

Journal *of* Proceedings

of the

House of Delegates

of

Maryland

2016 Regular Session

Volume IV

Compiled and edited by:

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Journal Clerk
Chief Clerk's Office

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Chief Clerk

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AFTER RECESS
Annapolis, Maryland
Legislative Day: March 26, 2016
Calendar Day: Thursday, March 31, 2016

At 5:30 P.M. the House resumed its session and pledged Allegiance to the Flag.

Prayer by Delegate Eric Bromwell of Baltimore County.

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 907)

EXCUSES:

Del. Carter – personal
Del. Hixson – illness
Del. Pena–Melnyk – business
Del. Proctor – funeral
Del. Turner – illness
Del. Walker – personal

The Journal of March 25, 2016 was read and approved.

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR	CONTENT
HB 137	Charles County Delegation	Charles Co – Taxing Districts for Infrastructure Improvements – Repeal of Restriction
HB 172	Anne Arundel County Delegation	Anne Arundel County Board of Education and School Board Nominating Commission
HB 380	Del. B. Barnes	State Retirement and Pension System – Local Fire and Police System – Commingling of Assets

NUMBER	SPONSOR	CONTENT
HB 381	Del. B. Barnes	State Retirement and Pension Sstm – Bd of Trustees – Designee Appts and Fiduciary Duties
HB 382	Del. B. Barnes	State Retirement and Pension System – Optional Retirement Allowances – Designated Beneficiaries
HB 447	Charles County Delegation	Charles County – County Transfer Tax – Revenue Received by the Clerk of the Circuit Court
HB 537	Del. B. Barnes	Teachers’ Retirement and Pension Systems – Reemployment of Retirees – Clarification
HB 581	Del. B. Barnes	State Retirement and Pension Sstm – Reemployment of Ordinary Dsblty Retirees – Earnings Limitation
HB 686	Del. Hammen	DHCD – Strategic Demolition and Smart Growth Impact Fund – Establishment
HB 926	Del. Lierman	Optional Retirement Program – Eligibility – Alterations
HB 1406	Del. Clippinger	Task Force to Study the Adult High School Concept
HB 1581 (Emerg)	Harford County Delegation	Harford County Deputy Sheriffs Dailey and Logsdon Benefits Memorial Act

By Order, Sylvia Siegert, Chief Clerk

Read and ordered journalized.

CONCURRENCE CALENDAR #6

AMENDED IN THE SENATE

House Bill 1402 – Delegates McIntosh, Chang, Cullison, Ebersole, Frick, Frush, Glenn, Haynes, Hill, Hixson, Jackson, Jalisi, Jones, Kaiser, Krimm, Lam, Luedtke, McCray, Morhaim, Pena–Melnyk, Turner, Valderrama, ~~and Waldstreicher~~ Waldstreicher, Patterson, Tarlau, and M. Washington

AN ACT concerning

Education – ~~Maryland Extended Day and Summer Enhancement Programs~~
Public School Opportunities Enhancement Act

Delegate Hixson moved that the House concur in the Senate amendments.

HB1402/429531/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 1402

(Third Reading File Bill)

On page 5, in line 23, strike “MARYLAND-BASED” and substitute “:

1. MARYLAND-BASED”;

and in line 24, after “ORGANIZATIONS” insert “;AND

2. NONPROFIT ORGANIZATIONS OPERATING IN MARYLAND ON OR BEFORE JULY 1, 2016”.

On page 6, in line 13, after “DAY” insert “, INCLUDING THE RECRUITMENT, TRAINING, AND ONGOING PROFESSIONAL DEVELOPMENT OF NEW TEACHERS”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 93 Negative – 42 (See Roll Call No. 908)

AMENDED IN THE SENATE

House Bill 1403 – Delegates McIntosh, A. Washington, McCray, McKay, Barve, Branch, Brooks, Cullison, Ebersole, Frick, Frush, Glenn, Haynes, Hill, Hixson, Jackson, Jalisi, Jones, Kaiser, Lafferty, Lam, Luedtke, Morhaim, B. Robinson, Valentino-Smith, M. Washington, and P. Young

AN ACT concerning

~~Next Generation~~ Next Generation Scholars of Maryland

Delegate Hixson moved that the House concur in the Senate amendments.

HB1403/104036/2

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1403
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “establishing” in line 15 down through “Program;” in line 16; in line 18, after “years;” insert “requiring the Department to make certain grants to certain nonprofits for certain fiscal years under certain circumstances; establishing the Next Generation Scholars of Maryland Program Fund; specifying the purpose of the Fund; requiring the Department to administer the Fund; specifying that the Fund is a special, nonlapsing fund that is not subject to a certain provision of law; requiring the State Treasurer to hold the Fund separately and the Comptroller to account for the Fund; providing for the composition and uses of the Fund; requiring the State Treasurer to invest the money of the Fund in a certain manner; providing that expenditures from the Fund may be made only in accordance with the State budget;”; in line 19, strike “a certain report” and substitute “certain reports”; and in the same line, strike “a certain date;” and substitute “certain dates; defining certain terms;”.

On page 2, after line 5, insert:

“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)".

AMENDMENT NO. 2

On page 3, in line 5, strike "A" and substitute "**(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A**"; after line 25, insert:

"(2) FOR ACADEMIC YEARS 2017–2018 AND 2018–2019, A STUDENT IN GRADE 9 WHO APPLIES AND QUALIFIES FOR A GUARANTEED ACCESS GRANT ON THE BASIS OF FINANCIAL NEED AS ESTABLISHED BY THE COMMISSION SHALL PREQUALIFY FOR A GUARANTEED ACCESS GRANT TO BE USED AT THE TIME OF ENROLLMENT IN AN INSTITUTION OF HIGHER EDUCATION IF THE STUDENT OTHERWISE MEETS THE CONDITIONS OF PARAGRAPH (1) OF THIS SUBSECTION.";

and in lines 10, 11, 12, 14, 16, 18, 22, and 24 strike "(1)", "(2)", "(3)", "(4)", "(5)", "(6)", "(7)", and "(8)", respectively, and substitute "**(I)**", "**(II)**", "**(III)**", "**(IV)**", "**(V)**", "**(VI)**", "**(VII)**", and "**(VIII)**", respectively.

AMENDMENT NO. 3

On page 3, strike in their entirety lines 27 and 28, inclusive, and substitute:

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

(2) "FUND" MEANS THE NEXT GENERATION SCHOLARS OF MARYLAND PROGRAM FUND.

(3) "PROGRAM" MEANS THE NEXT GENERATION SCHOLARS OF MARYLAND PROGRAM."

On page 6, after line 9, insert:

"(I) (1) THERE IS A NEXT GENERATION SCHOLARS OF MARYLAND PROGRAM FUND.

(2) THE PURPOSE OF THE FUND IS TO PROVIDE FUNDS FOR THE ADMINISTRATION OF THE PROGRAM.

(3) THE DEPARTMENT SHALL ADMINISTER THE FUND.

(4) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(5) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(6) THE FUND CONSISTS OF:

(I) MONEY APPROPRIATED IN THE STATE BUDGET FOR THE PROGRAM;

(II) INTEREST EARNINGS OF 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 ADMINISTERING THE PROGRAM.

(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 FUND.

(9) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.”;

in lines 10 and 12, strike “(I)” and “(J)”, respectively, and substitute “(J)” and “(K)”, respectively; and in line 12, after “BEFORE” insert “**DECEMBER 1, 2020, AND**”.

On page 7, after line 7, insert:

“Article – State Finance and Procurement

6-226.

(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:

84. the Economic Development Marketing Fund; [and]

85. the Military Personnel and Veteran-Owned Small Business No-Interest Loan Fund; AND

86. THE NEXT GENERATION SCHOLARS OF MARYLAND PROGRAM FUND.”.

AMENDMENT NO. 4

On page 4, in line 2, strike beginning with “in” through “grade” and substitute “IN ACCORDANCE WITH § 18-303(D) OF THIS SUBTITLE”; strike beginning with “AN” in line 20 down through “ELIGIBLE” in line 21; and in line 21, strike “SYSTEM” and substitute “SYSTEMS”.

AMENDMENT NO. 5

On page 6, in line 1, strike “(1)”; in the same line, strike “, THE” and substitute “;”

(1) THE”;

in line 3, strike beginning with “A” through “PILOT” and substitute “THE”; in line 4, strike the period and substitute “; AND”

(2) THE DEPARTMENT SHALL DISTRIBUTE GRANTS TO NONPROFIT ORGANIZATIONS THAT:

(I) ARE SELECTED IN ACCORDANCE WITH SUBSECTION (D) OF THIS SECTION; AND

(II) WILL ADMINISTER THE PROGRAM”;

in line 5, strike beginning with “**(2)**” through “**ADMINISTERED**”; in the same line, strike “**A**”; in line 6, strike “**SYSTEM**” and substitute “**SYSTEMS**”; and strike beginning with “**AND**” in line 16 down through “**PROGRAM**” in line 17.

On page 7, in line 6, strike “**AND PILOT PROGRAM**”; and in the same line, strike “**PILOT**”.

The preceding 5 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 88 Negative – 46 (See Roll Call No. 909)

CONCURRENCE CALENDAR #5

AMENDED IN THE SENATE

House Bill 90 – Delegate Lafferty

AN ACT concerning

On-Site Sewage Disposal Systems – Operation and Maintenance Costs – Low-Income Homeowners

Delegate Barve moved that the House concur in the Senate amendments.

HB0090/564336/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 90

(Third Reading File Bill)

On page 5, in lines 13 and 24, in each instance, strike “A 3-YEAR” and substitute “AN”; and in lines 14 and 25, in each instance, after “CONTRACT” insert “OF UP TO 5 YEARS”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 117 Negative – 16 (See Roll Call No. 910)

AMENDED IN THE SENATE

House Bill 1400 – Delegates Glenn, Hayes, Anderson, B. Barnes, Barron, Beidle, Branch, Bromwell, Brooks, Carter, Clippinger, Conaway, Davis, Ebersole, Frick, Gilchrist, Hammen, Haynes, Hettleman, Hill, Holmes, Korman, Lafferty, Lam, Lierman, Luedtke, McCray, McIntosh, A. Miller, Moon, Morales, Morhaim, Oaks, Pena-Melnyk, Platt, Reznik, B. Robinson, S. Robinson, Rosenberg, Sanchez, Smith, Stein, Tarlau, Valderrama, Waldstreicher, A. Washington, M. Washington, ~~and K. Young~~ K. Young, and Jalisi

AN ACT concerning

Seed Community Development Anchor Institution Fund

Delegate Barve moved that the House concur in the Senate amendments.

HB1400/899137/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 1400

(Third Reading File Bill)

On page 1, in line 12, after “Fund” insert “for certain fiscal years”.

On page 4, in line 7, strike “**YEAR 2018 AND EACH FISCAL YEAR THEREAFTER**” and substitute “**YEARS 2018 THROUGH 2022**”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 85 Negative – 50 (See Roll Call No. 911)

CONCURRENCE CALENDAR #4

AMENDED IN THE SENATE

House Bill 462 – The Speaker (By Request – Administration) and Delegates Adams, Afzali, Anderton, Arentz, Aumann, Beitzel, Bromwell, Buckel, Carozza, Cassilly, Ciliberti, Cluster, Fisher, Flanagan, Folden, Gaines, Ghrist, Glass, Hornberger, S. Howard, Jacobs, Kipke, Kittleman, Krebs, Long, Malone, Mautz, McComas, McDonough, McKay, Metzgar, Miele, W. Miller, Morgan, Otto, Reilly, Rose, Saab, Shoemaker, Simonaire, Szeliga, Vogt, West, B. Wilson, and Wivell

AN ACT concerning

~~State Transfer Tax – Distribution of Revenue~~
Program Open Space – Transfer Tax Repayment – Use of Funds

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0462/449239/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 462

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 13 down through “grant;” in line 14 and substitute “authorizing the Governor to process a budget amendment for a certain purpose;”; and in line 16, after “purposes;” insert “altering, for certain fiscal years, a requirement that the Governor include a certain appropriation in the budget bill;”.

AMENDMENT NO. 2

On page 2, after line 20, insert:

“BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 7–311(j)

Annotated Code of Maryland
(2015 Replacement Volume)".

AMENDMENT NO. 3

On page 9, in line 28, strike "**RECOURSE**" and substitute "**RESOURCE**".

AMENDMENT NO. 4

On page 10, in line 25, after "**FOR**" insert "**PARK DEVELOPMENT AND**".

AMENDMENT NO. 5

On page 11, strike in their entirety lines 17 through 23, inclusive, and substitute:

"(4) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE GOVERNOR SHALL APPROPRIATE FROM THE GENERAL FUND TO THE SPECIAL FUND AN AMOUNT EQUAL TO THE CUMULATIVE AMOUNT OF THE APPROPRIATIONS OR TRANSFERS FROM THE SPECIAL FUND TO THE GENERAL FUND FOR FISCAL YEARS 2016, 2017, AND 2018, LESS \$72,000,000.

(II) THE GOVERNOR SHALL APPROPRIATE AT LEAST:

1. ONE-THIRD OF THE AMOUNT REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH ON OR BEFORE JUNE 30, 2021;

2. TWO-THIRDS OF THE AMOUNT REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH ON OR BEFORE JUNE 30, 2025; AND

3. THE TOTAL AMOUNT REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH ON OR BEFORE JUNE 30, 2029."

in line 24, strike "**(II)**" and substitute "**(III)**"; in the same line, strike "**APPROPRIATION**" and substitute "**APPROPRIATIONS**"; in lines 24 and 25, strike "**SUBPARAGRAPH (I)**" and substitute "**SUBPARAGRAPHS (I) AND (II)**"; in line 26, strike "**REPRESENTS**" and substitute "**REPRESENT**"; in line 28, after "**2018**" insert "**, LESS \$72,000,000**"; and in line 29, strike "**IS**" and substitute "**ARE**".

AMENDMENT NO. 6

On page 12, in line 2, strike “SUBPARAGRAPH (I)” and substitute “SUBPARAGRAPHS (I) AND (II)”; and in line 4, after “2018” insert “, LESS \$72,000,000”.

AMENDMENT NO. 7

On page 13, after line 16, insert:

“Article – State Finance and Procurement

7–311.

(j) (1) Except as provided in paragraph (2) of this subsection [and § 13–209(g) of the Tax – Property Article], for fiscal year 2007 and for each subsequent fiscal year, the Governor shall include in the budget bill an appropriation:

(i) for each of [the] fiscal years [2017 through 2020:

1.] 2017, 2018, AND 2019, to the accumulation funds of the State Retirement and Pension System an amount, up to a maximum of \$50,000,000, that is equal to one-half of the amount by which the unappropriated General Fund surplus as of June 30 of the second preceding fiscal year exceeds \$10,000,000; [and]

(II) [2.] FOR FISCAL YEAR 2020:

1. TO THE ACCUMULATION FUNDS OF THE STATE RETIREMENT AND PENSION SYSTEM AN AMOUNT, UP TO A MAXIMUM OF \$50,000,000, THAT IS EQUAL TO ONE-HALF OF THE AMOUNT BY WHICH THE UNAPPROPRIATED GENERAL FUND SURPLUS AS OF JUNE 30 OF THE SECOND PRECEDING FISCAL YEAR EXCEEDS \$10,000,000; AND

2. to the Account equal to the amount by which the unappropriated General Fund surplus as of June 30 of the second preceding fiscal year exceeds \$10,000,000, less the amount of the appropriation under item 1 of this paragraph; and

[(ii)] (III) for fiscal year 2021 and each fiscal year thereafter, to the Account equal to the amount by which the unappropriated General Fund surplus as of June 30 of the second preceding fiscal year exceeds \$10,000,000.

(2) The appropriation required under this subsection for any fiscal year may be reduced by the amount of any appropriation to the Account required to be included for that fiscal year under subsection (e) of this section.”;

in line 23, strike “\$4,500,000” and substitute “\$5,000,000”; and in line 28, strike “Maryland Zoo in Baltimore. \$500,000”.

AMENDMENT NO. 8

On pages 14 and 15, strike in their entirety the lines beginning with line 30 on page 14 through line 2 on page 15, inclusive, and substitute:

“SECTION 5. AND BE IT FURTHER ENACTED, That the Governor is authorized in fiscal year 2017 to process a budget amendment from the unencumbered balance in the accounts of the Program Open Space established under Title 5, Subtitle 9 of the Natural Resources Article to create an appropriation of \$500,000 to be allocated as a grant to the Maryland Zoo in Baltimore for expenses related to zoo operations.”.

AMENDMENT NO. 9

On page 15, after line 2, insert:

“SECTION 6. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the changes to § 7–311(j) of the State Finance and Procurement Article, as enacted by Section 1 of this Act, are necessary in order to assure that sufficient general funds are available to support this Act.”;

and in line 3, strike “6.” and substitute “7.”.

The preceding 9 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 912)

AMENDED IN THE SENATE

House Bill 684 – Delegates Hammen, Anderson, Branch, Busch, Carey, Carter, Clippinger, Conaway, Glenn, Hayes, Haynes, Lafferty, Lierman, Lisanti, McCray, McIntosh, Oaks, Pena–Melynk, Pendergrass, B. Robinson, S. Robinson, Rosenberg, Smith, Sophocleus, M. Washington, West, and P. Young

AN ACT concerning

Baltimore Regional Neighborhood Initiative Program – Codified

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0684/399638/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 684

(Third Reading File Bill)

On page 4, in lines 5 and 6, strike “AND REHABILITATE VACANT HOMES FOR RESALE TO NEW HOMEBUYERS” and substitute “OR REHABILITATE VACANT OR BLIGHTED PROPERTIES”.

On page 5, in line 7, after “WITH” insert “ANOTHER COMMUNITY DEVELOPMENT ORGANIZATION OR WITH”.

On page 6, in line 29, strike the second “AND”; and in line 32, after “OPPORTUNITIES” insert “;AND”

(6) PROJECTS WHOSE PURPOSE IS TO IDENTIFY FOR ACQUISITION, ACQUIRE, DEVELOP, OR PROMOTE THE DEVELOPMENT OF VACANT OR BLIGHTED PROPERTIES”.

On page 8, in line 6, strike “15%” and substitute “40%”.

The preceding amendment was read and concurred in.

HB0684/843329/1

BY: Senator McFadden

AMENDMENTS TO HOUSE BILL 684

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 4, before “and” insert “requiring the Department to issue a certain request for proposals on or before a certain date;”.

AMENDMENT NO. 2

On page 12, in line 8, after “That” insert “on or before September 1, 2016, the Department of Housing and Community Development shall issue a request for proposals for community enhancement projects from community development organizations eligible to apply for funds under the Baltimore Regional Neighborhood Initiative Program as codified in Section 1 of this Act.”

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

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 91 Negative – 44 (See Roll Call No. 913)

AMENDED IN THE SENATE

House Bill 1013 – Delegates Beidle, Lierman, B. Barnes, Branch, Brooks, Busch, Clippinger, Fennell, Frush, Haynes, Healey, Hixson, Holmes, C. Howard, ~~Jacobs~~, Krimm, Lafferty, McCray, McIntosh, Moon, Reznik, Tarlau, and P. Young

AN ACT concerning

Maryland Open Transportation Investment Decision Act of 2016

Delegate McIntosh moved that the House concur in the Senate amendments.

HB1013/499432/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 1013

(Third Reading File Bill)

On page 1, in line 15, after “the” insert “construction and”.

On page 13, in line 10, strike “OR”; and in line 12, after “DEVELOPMENT” insert “;”

5. SAFETY-RELATED PROJECTS THAT DO NOT INCREASE HIGHWAY OR TRANSIT CAPACITY; OR

6. ROADS WITHIN THE APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM’.

On page 17, in line 13, strike “**FOR REGIONAL EQUITY, THE**” and substitute “**THE**”; strike beginning with “**COUNTY**” in line 16 down through “**LOCATED**” in line 17 and substitute “**AREA SERVED BY THE PROJECT, AS DETERMINED IN REGULATIONS ADOPTED BY THE DEPARTMENT,**”; and after line 30, insert:

“(E) NOTHING IN THIS SECTION MAY BE CONSTRUED TO IMPEDE OR ALTER:

(1) THE PRIORITY LETTER PROCESS THAT OUTLINES LOCAL TRANSPORTATION PRIORITIES FOR THE DEPARTMENT’S CONSIDERATION FOR INCLUSION IN THE CONSOLIDATED TRANSPORTATION PROGRAM UNDER § 2-103.1 OF THIS SUBTITLE; OR

(2) THE DEPARTMENT’S VISIT TO EACH COUNTY UNDER § 2-103.1(E) OF THIS SUBTITLE.”.

The preceding amendment was read and concurred in.

HB1013/129430/2

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1013

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after the second “which” insert “**certain**”; in line 8, after “rank” insert “**certain**”; and in the same line, strike “draft and”.

AMENDMENT NO. 2

On page 4, in line 1, strike “current”; in line 6, strike “**IF APPLICABLE, THE**” and substitute “**THE**”; and in line 7, strike “**CAPITAL**” and substitute “**TRANSPORTATION**”.

On page 11, in line 22, after “**MAJOR**” insert “**TRANSPORTATION**”.

On page 14, in line 10, strike “CAPITAL” and substitute “TRANSPORTATION”.

The preceding 2 amendments were read and concurred in.

Delegate McIntosh moved that the House concur in the Senate amendment.

The preceding 2 amendments were read only.

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

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

Affirmative – 49 Negative – 85 (See Roll Call No. 914)

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 83 Negative – 51 (See Roll Call No. 915)

THE COMMITTEE ON JUDICIARY REPORT #10

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

House Bill 1312 – The Speaker (By Request – Justice Reinvestment Coordinating Council)

AN ACT concerning

Justice Reinvestment Act

HB1312/622316/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1312

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “substance;” insert “expanding the types of programs for which a certain inmate may receive a certain deduction from the inmate’s term of confinement under certain circumstances for a certain purpose;”; in line 15, after the first

“a” insert “certain screening tool and a”; in line 17, after “certain” insert “screening tool or a certain”; strike beginning with “modify” in line 20 down through “imposing” in line 21 and substitute “impose”; in line 22, strike “report” and substitute “provide prompt notice”; in the same line, after the first “certain” insert “violations and certain”; in line 29, strike “transfer” and substitute “place”; and in the same line, strike the second “to” and substitute “on”.

On page 2, in line 4, after “fee;” insert “requiring certain savings to revert to the Performance Incentive Grant Program Fund, rather than the General Fund;”; strike beginning with “Division” in line 11 down through “Probation” in line 12 and substitute “Department of Public Safety and Correctional Services”; in line 18, after “programs” insert “and to ensure that certain protections are in place for a certain individual”; strike beginning with “authorizing” in line 19 down through “authorizing” in line 21 and substitute “requiring”; strike beginning with “providing” in line 24 down through “conviction” in line 27 and substitute “prohibiting a certain licensing board from denying an occupational license to a certain applicant for a certain reason”; in line 28, after “circumstances;” insert “providing that the Court of Appeals is not a licensing board for a certain purpose;”; strike beginning with “request” in line 32 down through “Probation” in line 33; in line 33, strike “local”; strike beginning with “requiring” in line 34 down through “facility;” in line 36; in line 39, after “victims” insert “and a State’s Attorney”; in the same line, strike “parole” and substitute “release”; in line 40, after “circumstances;” insert “establishing that a victim has certain rights related to administrative release;”; in line 41, strike “permanent” and substitute “chronic”; in line 42, strike “certain medical evaluations” and substitute “a certain medical recommendation or evaluation”; in the same line, after “parole;” insert “repealing a requirement that the Governor approve medical parole for an individual serving a certain sentence; providing that the Governor may disapprove a medical parole recommendation for a certain individual serving a certain sentence within a certain time;”; in line 44, after “circumstances;” insert “authorizing the Commissioner to depart from certain periods of incarceration under certain circumstances;”; and in line 45, after “circumstances;” insert “requiring the State to provide each county a certain grant for each day that a certain inmate received certain programming or services from a certain local correctional facility at a certain time;”.

On page 3, strike beginning with “possession” in line 1 down through “a” in line 2 and substitute “certain offenses relating to”; in line 2, strike “substance” and substitute “substances”; in line 3, strike “requiring” and substitute “authorizing”; strike beginning with “Department” in line 3 down through “Services” in line 4 and substitute “Department of Health and Mental Hygiene”; strike beginning with “Department” in line 6 down through “Services” in line 7 and substitute “Department of Health and Mental Hygiene”; in line 8,

strike “incorporate” and substitute “consider”; in line 10, after “manner;” insert “requiring the Division of Correction or a local facility to facilitate certain treatment for a certain person;”; strike beginning with “establishing” in line 10 down through “manner;” in line 14 and substitute “repealing mandatory minimum sentences for certain offenses involving distribution of a controlled dangerous substance; authorizing a person who is serving a certain mandatory minimum sentence to apply to the court to modify or reduce the mandatory minimum sentence under certain circumstances;”; in line 16, after “offenders;” insert “providing that a certain person whose previous conviction was for violation of a certain provision of law is subject to a certain penalty only under certain circumstances;”; in line 18, after “adult;” insert “altering the penalties for certain offenses relating to criminal gangs; prohibiting a criminal gang or an individual belonging to a criminal gang from receiving or investing certain proceeds in a certain manner; prohibiting criminal gangs and persons involved with criminal gangs from obtaining certain property under certain circumstances; prohibiting a person from conspiring to commit certain violations relating to criminal gangs; allowing a court to order a divestiture of certain property and to take certain other actions relating to criminal gangs and persons involved with criminal gangs; altering certain penalties; authorizing the Governor to request the Attorney General to aid in certain investigations or prosecutions; prohibiting a person from promoting or sponsoring a criminal gang; establishing certain venue provisions for certain offenses;”; in line 20, strike “and incarceration time served thresholds” and substitute “threshold”; strike beginning with “requiring” in line 21 down through “guidelines;” in line 24; in line 26, after “circumstances;” insert “authorizing the court to depart from certain periods of incarceration under certain circumstances; requiring the Department of Health and Mental Hygiene to immediately provide certain services;”; in line 27, strike “without unnecessary delay and in no event” and substitute “no”; in line 28, after “order;” insert “repealing certain limitations on certain duties of the Department of Health and Mental Hygiene relating to funding;”; in line 30, strike “lack of placement” and substitute “delay”; in the same line, after “circumstances;” insert “establishing the Addiction Treatment Divestiture Fund as a special, nonlapsing fund in the Department of Health and Mental Hygiene; specifying the purposes of the Fund; requiring the Secretary of Health and Mental Hygiene 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 the Fund; exempting the Fund from a certain provision of law that requires interest on State money in special funds to accrue to the General Fund;”; in line 32, after “reporting” insert “requirements”; in line 33, strike “County”; and in line 42, after “license;” insert “repealing certain provisions of law relating to the Justice Reinvestment Coordinating Council;”.

On page 4, in line 3, after “date;” insert “requiring the Department of Health and Mental Hygiene, the Department of Labor, Licensing, and Regulation, and the Department of Public Safety and Correctional Services, in consultation with certain organizations, to review and make recommendations regarding potential barriers to employment, licensing, and entrepreneurship for certain individuals and the criminalization of occupational licenses and to make certain recommendations regarding occupational licensing laws and report to the Governor and General Assembly on or before a certain date;”; in line 6, after “circumstances;” insert “providing for the application of certain provisions of this Act; requiring the Administrative Office of the Courts to submit a certain annual report to the General Assembly; providing for a delayed effective date for certain provisions of this Act;”; after line 8, insert:

“BY repealing

Article – Public Safety

Section 1–601 through 1–605 and the subtitle “Subtitle 6. Justice Reinvestment Coordinating Council”

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement);

in line 11, after “3–704,” insert “3–706;”; in line 12, after “7–504,” insert “9–402;”; in line 17, strike “3–706;”; after line 29, insert:

“BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 5–601(a) and (b), 5–602 through 5–606, 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);

in line 32, after “5–601” insert “(c)(1) and (2)”; after line 35, insert:

“BY adding to

Article – Criminal Law

Section 5–601(e), 5–609.1, and 9–807

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement);

in line 38, strike “5–601.1,”; in the same line, strike “5–609.1,”; in the same line, after “5–612,” insert “5–905,”; in line 39, after “8–801(c),” insert “9–801 through 9–805,”; and after line 41, insert:

“BY repealing

Article – Criminal Law

Section 5–609.1

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)”.

On page 5, strike in their entirety lines 1 through 16, inclusive; in line 19, strike “6–209” and substitute “1–101”; and after line 26, insert:

“BY adding to

Article – Health – General

Section 8–6D–01 to be under the new subtitle “Subtitle 6D. Addiction Treatment
Divestiture Fund”

Annotated Code of Maryland

(2015 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)86.

Annotated Code of Maryland

(2015 Replacement Volume)

(As enacted by Section 3 of this Act)

BY adding to

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)87.

Annotated Code of Maryland

(2015 Replacement Volume)

(As enacted by Section 3 of this Act)”.

On page 6, in line 16, strike “and (y)”; and strike in their entirety lines 19 through 23, inclusive.

AMENDMENT NO. 2

On page 6, in line 25, after “That” insert “Section(s) 1–601 through 1–605 and the subtitle “Subtitle 6. Justice Reinvestment Coordinating Council” of Article – Public Safety of the Annotated Code of Maryland be repealed.”

SECTION 2. AND BE IT FURTHER ENACTED, That”.

On page 7, in line 20, strike “AND”; and in line 22, after “DIVISION” insert “;AND”

(III) A PLAN FOR THE PAYMENT OF RESTITUTION, NOT TO SUPERSEDE ANY PAYMENT PLAN ESTABLISHED BY THE COURT, IF RESTITUTION HAS BEEN ORDERED”.

On page 8, in line 11, strike the brackets; and strike beginning with the comma in line 11 down through “OR” in line 13.

On page 9, in line 6, after “subtitle,” insert “AS AN INCENTIVE TO REDUCE A TERM OF INCARCERATION,”; in line 8, after “in” insert “OR COMPLETION OF”; in line 9, strike “or”; in line 10, after “courses” insert “;””

(3) WORKFORCE DEVELOPMENT TRAINING;

(4) COGNITIVE–BEHAVIORAL THERAPY; OR

(5) SUBSTANCE ABUSE THERAPY”;

strike beginning with “SEXUAL” in line 25 down through “7” in line 26 and substitute “CRIME OF MANUFACTURING, DISTRIBUTING, DISPENSING, OR POSSESSING A CONTROLLED DANGEROUS SUBSTANCE IN VIOLATION OF § 5–612 OR § 5–613”.

On page 10, in line 11, after “(b)” insert “(1) “ABSCONDING” MEANS WILLFULLY EVADING SUPERVISION.”

(2) “ABSCONDING” DOES NOT INCLUDE MISSING A SINGLE APPOINTMENT WITH A SUPERVISING AUTHORITY.

