) if the Senate is in session, with the advice and consent of the Senate; or
- (ii) if the Senate is not in session, by the [Governor] MAYOR OR PRESIDENT OF THE CITY COUNCIL alone.
 - (b) (1) Each member of the Board shall be:
 - (i) a resident and voter of the City; and
- (ii) an individual of high character and integrity and of recognized business capacity.

- (2) At least one member of the Board shall be a member of the Bar of the Court of Appeals of Maryland.
- (3) WHEN EVALUATING AN APPLICANT FOR MEMBERSHIP ON THE BOARD, THE MAYOR AND THE PRESIDENT OF THE CITY COUNCIL SHALL CONSIDER THE NEED FOR GEOGRAPHIC, POLITICAL, RACIAL, ETHNIC, CULTURAL, AND GENDER DIVERSITY ON THE BOARD.
- (c) The substitute member may serve on the Board if a regular member is absent or recused.
 - (d) (1) The term of a member is 2 years and begins on July 1.
- (2) The terms of the members are staggered as required by the terms provided for members of the Board on July 1, 2016.
- (3) At the end of a term, a member continues to serve until a successor is appointed and qualifies.
- (4) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.
- (e) (1) [The Governor shall appoint an eligible individual to fill a vacancy that occurs during the term of office of the individual originally appointed in accordance with subsection (a) of this section.] TO FILL A VACANCY THAT OCCURS DURING THE TERM OF OFFICE, AN ELIGIBLE INDIVIDUAL SHALL BE APPOINTED BY:
- (I) THE MAYOR, IF THE VACANCY OCCURS DURING THE TERM OF OFFICE OF AN INDIVIDUAL ORIGINALLY APPOINTED BY THE MAYOR; OR
- (II) THE PRESIDENT OF THE CITY COUNCIL, IF THE VACANCY OCCURS DURING THE TERM OF OFFICE OF AN INDIVIDUAL ORIGINALLY APPOINTED BY THE PRESIDENT OF THE CITY COUNCIL.
- (2) AN APPOINTMENT UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE MADE WITHIN 15 DAYS AFTER THE VACANCY OCCURS.
- [(2)] (3) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

- (f) (1) The [Governor] MAYOR OR PRESIDENT OF THE CITY COUNCIL may remove a member for misconduct in office, incompetence, or willful neglect of duty.
- (2) [The Governor shall give a member who is charged a copy of the charges against the member and, with at least 10 days' notice, an opportunity to be heard publicly in person or by counsel.
- (3) If a member is removed, the Governor shall file with the Office of the Secretary of State a statement of charges against the member and the Governor's findings made on the charges.] IN THIS SUBSECTION, "APPOINTING OFFICER" MEANS THE MAYOR OR THE PRESIDENT OF THE CITY COUNCIL.
- (3) A MEMBER WHO IS CHARGED SHALL BE GIVEN BY THE APPOINTING OFFICER WHO APPOINTED THE MEMBER A COPY OF THE CHARGES AGAINST THE MEMBER AND, WITH AT LEAST 10 DAYS' NOTICE, AN OPPORTUNITY TO BE HEARD PUBLICLY IN PERSON OR BY COUNSEL.
- (4) If a member is removed, the appointing officer who removed the member shall file with the Office of the Secretary of State a statement of charges against the member and the Governor's findings made on the charges.

12-203.

<u>In making the appointments, the Governor</u> <u>THE BOARD</u> shall designate a chair from among the regular members of the Board."

AMENDMENT NO. 6

On page 4, strike in their entirety lines 30 through 33, inclusive, and substitute:

"SECTION 6. AND BE IT FURTHER ENACTED, That, if Section 1 of this Act does not take effect before April 12, 2016, Section 2 of this Act shall take effect on the later of April 12, 2016, or the effective date of this Act, contingent on the failure of the Governor to appoint, and the Senate of Maryland to confirm, four members to the Board of License Commissioners for Baltimore City before April 12, 2016. If the Governor appoints, and the Senate of Maryland confirms four members to the Board of License Commissioners for Baltimore City before April 12, 2016, Section 2 of this Act shall be null and void without the necessity of further action by the General Assembly.

SECTION 7. AND BE IT FURTHER ENACTED, That, if Section 1 of this Act does take effect before April 12, 2016, Section 3 of this Act shall take effect April 12, 2016, contingent on the failure of the Governor to appoint, and the Senate of Maryland to confirm, four members to the Board of License Commissioners for Baltimore City before April 12, 2016. If the Governor appoints, and the Senate of Maryland confirms four members to the Board of License Commissioners for Baltimore City before April 12, 2016, Section 3 of this Act shall be null and void without the necessity of further action by the General Assembly.