(C)”;

and in lines 12, 14, 21, 22, 23, 25, and 27, strike “(c)”, “(D)”, “(E)”, “(F)”, “(G)”, “(H)”, and “(I)”, respectively, and substitute “(D)”, “(E)”, “(F)”, “(G)”, “(H)”, “(I)”, and “(J)”, respectively.

On page 11, in lines 1, 3, and 8, strike “(J)”, “(K)”, and “(L)”, respectively, and substitute “(K)”, “(L)”, and “(M)”, respectively; in line 10, after “ARREST” insert “OR A SUMMONS ISSUED BY A COMMISSIONER ON A STATEMENT OF CHARGES FILED BY A LAW ENFORCEMENT OFFICER”; in line 11, strike “CONVICTION; OR” and substitute “VIOLATION OF A CRIMINAL PROHIBITION OTHER THAN A MINOR TRAFFIC OFFENSE”; in line 12, after “NO-CONTACT” insert “OR STAY-AWAY”; in the same line, after “ORDER” insert “; OR

(4) ABSCONDING;

in line 17, strike “RISK AND NEEDS ASSESSMENT” and substitute “VALIDATED SCREENING TOOL”; in line 20, after “(II)” insert “ADMINISTER A RISK AND NEEDS ASSESSMENT AND”; in line 21, strike “ASSESSED” and substitute “SCREENED”; in line 24, after “A” insert “VALIDATED SCREENING TOOL OR”; in line 25, strike the first “ITEM” and substitute “ITEMS”; and in the same line, after “(I)” insert “OR (II)”.

On pages 11 and 12, strike in their entirety the lines beginning with line 28 on page 11 through line 3 on page 12, inclusive.

On page 12, in lines 4, 8, and 11, strike “(VI)”, “(VII)”, and “(VIII)”, respectively, and substitute “(V)”, “(VI)”, and “(VII)”, respectively; strike beginning with “RISK” in line 25 down through “ASSESSMENT” in line 26 and substitute “VALIDATED SCREENING TOOL”; strike beginning with “SUPERVISE” in line 28 down through “(3)” in line 31 and substitute “ADMINISTER A RISK AND NEEDS ASSESSMENT AND”; in line 32, strike “ASSESSED” and substitute “WHO HAS BEEN SCREENED”; and after line 32, insert:

“(3) SUPERVISE AN INDIVIDUAL BASED ON THE PROBATION ORDER AND, TO THE EXTENT NOT INCONSISTENT WITH THAT ORDER, ON THE RESULTS OF A VALIDATED SCREENING TOOL OR RISK AND NEEDS ASSESSMENT CONDUCTED UNDER ITEMS (1) OR (2) OF THIS SECTION;”.

On page 13, strike beginning with “MODIFY” in line 1 down through “IMPOSING” in line 2 and substitute “IMPOSE”; in line 4, after “TO” insert “SEEKING”; in line 5, strike

“AND”; in line 6, after “(5)” insert “PROVIDE PROMPT NOTICE TO THE COURT OF ANY TECHNICAL VIOLATIONS COMMITTED AND GRADUATED SANCTIONS IMPOSED UNDER § 6-121 OF THIS SUBTITLE; AND

(6)”;

strike beginning with “AND” in line 6 down through “SUBTITLE” in line 8; and in line 21, strike “PROGRESS” and substitute “COMPLIANCE”.

On page 14, in line 10, strike “5-602 through 5-606, OR § 5-617” and substitute “5-612 THROUGH 5-614”; in the same line, strike the third bracket; in line 11, strike the bracket; strike beginning with “TIME” in line 25 down through “APPLICABLE,” in line 26; and strike beginning with “TRANSFER” in line 28 down through “TO” in line 29 and substitute “PLACE THE INDIVIDUAL ON”.

On page 15, in line 22, strike “General Fund” and substitute “PERFORMANCE INCENTIVE GRANT FUND ESTABLISHED UNDER § 9-3209 OF THE STATE GOVERNMENT ARTICLE”.

AMENDMENT NO. 3

On page 16, in line 13, strike “AND” and substitute a comma; in the same line, after “RECIDIVISM” insert “, AND TO PAY RESTITUTION”; in line 17, strike “DIVISION” and substitute “DEPARTMENT”; in line 24, after “CHANGE” insert “, INCLUDING REGARDING THE PAYMENT OF RESTITUTION”; in line 28, after “(B)” insert “(1)”; after line 29, insert:

“(2) GRADUATED SANCTIONS MAY NOT INCLUDE INCARCERATION OR INVOLUNTARY DETENTION.”

“(3) THE DIVISION SHALL PROVIDE NOTICE TO THE COURT OF A TECHNICAL VIOLATION COMMITTED AND A GRADUATED SANCTION IMPOSED AS A RESULT OF THE VIOLATION.”;

and in line 30, strike “ON OR BEFORE JULY 1, 2017, THE” and substitute “THE”.

On page 17, in line 5, after “PROGRAM” insert “AND TO ENSURE THAT DUE PROCESS PROTECTIONS ARE IN PLACE FOR AN INDIVIDUAL UNDER THE SUPERVISION OF THE DIVISION TO CHALLENGE GRADUATED SANCTIONS IMPOSED

UNDER THE PROGRAM"; in line 8, after "POSSIBLE" insert "NONCUSTODIAL"; strike in their entirety lines 10 through 12, inclusive; in line 13, strike "(E)" and substitute "(D)"; and in line 14, strike "MAY" and substitute "SHALL".

On page 18, strike in their entirety lines 23 through 26, inclusive, and substitute:

"(B) IT IS THE POLICY OF THE STATE TO ENCOURAGE THE EMPLOYMENT OF NONVIOLENT EX-OFFENDERS AND REMOVE BARRIERS TO THEIR ABILITY TO DEMONSTRATE FITNESS FOR OCCUPATIONAL LICENSES OR CERTIFICATIONS REQUIRED BY THE STATE.

(C) A LICENSING BOARD MAY NOT DENY AN OCCUPATIONAL LICENSE OR CERTIFICATE TO AN APPLICANT WHO HAS BEEN ISSUED A CERTIFICATE OF REHABILITATION SOLELY ON THE BASIS THAT THE APPLICANT HAS PREVIOUSLY BEEN CONVICTED OF THE CRIME THAT IS THE SUBJECT OF THE CERTIFICATE OF REHABILITATION, UNLESS THE LICENSING BOARD DETERMINES THAT:

(1) THERE IS A DIRECT RELATIONSHIP BETWEEN THE APPLICANT'S PREVIOUS CONVICTION AND THE SPECIFIC OCCUPATIONAL LICENSE OR CERTIFICATE SOUGHT; OR

(2) THE ISSUANCE OF THE LICENSE OR CERTIFICATE WOULD INVOLVE AN UNREASONABLE RISK TO PROPERTY OR TO THE SAFETY OR WELFARE OF SPECIFIC INDIVIDUALS OR THE GENERAL PUBLIC.

(D) IN MAKING A DETERMINATION UNDER SUBSECTION (C) OF THIS SECTION, THE LICENSING BOARD SHALL CONSIDER:

(1) THE POLICY OF THE STATE EXPRESSED IN SUBSECTION (B) OF THIS SECTION;

(2) THE SPECIFIC DUTIES AND RESPONSIBILITIES REQUIRED OF A LICENSEE OR CERTIFICATE HOLDER;

(3) WHETHER THE APPLICANT’S PREVIOUS CONVICTION HAS ANY IMPACT ON THE APPLICANT’S FITNESS OR ABILITY TO PERFORM THE DUTIES AND RESPONSIBILITIES AUTHORIZED BY THE LICENSE OR CERTIFICATE;

(4) THE AGE OF THE APPLICANT AT THE TIME OF THE CONVICTION AND THE AMOUNT OF TIME THAT HAS ELAPSED SINCE THE CONVICTION;

(5) THE SERIOUSNESS OF THE OFFENSE FOR WHICH THE APPLICANT WAS CONVICTED;

(6) OTHER INFORMATION PROVIDED BY THE APPLICANT OR ON THE APPLICANT’S BEHALF WITH REGARD TO THE APPLICANT’S REHABILITATION AND GOOD CONDUCT; AND

(7) THE LEGITIMATE INTEREST OF THE DEPARTMENT IN PROTECTING PROPERTY AND THE SAFETY AND WELFARE OF SPECIFIC INDIVIDUALS OR THE GENERAL PUBLIC.”;

in line 27, strike “(C)” and substitute “(E)”; and after line 28, insert:

“(F) THE COURT OF APPEALS IS NOT A LICENSING BOARD FOR PURPOSES OF THIS SECTION.”.

AMENDMENT NO. 4

On page 19, in line 1, strike “(D)” and substitute “(G)”; in line 3, strike the second comma; in the same line, strike “THE SENTENCING JUDGE,”; in line 11, after “parole” insert “OR ADMINISTRATIVE RELEASE”; and in line 18, strike “PAROLE” and substitute “RELEASE”.

On page 20, in lines 3 and 14, in each instance, strike “PAROLE” and substitute “RELEASE”.

On page 21, in line 11, strike the first “PAROLE” and substitute “RELEASE”; in the same line, strike “TO PAROLE”; after line 24, insert:

“(4) “VICTIM” MEANS:

(I) A PERSON WHO IS THE VICTIM OF A CRIME COMMITTED BY AN ELIGIBLE INMATE; OR

(II) IF THE PERSON DESCRIBED IN ITEM (I) OF THIS PARAGRAPH IS DECEASED, DISABLED, OR A MINOR, A DESIGNATED FAMILY MEMBER, GUARDIAN AD LITEM, OR OTHER REPRESENTATIVE OF THE PERSON.”;

in line 25, strike “LOCAL”; in line 26, strike “REQUEST THAT THE DIVISION OF PAROLE AND PROBATION” and substitute “:

(I)”;

in line 27, strike the colon; in line 28, strike “(I)”; and in line 29, strike “PAROLE” and substitute “RELEASE”.

On page 22, in line 2, strike “TO PAROLE”; in lines 4, 24, 28, and 30, in each instance, strike “PAROLE” and substitute “RELEASE”; strike in their entirety lines 6 through 15, inclusive; in line 16, strike “(3)” and substitute “(2)”; in lines 16 and 17, strike “PARAGRAPHS (1) AND (2)” and substitute “PARAGRAPH (1)”; and in line 31, after “(E)” insert “**(1) NOTWITHSTANDING THE LIMITATIONS ON WHO IS CONSIDERED A VICTIM IN § 7–801 OF THIS TITLE, FOR PURPOSES OF THIS SECTION, A VICTIM HAS ALL THE RIGHTS UNDER THIS SECTION THAT ARE GRANTED TO A VICTIM UNDER THIS TITLE FOR A PAROLE HEARING.**

(2)”.

On page 23, in lines 1, 3, and 5, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “(I)”, “(II)”, and “(III)”, respectively; in lines 1, 8, and 21, in each instance, strike “PAROLE” and substitute “RELEASE”; in line 3, strike “PAROLE”; in line 12, strike “SERIOUS” and substitute “CATEGORY 1 OR CATEGORY 2”; in the same line, after “VIOLATION” insert “, **AS DEFINED IN 12.02.27.04 OF THE CODE OF MARYLAND REGULATIONS,**”; in line 13, strike “30” and substitute “120”; in lines 13 and 19, in each instance, strike “PAROLE” and substitute “ADMINISTRATIVE RELEASE”; after line 19, insert:

(H) AN INDIVIDUAL ON ADMINISTRATIVE RELEASE IS SUBJECT TO:

(1) THE JURISDICTION OF THE COMMISSION IN THE SAME MANNER AS A PAROLEE; AND

(2) ALL LAWS AND CONDITIONS THAT APPLY TO PAROLEES.”;

and in line 20, strike “(H)” and substitute “(I)”.

AMENDMENT NO. 5

On page 24, in line 22, strike “PERMANENTLY” and substitute “**CHRONICALLY**”.

On page 25, strike beginning with “TWO” in line 13 down through “CORRECTION” in line 15 and substitute:

“(I) A RECOMMENDATION BY THE MEDICAL PROFESSIONAL TREATING THE INMATE UNDER CONTRACT WITH THE DEPARTMENT OR LOCAL CORRECTIONAL FACILITY; OR

(II) IF REQUESTED BY AN INDIVIDUAL IDENTIFIED IN SUBSECTION (C)(1) OF THIS SECTION, ONE MEDICAL EVALUATION CONDUCTED AT NO COST TO THE INMATE BY A MEDICAL PROFESSIONAL WHO IS INDEPENDENT FROM THE DIVISION OF CORRECTION OR LOCAL CORRECTIONAL FACILITY”.

On page 26, in line 29, after the second “be” insert “**REDUCED OR**”; and strike beginning with “Consistent” in line 30 down through “Governor” in line 31 and substitute:

“(1) IF THE COMMISSION DECIDES TO GRANT MEDICAL PAROLE TO AN INMATE SENTENCED TO LIFE IMPRISONMENT, THE DECISION SHALL BE TRANSMITTED TO THE GOVERNOR.

(2) THE GOVERNOR MAY DISAPPROVE THE DECISION BY WRITTEN TRANSMITTAL TO THE COMMISSION.

(3) IF THE GOVERNOR DOES NOT DISAPPROVE THE DECISION WITHIN 180 DAYS AFTER RECEIPT OF THE WRITTEN TRANSMITTAL, THE DECISION BECOMES EFFECTIVE”.

AMENDMENT NO. 6

On page 27, in line 23, strike “**IF**” and substitute “**SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, IF**”.

On page 28, after line 11, insert:

“(4) (I) THERE IS A REBUTTABLE PRESUMPTION THAT THE LIMITS ON THE PERIOD OF IMPRISONMENT THAT MAY BE IMPOSED FOR A TECHNICAL VIOLATION ESTABLISHED IN PARAGRAPH (1) OF THIS SUBSECTION ARE APPLICABLE.

(II) THE PRESUMPTION MAY BE REBUTTED IF A COMMISSIONER FINDS AND STATES ON THE RECORD, AFTER CONSIDERATION OF THE FOLLOWING FACTORS, THAT ADHERING TO THE LIMITS ON THE PERIOD OF IMPRISONMENT ESTABLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION WOULD CREATE A RISK TO PUBLIC SAFETY, A VICTIM, OR A WITNESS:

- 1. THE NATURE OF THE PAROLE VIOLATION;**
- 2. THE FACTS AND CIRCUMSTANCES OF THE CRIME FOR WHICH THE PAROLEE WAS CONVICTED; AND**
- 3. THE PAROLEE’S HISTORY.**

(III) ON FINDING THAT ADHERING TO THE LIMITS WOULD CREATE A RISK TO PUBLIC SAFETY, A VICTIM, OR A WITNESS UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE COMMISSIONER MAY:

- 1. DIRECT IMPOSITION OF A LONGER PERIOD OF IMPRISONMENT THAN PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION, BUT NO MORE THAN THE TIME REMAINING ON THE ORIGINAL SENTENCE; OR**
- 2. COMMIT THE PAROLEE TO THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE FOR TREATMENT UNDER § 8-507 OF THE HEALTH – GENERAL ARTICLE.**

(IV) A FINDING UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH OR AN ACTION UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH IS

SUBJECT TO APPEAL UNDER TITLE 12, SUBTITLE 3 OR TITLE 12, SUBTITLE 4 OF THE COURTS ARTICLE.”;

and in line 27, strike “The” and substitute “SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE”.

On page 29, strike in their entirety lines 12 through 14, inclusive, and substitute:

“(3) (I) THERE IS A REBUTTABLE PRESUMPTION THAT THE LIMITS ON THE REVOCATION OF DIMINUTION CREDITS FOR A TECHNICAL VIOLATION ESTABLISHED IN PARAGRAPH (1) OF THIS SUBSECTION ARE APPLICABLE.

(II) THE PRESUMPTION MAY BE REBUTTED IF A COMMISSIONER FINDS AND STATES ON THE RECORD, AFTER CONSIDERATION OF THE FOLLOWING FACTORS, THAT ADHERING TO THE LIMITS ON THE REVOCATION OF DIMINUTION CREDITS ESTABLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION WOULD CREATE A RISK TO PUBLIC SAFETY, A VICTIM, OR A WITNESS:

1. THE NATURE OF THE MANDATORY SUPERVISION VIOLATION;

2. THE FACTS AND CIRCUMSTANCES OF THE CRIME FOR WHICH THE INMATE WAS CONVICTED; AND

3. THE INMATE’S HISTORY.

(III) ON FINDING THAT ADHERING TO THE LIMITS WOULD CREATE A RISK TO PUBLIC SAFETY, A VICTIM, OR A WITNESS UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE COMMISSIONER MAY:

1. DIRECT THAT A GREATER NUMBER OF DIMINUTION CREDITS BE REVOKED THAN PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION; OR

2. COMMIT THE INMATE TO THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE FOR TREATMENT UNDER § 8-507 OF THE HEALTH – GENERAL ARTICLE.

(IV) A FINDING UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH OR AN ACTION UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH IS SUBJECT TO APPEAL UNDER TITLE 12, SUBTITLE 3 OR TITLE 12, SUBTITLE 4 OF THE COURTS ARTICLE.”;

and after line 14, insert:

“9-402.

(a) In this section, “sentenced inmates” means those inmates confined in a local correctional facility after being sentenced to the custody of the local correctional facility for more than 12 months and not more than 18 months.

(b) Subject to subsection (d) of this section, for each fiscal year the State shall provide each county a grant equal to at least \$45 for each day from the end of the 12th month through the end of the 18th month that a sentenced inmate was confined in a local correctional facility during the second preceding fiscal year.

(c) Subject to subsection (d) of this section, for each fiscal year the State shall provide each county a grant equal to at least \$45:

(1) for each day after the first day through the day of release that an inmate who has been sentenced to the jurisdiction of the Division of Correction was confined in a local correctional facility during the second preceding fiscal year; AND

(2) FOR EACH DAY THAT AN INMATE WHO HAS BEEN SENTENCED TO THE JURISDICTION OF THE DIVISION OF CORRECTION RECEIVED REENTRY OR OTHER PRE-RELEASE PROGRAMMING AND SERVICES FROM A LOCAL CORRECTIONAL FACILITY DURING THE SECOND PRECEDING FISCAL YEAR.

(d) (1) On or before October 1 of each year, each county shall submit to the Department inmate days reports for the previous fiscal year.

(2) If a county fails to submit the information required under paragraph (1) of this subsection when due, the Department shall deduct an amount equal to 20% of the grant under subsection (b) of this section for each 30 days or part of 30 days after the due date that the information has not been submitted.”.

AMENDMENT NO. 7

On page 30, strike in their entirety lines 1 through 6, inclusive; in lines 7 and 17, strike “(3)” and “(4)”, respectively, and substitute “(2)” and “(3)”, respectively; and in line 9, strike “OR (2)”.

AMENDMENT NO. 8

On pages 33 through 36, strike in their entirety the lines beginning with line 4 on page 33 through line 15 on page 36, inclusive, and substitute:

“(c) (1) Except as provided in paragraphs (2), (3), and (4) of this subsection, a person who violates this section is guilty of a misdemeanor and on conviction is subject to [imprisonment not exceeding 4 years or a fine not exceeding \$25,000 or both]:

(I) FOR A FIRST CONVICTION, IMPRISONMENT NOT EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING \$5,000 OR BOTH;

(II) FOR A SECOND OR THIRD CONVICTION, IMPRISONMENT NOT EXCEEDING 18 MONTHS OR A FINE NOT EXCEEDING \$5,000 OR BOTH; OR

(III) FOR A FOURTH OR SUBSEQUENT CONVICTION, IMPRISONMENT NOT EXCEEDING 2 YEARS OR A FINE NOT EXCEEDING \$5,000 OR BOTH.

(2) (i) Except as provided in subparagraph (ii) of this paragraph, a person whose violation of this section involves the use or possession of marijuana IS GUILTY OF A MISDEMEANOR AND is subject to imprisonment not exceeding [1 year] 6 MONTHS or a fine not exceeding \$1,000 or both.”.

On page 36, in line 16, strike “(F)” and substitute “(E)”; in the same line, after “(1)” insert “(I)”; in the same line, strike “OR (D)”; in line 17, strike “SHALL” and substitute “MAY”; strike beginning with “PUBLIC” in line 17 down through “TREATMENT” in line 20 and substitute “HEALTH AND MENTAL HYGIENE OR A CERTIFIED AND LICENSED DESIGNEE TO CONDUCT AN ASSESSMENT OF THE DEFENDANT FOR SUBSTANCE USE DISORDER AND DETERMINE WHETHER THE DEFENDANT IS IN NEED OF AND MAY BENEFIT FROM DRUG TREATMENT.”

(II) IF AN ASSESSMENT FOR SUBSTANCE USE DISORDER IS REQUESTED BY THE DEFENDANT AND THE COURT DENIES THE REQUEST, THE COURT SHALL STATE ON THE RECORD THE BASIS FOR THE DENIAL”;

strike beginning with “**THE**” in line 21 down through “**ASSESSMENT**” in line 23 and substitute “**ON RECEIVING AN ORDER UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, OR THE DESIGNEE, SHALL CONDUCT AN ASSESSMENT OF THE DEFENDANT FOR SUBSTANCE USE DISORDER AND PROVIDE THE RESULTS**”; in line 25, strike “**AND INCORPORATE**”; in line 26, strike “**THE**” and substitute “**AN**”; in the same line, strike “**IN**” and substitute “**UNDER**”; in the same line, strike “**INTO**” and substitute “**WHEN IMPOSING**”; strike beginning with “**IF**” in line 28 down through “**SAFETY**” in line 29 and substitute “**EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH**”; in line 29, after the second “**THE**” insert “**EXECUTION OF THE**”; and strike beginning with “**DIVISION**” in line 31 down through “**COMMUNITY**” in line 32 and substitute “**DEPARTMENT OF HEALTH AND MENTAL HYGIENE OR THE DESIGNEE TO PROVIDE THE MEDICALLY APPROPRIATE LEVEL OF TREATMENT**”.

On page 37, strike beginning with “**IF**” in line 1 down through “**SAFETY,**” in line 2; in line 3, strike “**OR (D)**”; in line 4, strike “**PROVIDE**” and substitute “**FACILITATE THE MEDICALLY APPROPRIATE LEVEL OF**”; and in line 5, after “**TREATMENT**” insert “**FOR THE DEFENDANT**”.

On pages 37 through 39, strike in their entirety the lines beginning with line 6 on page 37 through line 14 on page 39, inclusive.

AMENDMENT NO. 9

On page 39, after line 14, insert:

“5-602.

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

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

5-603.

Except as otherwise provided in this title, a person may not manufacture a controlled dangerous substance, or manufacture, distribute, or possess a machine, equipment, instrument, implement, device, or a combination of them that is adapted to produce a controlled dangerous substance under circumstances that reasonably indicate an intent to use it to produce, sell, or dispense a controlled dangerous substance in violation of this title.

5-604.

(a) In this section, “counterfeit substance” means a controlled dangerous substance, or its container or labeling, that:

(1) without authorization, bears a likeness of the trademark, trade name, or other identifying mark, imprint, number, or device of a manufacturer, distributor, or dispenser other than the actual manufacturer, distributor, or dispenser; and

(2) thereby falsely purports or is represented to be the product of, or to have been distributed by, the other manufacturer, distributor, or dispenser.

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

(1) create or distribute a counterfeit substance; or

(2) possess a counterfeit substance with intent to distribute it.

(c) Except as otherwise provided in this title, a person may not manufacture, distribute, or possess equipment that is designed to print, imprint, or reproduce an authentic or imitation trademark, trade name, other identifying mark, imprint, number, or device of another onto a drug or the container or label of a drug, rendering the drug a counterfeit substance.

5-605.

(a) “Common nuisance” means a dwelling, building, vehicle, vessel, aircraft, or other place:

(1) resorted to by individuals for the purpose of administering illegally controlled dangerous substances; or

(2) where controlled dangerous substances or controlled paraphernalia are manufactured, distributed, dispensed, stored, or concealed illegally.

(b) A person may not keep a common nuisance.

5-606.

(a) Except as otherwise provided in this title, a person may not pass, issue, make, or possess a false, counterfeit, or altered prescription for a controlled dangerous substance with intent to distribute the controlled dangerous substance.

(b) Information that is communicated to an authorized prescriber in an effort to obtain a controlled dangerous substance in violation of subsection (a) of this section is not a privileged communication.”;

strike beginning with “(1)” in line 20 down through “(c)” in line 27; in line 27, strike “subsection (a) of”; in line 34, strike “20” and substitute “**10**”; and in the same line, strike “\$25,000” and substitute “**\$15,000**”.

On page 40, in line 1, strike “(1)”; in the same line, strike “**SUBJECT TO § 5-609.1** of this subtitle, a” and substitute “**A**”; in lines 3 and 18, in each instance, strike “shall be sentenced” and substitute “**IS SUBJECT**”; in lines 3 and 4, strike “for not less than” and substitute “**NOT EXCEEDING**”; in lines 4 and 19, in each instance, strike “and is subject to” and substitute “**OR**”; in line 4, strike “\$100,000” and substitute “**\$15,000 OR BOTH**”; in lines 6, 7, and 9, strike “(i)”, “(ii)”, and “(iii)”, respectively, and substitute “**(1)**”, “**(2)**”, and “**(3)**”, respectively; strike in their entirety lines 12 through 15, inclusive; in line 16, strike “**SUBJECT TO § 5-609.1** of this subtitle, a” and substitute “**A**”; in lines 18 and 19, strike “for not less than 25” and substitute “**NOT EXCEEDING 15**”; and in line 19, strike “\$100,000” and substitute “**\$25,000 OR BOTH**”.

On page 41, strike in their entirety lines 7 through 10, inclusive; in line 11, strike “(4)” and substitute “**(2)**”; in line 13, strike “(1)”; in the same line, strike “**SUBJECT TO § 5-609.1** of this subtitle, a” and substitute “**A**”; in line 15, strike “shall be sentenced” and substitute “**IS SUBJECT**”; in lines 15 and 16, strike “for not less than 40” and substitute “**NOT EXCEEDING 20**”; in line 16, strike “and is subject to” and substitute “**OR**”; in the same line, strike “\$100,000” and substitute “**\$25,000 OR BOTH**”; in lines 19, 20, 22, and 25, strike

“(i)”, “(ii)”, “(iii)”, and “(iv)”, respectively, and substitute “**(1)**”, “**(2)**”, “**(3)**”, and “**(4)**”, respectively; and strike in their entirety lines 26 through 29, inclusive.

On page 42, in line 5, strike “20” and substitute “**10**”; in the same line, strike “\$20,000” and substitute “**\$15,000**”; in line 15, strike “(1)”; in the same line, strike “**SUBJECT TO § 5–609.1 of this subtitle, a**” and substitute “**A**”; in line 17, strike “shall be sentenced” and substitute “**IS SUBJECT**”; in lines 17 and 18, strike “for not less than” and substitute “**NOT EXCEEDING**”; in line 18, strike “and is subject to” and substitute “**OR**”; in the same line, strike “\$100,000” and substitute “**\$15,000 OR BOTH**”; in lines 20, 21, 23, and 26, strike “(i)”, “(ii)”, “(iii)”, and “(iv)”, respectively, and substitute “**(1)**”, “**(2)**”, “**(3)**”, and “**(4)**”, respectively; and strike in their entirety lines 27 through 30, inclusive.

On page 43, in line 1, strike “**SUBJECT TO § 5–609.1 of this subtitle, a**” and substitute “**A**”; in lines 3 and 26, in each instance, strike “shall be sentenced” and substitute “**IS SUBJECT**”; in lines 3 and 4, strike “for not less than 25” and substitute “**NOT EXCEEDING 15**”; in lines 4 and 27, in each instance, strike “and is subject to” and substitute “**OR**”; in line 4, strike “\$100,000” and substitute “**\$25,000 OR BOTH**”; strike in their entirety lines 18 through 21, inclusive; in line 22, strike “(4)” and substitute “**(2)**”; in line 24, strike “(1)”; in the same line, strike “**SUBJECT TO § 5–609.1 of this subtitle, a**” and substitute “**A**”; in lines 26 and 27, strike “for not less than 40” and substitute “**NOT EXCEEDING 20**”; in line 27, strike “\$100,000” and substitute “**\$25,000 OR BOTH**”; and in lines 29 and 30, strike “(i)” and “(ii)”, respectively, and substitute “**(1)**” and “**(2)**”, respectively.

On page 44, in lines 1 and 4, strike “(iii)” and “(iv)”, respectively, and substitute “**(3)**” and “**(4)**”, respectively; and strike in their entirety lines 5 through 8, inclusive.

On pages 44 and 45, strike in their entirety the lines beginning with line 13 on page 44 through line 15 on page 45, inclusive, and substitute:

5–609.1.

(A) NOTWITHSTANDING ANY OTHER PROVISION OF LAW AND SUBJECT TO SUBSECTION (C) OF THIS SECTION, A PERSON WHO IS SERVING A TERM OF CONFINEMENT THAT INCLUDES A MANDATORY MINIMUM SENTENCE IMPOSED ON OR BEFORE SEPTEMBER 30, 2017, FOR A VIOLATION OF §§ 5–602 THROUGH 5–606 OF THIS SUBTITLE MAY APPLY TO THE COURT TO MODIFY OR REDUCE THE MANDATORY

MINIMUM SENTENCE AS PROVIDED IN MARYLAND RULE 4-345, REGARDLESS OF WHETHER THE DEFENDANT FILED A TIMELY MOTION FOR RECONSIDERATION OR A MOTION FOR RECONSIDERATION WAS DENIED BY THE COURT.

(B) THE COURT MAY MODIFY THE SENTENCE AND DEPART FROM THE MANDATORY MINIMUM SENTENCE UNLESS THE STATE SHOWS THAT, GIVING DUE REGARD TO THE NATURE OF THE CRIME, THE HISTORY AND CHARACTER OF THE DEFENDANT, AND THE DEFENDANT'S CHANCES OF SUCCESSFUL REHABILITATION:

(1) RETENTION OF THE MANDATORY MINIMUM SENTENCE WOULD NOT RESULT IN SUBSTANTIAL INJUSTICE TO THE DEFENDANT; AND

(2) THE MANDATORY MINIMUM SENTENCE IS NECESSARY FOR THE PROTECTION OF THE PUBLIC.

(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN APPLICATION FOR A HEARING UNDER SUBSECTION (A) OF THIS SECTION SHALL BE SUBMITTED TO THE COURT OR REVIEW PANEL ON OR BEFORE SEPTEMBER 30, 2018.

(2) THE COURT MAY CONSIDER AN APPLICATION AFTER SEPTEMBER 30, 2018, ONLY FOR GOOD CAUSE SHOWN.

(3) THE COURT SHALL NOTIFY THE STATE'S ATTORNEY OF A REQUEST FOR A HEARING.

(4) A PERSON MAY NOT FILE MORE THAN ONE APPLICATION FOR A HEARING UNDER SUBSECTION (A) OF THIS SECTION FOR A MANDATORY MINIMUM SENTENCE FOR A VIOLATION OF §§ 5-602 THROUGH 5-606 OF THIS SUBTITLE."

On page 46, after line 14, insert:

"5-905.

(a) [A] EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION, A person convicted of a subsequent crime under this title is subject to:

- (1) a term of imprisonment twice that otherwise authorized;
- (2) twice the fine otherwise authorized; or
- (3) both.

(b) For purposes of this section, a crime is considered a subsequent crime, if, before the conviction for the crime, the offender has ever been convicted of a crime under this title or under any law of the United States or of this or another state relating to other controlled dangerous substances.

(c) A person convicted of a subsequent crime under a law superseded by this title is eligible for parole, probation, and suspension of sentence in the same manner as those persons convicted under this title.

(d) A sentence on a single count under this section may be imposed in conjunction with other sentences under this title.

(E) A PERSON WHOSE PRIOR AND SUBSEQUENT CONVICTIONS WERE FOR A VIOLATION OF § 5-601, § 5-602, § 5-603, § 5-604, § 5-605, OR § 5-606 OF THIS TITLE IS SUBJECT TO THIS SECTION ONLY IF THE PERSON WAS ALSO PREVIOUSLY CONVICTED OF A CRIME OF VIOLENCE AS DEFINED IN § 14-101 OF THIS ARTICLE.”

On page 48 in line 16, on page 49 in line 5, on page 50 in lines 6 and 24, on page 51 in lines 4, 7, 9, and 33, on page 52 in lines 13 and 31, on page 53 in lines 12, 24, and 37, on page 56 in line 32, on page 57 in lines 13 and 36, on page 59 in lines 1, 8, and 17, on page 60 in line 21, and on page 61 in line 8, in each instance, strike “**\$2,000**” and substitute “**\$1,500**”.

On page 49 in line 6, on page 51 in line 11, on page 52 in lines 14 and 15, on page 53 in line 14, on page 54 in lines 1 and 2, on page 57 in lines 14 and 22, on page 59 in line 11, and on page 61 in line 9, in each instance, strike “**12 months**” and substitute “**360 DAYS**”.

On page 49, in lines 16 and 30, in each instance, strike the bracket; in line 16, strike “two” and substitute “**FOUR**”; and in line 18, strike “\$1,000” and substitute “**\$1,500**”.

AMENDMENT NO. 10

On page 61, after line 12, insert:

“9–801.

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

(b) “Coerce” means to compel or attempt to compel another by threat of harm or other adverse consequences.

(c) “Criminal gang” means a group or association of three or more persons whose members:

(1) individually or collectively engage in a pattern of criminal gang activity;

(2) have as one of their primary objectives or activities the commission of one or more underlying crimes, including acts by juveniles that would be underlying crimes if committed by adults; and

(3) have in common an overt or covert organizational or command structure.

(D) “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.

[(d)] (E) “Pattern of criminal gang activity” means the commission of, attempted commission of, conspiracy to commit, or solicitation of two or more underlying crimes or acts by a juvenile that would be an underlying crime if committed by an adult, provided the crimes or acts were not part of the same incident.

[(e)] (F) “Solicit” has the meaning stated in § 11–301 of this article.

[(f)] (G) “Underlying crime” means:

(1) a crime of violence as defined under § 14–101 of this article;

(2) a violation of § 3–203 (second degree assault), § 4–203 (wearing, carrying, or transporting a handgun), § 9–302 (inducing false testimony or avoidance of subpoena), § 9–303 (retaliation for testimony), § 9–305 (intimidating or corrupting juror), § 11–303 (human trafficking), § 11–304 (receiving earnings of prostitute), or § 11–306(a)(2), (3), or (4) (house of prostitution) of this article;

(3) a felony violation of § 3–701 (extortion), § 4–503 (manufacture or possession of destructive device), § 5–602 (distribution of CDS), § 5–603 (manufacturing CDS or equipment), § 5–604(B) (CREATING OR POSSESSING A COUNTERFEIT SUBSTANCE), § 5–606 (FALSE PRESCRIPTION), § 6–103 (second degree arson), § 6–202 (first degree burglary), § 6–203 (second degree burglary), § 6–204 (third degree burglary), § 7–104 (theft), or § 7–105 (unauthorized use of a motor vehicle) of this article; or

(4) a felony violation of § 5–133 of the Public Safety Article.

9–802.

(a) A person may not threaten an individual, or a friend or family member of an individual, with physical violence with the intent to coerce, induce, or solicit the individual to participate in or prevent the individual from leaving a criminal gang.

(b) A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 2 years or a fine not exceeding ~~[\$1,000]~~ **\$10,000** or both.

9–803.

(a) A person may not threaten an individual, or a friend or family member of an individual, with or use physical violence to coerce, induce, or solicit the individual to participate in or prevent the individual from leaving a criminal gang:

(1) in a school vehicle, as defined under § 11–154 of the Transportation Article; or

(2) in, on, or within 1,000 feet of real property owned by or leased to an elementary school, secondary school, or county board of education and used for elementary or secondary education.

(b) Subsection (a) of this section applies whether or not:

(1) school was in session at the time of the crime; or

(2) the real property was being used for purposes other than school purposes at the time of the crime.

(c) A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 4 years or a fine not exceeding [\$4,000] \$20,000 or both.

(d) Notwithstanding any other law, a conviction under this section may not merge with a conviction under § 9-802 of this subtitle.

9-804.

(a) A person may not:

(1) participate in a criminal gang knowing that the members of the gang engage in a pattern of criminal gang activity; and

(2) knowingly and willfully direct or participate in an underlying crime, or act by a juvenile that would be an underlying crime if committed by an adult, committed for the benefit of, at the direction of, or in association with a criminal gang.

(B) A CRIMINAL GANG OR AN INDIVIDUAL BELONGING TO A CRIMINAL GANG MAY NOT:

(1) RECEIVE PROCEEDS KNOWN TO HAVE BEEN DERIVED DIRECTLY OR INDIRECTLY FROM AN UNDERLYING CRIME; AND

(2) USE OR INVEST, DIRECTLY OR INDIRECTLY, AN AGGREGATE OF \$10,000 OR MORE OF THE PROCEEDS FROM AN UNDERLYING CRIME IN:

(I) THE ACQUISITION OF A TITLE TO, RIGHT TO, INTEREST IN, OR EQUITY IN REAL PROPERTY; OR

(II) THE ESTABLISHMENT OR OPERATION OF ANY ENTERPRISE.

(C) A CRIMINAL GANG MAY NOT ACQUIRE OR MAINTAIN, DIRECTLY OR INDIRECTLY, ANY INTEREST IN OR CONTROL OF ANY ENTERPRISE OR REAL PROPERTY THROUGH AN UNDERLYING CRIME.

(D) A PERSON MAY NOT CONSPIRE TO VIOLATE SUBSECTION (A), (B), OR (C) OF THIS SECTION.

[(b)] (E) A person may not violate subsection (a) of this section that results in the death of a victim.

[(c)] (F) (1) (i) Except as provided in subparagraph (ii) of this paragraph, a person who violates this section is guilty of a felony and on conviction is subject to imprisonment not exceeding [10] 15 years or a fine not exceeding [\$100,000] \$1,000,000 or both.

(ii) A person who violates subsection [(b)] (E) of this section is guilty of a felony and on conviction is subject to imprisonment not exceeding [20] 25 years or a fine not exceeding [\$100,000] \$5,000,000 or both.

(2) (i) A sentence imposed under paragraph (1)(i) of this subsection for a first offense may be separate from and consecutive to or concurrent with a sentence for any crime based on the act establishing a violation of this section.

(ii) A sentence imposed under paragraph (1)(i) of this subsection for a second or subsequent offense, or paragraph (1)(ii) of this subsection shall be separate from and consecutive to a sentence for any crime based on the act establishing a violation of this section.

(iii) A consecutive sentence for a second or subsequent offense shall not be mandatory unless the State notifies the person in writing of the State's intention to proceed against the person as a second or subsequent offender at least 30 days before trial.

(3) IN ADDITION TO THE OTHER PENALTIES PROVIDED IN THIS SUBSECTION, ON CONVICTION THE COURT MAY:

(1) ORDER A PERSON OR CRIMINAL GANG TO BE DIVESTED OF ANY INTEREST IN AN ENTERPRISE OR REAL PROPERTY;

(II) ORDER THE DISSOLUTION OR REORGANIZATION OF AN ENTERPRISE; AND

(III) ORDER THE SUSPENSION OR REVOCATION OF ANY LICENSE, PERMIT, OR PRIOR APPROVAL GRANTED TO THE ENTERPRISE OR PERSON BY A UNIT OF THE STATE OR A POLITICAL SUBDIVISION OF THE STATE.

(G) (1) THIS SUBSECTION APPLIES TO A VIOLATION OF § 5-602, § 5-603, § 5-604(B), § 5-606, § 5-612, § 5-613, § 5-614, OR § 5-617 OF THIS ARTICLE.

(2) ASSETS DIVESTED UNDER THIS SECTION AND DERIVED FROM THE COMMISSION OF, ATTEMPTED COMMISSION OF, CONSPIRACY TO COMMIT, OR SOLICITATION OF A CRIME DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION, EITHER IN WHOLE OR IN PART, SHALL BE DEPOSITED IN THE ADDICTION TREATMENT DIVESTITURE FUND ESTABLISHED UNDER § 8-6D-01 OF THE HEALTH – GENERAL ARTICLE.

[(d)] (H) A person may be charged with a violation of this section only by indictment, criminal information, or petition alleging a delinquent act.

[(e)] (I) (1) The Attorney General, at the request of the GOVERNOR OR THE State's Attorney for a county in which a violation or an act establishing a violation of this section occurs, may:

(i) aid in the investigation of the violation or act; and

(ii) prosecute the violation or act.

(2) In exercising authority under paragraph (1) of this subsection, the Attorney General has all the powers and duties of a State's Attorney, including the use of the grand jury in the county, to prosecute the violation.

(3) Notwithstanding any other provision of law, in circumstances in which violations of this section are alleged to have been committed in more than one county, the respective State's Attorney of each county, or the Attorney General, may join the causes of action in a single complaint with the consent of each State's Attorney having jurisdiction over an offense sought to be joined.

[(f)] (J) Notwithstanding any other provision of law and provided at least one criminal gang activity of a criminal gang allegedly occurred in the county in which a grand jury is sitting, the grand jury may issue subpoenas, summon witnesses, and otherwise conduct an investigation of the alleged criminal gang's activities and offenses in other counties.

9-805.

(a) A person may not organize, supervise, **PROMOTE, SPONSOR,** finance, or manage a criminal gang.

(b) A person who violates this section is guilty of a felony and on conviction is subject to imprisonment not exceeding 20 years or a fine not exceeding **[\$100,000] \$1,000,000** or both.

(c) A sentence imposed under this section shall be separate from and consecutive to a sentence for any crime based on the act establishing a violation of this section.

9-807.

FOR PURPOSES OF VENUE, ANY VIOLATION OF THIS SUBTITLE IS CONSIDERED TO HAVE BEEN COMMITTED IN ANY COUNTY:

(1) IN WHICH ANY ACT WAS PERFORMED IN FURTHERANCE OF A VIOLATION OF THIS SUBTITLE;

(2) THAT IS THE PRINCIPAL PLACE OF THE OPERATIONS OF THE CRIMINAL GANG IN THE STATE;

(3) IN WHICH A DEFENDANT HAD CONTROL OR POSSESSION OF PROCEEDS OF A VIOLATION OF THIS SUBTITLE OR OF RECORDS OR OTHER MATERIAL OR OBJECTS THAT WERE USED IN FURTHERANCE OF A VIOLATION; OR

(4) IN WHICH A DEFENDANT RESIDES.”.

AMENDMENT NO. 11

On page 64, in line 5, strike “OR ONE–THIRD OF THE PERSON’S TOTAL AGGREGATE SENTENCE”; after line 10, insert:

“(b) “ABSCONDING” HAS THE MEANING STATED IN § 6–101 OF THE CORRECTIONAL SERVICES ARTICLE.

[(C) (1) “Charging document” means a written accusation alleging that a defendant has committed a crime.

[(2) “Charging document” includes a citation, an indictment, an information, a statement of charges, and a warrant.

[(c)] (D) “Correctional facility” has the meaning stated in § 1–101 of the Correctional Services Article.

[(d)] (E) “County” means a county of the State or Baltimore City.

[(e)] (F) “Crime of violence” has the meaning stated in § 14–101 of the Criminal Law Article.

[(f)] (G) “Department” means the Department of Public Safety and Correctional Services.

[(g)] (H) “Inmate” has the meaning stated in § 1–101 of the Correctional Services Article.

[(h)] (I) “Local correctional facility” has the meaning stated in § 1–101 of the Correctional Services Article.

[(i)] (J) “Managing official” has the meaning stated in § 1–101 of the Correctional Services Article.

[(j)] (K) “Nolle prosequi” means a formal entry on the record by the State that declares the State’s intention not to prosecute a charge.

[(k)] (L) “Nolo contendere” means a plea stating that the defendant will not contest the charge but does not admit guilt or claim innocence.

[(1)] (M) “Person” means an individual, receiver, trustee, guardian, personal representative, fiduciary, representative of any kind, partnership, firm, association, corporation, or other entity.

[(m)] (N) “Secretary” means the Secretary of the Department of Public Safety and Correctional Services.

[(n)] (O) “State” means:

- (1) a state, possession, territory, or commonwealth of the United States; or
- (2) the District of Columbia.

[(o)] (P) “State correctional facility” has the meaning stated in § 1–101 of the Correctional Services Article.”;

in line 11, strike “(P)” and substitute “(Q)”; and strike beginning with “MEANS” in line 11 down through “ORDER” in line 15 and substitute **“HAS THE MEANING STATED IN § 6–101 OF THE CORRECTIONAL SERVICES ARTICLE”**.

On pages 64 and 65, strike in their entirety the lines beginning with line 16 on page 64 through line 12 on page 65, inclusive.

AMENDMENT NO. 12

On page 65, in line 30, after “(I)” insert **“SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION,”**.

On page 66, after line 8, insert:

“(3) (I) THERE IS A REBUTTABLE PRESUMPTION THAT THE LIMITS ON THE PERIOD OF INCARCERATION THAT MAY BE IMPOSED FOR A TECHNICAL VIOLATION ESTABLISHED IN PARAGRAPH (2) OF THIS SUBSECTION ARE APPLICABLE.

(II) THE PRESUMPTION MAY BE REBUTTED IF THE COURT FINDS AND STATES ON THE RECORD, AFTER CONSIDERATION OF THE FOLLOWING FACTORS, THAT ADHERING TO THE LIMITS ON THE PERIOD OF INCARCERATION

ESTABLISHED UNDER PARAGRAPH (2) OF THIS SUBSECTION WOULD CREATE A RISK TO PUBLIC SAFETY, A VICTIM, OR A WITNESS:

1. THE NATURE OF THE PROBATION VIOLATION;
2. THE FACTS AND CIRCUMSTANCES OF THE CRIME FOR WHICH THE PROBATIONER OR DEFENDANT WAS CONVICTED; AND
3. THE PROBATIONER’S OR DEFENDANT’S HISTORY.

(III) ON FINDING THAT ADHERING TO THE LIMITS WOULD CREATE A RISK TO PUBLIC SAFETY, A VICTIM, OR A WITNESS UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE COURT MAY:

1. DIRECT IMPOSITION OF A LONGER PERIOD OF INCARCERATION THAN PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, BUT NO MORE THAN THE TIME REMAINING ON THE ORIGINAL SENTENCE; OR
2. COMMIT THE PROBATIONER OR DEFENDANT TO THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE FOR TREATMENT UNDER § 8-507 OF THE HEALTH – GENERAL ARTICLE.

(IV) A FINDING UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH OR AN ACTION UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH IS SUBJECT TO APPEAL UNDER TITLE 12, SUBTITLE 3 OR TITLE 12, SUBTITLE 4 OF THE COURTS ARTICLE.”;

in line 28, strike “If” and substitute“(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, IF”; and in lines 28 and 29, in each instance, strike “JUDGE” and substitute “COURT”.

On page 67, in lines 1, 2, 3, and 5, strike “(1)”, “(2)”, “(3)”, and “(4)”, respectively, and substitute “(I)”, “(II)”, “(III)”, and “(IV)”, respectively; and after line 6, insert:

“(2) (I) THERE IS A REBUTTABLE PRESUMPTION THAT THE LIMITS ON THE PERIOD OF INCARCERATION THAT MAY BE IMPOSED FOR A TECHNICAL

VIOLATION ESTABLISHED IN PARAGRAPH (1) OF THIS SUBSECTION ARE APPLICABLE.

(II) THE PRESUMPTION MAY BE REBUTTED IF THE COURT FINDS AND STATES ON THE RECORD, AFTER CONSIDERATION OF THE FOLLOWING FACTORS, THAT ADHERING TO THE LIMITS ON THE PERIOD OF INCARCERATION ESTABLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION WOULD CREATE A RISK TO PUBLIC SAFETY, A VICTIM, OR A WITNESS:

1. THE NATURE OF THE PROBATION VIOLATION;
2. THE FACTS AND CIRCUMSTANCES OF THE CRIME FOR WHICH THE DEFENDANT WAS CONVICTED; AND
3. THE DEFENDANT’S HISTORY.

(III) ON FINDING THAT ADHERING TO THE LIMITS WOULD CREATE A RISK TO PUBLIC SAFETY, A VICTIM, OR A WITNESS UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE COURT MAY:

1. DIRECT IMPOSITION OF A LONGER PERIOD OF INCARCERATION THAN PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION, BUT NO MORE THAN THE TIME REMAINING ON THE ORIGINAL SENTENCE; OR
2. COMMIT THE DEFENDANT TO THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE FOR TREATMENT UNDER § 8-507 OF THE HEALTH – GENERAL ARTICLE.

(IV) A FINDING UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH OR AN ACTION UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH IS SUBJECT TO APPEAL UNDER TITLE 12, SUBTITLE 3 OR TITLE 12, SUBTITLE 4 OF THE COURTS ARTICLE.”.

AMENDMENT NO. 13

On page 68, in line 22, strike “if appropriate funding is provided”; strike beginning with “The” in line 25 down through “(ii)” in line 27; and in line 29, strike “(iii)” and substitute “**(II)**”.

On page 69, in lines 2 and 5, in each instance, strike “30” and substitute “21”.

On page 70, after line 21, insert:

“SUBTITLE 6D. ADDICTION TREATMENT DIVESTITURE FUND.

8-6D-01.

(A) THERE IS AN ADDICTION TREATMENT DIVESTITURE FUND IN THE DEPARTMENT.

(B) THE PURPOSE OF THE FUND IS TO SUPPORT ADDICTION TREATMENT SERVICES TO PERSONS WITH SUBSTANCE-RELATED DISORDERS.

(C) THE SECRETARY SHALL ADMINISTER THE FUND.

(D) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(E) THE FUND CONSISTS OF:

(1) REVENUE DISTRIBUTED TO THE FUND UNDER § 9-804 OF THE CRIMINAL LAW ARTICLE;

(2) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;
AND

(3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.

(F) THE FUND MAY BE USED ONLY TO SUPPORT THE ACTIONS OF THE SECRETARY TO PROVIDE TREATMENT FOR SUBSTANCE-RELATED DISORDERS.

(G) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

(H) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.

Article – State Finance and Procurement

6–226.

(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:

85. the Military Personnel and Veteran–Owned Small Business No–Interest Loan Fund; [and]

86. the Performance Incentive Grant Fund; AND

87. THE ADDICTION TREATMENT DIVESTITURE FUND.

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:”.

On page 71, in lines 3 and 13, in each instance, strike “COUNTY”.

AMENDMENT NO. 14

On page 72, in line 15, strike “ONE MEMBER” and substitute “TWO MEMBERS”; strike beginning with “ONE” in line 17 down through “AND” in line 18 and substitute “THE SECRETARY OF LABOR, LICENSING, AND REGULATION, OR THE SECRETARY’S DESIGNEE;”

(14) THE STATE SUPERINTENDENT OF SCHOOLS, OR THE SUPERINTENDENT'S DESIGNEE;

(15) ONE MEMBER APPOINTED BY THE MARYLAND CHIEFS AND SHERIFFS ASSOCIATION;

(16) THE PRESIDENT OF THE MARYLAND STATE'S ATTORNEYS' ASSOCIATION OR THE PRESIDENT'S DESIGNEE;

(17) TWO MEMBERS OF THE MARYLAND CORRECTIONAL ADMINISTRATORS ASSOCIATION, APPOINTED BY THE PRESIDENT OF THE MARYLAND CORRECTIONAL ADMINISTRATORS ASSOCIATION, INCLUDING ONE REPRESENTATIVE FROM A LARGE CORRECTIONAL FACILITY AND ONE REPRESENTATIVE FROM A SMALL CORRECTIONAL FACILITY;

(18) THE PRESIDENT OF THE MARYLAND ASSOCIATION OF COUNTIES OR THE PRESIDENT'S DESIGNEE; AND”;

in line 19, strike “(14)” and substitute “(19)”; in line 20, strike “WITH THE ADVICE AND CONSENT OF THE SENATE”; strike beginning with “ONE” in line 22 down through “(III)” in line 24; and strike in their entirety lines 25 and 26 and substitute:

“(III) ONE MEMBER WITH DIRECT EXPERIENCE TEACHING INMATES IN ACADEMIC PROGRAMS INTENDED TO ACHIEVE THE GOAL OF A HIGH SCHOOL DIPLOMA OR GENERAL EDUCATIONAL DEVELOPMENT CERTIFICATION.”.

On page 73, after line 11, insert:

“(5) THE MEMBERS OF THE BOARD APPOINTED FROM THE SENATE OF MARYLAND, THE HOUSE OF DELEGATES, AND THE CHIEF JUDGE OF THE COURT OF APPEALS, SHALL SERVE IN AN ADVISORY CAPACITY ONLY.”;

in line 13, strike “EXECUTIVE DIRECTOR IS” and substitute “GOVERNOR SHALL APPOINT”; and in line 19, strike “TWICE” and substitute “QUARTERLY”.

On page 74, in line 9, after “GOVERNMENT” insert “JUSTICE”; and after line 31, insert:

“(B) (1) IN COLLABORATION WITH THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES, THE BOARD SHALL DETERMINE THE ANNUAL SAVINGS FROM THE IMPLEMENTATION OF THE RECOMMENDATIONS OF THE JUSTICE REINVESTMENT COORDINATING COUNCIL BASED ON THE DIFFERENCE BETWEEN THE PRISON POPULATION AS MEASURED ON OCTOBER 1, 2017, THE BASELINE DAY, AND THE PRISON POPULATION AS MEASURED ON OCTOBER 1, 2018, THE COMPARISON DAY, AND THE VARIABLE COST OF INCARCERATION.

(2) IF THE PRISON POPULATION ON THE COMPARISON DAY IS LESS THAN THE PRISON POPULATION ON THE BASELINE DAY, THE BOARD SHALL DETERMINE A SAVINGS BASED ON THE DIFFERENCE IN THE PRISON POPULATION MULTIPLIED BY THE VARIABLE COST.

(3) THE BOARD ANNUALLY SHALL DETERMINE THE DIFFERENCE BETWEEN THE PRISON POPULATION ON OCTOBER 1, 2017, AND THE PRISON POPULATION ON OCTOBER 1 OF THE CURRENT YEAR AND CALCULATE ANY SAVINGS IN ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION.

(4) IF A PRISON POPULATION DECLINE CAUSES A CORRECTIONAL UNIT, WING, OR FACILITY TO CLOSE, THE BOARD SHALL CONDUCT AN ASSESSMENT TO DETERMINE THE SAVINGS FROM THE CLOSURE AND DISTRIBUTE THE SAVINGS, REALIZED ANNUALLY, ACCORDING TO THE SCHEDULE IN PARAGRAPH (5) OF THIS SUBSECTION.

(5) THE BOARD ANNUALLY SHALL RECOMMEND THAT THE SAVINGS IDENTIFIED IN PARAGRAPHS (2) THROUGH (4) OF THIS SUBSECTION BE DISTRIBUTED AS FOLLOWS:

(1) UP TO 50% OF THE SAVINGS SHALL BE PLACED IN THE PERFORMANCE INCENTIVE GRANT FUND FOR PURPOSES ESTABLISHED UNDER § 9-3209(B)(1) OF THIS SUBTITLE; AND

(II) THE REMAINING SAVINGS SHALL BE USED FOR ADDITIONAL SERVICES IDENTIFIED AS REINVESTMENT PRIORITIES IN THE JUSTICE REINVESTMENT COORDINATING COUNCIL'S FINAL REPORT.

(C) AT EACH MEETING OF THE BOARD, THE SECRETARY OF THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, OR THE SECRETARY'S DESIGNEE, SHALL REPORT TO THE BOARD:

(1) THE NUMBER OF INDIVIDUALS COMMITTED TO THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE FOR TREATMENT UNDER § 8-507 OF THE HEALTH – GENERAL ARTICLE IN THE PREVIOUS 3 MONTHS INCLUDING THE NUMBER OF DAYS THAT IT TOOK TO PLACE EACH INDIVIDUAL INTO TREATMENT AND WHERE THE INDIVIDUAL WAS PLACED FOR TREATMENT;

(2) THE NUMBER OF INDIVIDUALS COMMITTED TO THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE FOR TREATMENT UNDER § 8-507 OF THE HEALTH – GENERAL ARTICLE WHO ARE WAITING FOR TREATMENT BUT CANNOT BE PLACED DUE TO LACK OF CAPACITY; AND

(3) THE NUMBER OF INDIVIDUALS ASSESSED FOR SUBSTANCE USE DISORDER IN THE PREVIOUS 3 MONTHS UNDER § 5-601 OF THE CRIMINAL LAW ARTICLE AND WHETHER EACH INDIVIDUAL WAS PLACED INTO TREATMENT AS A RESULT OF THE ASSESSMENT.”.

On page 75, in line 1, strike “(B)” and substitute “(D) (1)”; strike beginning with “THE” in line 1 down through “MARYLAND” in line 2 and substitute “AN ACADEMIC INSTITUTION”; after line 4, insert:

“(2) (I) THE BOARD MAY RECOMMEND THAT A UNIT OF THE STATE ENTER INTO A CONTRACT OR AGREEMENT WITH A PUBLIC OR PRIVATE ENTITY TO OBTAIN ASSISTANCE OR FINANCIAL RESOURCES TO FUND AND OTHERWISE FURTHER THE PURPOSES OF THIS SUBTITLE, INCLUDING ENTERING INTO PUBLIC-PRIVATE PARTNERSHIPS, SOCIAL IMPACT BONDS, AND OPPORTUNITY COMPACTS.

(II) IF THE BOARD MAKES A RECOMMENDATION UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE BOARD SHALL PROVIDE WRITTEN

NOTICE TO THE SENATE JUDICIAL PROCEEDINGS COMMITTEE, THE HOUSE JUDICIARY COMMITTEE, AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, OF THE RECOMMENDATION.

(III) A UNIT OF THE STATE MAY NOT ENTER INTO A CONTRACT OR AN AGREEMENT RECOMMENDED BY THE BOARD UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH UNTIL 60 DAYS AFTER THE DATE OF THE NOTICE PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH.

(E) (1) THE BOARD SHALL ESTABLISH AN ADVISORY BOARD FOR THE PURPOSE OF INCLUDING STAKEHOLDERS IN THE CRIMINAL JUSTICE SYSTEM IN THE ANALYSIS OF THE IMPLEMENTATION OF JUSTICE REINVESTMENT INITIATIVES.

(2) THE EXECUTIVE DIRECTOR OF THE GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION SHALL APPOINT MEMBERS OF THE ADVISORY BOARD, SUBJECT TO THE APPROVAL OF THE CHAIR OF THE BOARD.

(3) MEMBERS OF THE ADVISORY BOARD SHALL INCLUDE:

(I) A REPRESENTATIVE OF THE EXCLUSIVE REPRESENTATIVE OF THE EMPLOYEES OF THE DIVISION OF PAROLE AND PROBATION;

(II) A REPRESENTATIVE OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE;

(III) A REPRESENTATIVE OF CASA DE MARYLAND;

(IV) A REPRESENTATIVE OF THE AMERICAN CIVIL LIBERTIES UNION;

(V) THE CHAIR OF THE CRIMINAL LAW AND PRACTICE SECTION OF THE MARYLAND STATE BAR ASSOCIATION OR THE CHAIR'S DESIGNEE;

(VI) A REPRESENTATIVE OF VICTIMS OF DOMESTIC VIOLENCE;

(VII) A REPRESENTATIVE OF VICTIMS OF SEXUAL ASSAULT;

(VIII) A REPRESENTATIVE WITH CLINICAL EXPERIENCE AND EXPERTISE IN BEHAVIORAL HEALTH AND CRIMINAL JUSTICE;

(IX) A REPRESENTATIVE OF THE MARYLAND RETAILERS ASSOCIATION;

(X) A REPRESENTATIVE OF AN ORGANIZATION WHOSE MISSION IS TO DEVELOP AND ADVOCATE FOR POLICIES AND PROGRAMS TO INCREASE THE SKILLS, JOB OPPORTUNITIES, AND INCOMES OF LOW-SKILL, LOW-INCOME WORKERS AND JOB SEEKERS;

(XI) A REPRESENTATIVE OF AN ORGANIZATION WHOSE MISSION IS TO ADVOCATE FOR EX-OFFENDERS; AND

(XII) A REPRESENTATIVE OF THE MARYLAND CHAMBER OF COMMERCE.”;

in line 10, after the first “BOARD” insert “THAT IS DISAGGREGATED BY RACE AND ETHNICITY”; in line 15, after “INMATES” insert “, INCLUDING SUSPENDED PERIODS OF A CRIMINAL SENTENCE”; in line 17, strike “AND”; in line 18, after “POPULATION” insert “, INCLUDING THE AMOUNT OF RESTITUTION ORDERED AND THE AMOUNT PAID; AND”

(7) DEPARTURES BY THE COURT AND THE COMMISSION FROM THE SENTENCING LIMITS FOR TECHNICAL VIOLATIONS UNDER §§ 6-223 AND 6-224 OF THE CRIMINAL PROCEDURE ARTICLE AND §§ 7-401 AND 7-504 OF THE CORRECTIONAL SERVICES ARTICLE”;

in line 19, strike the second comma and substitute “AND”; and strike beginning with the comma in line 20 down through “COURTS” in line 21.

AMENDMENT NO. 15

On page 76, in line 5, strike “COUNTY”; in line 11, strike “COUNTIES TO”; in line 21, strike “AND”; in line 22, after “(IX)” insert “PROVIDE FOR SUBSTANCE USE DISORDER AND COMMUNITY MENTAL HEALTH SERVICE PROGRAMS; AND”

(X)”;

in line 25, after “(3)” insert “(1)”; and after line 27, insert:

“(II) THE GRANTS SHALL BE USED TO SUPPLEMENT, BUT NOT SUPPLANT, FUNDS RECEIVED FROM OTHER SOURCES.”.

On page 77, in line 3, after “FUND” insert “, INCLUDING THE COSTS INCURRED IN AN AGREEMENT TO COLLECT AND INTERPRET DATA AS AUTHORIZED BY § 9-3207 OF THIS SUBTITLE”.