SECTION 8. AND BE IT FURTHER ENACTED, That, if Section 2 of this Act takes effect, Sections 1 and 3 of this Act shall be null and void without the necessity of further action by the General Assembly.

SECTION 9. AND BE IT FURTHER ENACTED, That, if Section 3 of this Act takes effect, Section 1 of this Act shall be abrogated and of no further force and effect and Section 2 of this Act shall be null and void without the necessity of further action by the General Assembly.

SECTION 10. AND BE IT FURTHER ENACTED, That, if Section 2 of this Act takes effect, Section 5 of this Act shall take effect on the taking effect of Chapter (S.B. 724) of the Acts of the General Assembly of 2016. If Section 5 takes effect, Section 2 of this Act shall be abrogated and of no further force and effect and Section 4 of this Act shall be null and void without the necessity of further action by the General Assembly.

SECTION 11. AND BE IT FURTHER ENACTED, That, if Section 3 of this Act takes effect, Section 5 of this Act shall take effect on the taking effect of Chapter (S.B. 724) of the Acts of the General Assembly of 2016. If Section 5 takes effect, Section 3 of this Act shall be abrogated and of no further force and effect and Section 4 of this Act shall be null and void without the necessity of further action by the General Assembly.

SECTION 12. AND BE IT FURTHER ENACTED, That, subject to Sections 10 and 11 of this Act, Section 4 of this Act shall take effect on the taking effect of Chapter (S.B. 724) of the Acts of the General Assembly of 2016. If Section 4 takes effect, Section 1 of this Act shall be abrogated and of no further force and effect and Section 5 of this Act shall be null and void without the necessity of further action by the General Assembly."

On page 5, in line 1, strike "4." and substitute "13."; and in line 4, strike "Section 3" and substitute "Sections 6, 7, 10, 11, and 12".

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 717 – Senator Young

AN ACT concerning

Environment - Radiation Machines - Registration Fees and Inspections

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0717/464936/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 717

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "and Inspections"; strike beginning with "requiring" in line 3 down through "sources" in line 5 and substitute "requiring the Department of the Environment to adopt certain regulations for licensing and registration associated with radiation machines; requiring the Department to adopt regulations that establish a certain rate for the registration of radiation machines"; in line 10, strike "repealing" and substitute "altering"; and in line 12, strike "and inspections".

AMENDMENT NO. 2

On page 2, in line 18, strike "may" and substitute "SHALL"; and in line 27, after "LICENSES" insert "AND OTHER SOURCES OF RADIATION".

On pages 2 and 3, strike beginning with "UNIFORM" in line 28 on page 2 down through "RADIATION" in line 2 on page 3 and substitute "A RATE FOR THE REGISTRATION OF RADIATION MACHINES THAT IS UNIFORM ACROSS PROFESSIONS FOR SIMILAR MACHINES".

On page 4, in line 23, after "title." insert "]"; in line 24, strike "(d)" and substitute "(C)"; strike beginning with "The" in line 24 down through "radiation" in line 25 and substitute "FEES ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION"; and in line 26, strike the bracket.

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 49 – Senator Young

AN ACT concerning

Maryland State Song - Replacement

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0049/264339/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 49

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Senator Young" and substitute "<u>Senators Young, Kelley, and Kagan</u>"; in line 2, strike "Replacement" and substitute "<u>Revision</u>"; in line 3, strike "changing" and substitute "<u>revising</u>"; in line 11, strike "while teaching in Louisiana"; and strike beginning with "; and" in line 11 down through "time" in line 12.

On page 2, strike beginning with "After" in line 1 down through the second "it" in line 2 and substitute "<u>The historic State song</u>"; in line 3, after "represents" insert "<u>a bygone era when our State was divided in the midst of the Civil War and expresses</u>"; in the same line, strike "the" and substitute "<u>that</u>"; after line 4, insert:

"MHEREAS, John T. White, a native of Frederick County, also wrote a poem entitled "Maryland, My Maryland" in 1894, which celebrates the natural beauty of this State, an agreeable theme in which all Marylanders can take pride; and";

and strike beginning with "John" in line 8 down through "therefore," in line 12 and substitute "The State Song Advisory Group, headed by the State Archivist, convened in October 2015 and recommended alternatives to the current State song, one of which is to revise the State song by merging select verses from Mr. Randall's and Mr. White's poems that meet established State song criteria; and