On page 79, after line 17, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:”.

On page 81, strike in their entirety lines 8 through 22, inclusive; in line 23, strike “2.” and substitute “5.”; in line 24, strike the comma and substitute “:

(1)”;

in line 28, after “including” insert “:

(i)”;

in line 29, strike “, and shall” and substitute “: and

(ii) a plan for how a sequential intercept model could be used to address the gap between offender treatment needs and available treatment services in the State; and

(2)”;

and in line 32, strike “3.” and substitute “6.”.

AMENDMENT NO. 16

On page 82, in line 2, strike “1” and substitute “2”; after line 3, insert:

“(2) the Department of Health and Mental Hygiene and the Department of Public Safety and Correctional Services to establish a process to expand the enrollment of incarcerated individuals in Medicaid on release.”;

in lines 4 and 8, strike “(2)” and “(3)”, respectively, and substitute “(3)” and “(4)”, respectively; in line 7, strike “and”; in line 10, after “offenders” insert “; and

(5) the State unit responsible for the improvement of the collection of restitution as determined under Sections 12 and 13 of this Act”;

in line 11, strike “4.” and substitute “7.”; in line 17, strike “5.” and substitute “8.”; in the same line, strike “2017” and substitute “2018”; after line 22, insert:

“SECTION 9. AND BE IT FURTHER ENACTED, That the Department of Health and Mental Hygiene, the Department of Labor, Licensing and Regulation, and the Department of Public Safety and Correctional Services shall:

(1) in consultation with organizations representing businesses dedicated to improving the business climate in Maryland and nonprofit organizations with the mission to develop and advocate policies and programs to increase the skills, job opportunities, and incomes of low-skill and low-income workers and job seekers, review and make recommendations regarding:

(i) potential barriers to employment, licensing, and entrepreneurship for individuals with a criminal record, including the denial, suspension, or revocation of occupational licenses for criminal convictions; and

(ii) the criminalization of occupational license violations, including the practicing of an occupation without a license;

(2) make recommendations regarding changes to occupational licensing laws that:

(i) promote the State’s policy of encouraging employment of workers with a criminal record by removing barriers for applicants seeking to demonstrate fitness for occupational licenses;

(ii) protect the integrity of professional occupations while promoting the State’s interest in maintaining public safety and reducing costs and burdens to the criminal justice system; and

(iii) promote consistency in and uniform application of the occupational licensing laws across all State agencies, including the State Department of Agriculture, the Department of the Environment, the Department of Health and Mental Hygiene, the Department of Human Resources, the Department of Labor, Licensing, and Regulation, and the Department of Public Safety and Correctional Services; and

(iv) on or before December 31, 2016, report the findings and recommendations to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.”;

in line 23, strike “6.” and substitute “10.”; and in line 29, strike “7.” and substitute “11.”.

On page 83, in lines 3 and 24, strike “8.” and “9.”, respectively, and substitute “12.” and “13.”, respectively; in lines 12 and 26, in each instance, after “Probation” insert “and the Central Collection Unit”; in line 17, after “acts” insert “, while ensuring that services for special populations, including victims of sexual assault and child sexual abuse, are performed by providers with expertise in the area of need”; in line 20, strike “and”; after line 20, insert:

“(5) review the classifications for larceny–theft under the Uniform Crime Reporting Program to determine how to distinguish shoplifting offenses from theft by organized retail crime rings; and”;

in line 21, strike “(5)” and substitute “(6)”; and after line 33, insert:

“SECTION 14. AND BE IT FURTHER ENACTED, That § 3–704, § 3–707, and § 3–708 of the Correctional Services Article, as enacted by Section 2 of this Act, shall be construed prospectively to apply only to inmates that are sentenced on or after October 1, 2017.

SECTION 15. AND BE IT FURTHER ENACTED, That on or before March 1 annually, the Administrative Office of the Courts shall report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly, on the number of substance abuse disorder assessments ordered by courts in criminal cases under § 8–505 of the Health – General Article during the previous calendar year.

SECTION 16. AND BE IT FURTHER ENACTED, That Section 2 and Section 4 of this Act shall take effect October 1, 2017.”.

On page 84, in line 1, strike “10.” and substitute “17.”; and in the same line, after “That” insert “, except as provided in Section 16 of this Act.”.

The preceding 16 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Dumais moved to make the Bill a Special Order for Friday.

The motion was adopted.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

House Bill 1640 – Carroll County Delegation

AN ACT concerning

Carroll County – Local Government Tort Claims Act

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

Senate Bill 79 – Chair, Judicial Proceedings Committee (By Request – Departmental – Office for Children)

AN ACT concerning

State Citizens Review Board for Children – Penalties for Unauthorized Disclosure of Child Protection Case Information

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

Senate Bill 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.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

Senate Bill 359 – ~~Senator Zirkin~~ Senators Zirkin and Norman

AN ACT concerning

Family Law – Divorce – Corroboration of Testimony and Filing Procedures

SB0359/382716/3

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 359

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “and Filing Procedures”; in line 3, strike “the prohibition on” and substitute “a provision prohibiting”; in the same line, after “court” insert “from”; strike beginning with “authorizing” in line 4 down through “complaints” in line 8 and substitute “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”; in line 11, strike “and 7–103(f)”; and on pages 1 and 2, strike in their entirety the lines beginning with line 14 on page 1 through line 1 on page 2, inclusive, and substitute:

“BY repealing

Article – Family Law

Section 8–104

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)”.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 11 on page 2 through line 6 on page 3, inclusive, and substitute:

“~~8-104.~~

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 if the agreement:

- (1) states that the spouses voluntarily agreed to separate; and
- (2) is executed under oath before the application for divorce is filed.]”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

**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

SB0564/322515/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 564

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, after line 2, insert:

“(Alex and Calvin’s Law)”.

AMENDMENT NO. 2

On page 3, in line 6, after “(b)” insert “**(1)**”; in the same line, strike “§ 10–117” and substitute “**§ 10–117(A)**”; in line 8, strike “(1)” and substitute “**(I)**”; in the same line, strike the brackets; strike beginning with the second comma in line 8 down through “**BOTH**” in line 9; in line 10, strike “(2)” and substitute “**(II)**”; in the same line, strike the brackets;

strike beginning with the second comma in line 10 down through “BOTH” in line 12; and after line 12, insert:

“(2) AN ADULT WHO VIOLATES § 10-117(B) OF THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO:

(I) FOR A FIRST OFFENSE, IMPRISONMENT NOT EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING \$5,000 OR BOTH; OR

(II) FOR A SECOND OR SUBSEQUENT OFFENSE, IMPRISONMENT NOT EXCEEDING 2 YEARS OR A FINE NOT EXCEEDING \$7,500 OR BOTH.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

Senate Bill 603 – Senator Pugh

AN ACT concerning

Criminal Law – Pretrial Release – Prior ~~Crime of Violence~~ Crimes

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

Senate Bill 629 – Senator Hershey

AN ACT concerning

**Kent County – Prospective Employees and Volunteers – Criminal History
Records Check**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 132 Members present.

(See Roll Call No. 916)

ADJOURNMENT

At 6:16 P.M. on motion of Delegate Kaiser the House adjourned until 11:00 A.M. on Legislative Day March 27, 2016, Calendar Day Friday, April 1, 2016.

Annapolis, Maryland
Legislative Day: March 27, 2016
Calendar Day: Friday, April 1, 2016

The House met at 11:05 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Haven Shoemaker of Carroll County.

QUORUM CALL

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

(See Roll Call No. 917)

EXCUSES:

Del. Angel – left briefly – doctor’s appointment

Del. Carter – personal

Del. Hixson – illness

Del. C. Howard – funeral

Del. Turner – illness

Del. Walker – personal

The Journal of March 26, 2016 was read and approved.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #22

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

House Bill 900 – Delegate Frick

AN ACT concerning

Motor Vehicle Insurance – Personal Injury Protection – Optional Coverage

HB0900/793791/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 900

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Optional” and substitute “Rejection of”; strike beginning with “requiring” in line 3 down through “circumstances” in line 18 and substitute “providing that, under certain circumstances, a first named insured under a certain policy of motor vehicle liability insurance is not required to obtain coverage for certain medical, hospital, and disability benefits that must be provided by certain insurers; requiring the Maryland Automobile Insurance Fund to offer a certain first named insured at a certain time the option to reject coverage for certain benefits under certain circumstances; authorizing an insurer other than the Fund to offer a certain first named insured at a certain time the option to reject coverage for certain benefits under certain circumstances; requiring a certain first named insured, at the time of application for a certain policy, to make a certain election; requiring the election to be made on a certain form; authorizing the form to be part of the insurance contract; requiring the form to contain a certain explanation in a certain manner; providing that a certain rejection of coverage for certain benefits is effective until a certain time except under certain circumstances; requiring, on renewal of a certain policy, that a certain insurer provide certain coverage under certain circumstances; altering a certain minimum security requirement; requiring the Maryland Insurance Commissioner to consult with certain insurers, insurance producers, and certain other persons in developing a certain form; requiring the Fund and certain insurers to annually report certain information to the Maryland Insurance Administration; requiring the Administration to compile certain information and, on or before a certain date, report certain findings and recommendations to certain committees of the General Assembly; making conforming changes; providing for the application of this Act”; in line 18, strike “optional”; in line 25, strike “repealing” and substitute “repealing and reenacting, without amendments,”; and after line 29, insert:

“BY adding to

Article – Insurance

Section 19–506.1

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)”.

AMENDMENT NO. 2

On page 2, in lines 10, 12, 17, 19, 23, 26, 28, 30, and 31, in each instance, strike the brackets; in line 10, after “subtitle” insert “**OR REJECTED IN ACCORDANCE WITH § 19–506.1 OF THIS SUBTITLE**”; in line 11, strike “**EACH**”; in line 12, strike “**OFFER**”; in line 13, strike the period; strike beginning with “**(2)**” in line 14 down through “**BENEFITS**” in line 15; and in lines 10, 17, 19, 23, 26, 28, 30, and 31, respectively, strike “**(1)**”, “**(I)**”, “**1.**”, “**2.**”, “**(II)**”, “**(III)**”, “**1.**”, and “**2.**”.

On page 3, strike in their entirety lines 1 through 30, inclusive.

On page 4, strike in their entirety lines 1 and 2.

On page 5, strike in their entirety lines 17 through 21, inclusive; and in line 22, strike the bracket.

On page 7, in line 13, strike the bracket; and after line 13, insert:

“19-506.1.

(A) (1) NOTWITHSTANDING §§ 19-505 AND 19-506 OF THIS SUBTITLE, A FIRST NAMED INSURED IS NOT REQUIRED TO OBTAIN COVERAGE FOR THE BENEFITS DESCRIBED IN §§ 19-505 AND 19-506 OF THIS SUBTITLE UNDER A MOTOR VEHICLE LIABILITY INSURANCE POLICY THAT:

(I) PROVIDES COVERAGE THAT DOES NOT EXCEED THE MINIMUM LIABILITY COVERAGE SPECIFIED IN § 17-103(B) OF THE TRANSPORTATION ARTICLE; AND

(II) 1. SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, IS ISSUED, SOLD, OR DELIVERED BY THE MARYLAND AUTOMOBILE INSURANCE FUND; OR

2. SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, IS ISSUED, SOLD, OR DELIVERED BY AN INSURER OTHER THAN THE MARYLAND AUTOMOBILE INSURANCE FUND.

(2) THE MARYLAND AUTOMOBILE INSURANCE FUND SHALL OFFER A FIRST NAMED INSURED, AT THE TIME OF APPLICATION FOR A POLICY DESCRIBED IN PARAGRAPH (1)(I) OF THIS SUBSECTION, THE OPTION TO REJECT COVERAGE FOR THE BENEFITS DESCRIBED IN §§ 19-505 AND 19-506 OF THIS SUBTITLE IF, PRIOR TO THE APPLICATION, THE APPLICANT HAS NOT BEEN INSURED CONTINUOUSLY BY THE MARYLAND AUTOMOBILE INSURANCE FUND FOR AT LEAST 1 YEAR.

(3) AN INSURER OTHER THAN THE MARYLAND AUTOMOBILE INSURANCE FUND MAY OFFER A FIRST NAMED INSURED, AT THE TIME OF APPLICATION FOR A POLICY DESCRIBED IN PARAGRAPH (1)(I) OF THIS SUBSECTION, THE OPTION TO REJECT COVERAGE FOR THE BENEFITS DESCRIBED IN §§ 19-505 AND 19-506 OF THIS SUBTITLE IF:

(I) PRIOR TO THE APPLICATION, THE APPLICANT WAS INSURED BY AN INSURER OTHER THAN THE MARYLAND AUTOMOBILE INSURANCE FUND; AND

(II) THE INSURER UNDER THE PRIOR POLICY CANCELED THE POLICY BEFORE THE END OF THE POLICY'S TERM.

(B) AT THE TIME OF APPLICATION FOR A POLICY DESCRIBED IN SUBSECTION (A)(1)(I) OF THIS SECTION, THE FIRST NAMED INSURED SHALL ELECT IN WRITING TO:

(1) OBTAIN COVERAGE FOR THE BENEFITS DESCRIBED IN § 19-505 OF THIS SUBTITLE;

(2) WAIVE COVERAGE FOR THE BENEFITS DESCRIBED IN § 19-505 OF THIS SUBTITLE IN ACCORDANCE WITH § 19-506 OF THIS SUBTITLE; OR

(3) REJECT COVERAGE FOR THE BENEFITS DESCRIBED IN §§ 19-505 AND 19-506 OF THIS SUBTITLE IN ACCORDANCE WITH THIS SECTION.

(C) (1) THE ELECTION UNDER SUBSECTION (B) OF THIS SECTION SHALL BE MADE ON THE FORM THAT THE COMMISSIONER REQUIRES.

(2) THE FORM MAY BE PART OF THE INSURANCE CONTRACT.

(3) THE FORM SHALL CLEARLY AND CONCISELY EXPLAIN IN 10 POINT BOLDFACE TYPE:

(I) THAT THE FIRST NAMED INSURED MUST ELECT IN WRITING TO:

1. OBTAIN COVERAGE FOR THE BENEFITS DESCRIBED IN § 19-505 OF THIS SUBTITLE;

2. WAIVE COVERAGE FOR THE BENEFITS DESCRIBED IN § 19-505 OF THIS SUBTITLE IN ACCORDANCE WITH § 19-506 OF THIS SUBTITLE; OR

3. REJECT COVERAGE FOR THE BENEFITS DESCRIBED IN §§ 19-505 AND 19-506 OF THIS SUBTITLE IN ACCORDANCE WITH THIS SECTION;

(II) THE NATURE, EXTENT, AND COST OF COVERAGE FOR THE BENEFITS DESCRIBED IN §§ 19-505 AND 19-506 OF THIS SUBTITLE IF NOT REJECTED BY THE FIRST NAMED INSURED;

(III) THAT THE ELECTION TO REJECT COVERAGE FOR THE BENEFITS DESCRIBED IN §§ 19-505 AND 19-506 OF THIS SUBTITLE IN ACCORDANCE WITH THIS SECTION IS EFFECTIVE UNTIL THE END OF THE POLICY'S TERM UNLESS THE FIRST NAMED INSURED:

1. WITHDRAWS THE REJECTION IN WRITING;

2. OBTAINS A MOTOR VEHICLE LIABILITY INSURANCE POLICY FOR THE INSURED MOTOR VEHICLE FROM ANOTHER INSURER; OR

3. INCREASES ANY COVERAGE UNDER THE POLICY TO AN AMOUNT THAT EXCEEDS THE MINIMUM LIABILITY COVERAGE SPECIFIED IN § 17-103(B) OF THE TRANSPORTATION ARTICLE; AND

(IV) THAT ON RENEWAL OF THE POLICY, UNLESS THE FIRST NAMED INSURED NOTIFIES THE INSURER IN WRITING THAT THE FIRST NAMED INSURED WISHES TO OBTAIN COVERAGE FOR THE BENEFITS DESCRIBED IN § 19-505 OF THIS SUBTITLE, THE INSURER SHALL PROVIDE THE COVERAGE DESCRIBED IN § 19-506 OF THIS SUBTITLE.

(D) (1) A REJECTION OF COVERAGE FOR THE BENEFITS DESCRIBED IN §§ 19-505 AND 19-506 OF THIS SUBTITLE IN ACCORDANCE WITH THIS SECTION IS

EFFECTIVE UNTIL THE END OF THE POLICY'S TERM UNLESS THE FIRST NAMED INSURED:

(I) WITHDRAWS THE REJECTION IN WRITING;

(II) OBTAINS A MOTOR VEHICLE LIABILITY INSURANCE POLICY FOR THE INSURED MOTOR VEHICLE FROM ANOTHER INSURER; OR

(III) INCREASES ANY COVERAGE UNDER THE POLICY TO AN AMOUNT THAT EXCEEDS THE MINIMUM LIABILITY COVERAGE SPECIFIED IN § 17-103(B) OF THE TRANSPORTATION ARTICLE.

(2) ON RENEWAL OF THE POLICY, UNLESS THE FIRST NAMED INSURED NOTIFIES THE INSURER IN WRITING THAT THE FIRST NAMED INSURED WISHES TO OBTAIN COVERAGE FOR THE BENEFITS DESCRIBED IN § 19-505 OF THIS SUBTITLE, THE INSURER SHALL PROVIDE THE COVERAGE DESCRIBED IN § 19-506 OF THIS SUBTITLE.”;

in line 31, strike the bracket; and in the same line, after “waived” insert “UNDER § 19-506 OF THE INSURANCE ARTICLE OR REJECTED UNDER § 19-506.1 OF THE INSURANCE ARTICLE”.

On page 8, in lines 1 and 3, in each instance, strike the bracket; and in line 3, strike “(4)”.

AMENDMENT NO. 3

On page 8, after line 4, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Insurance Commissioner shall consult with insurers, insurance producers, and any other person that the Commissioner determines is appropriate in developing the form required under § 19-506.1(c) of the Insurance Article, as enacted by Section 1 of this Act, including use of the form by written and electronic means.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) The Maryland Automobile Insurance Fund and other insurers that offer first named insureds the option to elect to reject coverage for the benefits described in §§ 19–505 and 19–506 of the Insurance Article in accordance with § 19–506.1 of the Insurance Article, as enacted by Section 1 of this Act, shall report to the Maryland Insurance Administration, on an annual basis as determined by the Maryland Insurance Commissioner, for policies subject to this Act that are issued, sold, or delivered beginning on the effective date of this Act through October 31, 2019, on:

(1) the number of first named insureds who were eligible to make an election under § 19–506.1(b) of the Insurance Article, as enacted by Section 1 of this Act;

(2) the number of first named insureds who elected to obtain coverage for the benefits described in §§ 19–505 and 19–506 of the Insurance Article, and the number of first named insureds who elected to reject those benefits, under § 19–506.1(b) of the Insurance Article, as enacted by Section 1 of this Act; and

(3) any other related information that the Commissioner requires.

(b) The Maryland Insurance Administration shall:

(1) compile the information received from the Maryland Automobile Insurance Fund and other insurers under subsection (a) of this section; and

(2) on or before December 1, 2019, report to the Senate Finance Committee and the House Economic Matters Committee, in accordance with § 2–1246 of the State Government Article, its findings and any recommendations.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall apply to all motor vehicle liability insurance policies subject to this Act that are issued, sold, or delivered in the State on or after October 1, 2016.”;

and in line 5, strike “2.” and substitute “5.”

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 912 – Delegate Frick

AN ACT concerning

**Motor Vehicle Insurance – Program to Incentivize and Enable Uninsured
Vehicle Owners to Be Insured**

HB0912/563399/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 912

(First Reading File Bill)

On page 3, in line 25, strike “60%” and substitute “80%”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 75 – Chair, Finance Committee (By Request – Departmental –
Maryland Insurance Administration)**

AN ACT concerning

Insurance – Public Adjusters – Licensing

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 162 – ~~Senator Astle~~ Senators Astle and Middleton

AN ACT concerning

Gas Companies – Infrastructure Replacement Projects – Amendment to a Plan

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 624 – Calvert County Senators

AN ACT concerning

Calvert County – Alcoholic Beverages – Beer and Wine Festival (BWF) License

SB0624/713697/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 624

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “and” and substitute “or”; in lines 2 and 5, in each instance, strike “(BWF)”; in line 3, strike “certain provisions of law relating to a” and substitute “the”; in the same line, after “festival” insert “license”; in line 4, after the first “County” insert “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”; in line 5, strike “a” and substitute “the”; in the same line, strike “and” and substitute “or”; strike beginning with “alcoholic” in line 5 down through “wine” in line 8 and substitute “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”; strike beginning with “sale” in line 8 down through “beverages” in line 9 and substitute “beer or wine festival license”; and in line 14, strike “(S.B. _____)(6lr1406)” and substitute “(S.B. 724)”.

AMENDMENT NO. 2

On page 1, in line 20, strike “AND” and substitute “OR”.

On page 2, in line 2, after the first “of” insert “:”

(I)”;

in lines 2, 14, and 16, in each instance, strike “AND” and substitute “OR”; in line 2, strike the comma and substitute “;

(II) A;

in line 3, strike “, [or]” and substitute “;

(III) A;

in the same line, strike the second comma and substitute “;

(IV) A;

in the same line, strike the third comma and substitute “;

(V) A;

in line 4, strike the comma and substitute a semicolon; in the same line, after “OR” insert:

“(VI) A;

strike beginning with “**THAT:**” in line 5 down through “**SECTION**” in line 12; in line 13, after “The” insert “**PRIMARY PURPOSE OF THE**”; in the same line, strike “authorizes” and substitute “**IS TO AUTHORIZE**”; in the same line, strike “AND” and substitute “**THAT IS BREWED IN THE STATE OR**”; in the same line, after “wine” insert “**THAT IS MANUFACTURED AND PROCESSED IN THE STATE**”; in line 17, strike “For the **BEER AND** wine festival, the” and substitute “**THE**”; in the same line, strike “shall choose”; in line 18, strike “**NOT MORE THAN**” and substitute “**MAY APPROVE UP TO**”; in the same line, after “**WEEKENDS**” insert “**FOR BEER OR WINE FESTIVALS PER APPLICANT**”; in line 19, strike “a” and substitute “**SHALL APPROVE THE**”; and in the same line, strike “that is not already licensed” and substitute “**FOR A FESTIVAL**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 625 – Calvert County Senators

AN ACT concerning

**Calvert County – Alcoholic Beverages – Special Event Festival Beer, Wine, and
Liquor Permit – Attendance**

SB0625/883092/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 625

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Beer,” in line 2 down through “Liquor” in line 3; in line 3, strike “– Attendance”; in line 4, strike “repealing” and substitute “altering”; in line 5, strike “reasonable” and substitute “certain”; strike beginning with the second “of” in line 6 down through “event” in line 7; in line 7, after “beverages” insert “permits”; and after line 7, insert:

“BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 14–102

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, after line 16, insert:

“14–102.

This title applies only in Calvert County.”

On page 2, in lines 3 and 6, in each instance, strike the bracket; and in line 4, strike “750” and substitute “**250**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 677 – Carroll County Senators

AN ACT concerning

Carroll County – Alcoholic Beverages Licenses – Beginning Hour of Sale

SB0677/253495/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 677

(Third Reading File Bill)

On page 2, in line 6, strike “or 7–day”; in line 11, after “sell” insert “**OR PROVIDE**”; in line 12, strike “**ON– OR off–premises**” and substitute “**ON–PREMISES**”; in line 13, strike “11 p.m.” and substitute “**1 A.M.**”; and after line 15, insert:

“(3) A HOLDER OF A 7–DAY CLASS B BEER AND WINE LICENSE MAY SELL BEER AND WINE FOR OFF–PREMISES CONSUMPTION ON MONDAY THROUGH SUNDAY FROM 8 A.M. TO 11 P.M.”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 682 – Senator Edwards

AN ACT concerning

Garrett County – Alcoholic Beverages – Sunday Sales

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 699 – Senators Young and Hough

AN ACT concerning

**Frederick County – Alcoholic Beverages – Theater ~~License~~ and Entertainment
Center License**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

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.

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

Senate Bill 795 – Senators Jennings, Cassilly, and Norman

AN ACT concerning

Harford County – Alcoholic Beverages – Movie Theater License

SB0795/953197/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 795

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “theater;” insert “requiring the owner of a movie theater to provide certain documentation to the Board to be eligible for the license;”; in line 6,

strike “and wine” and substitute “, wine, and liquor”; and in line 7, strike “and wine” and substitute “, wine, and liquor”.

AMENDMENT NO. 2

On page 2, in lines 1 and 4, in each instance, strike “AND WINE” and substitute “, WINE, AND LIQUOR”; in line 2, after “(B)” insert “(1)”; after line 3, insert:

“(2) TO BE ELIGIBLE FOR THE LICENSE, THE OWNER OF A MOVIE THEATER IS REQUIRED TO PROVIDE DOCUMENTATION TO THE BOARD THAT THE OWNER HAS MADE AN INVESTMENT OF AT LEAST \$250,000 IN THE MOVIE THEATER.”;

and in line 7, strike “AND WINE” and substitute “, WINE, AND LIQUOR”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 811 – Senator Benson

AN ACT concerning

**Electric Companies – Installation of Solar Electric Generating Facility –
Completion of Interconnection**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 860 – Senators Young and Hough

AN ACT concerning

Frederick County – Alcoholic Beverages – Refillable Container Permits

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 878 – Senator Edwards

AN ACT concerning

Allegheny County – Alcoholic Beverages – Sunday Sales

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS REPORT
#12**

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

House Bill 908 – Delegates Morhaim, Barron, Barve, Brooks, Cluster, Conaway, Fraser–Hidalgo, Frush, Haynes, Healey, Hettleman, Hill, Hixson, S. Howard, Jalisi, Jameson, Kelly, Lafferty, Lam, Luedtke, Pena–Melnik, Stein, Sydnor, Turner, and P. Young

AN ACT concerning

Hospitals – Establishment of Substance Use Treatment Programs – Requirements

HB0908/956981/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 908

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and P. Young” and substitute “P. Young, Hammen, Angel, Bromwell, Cullison, Hayes, Kipke, Krebs, McDonough, McMillan, Miele, Morgan, Oaks, Pendergrass, Rose, Saab, Sample–Hughes, West, and K. Young”; in line 2, strike “Establishment of”; in the same line, after “Treatment” insert “Demonstration”; in the same line, strike “Programs” and substitute “Program”; in line 4, after “of” insert “authorizing a certain number of hospitals in the State to participate in a substance use treatment demonstration program; providing for the purpose of the demonstration program; requiring each hospital in the demonstration program to operate a certain”

substance use treatment program or ensure that certain substance use treatment services are made available; requiring a hospital seeking to participate in the demonstration program to apply to the Health Services Cost Review Commission; requiring the Commission, or an entity designated by the Commission, to select demonstration program participants based on a request for participants and to develop a certain methodology to evaluate the effectiveness of the demonstration program; providing for a delayed effective date"; strike beginning with "requiring" in line 4 down through "analysis" in line 13; in line 13, after "to" insert "a"; in the same line, strike "programs" and substitute "demonstration program"; and strike in their entirety lines 15 through 19, inclusive.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 17 on page 2 through line 16 on page 3, inclusive.

AMENDMENT NO. 3

On page 3, in line 18, strike "**EACH HOSPITAL SHALL ESTABLISH**" and substitute "**UP TO FIVE HOSPITALS IN THE STATE MAY PARTICIPATE IN**"; in the same line, after "TREATMENT" insert "**DEMONSTRATION**"; in line 20, after "THE" insert "**DEMONSTRATION**"; in the same line, after "TO" insert "**IDENTIFY BEST PRACTICES TO**"; in line 21, after "PATIENTS" insert "**WHO MAY BE**"; after line 22, insert:

"(2) (I) SCREEN THE PATIENTS USING A STANDARDIZED PROCESS AND SCREENING TOOL; AND

(II) REFER THE PATIENTS WHO ARE IN NEED OF SUBSTANCE USE TREATMENT TO APPROPRIATE HEALTH CARE AND SUPPORT SERVICES."

strike in their entirety lines 23 through 26, inclusive; in line 27, after "HOSPITAL" insert "**IN THE DEMONSTRATION PROGRAM**"; and in line 29, strike "UNIT" and substitute "**PROGRAM**".

On page 4, strike beginning with "CONTRACT" in line 1 down through "ENTITY" in line 3 and substitute "**ENSURE THAT INPATIENT AND OUTPATIENT SUBSTANCE USE TREATMENT SERVICES ARE MADE AVAILABLE.**

(D) INPATIENT AND OUTPATIENT SUBSTANCE USE TREATMENT SERVICES PROVIDED THROUGH THE DEMONSTRATION PROGRAM SHALL INCLUDE:

(1) SUBSTANCE USE COUNSELING 24 HOURS A DAY AND 7 DAYS A WEEK EITHER ON-SITE OR ON-CALL;

(2) SCREENING, INTERVENTION, AND TREATMENT SERVICES FOR ANY PATIENT IN THE HOSPITAL’S INPATIENT OR OUTPATIENT CARE WHO IS IDENTIFIED TO BE IN NEED OF SUBSTANCE USE TREATMENT; AND

(3) REFERRAL TO THE NEXT APPROPRIATE LEVEL OF CARE OR RESOURCE.

(E) A HOSPITAL SEEKING TO PARTICIPATE IN THE DEMONSTRATION PROGRAM ESTABLISHED BY THIS SECTION SHALL APPLY TO THE HEALTH SERVICES COST REVIEW COMMISSION.

(F) THE HEALTH SERVICES COST REVIEW COMMISSION, OR AN ENTITY AUTHORIZED BY THE COMMISSION, SHALL:

(1) SELECT DEMONSTRATION PROGRAM PARTICIPANTS BASED ON A REQUEST FOR PARTICIPANTS; AND

(2) DEVELOP A METHODOLOGY TO EVALUATE THE EFFECTIVENESS OF THE DEMONSTRATION PROGRAM, INCLUDING AN ANALYSIS OF THE EFFECT OF THE PROGRAM ON TOTAL COST OF CARE”;

strike in their entirety lines 4 through 20, inclusive; and in line 22, strike “October 1, 2016” and substitute “January 1, 2017”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1319 – Delegates Frush, Anderson, Anderton, Aumann, Barve, Beidle, Carr, Cassilly, Flanagan, Folden, Fraser-Hidalgo, Gaines, Healey, Hill,

**Holmes, Jacobs, Knotts, Lafferty, Lam, McCray, McMillan, Morhaim, Otto,
S. Robinson, Saab, Stein, West, and Wivell**

AN ACT concerning

Commemorative Weeks – Chesapeake Bay Awareness Week

HB1319/386885/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1319
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Wivell” and substitute “Wivell, Hammen, Angel, Barron, Bromwell, Cullison, Hayes, Kelly, Kipke, Krebs, McDonough, Miele, Morgan, Oaks, Pena–Melnyk, Pendergrass, Rose, Sample–Hughes, and K. Young”.

AMENDMENT NO. 2

On page 2, in line 23, strike “AND”; and in the same line, strike “**FOUNDATION**” and substitute “COALITION, AND THE CHESAPEAKE BAY COMMERCIAL FISHERMEN’S ASSOCIATION”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1618 – Delegate Hammen

AN ACT concerning

**Cigarette Restitution Fund – Establishment of Behavioral Health Treatment
Account and Funding for Substance Use Treatment Services**

HB1618/486381/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 1618

(First Reading File Bill)

On page 1, in the sponsor line, strike “Delegate Hammen” and substitute “Delegates Hammen, Angel, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, McMillan, Miele, Morgan, Morhaim, Oaks, Pena–Melnik, Pendergrass, Rose, Saab, Sample–Hughes, West, and K. Young”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 42 – Senator Conway

AN ACT concerning

State Board of Dental Examiners – Appointment of Dentist and Dental Hygienist Members – Advice and Consent of the Senate**SB0042/416981/1**

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 42

(Third Reading File Bill)

On page 1, strike beginning with the comma in line 5 down through “Hygiene” in line 7.

On page 2, strike beginning with “THAT” in line 13 down through “SECTION” in line 14; and strike beginning with “THAT” in line 21 down through “SECTION” in line 22.

On page 3, strike in their entirety lines 21 and 22.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

Senate Bill 99 – Chair, Finance Committee (By Request – Departmental – Disabilities)

AN ACT concerning

Department of Disabilities – Assistive Technology Loan Program – Board of Directors

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

Senate Bill 109 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Health Occupations Boards – Criminal History Records Checks – Required

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

Senate Bill 212 – ~~Senator Middleton~~ Senators Middleton and Serafini

AN ACT concerning

Health Insurance – Large Employers – Disclosure of Aggregate Incurred Claims

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 352 – Senators Hershey and Rosapepe

AN ACT concerning

Maryland Health Care Commission – Certificate of Need Review – Interested Party**SB0352/216988/1**

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 352
(Third Reading File Bill)**AMENDMENT NO. 1**

On page 1, in lines 5 and 6, in each instance, strike “health care facility” and substitute “hospital”; and in lines 5 and 6, strike “that does not contain” and substitute “contiguous to the jurisdiction that contains”.

AMENDMENT NO. 2

On page 2, in lines 31 and 32, strike “**HEALTH CARE FACILITY**” and substitute “**ACUTE GENERAL HOSPITAL**”.

On page 3, in lines 1 and 2, strike “**THAT DOES NOT CONTAIN**” and substitute “**CONTIGUOUS TO THE JURISDICTION THAT CONTAINS**”; and in line 2, strike “**HEALTH CARE FACILITY**” and substitute “**ACUTE GENERAL HOSPITAL**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations 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~~ Young, Astle, Benson, and Kelley

AN ACT concerning

**Virginia I. Jones Alzheimer’s Disease and Related Disorders Council –
Membership and Extension of Termination Date**

SB0549/406085/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 549

(Third Reading File Bill)

On page 2, in line 20, strike “AND”; in line 21, strike “(6)”; after line 22, insert:

“(6) THE EXECUTIVE DIRECTOR OF THE ALZHEIMER’S ASSOCIATION, GREATER MARYLAND CHAPTER, OR THE EXECUTIVE DIRECTOR’S DESIGNEE;

(7) THE PRESIDENT OF THE ALZHEIMER’S ASSOCIATION, NATIONAL CAPITAL AREA CHAPTER, OR THE PRESIDENT’S DESIGNEE;

(8) A REPRESENTATIVE OF THE MARYLAND MEDICAL ASSISTANCE PROGRAM, APPOINTED BY THE SECRETARY; AND”;

in line 23, before “The” insert “**(9)**”; and strike in their entirety lines 28 and 29.

On page 3, in lines 1, 3, 5, 7, 9, 11, 13, 15, 17, 18, 20, 22, and 23, strike “(iv)”, “(v)”, “(vi)”, “(vii)”, “(viii)”, “(ix)”, “(x)”, “(xi)”, “(xii)”, “(xiii)”, “(xiv)”, “(xv)”, and “(xvi)”, respectively, and substitute “**(III)**”, “**(IV)**”, “**(V)**”, “**(VI)**”, “**(VII)**”, “**(VIII)**”, “**(IX)**”, “**(X)**”, “**(XI)**”, “**(XII)**”, “**(XIII)**”, “**(XIV)**”, and “**(XV)**”, respectively; strike in their entirety lines 24 and 25; in line 26, strike “**(XVIII)**” and substitute “**(XVI)**”; and strike in their entirety lines 28 and 29.

On page 4, in line 1, strike “**(XX)**” and substitute “**(XVII)**”; and in line 3, strike “**(XXI)**” and substitute “**(XVIII)**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

Senate Bill 826 – Senator Conway

AN ACT concerning

**Construction Contracts – Change Orders
(State Procurement Change Order Fairness Act)**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

Senate Bill 848 – Senators Kelley, Madaleno, Astle, Benson, Brochin, Conway, Currie, Feldman, Ferguson, Gladden, Guzzone, Kagan, King, Klausmeier, Lee, Manno, McFadden, Nathan–Pulliam, Pinsky, Pugh, Ramirez, Raskin, Young, and Zucker

AN ACT concerning

Health Insurance – Contraceptive Equity Act

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

Senate Bill 887 – ~~Senator Middleton~~ Senators Middleton, Astle, Benson, Feldman, Hershey, Jennings, Kelley, Klausmeier, Mathias, Pugh, and Reilly

AN ACT concerning

Health Insurance – Consumer Health Claim Filing Fairness Act

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

Senate Bill 919 – ~~Senator Middleton~~ Senators Middleton, Astle, Benson, Feldman, Hershey, Jennings, Kelley, Klausmeier, Mathias, Pugh, and Reilly

EMERGENCY BILL

AN ACT concerning

Insurance – ~~Exemption From State Insurance Laws~~ for Self-Funded Student Health Plans

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 929 – Senators Klausmeier ~~and Feldman~~, Kelley, Feldman, Astle, Benson, Hershey, Jennings, Mathias, Middleton, Pugh, and Reilly

AN ACT concerning

**Health Benefit Plans – Network Access Standards and
Provider Network Directories**

SB0929/976186/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 929

(Third Reading File Bill)

AMENDMENT NO. 1

On page 3, in line 18, strike “15–112(n)” and substitute “15–112(b)(1)(i), (n)”; and in lines 31 and 32, strike “(E) THROUGH (L), (Q), (R), AND (T)” and substitute “(F) THROUGH (M), (R), (S), AND (U) THROUGH (W)”.

AMENDMENT NO. 2

On pages 3 and 4, strike in their entirety the lines beginning with line 34 on page 3 through line 23 on page 4, inclusive, and substitute:

“Article – Insurance”.

On page 7, strike in their entirety lines 1 through 12, inclusive, and substitute:

“(i) 1. if the carrier is an insurer, nonprofit health service plan, or dental plan organization, maintain standards in accordance with regulations adopted by the Commissioner for availability of health care providers to meet the health care needs of enrollees;

2. if the carrier is a health maintenance organization, adhere to the standards for accessibility of covered services in accordance with regulations adopted under § 19–705.1(b)(1)(i)2 of the Health – General Article; and

3. if the carrier is an insurer or nonprofit health service plan that offers a preferred provider insurance policy that conditions the payment of benefits on the use of preferred providers, adhere to the standards for accessibility of covered services

in accordance with regulations adopted under § 19–705.1(b)(1)(i)2 of the Health – General Article and as enforced by the Secretary of Health and Mental Hygiene; and”.

On page 33, after line 22, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Health – General

19–705.1.

(a) The Secretary shall adopt regulations that set out reasonable standards of quality of care that a health maintenance organization shall provide to its members.

(b) (1) The standards of quality of care shall include:

(i) [1.] A requirement that a health maintenance organization shall provide for regular hours during which a member may receive services, including providing for services to a member in a timely manner that takes into account the immediacy of need for services; [and

2. Provisions for assuring that all covered services, including any services for which the health maintenance organization has contracted, are accessible to the enrollee with reasonable safeguards with respect to geographic locations;]

Article – Insurance

14–205.1.

(a) The Commissioner may authorize an insurer or nonprofit health service plan to offer a preferred provider insurance policy that conditions the payment of benefits on the use of preferred providers if the insurer or nonprofit health service plan[:

(1) has demonstrated to the Secretary of Health and Mental Hygiene that the provider panel of the insurer or nonprofit health service plan complies with the regulations adopted under § 19–705.1(b)(1)(i)2 of the Health – General Article; and

(2)] does not restrict payment for covered services provided by nonpreferred providers:

[(i)] (1) for emergency services, as defined in § 19–701 of the Health – General Article;

[(ii)] (2) for an unforeseen illness, injury, or condition requiring immediate care; or

[(iii)] (3) as required under § 15–830 of this article.

15–112.

(b) (1) Subject to paragraph (3) of this subsection, a carrier that uses a provider panel shall:

(i) [1.] if the carrier is an insurer, nonprofit health service plan, HEALTH MAINTENANCE ORGANIZATION, or dental plan organization, maintain standards in accordance with regulations adopted by the Commissioner for availability of health care providers to meet the health care needs of enrollees; AND

[2. if the carrier is a health maintenance organization, adhere to the standards for accessibility of covered services in accordance with regulations adopted under § 19–705.1(b)(1)(i)2 of the Health – General Article; and

3. if the carrier is an insurer or nonprofit health service plan that offers a preferred provider insurance policy that conditions the payment of benefits on the use of preferred providers, adhere to the standards for accessibility of covered services in accordance with regulations adopted under § 19–705.1(b)(1)(i)2 of the Health – General Article and as enforced by the Secretary of Health and Mental Hygiene; and]

AMENDMENT NO. 3

On page 33, in lines 25 and 27, strike “3.” and “4.”, respectively, and substitute “4.” and “6.”, respectively; after line 26, insert:

“SECTION 5. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take effect January 1, 2018.”;

and in line 28, strike "Section 3" and substitute "Sections 4 and 5".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

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

House Bill 580 – Delegates Clippinger, Anderson, Angel, Atterbeary, Barkley, B. Barnes, D. Barnes, Barron, Barve, Branch, Brooks, Carr, Carter, Chang, Conaway, Cullison, Davis, Dumais, Ebersole, Fennell, Fraser-Hidalgo, Frick, Frush, Gaines, Gilchrist, Glenn, Gutierrez, Hammen, Hayes, Haynes, Healey, Hettleman, Hill, Hixson, Holmes, C. Howard, Jackson, Jalisi, Jones, Kaiser, Kelly, Knotts, Korman, Krimm, Lafferty, Lam, Lierman, Luedtke, McCray, McIntosh, A. Miller, Moon, Morales, Morhaim, Oaks, Patterson, Pena-Melnyk, Pendergrass, Platt, Proctor, Reznik, B. Robinson, S. Robinson, Rosenberg, Sample-Hughes, Sanchez, Smith, Sophocleus, Stein, Sydnor, Tarlau, Turner, Valderrama, Vallario, Vaughn, Waldstreicher, A. Washington, M. Washington, K. Young, P. Young, and Zucker

AN ACT concerning

Labor and Employment – Maryland Healthy Working Families Act

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

FLOOR AMENDMENT

HB0580/713294/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 580, AS AMENDED

On page 4 of the Economic Matters Committee Amendments (HB0580/233899/1), in lines 7 and 8 of Amendment No. 4, strike "SUBSECTION (A) OF THIS SECTION" and substitute "PARAGRAPH (1) OF THIS SUBSECTION".

The preceding amendment was read and adopted.

FLOOR AMENDMENT

HB0580/713723/1

BY: Delegate Davis

AMENDMENT TO HOUSE BILL 580

(First Reading File Bill)

On page 11, in line 9, strike “**§ 3-1308(B)**” and substitute “**§ 3-1308(C)**”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

HB0580/613426/1

BY: Delegate Bromwell

AMENDMENT TO HOUSE BILL 580, AS AMENDED

(First Reading File Bill)

On page 6 of the bill, in line 4, after “**TO**” insert “:

(1)”;

in lines 5 and 7, strike “**(1)**” and “**(2)**”, respectively, and substitute “**(I)**” and “**(II)**”, respectively; in lines 7 and 8, strike “**(I)**” and “**(II)**”, respectively, and substitute “**1.**” and “**2.**”, respectively; and in line 10, after “**TERMS**” insert “**;** **OR**

(2) **A RESTAURANT**”.

On page 2 of the Economic Matters Committee Amendments (HB0580/233899/1), in line 6 of Amendment No. 2, strike “**(A)(2)(I)**” and substitute “**(A)(1)(II)1**”.

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

Affirmative – 53 Negative – 83 (See Roll Call No. 918)

FLOOR AMENDMENT

HB0580/973026/1

BY: Delegate Fisher

AMENDMENTS TO HOUSE BILL 580, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Economic Matters Committee Amendments (HB0580/233899/1), in line 22 of Amendment No. 1, before “providing” insert “requiring the Department of Economic Competitiveness and Commerce, in conjunction with the Montgomery County Department of Economic Development, to study certain matters and report to the General Assembly on or before a certain date:”.

AMENDMENT NO. 2

On page 13 of the bill, in line 28, after “**ACT.**” insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The Department of Economic Competitiveness and Commerce, in conjunction with the Montgomery County Department of Economic Development, shall study the impact of the Montgomery County Earned Sick and Safe Leave Act (Chapter 29 of the Laws of Montgomery County of 2015) on:

- (1) rates and terms and conditions of employment in Montgomery County;
- (2) existing businesses located in Montgomery County; and
- (3) the creation of new businesses in Montgomery County.

(b) On or before January 1, 2018, the Department of Economic Competitiveness and Commerce shall report its findings to the General Assembly, in accordance with § 2–1246 of the State Government Article.”.

On page 9 of the Economic Matters Committee Amendments, in lines 4 and 9 of Amendment No. 12, strike “2.” and “3.”, respectively, and substitute “3.” and “4.”, respectively; and in line 4, after “That” insert “Section 1 of”.

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

Affirmative – 51 Negative – 83 (See Roll Call No. 919)

FLOOR AMENDMENT

HB0580/643426/1

BY: Delegate O'Donnell

AMENDMENTS TO HOUSE BILL 580, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Economic Matters Committee Amendments (HB0580/233899/1), in line 22 of Amendment No. 1, after “employers;” insert “establishing the Task Force to Study the Impact of Earned Sick and Safe Leave; 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 certain standing committees of the General Assembly on or before a certain date;”; and in line 23, after “date;” insert “providing for the termination of this Act;”.

AMENDMENT NO. 2

On page 13 of the bill, in line 28, after “**ACT.**” insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) There is a Task Force to Study the Impact of Earned Sick and Safe Leave.

(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 Commerce, or the Secretary’s designee;

(4) the Secretary of Labor, Licensing, and Regulation, or the Secretary’s designee; and

(5) individuals representing the interests of business, labor, State and local government, and other stakeholder groups, appointed by the Secretary of Commerce.

(c) The Secretary of Commerce shall designate the chair of the Task Force.

(d) The Department of Economic Competitiveness and Commerce shall provide staff for the Task Force.

(e) A member of the Task Force:

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

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

(f) The Task Force shall:

(1) study the impact of Title 3, Subtitle 13 of the Labor and Employment Article, as enacted by Section 1 of this Act, on the State's job market and economy; and

(2) make recommendations regarding:

(i) whether the provisions of Title 3, Subtitle 13 of the Labor and Employment Article, as enacted by Section 1 of this Act, should become permanent provisions of law; and

(ii) any changes to State law or policy regarding earned sick and safe leave that the Task Force deems necessary.

(g) On or before December 31, 2017, the Task Force shall report its findings and recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, the Senate Finance Committee and the House Economic Matters Committee.”.

On page 9 of the Economic Matters Committee Amendments, in lines 4 and 9 of Amendment No. 12, strike “2.” and “3.”, respectively, and substitute “3.” and “4.”, respectively.

On page 14 of the bill, in line 2, after the period insert “It shall remain effective for a period of 2 years and 6 months 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 – 50 Negative – 82 (See Roll Call No. 920)

FLOOR AMENDMENT

HB0580/863928/1

BY: Delegate Kittleman

AMENDMENT TO HOUSE BILL 580

(First Reading File Bill)

On page 6, in line 6, strike “**OR**”; and in line 10, after “**TERMS**” insert “**;OR**

(3) IS EMPLOYED BY AN EMPLOYER DURING THE 3 YEARS IMMEDIATELY AFTER THE ESTABLISHMENT OF THE EMPLOYER’S BUSINESS, IF THE EMPLOYER EMPLOYS 14 OR FEWER EMPLOYEES”.

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

Affirmative – 52 Negative – 81 (See Roll Call No. 921)

FLOOR AMENDMENT

HB0580/783522/1

BY: Delegate Carozza

AMENDMENT TO HOUSE BILL 580, AS AMENDED

On page 2 of the Economic Matters Committee Amendments (HB0580/233899/1), in line 2 of Amendment No. 2, strike “**OR**”; and in line 4, after “**ARTICLE**” insert “**;OR**

(5) WORKS 120 DAYS OR LESS FOR THE EMPLOYER DURING A 12-MONTH PERIOD”.

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

Affirmative – 52 Negative – 81 (See Roll Call No. 922)

FLOOR AMENDMENT

HB0580/153322/1

BY: Delegate Szeliga

AMENDMENT TO HOUSE BILL 580, AS AMENDED

(First Reading File Bill)

On page 2 of the Economic Matters Committee Amendments (HB0580/233899/1), in line 5 of Amendment No. 2, strike “**(A)**”; and strike beginning with “**(B)**” in line 6 down through “SUPERINTENDENT.” in line 15.

On page 6 of the bill, in lines 4 and 5, strike “:

(1)”;

and strike beginning with “; OR” in line 6 down through “TERMS” in line 10.

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

Affirmative – 50 Negative – 79 (See Roll Call No. 923)

FLOOR AMENDMENT

HB0580/653328/1

BY: Delegate Morgan

AMENDMENT TO HOUSE BILL 580

(First Reading File Bill)

On page 6, in line 6, strike “OR”; and in line 10, after “TERMS” insert “; OR

(3) IS EMPLOYED BY AN EMPLOYER THAT:

(1) BEFORE JANUARY 1, 2017, PROVIDED EACH EMPLOYEE OF THE EMPLOYER AT LEAST 40 HOURS OF PAID LEAVE EACH YEAR; AND

(II) CONTINUES TO PROVIDE EACH EMPLOYEE OF THE EMPLOYER AT LEAST 40 HOURS OF PAID LEAVE EACH YEAR”.

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

Affirmative – 50 Negative – 77 (See Roll Call No. 924)

Read the second time and ordered prepared for Third Reading.

House Bill 1312 – The Speaker (By Request – Justice Reinvestment Coordinating Council)

AN ACT concerning

Justice Reinvestment Act

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

FLOOR AMENDMENT

HB1312/803621/2

BY: Delegate Krebs

AMENDMENTS TO HOUSE BILL 1312, AS AMENDED

AMENDMENT NO. 1

On page 4 of the House Judiciary Committee Amendments (HB1312/622316/1), in line 3 of Amendment No. 1, after “Assembly;” insert “requiring the Justice Reinvestment Oversight Board to submit a certain report to the Governor and General Assembly on or before a certain date;”.

AMENDMENT NO. 2

On page 52 of the House Judiciary Committee Amendments, in Amendment No. 16, after line 19, insert:

“SECTION 16. AND BE IT FURTHER ENACTED, That, on or before January 1, 2017, the Justice Reinvestment Oversight Board shall report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly on:

- (1) the status of the progress toward the implementation of this Act; and

(2) the projected financial impact of the implementation of this Act on local jurisdictions and correctional facilities.”;

in lines 20 and 23, in each instance, strike “16” and substitute “17”; and in line 22, strike “17.” and substitute “18.”.

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

HB1312/433727/1

BY: Delegate Krebs

AMENDMENT TO HOUSE BILL 1312, AS AMENDED

On page 40 of the House Judiciary Committee Amendments (HB1312/622316/1), in line 4 of Amendment No. 13, strike “21” and substitute “30”.

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

Affirmative – 45 Negative – 86 (See Roll Call No. 925)

FLOOR AMENDMENT

HB1312/913623/1

BY: Delegate McKay

AMENDMENT TO HOUSE BILL 1312, AS AMENDED

On page 27 of the House Judiciary Committee Amendments (HB1312/622316/1), in line 11 of Amendment No. 9, strike “360 DAYS” and substitute “12 MONTHS”.

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

Affirmative – 48 Negative – 78 (See Roll Call No. 926)

FLOOR AMENDMENT

HB1312/423026/6

BY: Delegate McDonough

AMENDMENTS TO HOUSE BILL 1312
(First Reading File Bill)

AMENDMENT NO. 1

On page 3, in line 10, after “manner” insert “under certain circumstances”.

AMENDMENT NO. 2

On page 36, in line 28, after “(I)” insert “SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION AND”.

On page 37, after line 5, insert:

“(4) THE COURT MAY NOT REQUIRE THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE OR THE DESIGNEE TO PROVIDE TREATMENT UNDER PARAGRAPH (3)(I) OF THIS SUBSECTION UNLESS THE COURT DETERMINES THAT THE TREATMENT WILL BE IMMEDIATELY AVAILABLE ON THE RELEASE OF THE DEFENDANT.”

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

Affirmative – 49 Negative – 82 (See Roll Call No. 927)

FLOOR AMENDMENT

HB1312/423026/7

BY: Delegate McDonough

AMENDMENTS TO HOUSE BILL 1312
(First Reading File Bill)

AMENDMENT NO. 1

On page 3, in line 10, after “manner” insert “; prohibiting the Department of Public Safety and Correctional Services from assigning a certain parole and probation agent to supervise a certain defendant except under certain circumstances”.

AMENDMENT NO. 2

On page 37, after line 5, insert:

“(4) THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES MAY NOT ASSIGN A PAROLE AND PROBATION AGENT TO SUPERVISE A DEFENDANT ON PROBATION UNDER PARAGRAPH (3)(I) OF THIS SUBSECTION UNLESS THE PAROLE AND PROBATION AGENT HAS NOT BEEN ASSIGNED TO SUPERVISE ANY OFFENDERS ON PROBATION FOR OTHER OFFENSES.”.

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

Affirmative – 45 Negative – 84 (See Roll Call No. 928)

FLOOR AMENDMENT

HB1312/983121/1

BY: Delegate C. Wilson

AMENDMENTS TO HOUSE BILL 1312

(First Reading File Bill)

AMENDMENT NO. 1

On page 3, in line 1, after “facility;” insert “altering the maximum penalty for first-degree child abuse that results in the death of a victim under a certain age to be life imprisonment; altering the maximum penalty for child abuse that results in the death of the victim after a previous conviction for child abuse to be life imprisonment;”.

On page 4, in line 32, after “Section” insert “3-601 and”.

AMENDMENT NO. 2

On page 32, after line 13, insert:

“3-601.

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

(2) “Abuse” means physical injury sustained by a minor as a result of cruel or inhumane treatment or as a result of a malicious act under circumstances that indicate that the minor’s health or welfare is harmed or threatened by the treatment or act.

(3) “Family member” means a relative of a minor by blood, adoption, or marriage.

(4) “Household member” means a person who lives with or is a regular presence in a home of a minor at the time of the alleged abuse.

(5) “Severe physical injury” means:

(i) brain injury or bleeding within the skull;

(ii) starvation; or

(iii) physical injury that:

1. creates a substantial risk of death; or

2. causes permanent or protracted serious:

A. disfigurement;

B. loss of the function of any bodily member or organ; or

C. impairment of the function of any bodily member or organ.

(b) (1) A parent, family member, household member, or other person who has permanent or temporary care or custody or responsibility for the supervision of a minor may not cause abuse to the minor that:

(i) results in the death of the minor; or

(ii) causes severe physical injury to the minor.

(2) Except as provided in subsection (c) of this section, a person who violates paragraph (1) of this subsection is guilty of the felony of child abuse in the first degree and on conviction is subject to:

(i) imprisonment not exceeding 25 years; [or]

(ii) if the violation results in the death of [the] A victim AT LEAST 13 YEARS OLD, imprisonment not exceeding 40 years; OR

(III) IF THE VIOLATION RESULTS IN THE DEATH OF A VICTIM UNDER THE AGE OF 13 YEARS, IMPRISONMENT FOR LIFE.

(c) A person who violates this section after being convicted of a previous violation of this section is guilty of a felony and on conviction is subject to:

(1) imprisonment not exceeding 25 years; or

(2) if the violation results in the death of the victim, imprisonment [not exceeding 40 years] **FOR LIFE.**

(d) (1) (i) A parent or other person who has permanent or temporary care or custody or responsibility for the supervision of a minor may not cause abuse to the minor.

(ii) A household member or family member may not cause abuse to a minor.

(2) Except as provided in subsection (c) of this section, a person who violates paragraph (1) of this subsection is guilty of the felony of child abuse in the second degree and on conviction is subject to imprisonment not exceeding 15 years.

(e) A sentence imposed under this section may be separate from and consecutive to or concurrent with a sentence for any crime based on the act establishing the violation of this section.”.

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

Affirmative – 112 Negative – 19 (See Roll Call No. 929)

FLOOR AMENDMENT

HB1312/333725/1

BY: Delegate Folden

AMENDMENT TO HOUSE BILL 1312

(First Reading File Bill)

On page 21, in line 21, strike “AND”; after line 21, insert:

“(III) HAS BEEN SCREENED AS LOW RISK TO REOFFEND UNDER § 6–104 OF THIS ARTICLE; AND”;

and in line 22, strike “(III)” and substitute “(IV)”.

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

Affirmative – 51 Negative – 78 (See Roll Call No. 930)

FLOOR AMENDMENT

HB1312/183121/1

BY: Delegate Carozza

AMENDMENT TO HOUSE BILL 1312, AS AMENDED

On page 27 of the House Judiciary Committee Amendments (HB1312/622316/1), in lines 7 and 14 of Amendment No. 9, in each instance, strike “**\$1,500**” and substitute “**\$1,000**”.

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

Affirmative – 49 Negative – 81 (See Roll Call No. 931)

FLOOR AMENDMENT

HB1312/733020/2

BY: Delegate Folden

AMENDMENT TO HOUSE BILL 1312, AS AMENDED

On page 19 of the House Judiciary Committee Amendments (HB1312/622316/1), strike beginning with the colon in line 3 of Amendment No. 8 down through “**CONVICTION,**” in line 4; in line 5, strike “**1 YEAR**” and substitute “**2 YEARS**”; and strike beginning with the semicolon in line 5 down through “**BOTH**” in line 10.

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

Affirmative – 47 Negative – 80 (See Roll Call No. 932)

FLOOR AMENDMENT

HB1312/863725/1

BY: Delegate Dumais

AMENDMENT TO HOUSE BILL 1312

(First Reading File Bill)

On page 82, in lines 15 and 20, in each instance, strike “Coordinating Council” and substitute “Oversight Board”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

HB1312/823222/2

BY: Delegate Shoemaker

AMENDMENT TO HOUSE BILL 1312, AS AMENDED

(First Reading File Bill)

On page 8, in line 11, strike “or” and substitute “, A VIOLATION OF § 6-202, § 9-404, OR § 11-303 OF THE CRIMINAL LAW ARTICLE, OR”.

On page 9, in line 25, strike “OR” and substitute “A VIOLATION OF § 6-202, § 9-404, OR § 11-303 OF THE CRIMINAL LAW ARTICLE, OR”.

On page 21, in line 18, after “CRIME;” insert:

“2. A VIOLATION OF § 6-202, § 9-404, OR § 11-303 OF THE CRIMINAL LAW ARTICLE;”;

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

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

Affirmative – 53 Negative – 79 (See Roll Call No. 933)

Read the second time and ordered prepared for Third Reading.

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

House Bill 429 – Delegates Patterson, Hixson, Afzali, Angel, Atterbeary, Barkley, D. Barnes, Barron, Brooks, Carr, Conaway, Dumais, Ebersole, Fennell, Gilchrist, Hayes, Haynes, Hill, Hornberger, C. Howard, Jackson, Jameson, Jones, Kelly, Long, Luedtke, McComas, McConkey, McCray, McMillan, Metzgar, A. Miller, Morhaim, O'Donnell, Pena–Melnyk, Platt, Proctor, Reilly, Sample–Hughes, Sanchez, Shoemaker, Simonaire, Smith, Sydnor, Tarlau, Turner, Valentino–Smith, A. Washington, M. Washington, and West

AN ACT concerning

Task Force to Combat Habitual Student Truancy

HB0429/315261/1

BY: Committee on Ways and Means

AMENDMENT TO HOUSE BILL 429

(First Reading File Bill)

On page 2, strike beginning with “one” in line 2 down through “(5)” in line 4; in lines 5, 7, 8, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, and 29, strike “(6)”, “(7)”, “(8)”, “(9)”, “(10)”, “(11)”, “(12)”, “(13)”, “(14)”, “(15)”, “(16)”, “(17)”, “(18)”, and “(19)”, respectively, and substitute “(5)”, “(6)”, “(7)”, “(8)”, “(9)”, “(10)”, “(11)”, “(12)”, “(13)”, “(14)”, “(15)”, “(16)”, “(17)”, and “(18)”, respectively; and in line 8, strike “the State Superintendent of Schools, or the Superintendent’s designee” and substitute “one representative of Morgan State University, appointed by the President of the University”.

On page 3, in lines 1 and 3, strike “(20)” and “(21)”, respectively, and substitute “(19)” and “(20)”, respectively; in line 2, strike “and”; in line 4, after “organization” insert “; and”

(21) one representative of the Student Services and Strategic Planning Branch of the State Department of Education, appointed by the Executive Director of the Student Services and Strategic Planning Branch”;

in line 5, strike “State Superintendent of Schools or the Superintendent’s designee” and substitute “member who is a representative of Morgan State University”; and in line 7, strike “The State Department of Education” and substitute “Morgan State University”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 707 – Delegates Valentino–Smith, Tarlau, Walker, and A. Washington

AN ACT concerning

Horse Racing – Track Winnings – Intercepts for Restitution and Child Support Payments

HB0707/105666/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 707

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 2 and 3 and substitute:

“Study of Intercepting Horse Racing Winnings for Child Support and Restitution”;

strike in their entirety lines 4 through 25, inclusive, and substitute:

“FOR the purpose of requiring the Department of Information Technology to analyze the logistics of intercepting horse racing winnings to pay for certain child support or restitution arrears, study the use of certain intercept methods by the State for child support enforcement and restitution collection, and make recommendations regarding certain matters; requiring the Department to report its findings and recommendations to the General Assembly on or before a certain date; and generally relating to a certain study of 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 23 on page 4, inclusive, and substitute:

“(a) The Department of Information Technology shall:

(1) analyze the logistics of intercepting horse racing winnings to pay for the child support or restitution 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 or restitution arrears of the winner.