WHEREAS, Mr. White's poem is more representative of a unified and inclusive Maryland; now, therefore,".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 17 through 19, inclusive, and substitute:

- "(A) THE POEM "MARYLAND! MY MARYLAND!", WRITTEN BY JAMES RYDER RANDALL IN 1861 AND SET TO THE TUNE OF "LAURIGER HORATIUS", IS THE HISTORIC STATE SONG.
- [(a)] (B) [The poem] SELECT VERSES FROM THE POEMS "Maryland! My Maryland!", written by James Ryder Randall in 1861, AND "MARYLAND, MY MARYLAND", WRITTEN BY JOHN T. WHITE IN 1894, and set to the tune of "Lauriger Horatius", [is] ARE the OFFICIAL State song.";

in line 20, strike "(b)" and substitute "(C)"; in the same line, after "the" insert "OFFICIAL"; and in line 21, strike the bracket.

On pages 2 and 3, strike in their entirety the lines beginning with line 22 on page 2 through line 3 on page 3, inclusive.

On pages 3 through 5, strike in their entirety the lines beginning with line 12 on page 3 through line 10 on page 5, inclusive, and substitute " $\underline{\mathbf{H}}$ ".

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 420 - Senator Simonaire

AN ACT concerning

Election Law - Ballot Issues - Contributions or Donations by Foreign Nationals

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0420/334832/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 420

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 3 and 4, strike "or a business entity owned by a foreign national".

On page 2, in lines 1 and 2, strike "OR A BUSINESS ENTITY OWNED BY A FOREIGN NATIONAL".

AMENDMENT NO. 2

On page 1, strike in their entirety lines 18 through 23, inclusive, and substitute:

"(A) IN THIS SECTION, "FOREIGN NATIONAL" HAS THE MEANING STATED IN 52 U.S.C, § 30121."

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 459 – Senator Conway

AN ACT concerning

Campaign Finance - Ballot Issue Committees - Prospective Questions

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

SB0459/994939/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 459

(First Reading File Bill)

On page 4, in lines 27 and 32, in each instance, after "CONSTITUTION" insert "OR UNDER § 9–205 OF THE LOCAL GOVERNMENT ARTICLE".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON RULES REPORT #6

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1089 - Senator Simonaire

AN ACT concerning

Inheritance Tax - Exemption - Cousins

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1153 - Senator Pugh

AN ACT concerning

Health Insurance – Clinically Integrated Organizations

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1162 - Senator Salling

AN ACT concerning

Education - Career Exploration and Development Activities - Caffeinated Beverages (Java Act)

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 1163 - Senator Salling

AN ACT concerning

State Boat Act - Marinas Infested With Midges - Funding for Larvicide

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1164 – Senator Ferguson

AN ACT concerning

Baltimore City – South Baltimore Gateway Community Benefits District and Distribution of Local Impact Grants

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

Senate Bill 1165 - Senator Manno

AN ACT concerning

Public Safety - Elevator Inspections - Testing

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 1166 – Senators Manno, Astle, Benson, Cassilly, Currie, DeGrange, Eckardt, Edwards, Feldman, Ferguson, Guzzone, Hershey, Hough, Jennings, Kagan, Kelley, King, Klausmeier, Lee, Madaleno, Mathias, McFadden, Nathan-Pulliam, Norman, Peters, Pugh, Ramirez, Raskin, Rosapepe, Serafini, Waugh, Young, and Zirkin

AN ACT concerning

Income Tax Subtraction Modification – Retirement Income of Law Enforcement, Fire, Rescue, and Emergency Services Personnel

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 1167 - Senator Ready

AN ACT concerning

Carroll County - Local Government Tort Claims Act

The bill was re-referred to the Committee on Judicial Proceedings.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 794 – Senators Jennings, Kagan, Klausmeier, Waugh, Young, and Zucker

AN ACT concerning

Education - Prekindergarten and Kindergarten Assessments - Administration

STATUS OF BILL: BILL IS ON SECOND READING AND OPEN TO AMENDMENT.

Senator Pinsky moved, duly seconded, to make the Bill a Special Order for March 17, 2016.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 560)

ADJOURNMENT

At 12:19 P.M. on motion of Senator King, seconded, the Senate adjourned until 10:00 A.M. on Thursday, March 17, 2016.