(b) On or before December 31, 2016, the Department shall report its findings and recommendations, in accordance with § 2-1246 of the State Government Article, to the General Assembly.”.

On page 4, in line 24, strike “3.” and substitute “2.”; and in line 25, strike “October” and substitute “June”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 771 – Delegates D. Barnes, Angel, B. Barnes, Buckel, Fennell, Hornberger, Kelly, Long, Luedtke, Metzgar, Patterson, Platt, Reilly, Shoemaker, Simonaire, Tarlau, Walker, and A. Washington

AN ACT concerning

Public and Nonpublic Schools – Student Diabetes Management Program

HB0771/325569/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 771

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “and Nonpublic”; in the same line, strike “Student Diabetes Management Program” and substitute “Administration of Diabetes Care Services – Guidelines”; strike beginning with “training” in line 5 down through “providers” in line 6 and substitute “administration of certain health care services to certain students with diabetes”; strike beginning with “requiring” in line 6 down through “schools” in line 25 and substitute “requiring the State Department of Education and the Department of Health and Mental Hygiene, in consultation with the Board of Nursing and certain stakeholders, to establish a certain plan; requiring the State Department of Education and the Department of Health and Mental Hygiene to make a certain report on or before a certain date; and generally relating to diabetic care services in public schools in the State”; and in line 28, strike “7–438 and 7–439” and substitute “7–426.4”.

AMENDMENT NO. 2

On pages 2 through 9, strike in their entirety the lines beginning with line 6 on page 2 through line 28 on page 9, inclusive and substitute:

“7–426.4.

(A) THE DEPARTMENT AND THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE JOINTLY SHALL ESTABLISH GUIDELINES FOR PUBLIC SCHOOLS REGARDING THE ADMINISTRATION OF HEALTH CARE SERVICES TO STUDENTS WITH DIABETES.

(B) THE GUIDELINES SHALL INCLUDE:

(1) PROCEDURES FOR TREATING AND ADMINISTERING MEDICATION TO CONTROL DIABETIC SYMPTOMS;

(2) PROCEDURES FOR MONITORING BLOOD GLUCOSE AND KETONE LEVELS;

(3) A DESCRIPTION OF PARENTAL OR CAREGIVER RESPONSIBILITIES IN RELATION TO THE CARE OF THEIR CHILD WITH DIABETES, INCLUDING:

(I) NOTIFYING A SCHOOL OF A CHILD’S DIABETES DIAGNOSIS;

(II) PROVIDING APPROPRIATE MEDICATION, DELIVERY DEVICES, AND MEDICAL CONDITION INDICATION DEVICES, INCLUDING MEDIC ALERT BRACELETS OR NECKLACES;

(III) PROVIDING PARENTAL CONSENT FOR THE ADMINISTRATION OF MEDICATIONS; AND

(IV) PROVIDING AN EMERGENCY CARD FOR MEDICAL EMERGENCIES WITH UP-TO-DATE CONTACT NAMES AND TELEPHONE NUMBERS;

(4) A DESCRIPTION OF SCHOOL RESPONSIBILITIES IN RELATION TO THE CARE OF A STUDENT WITH DIABETES, INCLUDING:

(I) INSTRUCTION BY THE SCHOOL NURSE FOR SCHOOL HEALTH SERVICES PERSONNEL, TEACHERS, COACHES, TRANSPORTATION PERSONNEL, AND OTHER APPROPRIATE SCHOOL PERSONNEL, AS DETERMINED BY THE SCHOOL NURSE, INCLUDING INSTRUCTION ON:

1. RECOGNIZING THE SYMPTOMS OF HYPOGLYCEMIA AND HYPERGLYCEMIA AND THE APPROPRIATE ACTIONS TO TAKE TO CONTROL THE SYMPTOMS;

2. ADMINISTERING GLUCAGON IN AN EMERGENCY IN ACCORDANCE WITH HEALTH CARE PROVIDER ORDERS; AND

3. IMPLEMENTING A STUDENT’S MEDICAL PLAN AND A STUDENT’S 504 PLAN;

(II) PROVIDING AND DISTRIBUTING THE REQUIRED DOCUMENTS FOR NOTIFICATION, CONSENT FOR THE ADMINISTRATION OF

MEDICATIONS, MEDICAL EMERGENCY CONTACT INFORMATION, AND ANY OTHER APPROPRIATE DOCUMENTS TO THE APPROPRIATE INDIVIDUALS OR ENTITIES; AND

(III) ENSURING THAT APPROPRIATE SCHOOL PERSONNEL ARE AVAILABLE TO ADMINISTER INSULIN DURING THE SCHOOL DAY AND DURING OTHER SCHOOL-SPONSORED EVENTS AND ACTIVITIES;

(5) A DESCRIPTION OF STUDENT RESPONSIBILITIES IN RELATION TO THE STUDENT'S DIABETES CARE THAT ARE AGE AND CLINICALLY APPROPRIATE;

(6) ESTABLISHING PROCEDURES FOR STUDENTS WHO HAVE BEEN DETERMINED BY THE SCHOOL NURSE TO BE CAPABLE OF AND RESPONSIBLE FOR SELF-MANAGEMENT OF THEIR DIABETES IN ACCORDANCE WITH HEALTH CARE PROVIDER ORDERS; AND

(7) ANY OTHER ISSUE THAT IS RELEVANT TO THE ADMINISTRATION OF HEALTH CARE SERVICES TO STUDENTS WITH DIABETES.

(C) THE DEPARTMENT AND THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE SHALL:

(1) PROVIDE TECHNICAL ASSISTANCE TO SCHOOLS TO:

(I) IMPLEMENT THE GUIDELINES ESTABLISHED UNDER THIS SECTION; AND

(II) INSTRUCT SCHOOL PERSONNEL AT THE LOCAL LEVEL REGARDING THE GUIDELINES ESTABLISHED UNDER THIS SECTION; AND

(2) DEVELOP A PROCESS TO MONITOR THE IMPLEMENTATION OF THE GUIDELINES ESTABLISHED UNDER THIS SECTION.

(D) (1) AN INDIVIDUAL WHO HAS RECEIVED INSTRUCTION TO PROVIDE DIABETES CARE SERVICES TO STUDENTS IN ACCORDANCE WITH THE GUIDELINES ADOPTED UNDER THIS SECTION IS NOT CIVILLY LIABLE FOR ANY ACT OR OMISSION IN THE COURSE OF PROVIDING DIABETES CARE SERVICES TO A STUDENT IF:

(I) THE INDIVIDUAL IS ACTING IN GOOD FAITH WHILE PROVIDING DIABETES CARE SERVICES TO A STUDENT WHO IS IN NEED OF DIABETES CARE SERVICES OR TO A STUDENT WHO THE INDIVIDUAL BELIEVES IN GOOD FAITH TO BE IN NEED OF DIABETES CARE SERVICES;

(II) THE DIABETES CARE SERVICES ARE PROVIDED IN A REASONABLY PRUDENT MANNER; AND

(III) THE DIABETES CARE SERVICES ARE PROVIDED TO THE STUDENT WITHOUT FEE OR OTHER COMPENSATION.

(2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT AFFECT, AND MAY NOT BE CONSTRUED TO AFFECT, ANY IMMUNITIES FROM CIVIL LIABILITY OR DEFENSES ESTABLISHED BY ANY OTHER PROVISION OF LAW TO WHICH AN INDIVIDUAL MAY BE ENTITLED.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The State Department of Education and the Department of Health and Mental Hygiene, in consultation with the Board of Nursing, local school systems, local health departments, and other interested stakeholders, shall establish a plan for all public school health services programs in the State to provide diabetes care services through implementation of policies and programs so students with diabetes can:

(1) remain safe in school;

(2) be supported for optimal academic achievement; and

(3) fully participate in all aspects of school programming, including after-school activities and other school-sponsored events.

(b) On or before December 1, 2016, the State Department of Education and the Department of Health and Mental Hygiene shall report to the Senate Education, Health, and Environmental Affairs Committee and the House Committee on Ways and Means on the implementation of the plan established under this section.”;

and in line 29, strike “2.” and substitute “3.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1139 – Delegates M. Washington, Barron, Carter, Conaway, Glenn, Hixson, Jackson, Kaiser, Kelly, Lierman, Luedtke, Moon, Platt, Sydnor, Tarlau, Walker, and P. Young

AN ACT concerning

Education – Maryland Community School Strategy for Excellence in Public Education Act

HB1139/785060/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1139

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and P. Young” and substitute “P. Young, Ebersole, Fennell, Hornberger, Patterson, and A. Washington”; and strike beginning with “Maryland” in line 2 down through “Act” in line 3 and substitute “Community School Strategy – Required Notice and Support”.

On pages 1 and 2, strike beginning with “providing” in line 4 on page 1 down through “Supplement)” in line 6 on page 2 and substitute “requiring the State Department of Education to make a certain notification to certain local school systems and certain community schools; requiring the Department to encourage certain local school systems and community schools to apply for certain federal funding; requiring the Department to provide certain technical assistance to certain local school systems and certain community schools in applying for certain federal funding; providing for the termination of this Act; and generally relating to the community school strategy in public schools of the State.”.

AMENDMENT NO. 2

On pages 2 through 10, strike beginning with “the” in line 31 on page 2 down through “formula.” in line 20 on page 10 and substitute “:

(a) On or before July 15, 2016, and every 2 years thereafter, the State Department of Education shall notify each local school system and each community school in the State that federal Title I funds may be used for expenses associated with community school coordinators and for the coordination of school and community resources associated with the implementation of a community school strategy in a public school in the State.

(b) (1) The State Department of Education shall encourage local school systems and community schools in the State to apply for federal funding under Title IV of the Every Student Succeeds Act for expenses associated with after-school programming, community school coordinators, and the coordination of school and community resources associated with the implementation of a community school strategy in public schools in the State.

(2) The State Department of Education shall provide technical assistance to local school systems and community schools in the State in applying for the federal funding described in paragraph (1) of this subsection.”;

in line 21, strike “3.” and substitute “2.”; and in line 22, after “2016.” insert “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 adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1636 – Delegate Clippinger

AN ACT concerning

Baltimore City – South Baltimore Gateway Community Benefits District and Distribution of Local Impact Grants

HB1636/565169/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1636

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2, 6, 7, and 25, in each instance, strike “Benefits” and substitute “Impact”; in line 5, strike “certain community benefits district management authorities to include”; in line 6, after “District” insert “and South Baltimore Gateway Community Impact District Management Authority”; strike beginning with “exempting” in line 18 down through “election;” in line 20 and substitute “requiring the City Council to consider certain views and make certain determinations in adopting an ordinance under this Act; requiring the Mayor and City Council to review and determine the effectiveness and desirability of continuing the existence of the district in a certain manner; providing that the district shall cease to exist and the Authority shall continue to exist for a certain duration under certain circumstances; prohibiting the Mayor and City Council from permitting a reduction in certain services; providing that certain unspent funds shall revert to the City’s General Fund under certain circumstances;”; in line 27, strike “repealing and reenacting, with amendments,” and substitute “adding to”; and in line 30, strike “(63)” and substitute “(69)”.

On page 2, in line 10, strike “(63)(c-1)(1)(i)” and substitute “(69)(c)(1)(i)”.

AMENDMENT NO. 2

On pages 2 through 4, strike beginning with “(63)” in line 30 on page 2 down through “**(B-1)**” in line 25 on page 4 and substitute:

(69)

(A) (1) TO ESTABLISH, BY ORDINANCE, THE SOUTH BALTIMORE GATEWAY COMMUNITY IMPACT DISTRICT WITHIN THE CITY TO PROVIDE SERVICES CONSISTENT WITH PARAGRAPH (2) OF THIS SUBSECTION TO THE BUSINESS INTERESTS AND RESIDENTS OF THE PROPOSED DISTRICT.

(2) TO ESTABLISH THE SOUTH BALTIMORE GATEWAY COMMUNITY IMPACT DISTRICT MANAGEMENT AUTHORITY TO PROMOTE AND MARKET THE DISTRICT, PROVIDE SUPPLEMENTAL SECURITY AND MAINTENANCE SERVICES, PROVIDE AMENITIES IN PUBLIC AREAS, PROVIDE PARK AND RECREATIONAL

PROGRAMS AND FUNCTIONS, AND AFTER THE AUTHORITY IS ESTABLISHED, OTHER SERVICES AND FUNCTIONS AS REQUESTED BY THE AUTHORITY AND APPROVED THROUGH AN ORDINANCE BY THE MAYOR AND CITY COUNCIL.

(B)”.

AMENDMENT NO. 3

On page 4, in line 26, strike “**BENEFITS**” and substitute “**IMPACT**”; strike beginning with “**CENTER**” in line 30 down through “**STREET**” in line 32 and substitute “**CITY LINE AND THE CENTER LINE OF THE PATAPSCO RIVER, RUNNING NORTH ALONG THE CENTER LINE OF THE PATAPSCO RIVER TO HANOVER STREET**”; and in lines 33 and 34, in each instance, strike “**THE CENTER LINE OF**”.

On page 5, in line 1, strike “**THE CENTER LINE OF**”; after line 2, insert:

“(IV) RUNNING NORTHEAST ALONG THE CENTER LINE OF KEY HIGHWAY TO THE CENTER LINE OF EAST FORT AVENUE; THEN

(V) RUNNING SOUTHEAST ALONG THE CENTER LINE OF EAST FORT AVENUE TO THE CENTER LINE OF STEVENSON STREET; THEN

(VI) RUNNING NORTHEAST ALONG THE CENTER LINE OF STEVENSON STREET TO THE CENTER LINE OF KEY HIGHWAY; THEN”;

in lines 3 and 5, strike “**(IV)**” and “**(V)**”, respectively, and substitute “**(VII)**” and “**(VIII)**”, respectively; in line 6, strike “**LOMBARD**” and substitute “**EAST CONWAY**”; after line 6, insert:

“(IX) RUNNING WEST ALONG THE CENTER LINE OF EAST CONWAY STREET TO THE CENTER LINE OF SOUTH HOWARD STREET; THEN

(X) RUNNING NORTH ALONG THE CENTER LINE OF SOUTH HOWARD STREET TO THE CENTER LINE OF WEST CAMDEN STREET; THEN

(XI) RUNNING WEST ALONG THE CENTER LINE OF WEST CAMDEN STREET TO THE CENTER LINE OF WASHINGTON BOULEVARD; THEN

(XII) RUNNING SOUTHWEST ALONG THE CENTER LINE OF WASHINGTON BOULEVARD TO THE CENTER LINE OF SOUTH GREENE STREET; THEN

(XIII) RUNNING NORTH ALONG SOUTH GREENE STREET TO THE CENTER LINE OF WEST PRATT STREET; THEN

(XIV) RUNNING WEST ALONG THE CENTER LINE OF WEST PRATT STREET TO THE CENTER LINE OF SOUTH MARTIN LUTHER KING JUNIOR BOULEVARD; THEN

(XV) RUNNING NORTH ALONG THE CENTER LINE OF SOUTH MARTIN LUTHER KING JUNIOR BOULEVARD TO THE CENTER LINE OF WEST LOMBARD STREET; THEN;

in line 7, after “OF” insert “WEST”; in lines 7, 9, 11, 13, 16, 18, 20, 22, and 24, strike “(VI)”, “(VII)”, “(VIII)”, “(IX)”, “(X)”, “(XI)”, “(XII)”, “(XIII)”, and “(XIV)”, respectively, and substitute “(XVI)”, “(XVII)”, “(XVIII)”, “(XIX)”, “(XX)”, “(XXI)”, “(XXII)”, “(XXIII)”, and “(XXIV)”, respectively; in line 25, strike “CENTER LINE OF PATAPSCO AVENUE” and substitute “CITY LINE; THEN

(XXV) RUNNING SOUTHEAST ALONG THE CITY LINE TO THE CENTER LINE OF THE PATAPSCO RIVER;

and in line 28, strike “BENEFITS” and substitute “IMPACT”.

On page 6, in line 3, after “AREA,” insert “MIDDLE BRANCH/REEDBIRD PARKS,”; strike in their entirety lines 6 through 26, inclusive; in line 27, strike “(C-1)” and substitute “(C)”; in the same line, strike “NOTWITHSTANDING SUBSECTION (C) OF THIS SECTION, THE” and substitute “THE”; and in line 29, strike “BENEFITS” and substitute “IMPACT”.

AMENDMENT NO. 4

On page 7, in line 11, strike “19” and substitute “21”; in line 15, after “BY” insert “AN INDIVIDUAL APPOINTED BY”; strike in their entirety lines 18 through 21, inclusive; in line 22, strike “(V) THE STATE DELEGATES SHALL BE” and substitute “(IV) SUBJECT TO SUBPARAGRAPH (VI) OF THIS PARAGRAPH, THE AUTHORITY’S BOARD SHALL INCLUDE FOUR MEMBERS”; and strike in their entirety lines 24 and 25 and substitute:

“(V) SUBJECT TO SUBPARAGRAPH (VI) OF THIS PARAGRAPH, TWO MEMBERS OF THE AUTHORITY’S BOARD SHALL BE DESIGNATED BY THE STATE SENATOR WHO REPRESENTS THE LEGISLATIVE DISTRICT WHERE THE VIDEO LOTTERY FACILITY IS LOCATED.

(VI) OF THE SIX MEMBERS DESIGNATED UNDER SUBPARAGRAPHS (IV) AND (V) OF THIS PARAGRAPH:

1. AT LEAST TWO MEMBERS SHALL BE RESIDENTS OF THE 40TH LEGISLATIVE DISTRICT; AND

2. AT LEAST TWO MEMBERS SHALL BE RESIDENTS OF THE 46TH LEGISLATIVE DISTRICT.”.

On pages 7 and 8, strike in their entirety the lines beginning with line 26 on page 7 through line 20 on page 8, inclusive.

On page 8, in line 21, strike “(D-1)” and substitute “(D)”; in the same line, strike “NOTWITHSTANDING SUBSECTION (D) OF THIS SECTION, THE” and substitute “THE”; in line 23, strike “BENEFITS” and substitute “IMPACT”; and in line 25, strike “BENEFITS” and substitute “IMPACT”.

AMENDMENT NO. 5

On page 9, strike beginning with the first “IN” in line 21 down through “WEEK” in line 22 and substitute “ON THE WEB SITE OF THE AUTHORITY”.

AMENDMENT NO. 6

On pages 9 and 10, strike in their entirety the lines beginning with line 23 on page 9 through line 10 on page 10, inclusive.

On page 10, in line 11, strike “(E-1)” and substitute “(E)”; and in the same line, strike “BENEFITS” and substitute “IMPACT”.

On page 11, in line 4, strike “BENEFITS” and substitute “IMPACT”.

On pages 11 and 12, strike in their entirety the lines beginning with line 8 on page 11 through line 17 on page 12, inclusive, and substitute:

“(F) IN ADOPTING AN ORDINANCE, THE CITY COUNCIL SHALL:

(1) GIVE CONSIDERATION TO THE VIEWS OF THE PROPERTY OWNERS, THE RETAIL MERCHANTS, THE PROPERTY TENANTS, AND THE OTHER MEMBERS OF THE BUSINESS AND RESIDENTIAL COMMUNITIES WITHIN THE SOUTH BALTIMORE GATEWAY COMMUNITY IMPACT DISTRICT; AND

(2) MAKE A DETERMINATION THAT THE SOUTH BALTIMORE GATEWAY COMMUNITY IMPACT DISTRICT WILL REFLECT:

(I) A DIVERSE MIX OF BUSINESS AND RESIDENTIAL PROPERTIES; AND

(II) A DIVERSE ECONOMIC, SOCIAL, AND RACIAL MIX.

(G) THE MAYOR AND CITY COUNCIL SHALL REVIEW THE EFFECTIVENESS AND DESIRABILITY OF CONTINUING THE EXISTENCE OF THE SOUTH BALTIMORE GATEWAY COMMUNITY IMPACT DISTRICT ESTABLISHED UNDER THIS SECTION EVERY 4 YEARS FROM THE ENACTMENT OF THE ORDINANCE.

(H) (1) THE MAYOR AND CITY COUNCIL SHALL REVIEW AND DETERMINE THE DESIRABILITY OF CONTINUING THE EXISTENCE OF THE SOUTH BALTIMORE GATEWAY COMMUNITY IMPACT DISTRICT ESTABLISHED UNDER THIS SECTION EVERY 4 YEARS BEGINNING 4 YEARS AFTER THE DATE OF THE ESTABLISHMENT OF THE DISTRICT.

(2) IF THE CONTINUING EXISTENCE OF THE SOUTH BALTIMORE GATEWAY COMMUNITY IMPACT DISTRICT IS NOT APPROVED:

(I) THE DISTRICT SHALL CEASE TO EXIST AT THE END OF THE CITY’S FISCAL YEAR IN WHICH APPROVAL WAS NOT GRANTED; AND

(II) THE SOUTH BALTIMORE GATEWAY COMMUNITY IMPACT DISTRICT MANAGEMENT AUTHORITY SHALL CONTINUE ITS EXISTENCE ONLY AS LONG AS NECESSARY TO TERMINATE OPERATIONS IN A REASONABLE MANNER AND

TO ARRANGE FOR THE DISPOSITION OF ALL FUNDS NOT NEEDED TO SATISFY OUTSTANDING OBLIGATIONS AND RESERVES FOR UNCERTAIN OBLIGATIONS AND LIABILITIES.

(I) THE MAYOR AND CITY COUNCIL MAY NOT PERMIT A REDUCTION IN THE SERVICES PROVIDED BY THE CITY IN THE SOUTH BALTIMORE GATEWAY COMMUNITY IMPACT DISTRICT DUE TO THE ESTABLISHMENT OF THE SOUTH BALTIMORE GATEWAY COMMUNITY IMPACT DISTRICT MANAGEMENT AUTHORITY.

(J) IN THE EVENT OF A DISSOLUTION OF THE SOUTH BALTIMORE GATEWAY COMMUNITY IMPACT DISTRICT, ANY UNSPENT FUNDS SHALL REVERT BACK TO THE CITY'S GENERAL FUND."

On page 12, in line 24, strike "**BENEFITS**" and substitute "**IMPACT**".

On page 13, in line 15, strike "(63)" and substitute "(69)"; in line 16, strike "(c-1)" and substitute "(c)"; in the same line, strike "Notwithstanding subsection (c) of this section, the" and substitute "The"; in line 17, strike "Benefits" and substitute "Impact"; and in line 30, strike "**BENEFITS**" and substitute "**IMPACT**".

AMENDMENT NO. 7

On page 13, in line 23, strike "code" and substitute "Code".

The preceding 7 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means 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**~~

Task Force to Study Intercepting Horse Racing Winnings for Child Support and Restitution

SB0372/885963/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 372

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike "Task Force to Study" and substitute "Study of".

On page 2, strike beginning with "establishing" in line 6 down through "matters;" in line 10 and substitute "requiring the Department of Information Technology to analyze the logistics of intercepting horse racing winnings to pay for certain child support or restitution arrears, study the use of certain intercept methods by the State for child support enforcement and restitution collection, and make recommendations regarding certain matters;"; in line 11, strike "Task Force" and substitute "Department"; and strike beginning with "providing" in line 12 down through "Restitution" in line 14 and substitute "and generally relating to a certain study of intercepting horse racing winnings for child support and restitution".

AMENDMENT NO. 2

On pages 5 and 6, strike in their entirety the lines beginning with line 8 on page 5 through line 4 on page 6, inclusive.

On page 6, in lines 5 and 17, strike "(f)" and "(g)", respectively, and substitute "(a)" and "(b)", respectively; in line 5, strike "Task Force" and substitute "Department of Information Technology"; in lines 7 and 15, in each instance, after "support" insert "or restitution"; in line 17, strike "Task Force" and substitute "Department"; and strike beginning with "It" in line 21 down through "effect." in line 23.

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 134 Members present.

(See Roll Call No. 934)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #74

House Bill 1079 – Montgomery County Delegation

AN ACT concerning

Montgomery County Student Loan Refinancing Authority MC 27-16

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

Affirmative – 126 Negative – 7 (See Roll Call No. 935)

The Bill was then sent to the Senate.

House Bill 1087 – Prince George’s County Delegation

AN ACT concerning

Task Force to Study a Promise Scholarship Program in Prince George’s County PG 438-16

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

Affirmative – 136 Negative – 0 (See Roll Call No. 936)

The Bill was then sent to the Senate.

House Bill 1369 – Delegate Lisanti

AN ACT concerning

Harford County Student Loan Refinancing Authority

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

Affirmative – 126 Negative – 8 (See Roll Call No. 937)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #17

Senate Bill 116 – The President (By Request – Department of Legislative Services)

AN ACT concerning

State Government – Office of Legislative Audits – Alterations in Audit Requirements

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

Affirmative – 132 Negative – 3 (See Roll Call No. 938)

The Bill was then returned to the Senate.

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 – 123 Negative – 12 (See Roll Call No. 939)

The Bill was then returned to the Senate.

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 – 135 Negative – 0 (See Roll Call No. 940)

The Bill was then returned to the Senate.

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 – 132 Negative – 2 (See Roll Call No. 941)

The Bill was then returned to the Senate.

**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 – 135 Negative – 0 (See Roll Call No. 942)

The Bill was then returned to the Senate.

Senate Bill 805 – ~~Senator Pugh~~ Senators Pugh, Benson, Kelley, and Mathias

AN ACT concerning

**Senior Citizen Activities Center Operating Fund – ~~Funding and Distribution~~
Distributions – Alteration**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 943)

The Bill was then returned to the Senate.

**Senate Bill 909 – Senators Ferguson, Benson, Feldman, Guzzone, Young, and
Zucker**

AN ACT concerning

Service, Stipends, and Scholarships – Maryland Corps Program – Established

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

Affirmative – 85 Negative – 49 (See Roll Call No. 944)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #18

Senate Bill 16 – Senator Eckardt

AN ACT concerning

Talbot County – Board of Education – Student Members

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

Affirmative – 135 Negative – 0 (See Roll Call No. 945)

The Bill was then returned to the Senate.

Senate Bill 129 – Senator Conway

AN ACT concerning

Baltimore City Board of School Commissioners – Submission of a Comprehensive Master Plan – Repeal of Duplicative Requirement

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

Affirmative – 135 Negative – 0 (See Roll Call No. 946)

The Bill was then returned to the Senate.

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 – 135 Negative – 1 (See Roll Call No. 947)

The Bill was then returned to the Senate.

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 nays as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 948)

The Bill was then returned to the Senate.

**Senate Bill 282 – Chair, Education, Health, and Environmental Affairs Committee
(By Request – Departmental – Education)**

AN ACT concerning

Early Childhood Development – Transfer of Provisions

FLOOR AMENDMENT

SB0282/643028/1

BY: Delegate Kaiser

AMENDMENT TO SENATE BILL 282

(Third Reading File Bill)

On page 8, strike in their entirety lines 1 and 2.

The preceding amendment was read and adopted.

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

Affirmative – 136 Negative – 0 (See Roll Call No. 949)

The Bill was then returned to the Senate.

Senate Bill 288 – Senator Kasemeyer

AN ACT concerning

Income Tax – Corporation Returns – Filing Date

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

Affirmative – 136 Negative – 0 (See Roll Call No. 950)

The Bill was then returned to the Senate.

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 – 136 Negative – 0 (See Roll Call No. 951)

The Bill was then returned to the Senate.

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 yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 952)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #19

**Senate Bill 79 – Chair, Judicial Proceedings Committee (By Request –
Departmental – Office for Children)**

AN ACT concerning

**State Citizens Review Board for Children – Penalties for Unauthorized
Disclosure of Child Protection Case Information**

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

Affirmative – 134 Negative – 0 (See Roll Call No. 953)

The Bill was then returned to the Senate.

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 – 134 Negative – 0 (See Roll Call No. 954)

The Bill was then returned to the Senate.

Senate Bill 359 – ~~Senator Zirkin~~ Senators Zirkin and Norman

AN ACT concerning

Family Law – Divorce – Corroboration of Testimony and Filing Procedures

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

Affirmative – 101 Negative – 33 (See Roll Call No. 955)

The Bill was then returned to the Senate.

**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 – 132 Negative – 2 (See Roll Call No. 956)

The Bill was then returned to the Senate.

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 – 136 Negative – 0 (See Roll Call No. 957)

The Bill was then returned to the Senate.

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 – 136 Negative – 0 (See Roll Call No. 958)

The Bill was then returned to the Senate.

MESSAGE FROM THE SENATE**FIRST READING OF SENATE BILLS****Senate Bill 545 – Senators Pugh, Ferguson, and Rosapepe**

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 Rules and Executive Nominations.

Senate Bill 676 – Senators Kasemeyer, Currie, DeGrange, Ferguson, Guzzone, King, Madaleno, Manno, ~~and Peters~~ Peters, and Brochin

AN ACT concerning

College Affordability Act of 2016

FOR the purpose of prohibiting certain public institutions of higher education from referring certain delinquent student accounts or debts to the Central Collection Unit under certain circumstances; requiring certain public institutions of higher education to allow certain students with certain unpaid balances on certain student accounts to register for certain courses under certain circumstances; repealing a certain requirement that up to a certain percentage of a certain Part–Time Grant Program allocation be used for a certain purpose; requiring the College Savings Plans of Maryland Board to develop and implement a certain marketing plan; requiring the Board to submit a certain marketing plan on or before a certain date; requiring the Board to adopt procedures for a State contribution program; requiring the Board to provide certain information in the statements for certain accounts; excluding a certain application from a certain fee; authorizing a State contribution to an investment account under certain circumstances; authorizing a certain application to be made by certain methods; requiring the Board to establish certain documentation and procedures for the submittal of a certain application; requiring the State to provide a certain contribution to certain investment accounts under certain circumstances; requiring the Governor to provide a certain appropriation in certain fiscal years to provide certain State contributions; providing certain priorities for State contributions under certain circumstances; requiring certain account holders to make a certain contribution within a certain period of time to qualify for a certain State contribution; requiring certain State contributions to be provided in a certain calendar year; prohibiting a certain account holder from taking a certain subtraction modification in a certain taxable year; requiring the Board to develop and implement a certain plan by a certain date; allowing certain individuals with certain student loan debt amounts a credit against the State income tax; requiring an application for the tax credit to be made to the Maryland Higher Education Commission by a certain date with a certain assurance; providing for the recapture of a certain tax credit under certain circumstances; requiring the Commission to certify the amount of a certain tax credit by a certain date subject to a certain limitation; requiring a certain taxpayer to attach a certain certification limiting the amount of tax credits that the Commission may approve in a taxable year to income tax returns; requiring the Commission to use certain criteria for prioritizing certain tax credits; providing for a certain subtraction modification under certain circumstances; providing for a refundable tax credit under certain circumstances; requiring the Commission to establish and implement a certain plan by a certain date; requiring the Commission to adopt certain regulations; requiring the Commission and the State Department of Education to collaborate on the development of a certain application for digital devices; ~~requiring a recipient of a~~

~~certain award to enroll in at least a certain number of credit hours in a certain time period; establishing certain award amounts for certain financial assistance grants for certain ~~semesters~~ academic years subject to certain conditions; limiting the number of years that a certain award may be made except under certain circumstances; defining certain terms; requiring the Board to make a certain report to the General Assembly on or before a certain date; requiring the Commission, in consultation with the Department of Legislative Services, to retain a certain consultant to conduct a certain evaluation of the Office of Student Financial Assistance in the Commission; requiring the Commission and the Department of Legislative Services to report certain findings and recommendations on or before a certain date; providing for the application of certain provisions of this Act; and generally relating to college affordability.~~

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 3-302(a)
Annotated Code of Maryland
(2015 Replacement Volume)

BY adding to
Article – Education
Section 15-119, 18-114, 18-1905.1, and 18-19A-04.1
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 18-301, 18-302, 18-303(a) and (b), 18-1401, 18-19A-01, 18-19A-04, and
18-19A-05
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section ~~18-303(a) and (b)~~, 18-304, 18-306, 18-1402, 18-19A-02, and 18-19A-03
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

~~BY adding to~~
~~Article – Education~~
~~Section 18-114 and 18-19A-04.1~~
~~Annotated Code of Maryland~~
~~(2014 Replacement Volume and 2015 Supplement)~~

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10-207(a) and 10-208(a)

Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–208(o)
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

BY adding to
Article – Tax – General
Section 10–207(cc) and 10–737
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

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

Senate Bill 942 – Senators Ramirez, Lee, and Manno

AN ACT concerning

**State Government – Administrative Procedure Act – Contested Cases
– Judicial Review**

FOR the purpose of altering the circumstances under which a court may reverse or modify the decision of an agency in certain contested cases on judicial review under the Administrative Procedure Act ~~in a case in which an employee is disciplined, suspended, or terminated from employment~~; and generally relating to judicial review of contested cases under the Administrative Procedure Act.

BY repealing and reenacting, with amendments,
Article – State Government
Section 10–222
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

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

Senate Bill 1162 – Senator Salling

AN ACT concerning

**Baltimore County – Education – Career Exploration and Development Activities
– ~~Caffeinated Beverages~~ Coffee
(Java Act)**

FOR the purpose of prohibiting an Executive Branch agency from banning or regulating the sale of ~~caffeinated beverages~~ coffee in conjunction with a career exploration and development activity in a public high school in ~~the State~~ Baltimore County; providing for the termination of this Act; and generally relating to the sale of ~~caffeinated beverages~~ coffee in conjunction with a career exploration and development activity in a public high school in Baltimore County.

BY adding to

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 and Executive Nominations.

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR	CONTENT
HB 59	Chair, Economic Matters Committee	Department of Economic Competitiveness and Commerce – Renaming and Reorganization
HB 70	Del. Luedtke	Business Regulation – Billiard Table License – Repeal
HB 78	Chair, Judiciary Committee	State Fire Marshal – Reporting Requirements – Repeal
HB 164	Chair, Appropriations Committee	St Prsnl Mgt Sstm – Bkgd Invstgn and Crmnl History Records Check – Prospective and Current Empls
HB 262	Del. M. Washington	Senior Citizen Activities Center Operating Fund – Distributions – Alteration
HB 280	Del. Moon	Birth Certificates – Homeless Individuals – Prohibition on Collection of Fee
HB 387	Del. Barkley	Clean Energy Loan Program – Residential Property – Study

NUMBER	SPONSOR	CONTENT
HB 411	Del. M. Washington	General Assembly – Joint Committee on Ending Homelessness – Membership
HB 501	Del. Chang	Motor Vehicle Insurance – Volunteer Drivers
HB 631	Howard County Delegation	Workers' Comp – Permanent Partial Disability – Howard Co Deputy Sheriffs Ho. Co. 11–16
HB 668	Del. Rosenberg	Preschool Development Grants – Expansion Grants – Required State Funding
HB 682	Del. Rosenberg	Bhvrl Health Advrsry Cncl – Clinical Crisis Walk–In Services and Mobile Crisis Teams – Strategic Plan
HB 798	Chair, Health and Government Operations Committee	Health Insurance – Reporting Requirements – Repeal
HB 884	St. Mary's County Delegation	St. Mary's County – Taxicabs – Repeal of Local Provisions
HB 919	Del. Jameson	Portable Electronics Ins – Comp of Vendor Empls – Rpl of Sunset and Reporting Reqmt
HB 1113	Del. Kramer	Commercial Sale of Dogs and Cats – Prohibited Acts (Companion Animal Welfare Act)
HB 1162	Del. Reznik	Foster Youth Summer Internship Program

By Order, Sylvia Siegert, Chief Clerk

Read and ordered journalized.

QUORUM CALL

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

(See Roll Call No. 959)

ADJOURNMENT

At 3:07 P.M. on motion of Delegate Kaiser the House adjourned until 11:00 A.M. on Legislative Day March 28, 2016, Calendar Day Monday, April 4, 2016.

Annapolis, Maryland
Legislative Day: March 28, 2016
Calendar Day: Monday, April 4, 2016

The House met at 11:19 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Samuel “Sandy” Rosenberg of Baltimore City.

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 960)

EXCUSES:

Del. Angel – late – dentist appointment

Del. Carter – personal

Del. Saab – illness

Del. Smith – left early – personal

Del. Szeliga – business

Del. Turner – illness

Del. M. Washington – business

The Journal of March 27, 2016 was read and approved.

QUORUM CALL

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 961)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #76

House Bill 900 – Delegate Frick

AN ACT concerning

Motor Vehicle Insurance – Personal Injury Protection – ~~Optional~~ Rejection of Coverage

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

Affirmative – 132 Negative – 3 (See Roll Call No. 962)

The Bill was then sent to the Senate.

House Bill 908 – Delegates Morhaim, Barron, Barve, Brooks, Cluster, Conaway, Fraser-Hidalgo, Frush, Haynes, Healey, Hettleman, Hill, Hixson, S. Howard, Jalisi, Jameson, Kelly, Lafferty, Lam, Luedtke, Pena-Melnyk, Stein, Sydnor, Turner, ~~and P. Young~~ P. Young, Hammen, Angel, Bromwell, Cullison, Hayes, Kipke, Krebs, McDonough, McMillan, Miele, Morgan, Oaks, Pendergrass, Rose, Saab, Sample-Hughes, West, and K. Young

AN ACT concerning

Hospitals – ~~Establishment of Substance Use Treatment~~ Demonstration Programs ~~Program~~ – Requirements

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

Affirmative – 133 Negative – 0 (See Roll Call No. 963)

The Bill was then sent to the Senate.

House Bill 912 – Delegate Frick

AN ACT concerning

Motor Vehicle Insurance – Program to Incentivize and Enable Uninsured Vehicle Owners to Be Insured

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

Affirmative – 129 Negative – 4 (See Roll Call No. 964)

The Bill was then sent to the Senate.

House Bill 1319 – Delegates Frush, Anderson, Anderton, Aumann, Barve, Beidle, Carr, Cassilly, Flanagan, Folden, Fraser-Hidalgo, Gaines, Healey, Hill, Holmes, Jacobs, Knotts, Lafferty, Lam, McCray, McMillan, Morhaim, Otto, S. Robinson, Saab, Stein, West, ~~and Wivell~~ Wivell, Hammen, Angel, Barron, Bromwell, Cullison, Hayes, Kelly, Kipke, Krebs, McDonough, Miele,

Morgan, Oaks, Pena–Melnyk, Pendergrass, Rose, Sample–Hughes, and K. Young

AN ACT concerning

Commemorative Weeks – Chesapeake Bay Awareness Week

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

Affirmative – 135 Negative – 0 (See Roll Call No. 965)

The Bill was then sent to the Senate.

House Bill 1618 – ~~Delegate Hammen~~ Delegates Hammen, Angel, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, McMillan, Miele, Morgan, Morhaim, Oaks, Pena–Melnyk, Pendergrass, Rose, Saab, Sample–Hughes, West, and K. Young

AN ACT concerning

Cigarette Restitution Fund – Establishment of Behavioral Health Treatment Account and Funding for Substance Use Treatment Services

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

Affirmative – 133 Negative – 0 (See Roll Call No. 966)

The Bill was then sent to the Senate.

THE COMMITTEE ON JUDICIARY REPORT #11

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

Senate Bill 77 – Chair, Judicial Proceedings Committee (By Request – Departmental – Human Resources)

AN ACT concerning

Human Resources – Transition Planning for Foster Youth

SB0077/172712/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 77

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “adulthood;” insert “requiring the Department of Human Resources to adopt certain regulations on or before a certain date;”.

AMENDMENT NO. 2

On page 4, after line 2, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before January 1, 2017, the Department of Human Resources shall adopt regulations to define the term “successful adulthood” to conform with the provisions of the federal Preventing Sex Trafficking and Strengthening Families Act (P.L. 113–183).”;

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

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

Senate Bill 150 – Senators Lee, Feldman, Gladden, Kasemeyer, King, Madaleno, Manno, Pugh, Ramirez, and Zirkin

AN ACT concerning

Courts – Prohibition Against Testimony by Convicted Perjurer – Repeal

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

Senate Bill 161 – ~~Senators Hough, Raskin, and Zirkin~~ Brochin, Cassilly, Lee, Muse, Ramirez, Raskin, Ready, and Zirkin

AN ACT concerning

Criminal Procedure – Seizure and Forfeiture

SB0161/502316/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 161

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “circumstances;” insert “repealing a certain provision authorizing the forfeiture of certain money or weapons relating to possession of a controlled dangerous substance;”; and strike beginning with “authorizing” in line 20 down through “Fund;” in line 24.

On page 2, in line 4, strike “that includes certain information”; in line 7, after “agency;” insert “prohibiting the construction of a certain provision of law in a certain manner;”; strike beginning with “providing” in line 10 down through “sealed;” in line 14; and strike in their entirety lines 42 through 46, inclusive.

On page 3, in line 19, strike “12-304.1, 12-313,” and substitute “12-313”.

AMENDMENT NO. 2

On pages 3 and 4, strike in their entirety the lines beginning with line 31 on page 3 through line 15 on page 4, inclusive.

AMENDMENT NO. 3

On page 5, in line 1, strike “money [of more than \$300] or”; and in line 3, strike “dispensing, or possession” and substitute “OR DISPENSING”.

On page 7, in line 30, strike “THAT INCLUDES PROOF OF OWNERSHIP,”.

On page 8, in line 26, strike “THAT INCLUDES PROOF OF OWNERSHIP”.

On page 9, in line 5, strike “OR”; after line 5, insert:

“(III) THE SEIZING AUTHORITY DOES HAVE CUSTODY OF THE PROPERTY AND WILL RETAIN IT FOR EVIDENTIARY PURPOSES UNTIL AFTER THE CONCLUSION OF A CRIMINAL CASE; OR”;

and in line 6, strike “(III)” and substitute “(IV)”.

AMENDMENT NO. 4

On page 10, strike beginning with “THIS” in line 17 down through “(B)” in line 23; in line 27, after “forfeiture;” insert “OR”; and strike beginning with “A” in line 28 down through “OR” in line 30.

On page 11, strike in their entirety lines 1 through 3, inclusive, and substitute “THE PROPERTY IS CASH OF AT LEAST \$50,000.”

(B) SUBJECT TO SUBSECTION (A) OF THIS SECTION, NOTHING IN THIS SECTION MAY BE CONSTRUED TO LIMIT THE FEDERAL CONCURRENT JURISDICTION OVER SEIZED PROPERTY.”;

and in line 6, strike “AND § 12-304.1 OF THIS SUBTITLE”.

On pages 11 and 12, strike in their entirety the lines beginning with line 29 on page 11 through line 25 on page 12, inclusive.

AMENDMENT NO. 5

On page 15, in line 16, strike “AND”; after line 16, insert:

“(8) THE RACE AND GENDER OF THE PERSON OR PERSONS FROM WHOM THE PROPERTY WAS SEIZED, IF KNOWN; AND”;

and in line 17, strike “(8)” and substitute “(9)”.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0161/273523/1

BY: Delegate Vallario

AMENDMENT TO SENATE BILL 161, AS AMENDED
(Third Reading File Bill)

On page 11, in line 5, after “(b)” insert “, (C), AND (D)”; and strike in their entirety lines 13 through 28, inclusive, and substitute:

“(C) 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.”

[(c)] (D) (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.

(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) If the owner fails to ask the return of the money within 1 year after the final disposition of criminal proceedings, as provided under § 12-403 of this title, the money shall revert to:

- (i) the political subdivision in which the money was seized; or**
- (ii) the State, if the money was seized by State authorities.”.**

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

Senate Bill 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

SB0360/582716/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 360
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “Restrictions” insert “Age”; strike beginning with “requiring” in line 5 down through “circumstances;” in line 8; and in line 12, strike “and (h)”.

AMENDMENT NO. 2

On pages 2 through 4, strike in their entirety the lines beginning with line 25 on page 2 through line 19 on page 4, inclusive.

AMENDMENT NO. 3

On pages 6 and 7, strike in their entirety the lines beginning with line 28 on page 6 through line 11 on page 7, inclusive; and on page 7, in lines 12 and 15, strike “**(10)**” and “**(11)**”, respectively, and substitute “**(9)**” and “**(10)**”, respectively.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary 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.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

Senate Bill 508 – Senators Ramirez, Norman, and Ferguson

AN ACT concerning

Civil Penalties for Shoplifting and Employee Theft – ~~Repeal~~

SB0508/912218/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 508

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Theft” insert “– Repeal”; strike beginning with “altering” in line 4 down through “changes” in line 11 and substitute “repealing certain provisions establishing liability to a merchant for civil penalties for shoplifting and employee theft”; and after line 12, insert:

“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)”.

On pages 1 and 2, strike in their entirety the lines beginning with line 19 on page 1 through line 10 on page 2.

AMENDMENT NO. 2

On page 2, in line 14, before “Subtitle” insert an opening bracket; in the same line, after “Theft.” insert a closing bracket; and in line 15, before “3–1301.” insert an opening bracket.

On page 3, in lines 12 and 23, in each instance, after the period insert a closing bracket; in line 13, before “3–1302.” insert an opening bracket; and in line 24, before “3–1303.” insert an opening bracket.

On page 4, strike beginning with “, PREPARED” in line 1 down through “STATE,” in line 2; in line 5, strike “BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED”; strike beginning with “, INCLUDING” in line 8 down through “THEFT” in line 12; in lines 13, 15, 17, 19, and 23, strike “(III)”, “(IV)”, “(V)”, “(VI)”, and “(VII)”, respectively, and substitute “(ii)”, “(iii)”, “(iv)”, “(v)”, and “(vi)”, respectively; and in line 22, after the semicolon insert “and”.

On pages 4 and 5, strike beginning with the semicolon in line 26 on page 4 down through “LETTER.” in line 7 on page 5 and substitute a period.

On page 5, in lines 9 and 10, strike “, PREPARED BY A LAWYER ADMITTED TO PRACTICE LAW IN THE STATE,”; strike beginning with “BY” in line 11 down through “REQUESTED” in line 12; in line 15, strike “(VIII)” and substitute “(v)”; in lines 26 and 31, in each instance, after the period insert a closing bracket; in line 27, before “3–1304.” insert an opening bracket; and in line 32, before “3–1305.” insert an opening bracket.

On page 6, strike beginning with “IN” in line 3 down through “(C)” in line 7; in lines 9 and 20, in each instance, after the period insert a closing bracket; strike in their entirety lines 10 through 13, inclusive; in line 14, before “3–1306.” insert an opening bracket; in line 19, strike “(C) THE” and substitute “However, the”.

On pages 6 and 7, strike in their entirety the lines beginning with line 21 on page 6 through line 13 on page 7, inclusive.

On page 7, in line 14, before “3–1307.” insert an opening bracket; in lines 20 and 24, in each instance, after the period insert a closing bracket; and in line 21, before “3–1308.” insert an opening bracket.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary 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.

Delegate Vallario, Chair, for the Committee on Judiciary 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.

Delegate Vallario, Chair, for the Committee on Judiciary 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.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

Senate Bill 946 – Senators Gladden, Hough, Ferguson, Lee, McFadden, Muse, Nathan–Pulliam, Raskin, and Zucker

AN ACT concerning

Correctional Services – Restrictive Housing – Report

SB0946/162414/1

BY: House Judiciary Committee

AMENDMENT TO SENATE BILL 946

(Third Reading File Bill)

On page 2, in line 21, strike “SEX,”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

RECONSIDERATION

Delegate Kipke moved to reconsider the vote by which **House Bill 580** was ordered printed for Third Reading.

The motion was adopted.

House Bill 580 – Delegates Clippinger, Anderson, Angel, Atterbeary, Barkley, B. Barnes, D. Barnes, Barron, Barve, Branch, Brooks, Carr, Carter, Chang, Conaway, Cullison, Davis, Dumais, Ebersole, Fennell, Fraser–Hidalgo, Frick, Frush, Gaines, Gilchrist, Glenn, Gutierrez, Hammen, Hayes, Haynes, Healey, Hettleman, Hill, Hixson, Holmes, C. Howard, Jackson, Jalisi, Jones, Kaiser, Kelly, Knotts, Korman, Krimm, Lafferty, Lam, Lierman, Luedtke, McCray, McIntosh, A. Miller, Moon, Morales, Morhaim, Oaks, Patterson, Pena–Melnyk, Pendergrass, Platt, Proctor, Reznik, B. Robinson, S. Robinson, Rosenberg, Sample–Hughes, Sanchez, Smith, Sophocleus, Stein, Sydnor, Tarlau, Turner, Valderrama, Vallario, Vaughn, Waldstreicher, A. Washington, M. Washington, K. Young, P. Young, and Zucker

AN ACT concerning

Labor and Employment – Maryland Healthy Working Families Act

FLOOR AMENDMENT

HB0580/323925/1

BY: Delegate Kipke

AMENDMENTS TO HOUSE BILL 580, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in lines 4, 5, 6, 8, 11, and 18, in each instance, strike “sick and safe”; in line 5, strike “paid or unpaid”; strike beginning with “requiring” in line 11 down through “purposes;” in line 12; and in line 15, after “time;” insert “authorizing an employer to adopt a certain written leave policy;”.

On page 2 of the bill, in line 3, after “circumstances;” insert “requiring and”; in line 5, after “authorizing” insert “, under certain circumstances,”; in line 7, strike “, fees and injunctive relief”; in line 15, after “terms;” insert “providing that certain provisions of this Act preempt the authority of a local jurisdiction to regulate earned leave provided by certain employers; prohibiting a local jurisdiction from adopting or enforcing certain laws, ordinances, rules, and regulations; providing for the effective dates of this Act;”; in line 16, strike “sick and safe”; and in line 24, strike “3–1311” and substitute “3–1310”.

In the Economic Matters Committee Amendments (HB0580/233899/1), strike Amendment No. 1 in its entirety.

AMENDMENT NO. 2

In the Economic Matters Committee Amendments, strike in their entirety Amendment Nos. 2 through 5 and 7 through 12.

On page 4 of the Economic Matters Committee Amendments, in line 2 of Amendment No. 6, strike “(C)” and substitute “(B)”; and strike beginning with “; OR” in line 3 down through “SUBTITLE” in line 6.

On page 5 of the Economic Matters Committee Amendments, in line 2 of Amendment No. 6, strike “(C)” and substitute “(B)”; and in line 4, strike “SICK AND SAFE”.

Strike Delegate Davis’ Amendment (HB0580/713723/1), in its entirety.

Strike the Economic Matters Committee Amendment (HB0580/713294/1), in its entirety.

On page 3 of the bill, strike in their entirety lines 17 through 20, inclusive; in lines 21, 23, and 28, strike “(D)”, “(E)”, and “(F)”, respectively, and substitute “(B)”, “(C)”, and “(D)”, respectively; and in line 21, strike “SICK AND SAFE”.

On pages 4 and 5 of the bill, strike in their entirety the lines beginning with line 4 on page 4 through line 11 on page 5, inclusive.

On page 5 of the bill, in line 15, strike “SICK AND SAFE”; in line 16, after “EMPLOYMENT,” insert “OR”; strike in their entirety lines 17 through 23, inclusive; and in line 24, strike “(4)” and substitute “(2)”.

On pages 5 and 6 of the bill, strike in their entirety the lines beginning with line 26 on page 5 through line 2 on page 6, inclusive.

On page 6 of the bill, in line 4, before “THIS” insert “(A)”; in line 5, strike “8” and substitute “30”; strike in their entirety lines 7 through 10 and substitute:

“(2) HAS BEEN EMPLOYED BY THE EMPLOYER FOR LESS THAN 120 DAYS DURING A 12-MONTH PERIOD.

(B) THIS SUBTITLE DOES NOT APPLY TO AN EMPLOYER THAT HAS A PAID LEAVE POLICY THAT:

(1) PROVIDES AN EMPLOYEE WITH AN AMOUNT OF PAID LEAVE MEETING THE TOTAL ANNUAL ACCRUAL REQUIREMENTS PROVIDED UNDER § 3-1304 OF THIS SUBTITLE; AND

(2) ALLOWS AN EMPLOYEE TO USE THE PAID LEAVE FOR ANY REASON.”;

in line 12, strike “MORE THAN NINE EMPLOYEES” and substitute “50 OR MORE EMPLOYEES IN A SINGLE, DISCRETE WORKPLACE OR INDIVIDUAL WORK LOCATION”; in lines 13, 18, 26, and 28, in each instance, strike “SICK AND SAFE”; strike in their entirety lines 15 and 16; in line 17, strike “(3)” and substitute “(2)”; in the same line, strike “FOR” and substitute “SUBJECT TO SUBPARAGRAPHS (II) AND (III) OF THIS PARAGRAPH, FOR”; in line 18, strike “PAID OR UNPAID”; strike beginning with “WITHOUT” in line 24 down through “SUBSECTION” in line 27 and substitute “IF, DURING THE IMMEDIATELY PRECEDING YEAR, THE EMPLOYEE:

1. WAS EMPLOYED BY THE EMPLOYER FOR MORE THAN 120 DAYS; AND

2. WORKED FOR MORE THAN 30 HOURS PER WEEK FOR THE EMPLOYER”;

and after line 27, insert:

“(III) IF AN EMPLOYER HAS MORE THAN ONE BUSINESS LOCATION IN THE STATE, THE NUMBER OF EMPLOYEES AT EACH LOCATION MAY NOT BE AGGREGATED IN THE CALCULATION MADE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.”.

On page 7 of the bill, in lines 1 and 29, in each instance, strike “56” and substitute “40”; in lines 1, 6, 10, 14, 20, 25, 26, and 29, in each instance, strike “SICK AND SAFE”;

strike in their entirety lines 3 and 4; in lines 5 and 6, strike “(3)” and “(4)”, respectively, and substitute “(2)” and “(3)”, respectively; in line 5, strike “80” and substitute “40”; strike beginning with “USE” in line 6 down through “SHORTER” in line 8 and substitute “ACCRUE EARNED LEAVE UNTIL THE EMPLOYEE HAS BEEN EMPLOYED FOR 121 DAYS DURING A 12-MONTH PERIOD”; in line 20, after “(F)” insert “(1)”; in lines 21 and 22, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; in line 21, strike “OCTOBER 1, 2016” and substitute “SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, JANUARY 1, 2017”; in line 22, strike “OCTOBER 1, 2016” and substitute “JANUARY 1, 2017”; in line 23, after “BEGINS” insert “THE 121ST DAY OF”; in the same line, after “EMPLOYER” insert “DURING A 12-MONTH PERIOD”; and after line 23, insert:

“(2) EARNED LEAVE SHALL BEGIN TO ACCRUE ONLY IF THE EMPLOYEE HAS BEEN EMPLOYED BY THE EMPLOYER FOR AT LEAST 121 DAYS DURING THE IMMEDIATELY PRECEDING 12-MONTH PERIOD.”

On page 8 of the bill, strike in their entirety lines 1 through 6, inclusive; in lines 7 and 19, strike “(I)” and “(J)”, respectively, and substitute “(H)” and “(I)”, respectively; in lines 7 and 8, 10, 11, 17 and 18, 20, and 25, in each instance, strike “SICK AND SAFE”.

On pages 8 and 9 of the bill, strike in their entirety the lines beginning with line 28 on page 8 through line 19 on page 9, inclusive.

On page 9 of the bill, in lines 20, 24, and 28, strike “(B)”, “(C)”, and “(D)”, respectively, and substitute “(A)”, “(B)”, and “(C)”, respectively; and in lines 20, 22, 25, and 28, in each instance, strike “SICK AND SAFE”.

On page 10 of the bill, in lines 2, 10, 20 and 21, 26, and 30, in each instance, strike “SICK AND SAFE”; in line 11, strike “(E)” and substitute “(D)”; in line 11, strike “AN” and substitute “SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AN”; strike beginning with “EMPLOYEE” in line 11 down through “TIME” in line 13 and substitute “EMPLOYER MAY ADOPT A WRITTEN LEAVE POLICY THAT SPECIFIES THE INCREMENTS IN WHICH AN EMPLOYEE MAY TAKE EARNED LEAVE”; strike in their entirety lines 14 and 15 and substitute:

“(2) AN EMPLOYER’S WRITTEN POLICY MAY NOT REQUIRE THAT AN EMPLOYEE TAKE EARNED LEAVE IN INCREMENTS OF MORE THAN 4 HOURS.”;

strike in their entirety lines 16 through 19, inclusive, and substitute:

“(E) (1) IN THIS SUBSECTION, “VERIFICATION” MEANS THIRD PARTY DOCUMENTATION IN THE FORM OF A NOTE FROM:

(I) A LICENSED PHYSICIAN OR OTHER LICENSED OR CERTIFIED HEALTH CARE PROFESSIONAL;

(II) AN ATTORNEY;

(III) AN OFFICER OF A FEDERAL OR STATE COURT; OR

(IV) AN OFFICER OF A FEDERAL OR STATE LAW ENFORCEMENT AGENCY.”;

in line 20, strike “(G)” and substitute “**(2)**”; and in line 23, strike “UNDER SUBSECTION (A) OF THIS SECTION”.

On page 11 of the bill, in lines 2, 16, and 18, in each instance, strike “SICK AND SAFE”; in line 3, after “SUBTITLE;” insert “**AND**”; strike in their entirety lines 4 through 6, inclusive; in line 7, strike “(4)” and substitute “**(3)**”; in line 24, strike the second “SECTION” and substitute “**SUBTITLE**”; and in line 28, strike “MAY” and substitute “**SHALL**”.

On page 12 of the bill, strike in their entirety lines 1 through 3, inclusive, and substitute:

“(2) IF THE MEDIATION IS UNSUCCESSFUL, ISSUE AN ORDER TO THE EMPLOYER DIRECTING THE EMPLOYER TO RESOLVE THE MATTER WITHIN 30 DAYS OF THE ORDER;

(3) IF THE MEDIATION IS UNSUCCESSFUL AND THE EMPLOYER FAILS TO FULLY COMPLY WITH THE ORDER WITHIN 30 DAYS, MAY ASK, WITH THE WRITTEN CONSENT OF THE EMPLOYEE, THE ATTORNEY GENERAL TO BRING AN ACTION IN ACCORDANCE WITH THIS SECTION ON BEHALF OF THE EMPLOYEE; AND”;

in line 4, strike “(3)” and substitute “**(4)**”; in line 6, after “SECTION,” insert “**IN THE EVENT THAT MEDIATION FAILS AND THE EMPLOYER FAILS TO COMPLY WITH AN ORDER OF**

THE COMMISSIONER WITHIN 30 DAYS OF THE ORDER,”; in line 13, after the semicolon insert “AND”; and strike beginning with the semicolon in line 15 down through “RELIEF” in line 19.

On pages 12 and 13 of the bill, strike in their entirety the lines beginning with line 24 on page 12 through line 18 on page 13, inclusive.

On page 13 of the bill, in line 26, strike “3-1311.” and substitute “3-1310.”; and after line 28, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That a local jurisdiction may not:

(1) adopt a law, an ordinance, a rule, or a regulation that regulates earned leave provided by an employer other than the local jurisdiction; or

(2) enforce any laws, ordinances, rules, or regulations that regulate earned leave provided by an employer other than the local jurisdiction.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect July 1, 2017.”.

On page 14 of the bill, in line 1, strike “2.” and substitute “4.”.

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

Affirmative – 51 Negative – 83 (See Roll Call No. 967)

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #23

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

House Bill 927 – Delegate Davis

AN ACT concerning

Public Service Commission – Electric Affordability Program – Study

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1378 – Delegates Frick and Waldstreicher

AN ACT concerning

Maryland Small Business Retirement Savings Program and Trust

HB1378/273598/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1378

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “Frick” insert “, Carr, Frush, Hixson, Kaiser, Kelly, Korman, Krimm, Lisanti, Luedtke, McCray, Morhaim, Patterson, Queen, Reznik, Shoemaker, Stein, A. Washington, K. Young, Brooks, Clippinger, Glenn, Valderrama,”; in line 4, strike “eligible”; strike beginning with the first comma in line 8 down through “employer;” in line 13 and substitute “; authorizing the Board to enter into a certain agreement to borrow certain funds; requiring the Board to take certain actions to ensure that the Program is not preempted by federal law; requiring the Board to establish certain procedures and disclosures; requiring the Board to design and disseminate certain information to employers and employees; requiring the Board to enter into a certain agreement delegating the administration of the Trust to a third-party administrator; limiting the type of savings arrangements offered by the Board to payroll deposit IRA arrangements; requiring the Board to implement a range of investment options and providers and to select a default investment option; requiring the Board to consider certain information when selecting investment options; authorizing the Board to provide investment options that provide certain income distributions; limiting the ongoing administrative expenses of the Program from exceeding a certain amount; prohibiting the Board from offering investment options that conflict with federal law; prohibiting the Board from offering investment options that could result in certain liabilities; requiring a covered employer to establish a certain payroll deposit retirement savings arrangement, and to automatically enroll covered employees in the Program; prohibiting a covered employer from receiving a certain fee waiver if the covered employer is not in compliance with certain provisions of this Act; establishing that compliance with this Act does not create a certain fiduciary obligation; establishing that a covered employee may opt out of the Program, and

re-enroll if the employee has opted out.”; in line 13, strike “eligible”; in line 14, after “manner;” insert “requiring the Board to establish a default employee contribution amount;”; in line 16, strike “employers” and substitute “employers, taxpayers.”; in line 20, strike “processing”; and in line 21, after “circumstances;” insert “prohibiting the waiver of a certain filing fee under this Act until the Program is open for enrollment.”.

AMENDMENT NO. 2

On page 2, after line 10, insert:

“Preamble

WHEREAS, It shall be the policy of the State to assist the Maryland workforce in identifying the need to save for retirement, learning about products and services available in the private sector to accumulate retirement savings, promoting the efforts of employers to adopt retirement plans for employees, and assisting employees who do not have access to an employer-offered savings arrangement to initiate individual retirement accounts; and

WHEREAS, It is the intent of the General Assembly that the Maryland Small Business Retirement Savings Board will outsource the administration and management of the funds on behalf of the program participants, and at no point will the funds be managed directly by the Board; and

WHEREAS, Management of the separate accounts shall be performed by private entities selected by the Board that are licensed and in good standing with the State; now, therefore.”.

On page 3, strike beginning with “NONREFUNDABLE” in line 2 down through “PROCESSING” in line 3 and substitute “FILING”; in line 6, after “IS” insert “REQUIRED TO COMPLY WITH AND IS”; in line 11, strike “EMPLOYER-SPONSORED RETIREMENT PLAN” and substitute “EMPLOYER-OFFERED SAVINGS ARRANGEMENT”; strike beginning with “THE” in line 11 down through “ACT” in line 12 and substitute “FEDERAL LAW”; in line 22, strike “ELIGIBLE” and substitute “COVERED”; in the same line, strike “A PERSON” and substitute “AN INDIVIDUAL”; in line 23, strike “AN ELIGIBLE” and substitute “A COVERED”; strike beginning with “OR” in line 23 down through “TITLE” in line 24; and in line 25, strike “ELIGIBLE” and substitute “COVERED”.

On page 4, strike beginning with “OR” in line 2 down through “YEARS” in line 5; in line 11, strike “ELIGIBLE” and substitute “COVERED”; strike beginning with the colon in

line 13 down through “(II)” in line 17; in line 17, strike “ELIGIBLE” and substitute “COVERED”; in line 19, strike “ELIGIBLE” and substitute “COVERED”; in line 26, strike “EMPLOYER–SPONSORED RETIREMENT PLAN” and substitute “EMPLOYER–OFFERED SAVINGS ARRANGEMENT”; and in line 29, strike “TERMINATED AN EMPLOYER–SPONSORED RETIREMENT PLAN” and substitute “OFFERED AN EMPLOYER–OFFERED SAVINGS ARRANGEMENT”.

On page 5, in line 7, strike “AND OFFERED”; in line 9, strike “ELIGIBLE”; in line 10, strike “ELECTS TO PARTICIPATE IN” and substitute “IS PARTICIPATING IN THE PROGRAM THROUGH”; in line 11, strike “UNDER THIS TITLE FOR ELIGIBLE EMPLOYEES” and substitute “IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE BOARD”; in line 12, strike “AN ELIGIBLE” and substitute “A COVERED”; in line 14, strike “ELIGIBLE” and substitute “COVERED”; in line 16, strike “AN” and substitute “A COVERED”; and strike beginning with “A” in line 17 down through “PROGRAM” in line 18 and substitute “THE PROGRAM”.

On page 6, after line 29, insert:

“(3) CONSISTENT WITH ITS FIDUCIARY DUTIES, THE BOARD MAY ENTER INTO AN AGREEMENT TO BORROW FUNDS FROM THE STATE OR ANY OTHER ENTITY TO PROVIDE FUNDING FOR THE OPERATION OF THE PROGRAM UNTIL THE PROGRAM CAN GENERATE SUFFICIENT FUNDING FOR OPERATIONS THROUGH FEES ASSESSED ON PROGRAM ACCOUNTS.”

On page 7, in line 8, strike “INVESTING” and substitute “SELECTING INVESTMENT OPTIONS OR PROGRAMS THAT WILL INVEST”; in line 16, after “SHALL” insert “CONSIDER INVESTMENT OPTIONS OR PROGRAMS THAT WILL SEEK TO”; in line 25, after “POWERS” insert “AND DUTIES”; in line 26, strike “MAY”; in line 27, before “CAUSE” insert “SHALL”; and in line 30, before “APPOINT” insert “SHALL”.

On page 8, in line 1, before “EMPLOY” insert “SHALL”; in line 3, before “MAKE” insert “SHALL”; in line 5, before “EVALUATE” insert “SHALL”; strike beginning with “ELIGIBLE” in line 5 down through “CONTRIBUTIONS” in line 8 and substitute “EMPLOYEE TO CONTRIBUTE AUTOMATICALLY TO THE PROGRAM”; in line 9, before “EVALUATE” insert “SHALL”; in line 11, strike “ELIGIBLE” and substitute “COVERED”; in line 17, before “DESIGN” insert “SHALL”; in line 19, before “EVALUATE” insert “SHALL”; strike beginning with “THE” in line 19 down through “EMPLOYEES” in line 21 and substitute “A RANGE OF”.

INVESTMENT OPTIONS, INCLUDING A DEFAULT INVESTMENT SELECTION FOR EMPLOYEES' PAYROLL DEPOSIT IRAS"; in line 22, before "PROCURE" insert "SHALL"; strike beginning with the second "AND" in line 24 down through "RETURN" in line 25; in line 26, before "PROCURE" insert "SHALL"; in line 29, before "SET" insert "SHALL"; and in line 32, before "ARRANGE" insert "MAY".

On page 9, in line 3, before "DETERMINE" insert "SHALL"; strike beginning with "EACH" in line 3 down through "TRUST" in line 5 and substitute "INDIVIDUAL RETIREMENT ACCOUNTS"; in line 6, before "EXPLORE" insert "SHALL"; in line 10, strike "IF NECESSARY," and substitute "SHALL"; in line 11, after "PROGRAM;" insert "AND"; in line 12, before "EVALUATE" insert "MAY"; in line 12, strike "ELIGIBLE"; strike beginning with the semicolon in line 14 down through "ACCOUNTS" in line 16; in line 17, after "REGULATIONS" insert "AND TAKE ANY OTHER ACTION"; after line 21, insert:

"(C) THE BOARD SHALL TAKE ANY ACTION NECESSARY TO ENSURE THAT THE PROGRAM IS NOT PREEMPTED BY FEDERAL LAW.";

in line 23, after "(A)", insert:

"THE BOARD SHALL ESTABLISH PROCEDURES AND DISCLOSURES TO PROTECT THE INTERESTS OF PARTICIPANTS AND EMPLOYERS."

(B);

in line 24, strike "AN EMPLOYEE" and substitute "AND EMPLOYEES"; in line 25, strike "PACKET" and substitute "REGARDING THE PROGRAM"; in line 26, strike "PACKET" and substitute "INFORMATION PROVIDED"; strike beginning with "EMPLOYEES." in line 27 down through "INCLUDE:" in line 28 and substitute "EMPLOYEES, INCLUDING:"; and in line 29, strike "(1)" and substitute "(I)".

On page 10, in line 1, strike "(2)" and substitute "(II)"; in line 3, strike "(3)" and substitute "(III)"; in line 4, strike "(4)" and substitute "(IV)"; in the same line, strike "AND"; in line 5, strike "(5)" and substitute "(V)"; in the same line, after "PROGRAM" insert ";AND

(VI) INFORMATION ABOUT ALTERNATIVE RETIREMENT SAVINGS OPTIONS;

and strike beginning with “EMPLOYER–SPONSORED” in line 12 down through “PLAN” in line 13 and substitute “EMPLOYER–OFFERED SAVINGS ARRANGEMENT”.

On pages 10 and 11, strike in their entirety the lines beginning with line 16 on page 10 through line 7 on page 11, inclusive, and substitute:

“(D) THE BOARD SHALL ESTABLISH PROCEDURES FOR:

(1) A COVERED EMPLOYEE TO OPT OUT OF PARTICIPATION IN THE PROGRAM;

(2) A PARTICIPATING EMPLOYEE TO OPT OUT OF PARTICIPATION IN THE PROGRAM AFTER THE PARTICIPATING EMPLOYEE HAS COMMENCED PARTICIPATION; AND

(3) AN EMPLOYEE WHO HAS OPTED OUT OF PARTICIPATION TO PARTICIPATE OR RESUME PARTICIPATION IN THE PROGRAM.”

On page 11, in line 22, after “(B)” insert “(1)”; and after line 25, insert:

“(2) THE BOARD SHALL ENTER INTO AN AGREEMENT DELEGATING THE ADMINISTRATION OF THE TRUST TO A THIRD–PARTY ADMINISTRATOR.”

On page 12, in line 2, strike “(1)”; in the same line, after “ESTABLISH” insert “, BY REGULATION,”; strike in their entirety lines 4 through 10, inclusive; in line 16, after “SHALL” insert “ONLY”; after line 17, insert:

“(C) THE BOARD SHALL:

(1) IMPLEMENT A RANGE OF INVESTMENT OPTIONS AND PROVIDERS;
AND

(2) SELECT A DEFAULT INVESTMENT OPTION FOR PROGRAM PARTICIPANTS.

(D) WHEN SELECTING INVESTMENT OPTIONS, THE BOARD SHALL CONSIDER METHODS TO MINIMIZE THE RISK OF SIGNIFICANT INVESTMENT LOSSES AT THE TIME OF A PARTICIPATING EMPLOYEE’S RETIREMENT.

(E) THE BOARD MAY PROVIDE AN INVESTMENT OPTION THAT PROVIDES AN ASSURED LIFETIME INCOME.

(F) (1) THE BOARD SHALL CONSIDER INVESTMENT OPTIONS THAT MINIMIZE ADMINISTRATIVE EXPENSES.

(2) ONGOING ANNUAL ADMINISTRATIVE EXPENSES MAY NOT EXCEED 0.5% OF ASSETS UNDER MANAGEMENT IN THE PROGRAM.

(G) THE BOARD MAY NOT OFFER ANY INVESTMENT OPTIONS THAT CONFLICT WITH FEDERAL LAW.

(H) THE BOARD MAY NOT OFFER ANY INVESTMENT OPTIONS THAT COULD RESULT IN LIABILITY TO THE STATE OR ITS TAXPAYERS.”;

strike in their entirety lines 18 through 23, inclusive; in line 25, after “(A)” insert “(1)”; and in the same line, strike “ELIGIBLE” and substitute “COVERED”.

On page 13, strike beginning with “(B)” in line 1 down through “BOARD” in line 10 and substitute:

“(2) A COVERED EMPLOYER SHALL AUTOMATICALLY ENROLL A COVERED EMPLOYEE IN THE PROGRAM, UNLESS THE EMPLOYEE ELECTS TO OPT OUT IN ACCORDANCE WITH PROCEDURES ESTABLISHED BY THE BOARD.

(B) IF A COVERED EMPLOYER IS NOT IN COMPLIANCE WITH SUBSECTION (A) OF THIS SECTION, THE COVERED EMPLOYER MAY NOT RECEIVE A WAIVER OF THE FILING FEE UNDER § 1-203(B)(14) OF THE CORPORATIONS AND ASSOCIATIONS ARTICLE”;

in line 12, strike “EMPLOYER-SPONSORED RETIREMENT PLAN” and substitute “EMPLOYER-OFFERED SAVINGS ARRANGEMENT”; after line 17, insert:

“(D) COMPLIANCE WITH THIS TITLE AND PARTICIPATION IN THE PROGRAM BY ITSELF DOES NOT CREATE A FIDUCIARY OBLIGATION OF AN EMPLOYER WITH RESPECT TO THE OPERATION OF THE PROGRAM OR FUNDS CONTRIBUTED TO THE PROGRAM.”

12-403.

(A) A COVERED EMPLOYEE OF A PARTICIPATING EMPLOYER MAY ELECT TO OPT OUT OF THE PROGRAM.

(B) A COVERED EMPLOYEE OF A PARTICIPATING EMPLOYER WHO ELECTS TO OPT OUT OF THE PROGRAM MAY RE-ENROLL IN THE PROGRAM IN ACCORDANCE WITH PROCEDURES ESTABLISHED BY THE BOARD.”;

in line 18, strike “(D)” and substitute “(C)”; in the same line, strike “ANY” and substitute “AN”; in line 19, strike “ELIGIBLE”; in line 20, strike “AT ANY TIME IN A MANNER PRESCRIBED” and substitute “AS AUTHORIZED”; in line 22, strike “(E)” and substitute “(D)”; strike beginning with “AND” in line 23 down through “FORM” in line 24; in line 25, strike “(F)” and substitute “(E)”; in line 26, strike “3%” and substitute “A FIXED PERCENTAGE OR DOLLAR AMOUNT”; in the same line, strike “ANNUAL”; in line 28, strike “(G)” and substitute “(F)”; in the same line, after “BOARD” insert “SHALL SET AND”; in the same line, before “CONTRIBUTION” insert “DEFAULT”; and in line 29, strike “(F)” and substitute “(E)”.

On page 14, in line 15, strike “TRUST AND” and substitute “**BOARD, TRUST, OR**”; in line 28, after “the” insert “**Board shall obtain an opinion from its counsel or from the federal government that the plan, trust, administrative arrangement, investment offerings, and**”; strike beginning with the comma in line 31 down through “Act” in line 33; and after line 33, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That the filing fee under § 1-203(b)(3)(ii) of the Corporations and Associations Article may not be waived in accordance with this Act until the Maryland Small Business Savings Program is open for enrollment.”

On page 15, in line 1, strike “4.” and substitute “**5.**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB1378/433025/1

BY: Delegate Fisher

AMENDMENTS TO HOUSE BILL 1378, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Economic Matters Committee Amendments (HB1378/273598/1), in line 8 of Amendment No. 1, after “disclosures;” insert “specifying that the assets in a certain employee’s Program account are the property of the employee; prohibiting the State from transferring any assets of the Trust to specified funds of the State, or otherwise encumbering any assets of the Trust;”.

AMENDMENT NO. 2

On page 12 of the bill, after line 3, insert:

“(F) THE STATE MAY NOT TRANSFER ANY ASSETS OF THE TRUST TO THE GENERAL FUND OR ANY OTHER FUND OF THE STATE, OR OTHERWISE ENCUMBER ANY ASSETS OF THE TRUST.”

On page 13 of the bill, after line 29, insert:

“(G) THE ASSETS IN A PARTICIPATING EMPLOYEE’S PROGRAM ACCOUNT ARE THE PROPERTY OF THE PARTICIPATING EMPLOYEE.”

The preceding 2 amendments were read and adopted.

Delegate O’Donnell moved to make the Bill a Special Order for Tuesday.

The motion was adopted.

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

Senate Bill 725 – The President (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Alcoholic Beverages – Cross-References and Corrections

SB0725/913094/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 725

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, after line 11, insert:

“BY adding to

Article – Alcoholic Beverages

Section 1–302.1

Annotated Code of Maryland

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

in line 14, after “2–131(b).” insert “4–105(a), 4–109(a)(3), (11), and (13).”; in the same line, strike the second “and”; and in line 15, after “21–1310(e)” insert “23–1404(a), 23–1406(a), 23–1407, 23–1703(a), and 23–2602”.

AMENDMENT NO. 2

On page 4, after line 1, insert:

“1–302.1.

BY REGULATION, THE COMPTROLLER MAY:

(1) ESTABLISH OR PROHIBIT THE MAXIMUM DISCOUNTS THAT MAY BE ALLOWED BY A MANUFACTURER, WHOLESALER, OR NONRESIDENT WINERY PERMIT HOLDER IN THE SALE AND DISTRIBUTION OF WINE AND LIQUOR; OR

(2) PROHIBIT THE GIVING OF DISCOUNTS BY A MANUFACTURER, WHOLESALER, OR NONRESIDENT WINERY PERMIT HOLDER IN THE SALE AND DISTRIBUTION OF WINE AND LIQUOR.”.

On page 4, after line 5, insert:

“4–105.

(a) (1) A license for the use of a limited liability company shall be applied for and issued to AUTHORIZED PERSONS OF THE LIMITED LIABILITY COMPANY, as individuals[:].

(2) (i) [all] ALL of the authorized individuals SHALL APPLY FOR THE LICENSE, if the limited liability company has fewer than three authorized individuals[: or].

(ii) [three] THREE authorized individuals SHALL APPLY FOR THE LICENSE, if the limited liability company has three or more authorized individuals.

[(2)](3) At least one of the authorized individuals shall:

(i) have been a resident of the jurisdiction or municipality for at least 2 years before the application is filed; and

(ii) be a registered voter and taxpayer of the jurisdiction or municipality when the application is filed.

4–109.

(a) [On a] A license application[, an applicant] shall state:

(3) that [the] AT LEAST ONE applicant is a citizen of the United States;

(11) [that] WHETHER the applicant has a financial interest in the business to be conducted under the license;

(13) that the applicant or a person on behalf of whom the application is filed does not have a financial interest [in the jurisdiction] in any other place of business in the jurisdiction for which an alcoholic beverage license has been applied for or issued.”.

On page 5, after line 3, insert:

“23-1404.

(a) Except as provided in subsection (c) of this section, [an applicant] AT LEAST ONE OF THE APPLICANTS for a new license for a corporation or limited liability company shall certify that as long as the applicant is the holder of the license, the applicant shall:

(1) own at least 10% of the stock in the corporation or interest in the limited liability company; or

(2) (i) serve as the manager or supervisor of the corporation or limited liability company; and

(ii) be physically present on a full-time basis at the licensed premises of the corporation or limited liability company to conduct the daily business involving transactions concerning alcoholic beverages sales.

23-1406.

(a) [An applicant] AT LEAST ONE OF THE APPLICANTS shall include with the application a petition of support signed by at least three residents who are owners of real property and registered voters in the district where the business is to be conducted stating that the applicant:

(1) is known personally to the residents; and

(2) subject to subsection (b) of this section, has been a resident of the County for 2 years immediately preceding the presentation of the application to the residents.

23-1407.

[An applicant for a license shall:]

[(1)](A) AT LEAST ONE OF THE APPLICANTS FOR A LICENSE SHALL be a resident of the County[;].

[(2)](B) [in] IN the determination of the Board, EACH APPLICANT SHALL:

(1) be of good character; and

[(3)](2) include the following information with the application:

(i) a statement that the applicant is at least 18 years old; and

(ii) a checklist and police consent form.

23-1703.

(a) Except as provided in subsection (c) of this section, [an applicant] AT LEAST ONE OF THE APPLICANTS for the transfer of a license for a corporation or limited liability company shall certify that as long as the applicant is the holder of the license, the applicant shall:

(1) own at least 10% of the stock in the corporation or interest in the limited liability company; or

(2) (i) serve as the manager or supervisor of the corporation or limited liability company; and

(ii) be physically present on a full-time basis at the licensed premises of the corporation or limited liability company to conduct the daily business involving transactions concerning alcoholic beverages sales.

23-2602.

(a) The Board may subpoena records pertaining to a licensed establishment.

(b) (1) The Board may petition the circuit court if a witness refuses to produce a subpoenaed record.

(2) The court [may] SHALL proceed by attachment against the witness as if the refusal had been by a witness summoned to appear in a case pending before the court.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 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.

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

Senate Bill 888 – ~~Senator Middleton~~ Senators Middleton, Astle, Benson, Feldman, Hershey, Jennings, Kelley, Klausmeier, Mathias, and Reilly

AN ACT concerning

Motor Vehicle Insurance – Program to Incentivize and Enable Uninsured Vehicle Owners to Be Insured

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 916 – Harford County Senators

AN ACT concerning

Harford County – Alcoholic Beverages – Community College License

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 916

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “an officer” and substitute “officers”; and in line 9, after “events;” insert “limiting the number of days per year the license holder may sell beer and wine at certain events;”.

AMENDMENT NO. 2

On page 2, in line 12, strike “AN OFFICER” and substitute “OFFICERS”; in line 26, after “(D)” insert “(1)”; in lines 28 and 29, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; and after line 29, insert:

“(2) THE LICENSE HOLDER MAY SELL BEER AND WINE AT EVENTS THAT ARE HELD ON THE COMMUNITY COLLEGE CAMPUS FOR A MAXIMUM OF 25 DAYS 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.

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

Senate Bill 1077 – Washington County Senators

AN ACT concerning

Washington County – Alcoholic Beverages – License Renewal Procedures

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1079 – Washington County Senators

AN ACT concerning

Washington County – Alcoholic Beverages – Hotel and Motel Licenses

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON WAYS AND MEANS REPORT #18

Delegate Hixson, Chair, for the Committee on Ways and Means 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.

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

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**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

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**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 422 – ~~Senator Kasemeyer~~ Senators Kasemeyer and McFadden

AN ACT concerning

Education – Maryland School for the Blind – Funding

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**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)**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 582 – Senator King

AN ACT concerning

Education – Robotics Grant Program – Establishment

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 794 – Senators Jennings, Kagan, Klausmeier, Waugh, Young, ~~and Zucker~~ Zucker, and Salling

AN ACT concerning

Education – Prekindergarten and Kindergarten Assessments – Administration

SB0794/365767/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 794
(Third Reading File Bill)

On page 2, in line 20, after “**BEFORE**” insert “**OCTOBER 1 FOLLOWING**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

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

SB0905/535362/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 905
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, after “time;” insert “requiring a certain master plan to include certain information during certain calendar years; requiring the State Department of Education to convene a certain group of stakeholders to review certain requirements of a”

certain master plan and the federal Every Student Succeeds Act; requiring the Department to make a certain report on or before a certain date;”.

AMENDMENT NO. 2

On page 3, in line 15, after “(d)” insert “(1)”; and after line 16, insert:

“(2) If by August 1, 2016, the Governor, the President of the Senate, and the Speaker of the House do not jointly appoint a chair, the President of the Senate and the Speaker of the House shall jointly appoint the chair of the Commission.”.

On page 4, in line 2, after “education” insert “, including expanding the services and supports needed in special education prekindergarten”.

On page 5, in line 9, strike “and”; and after line 12, insert:

“(vii) ensuring that State laws promote collaboration between county governments and local school systems; and”.

AMENDMENT NO. 3

On page 5, after line 28, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) Notwithstanding any other provision of law, for calendar years 2016 and 2017, a county board of education’s annual update of the comprehensive master plan required by § 5–401(b)(3) of the Education Article shall include only:

(1) the budget requirements required by § 5–401(b)(5) of the Education Article;

(2) the goals, objectives, and strategies regarding the performance of:

(i) students requiring special education, as defined in § 5–209 of the Education Article;

(ii) students with limited English proficiency, as defined in § 5–208 of the Education Article; and

(iii) students failing to meet, or failing to make progress toward meeting, State performance standards, including any segment of the student population that is, on average, performing at a lower achievement level than the student population as a whole;

(3) the strategies to address any disparities in achievement for students in item (2)(iii) of this subsection; and

(4) the requirements of § 7–203.3 of the Education Article, as enacted by Chapter (S.B. 533/H.B. 412) of the Acts of the General Assembly of 2016.

(b) (1) The State Department of Education shall convene a group of stakeholders to review the current statutory and regulatory requirements of the master plan and the new requirements of the federal Every Student Succeeds Act.

(2) On or before October 1, 2017, the Department shall report to the State Board of Education, the Commission on Innovation and Excellence in Education, as enacted by Section 1 of this Act, and, in accordance with § 2–1246 of the State Government Article, the General Assembly on recommendations regarding:

(i) what information future comprehensive master plans should contain; and

(ii) whether future comprehensive master plans should be completed in a digital form that can be updated periodically.”;

and in line 29, strike “3.” and substitute “4.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #14

CONSENT CALENDAR #11

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Judiciary:

House Bill 1522 – Delegates McComas, Glass, Krebs, McKay, and Rose

AN ACT concerning

Public Safety – Handgun Permits – Expiration

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

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1556 – Delegate Folden

AN ACT concerning

Frederick County Sheriff – Collective Bargaining

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

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

House Bill 1615 – Delegate Hixson

AN ACT concerning

Linking Youth to New Experiences (LYNX) High School – Pilot Program

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

House Bill 1644 – Delegates West, Aumann, Hettleman, Morhaim, and Stein

AN ACT concerning

Baltimore County – Alcoholic Beverages – Racetrack License

The Bill was re-referred to the Committee on Economic Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Judiciary:

Senate Bill 276 – Senators Klausmeier, Bates, Cassilly, DeGrange, Eckardt, Edwards, Hough, Norman, Reilly, and Salling

AN ACT concerning

Public Safety – Handgun Permits – Expiration

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

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

Senate Bill 532 – Senator McFadden

AN ACT concerning

Correctional Officers’ Retirement System – Membership – Correctional Case Management Specialist

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

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Health and Government Operations:

Senate Bill 537 – ~~Senator Klausmeier~~ Senators Klausmeier, Astle, Benson, Feldman, Hershey, Jennings, Kelley, Mathias, Middleton, Pugh, and Reilly

AN ACT concerning

Department of Health and Mental Hygiene – Prescription Drug Monitoring Program – Modifications

The Bill was re-referred to the Committee on Health and Government Operations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

Senate Bill 540 – Senator Conway

AN ACT concerning

Morgan State University – Student Housing

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

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

Senate Bill 558 – Senators Ferguson, Currie, Guzzone, Klausmeier, Madaleno, McFadden, ~~and Pugh~~ Pugh, Nathan-Pulliam, and Conway

AN ACT concerning

Baltimore Regional Neighborhood Initiative Program – Codified

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

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

Senate Bill 559 – ~~Senator Ferguson~~ Senators Ferguson, McFadden, Pugh, Nathan-Pulliam, and Conway

AN ACT concerning

Department of Housing and Community Development – Strategic Demolition and Smart Growth Impact Fund – Establishment

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

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

Senate Bill 560 – Senators Ferguson, Benson, Currie, Edwards, Guzzone, Jennings, Kelley, King, Klausmeier, Madaleno, Manno, McFadden, Peters, and Raskin

AN ACT concerning

One Maryland Economic Development Tax Credits – Business Incubators, Enterprise Zones, and Regional Institution Strategic Enterprise Zones

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

Senate Bill 584 – Senators King, Raskin, Ferguson, Feldman, Gladden, Guzzone, Kagan, Kelley, Klausmeier, Lee, Madaleno, Mathias, McFadden, Nathan-Pulliam, Peters, Pinsky, Pugh, Ramirez, Rosapepe, Young, and Zirkin

AN ACT concerning

Preschool Development Grants – Expansion Grants – Required State Funding

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

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Health and Government Operations:

Senate Bill 620 – Senators Middleton, Astle, Benson, Conway, Edwards, Feldman, Gladden, Guzzone, Hough, King, Lee, Madaleno, Manno, Mathias, McFadden, Miller, Muse, Peters, Pugh, Ramirez, Raskin, Ready, Salling, Serafini, Waugh, Young, and Zucker

AN ACT concerning

Commemorative Weeks – Chesapeake Bay Awareness Week

The Bill was re-referred to the Committee on Health and Government Operations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Judiciary:

Senate Bill 734 – The President (By Request – Office of the Attorney General) and Senators Raskin, Brochin, Feldman, Gladden, Kagan, Lee, Muse, Pugh, and Ramirez

AN ACT concerning

**Courts and Judicial Proceedings – Structured Settlements – Transfers and
Registration of Structured Settlement Transferees**

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

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Judiciary:

Senate Bill 771 – The President (By Request – Office of the Attorney General)

AN ACT concerning

**Courts and Judicial Proceedings – Consumer Debt Collection
Actions – Restrictions**

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

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

Senate Bill 784 – ~~Senator Middleton~~ Senators Middleton, Astle, Benson, Feldman, Hershey, Jennings, Kelley, Klausmeier, Mathias, Pugh, and Reilly

AN ACT concerning

Motor Vehicle Insurance – Personal Injury Protection – ~~Optional~~ Rejection of Coverage

The Bill was re-referred to the Committee on Economic Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

Senate Bill 839 – ~~Senator Feldman~~ Senators Feldman, Middleton, Astle, Benson, Hershey, Jennings, Kelley, Klausmeier, Mathias, and Reilly

AN ACT concerning

Insurance – Rate Filings – Trade Secrets

The Bill was re-referred to the Committee on Economic Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

Senate Bill 844 – The President (By Request – Maryland Economic Development and Business Climate Commission)

AN ACT concerning

Interest Rate on Tax Deficiencies and Refunds

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

Senate Bill 910 – Senators Ferguson, Feldman, Guzzone, Madaleno, McFadden, Miller, Ramirez, Rosapepe, Young, and Zucker

AN ACT concerning

Maryland Education Development Collaborative – Established

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

Senate Bill 936 – Senator Manno

AN ACT concerning

Maryland Clean Energy Incentive Act of 2016

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environment and Transportation:

Senate Bill 937 – Senators Manno, Astle, Bates, Klausmeier, Raskin, and Zucker

AN ACT concerning

Sustainable Oyster Harvest Act of 2016

The Bill was re-referred to the Committee on Environment and Transportation.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Judiciary:

Senate Bill 943 – Senators Raskin, Benson, Feldman, Guzzone, Kelley, King, Lee, Madaleno, Manno, Muse, Peters, Rosapepe, Waugh, and Young

AN ACT concerning

Criminal Procedure – Firearms – Transfer

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

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Judiciary:

Senate Bill 945 – Senators Raskin, Brochin, Feldman, Guzzone, King, Lee, Madaleno, Manno, Muse, Ramirez, Ready, Rosapepe, Young, Zirkin, and Zucker

AN ACT concerning

**Drunk Driving Reduction Act of 2016
(Noah's Law)**

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

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

Senate Bill 973 – Senators Madaleno and Conway

AN ACT concerning

~~Campaign Finance – Public Officials Election Law – Departmental Secretaries –~~
Solicitation of Contributions or Donations

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

Senate Bill 976 – Senator Peters

AN ACT concerning

Commercial Daily Fantasy Sports – Authorization and Regulation

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

**Senate Bill 1004 – Senators Klausmeier, DeGrange, Edwards, Jennings, King,
Mathias, Middleton, and Peters**

SECOND PRINTING

AN ACT concerning

~~Gaming Payouts – Donation of Coins Pilot Program – Donation of Coins From~~
Gaming Payouts – Maryland Veterans Trust Fund

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Judiciary:

**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 Judiciary.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

Senate Bill 1007 – ~~Senator Peters~~ Senators Peters, Astle, Benson, Currie, Feldman, Guzzone, Kasemeyer, Kelley, King, Klausmeier, Madaleno, Manno, McFadden, Middleton, Pugh, and Rosapepe

AN ACT concerning

Maryland Small Business Retirement Savings Program and Trust

The Bill was re-referred to the Committee on Economic Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Health and Government Operations:

Senate Bill 1094 – Senator Astle

AN ACT concerning

Health – Recovery Residences – Certification

The Bill was re-referred to the Committee on Health and Government Operations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Judiciary:

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 Judiciary.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

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 Economic Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

**Senate Bill 1116 – ~~Cecil County Senators~~ Senators Norman, Hershey, Astle,
Benson, Feldman, Jennings, Kelley, Klausmeier, Mathias, Middleton, Pugh,
and Reilly**

AN ACT concerning

Horse Racing – Fair Hill – Arabian Breed Racing Authorization

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

**Senate Bill 1125 – ~~Senator Ferguson~~ Senators Ferguson, McFadden, Pugh,
Nathan-Pulliam, and Conway**

AN ACT concerning

**Education – ~~Maryland Extended Day and Summer Enhancement Programs~~
Public School Opportunities Enhancement Act**

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

Senate Bill 1126 – Senators Pugh and Young

AN ACT concerning

**Frederick County – Linking Youth to New Experiences (LYNX) High School –
~~Pilot Program~~**

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

Senate Bill 1128 – Senators Young and Hough

AN ACT concerning

Frederick County Sheriff – Collective Bargaining

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

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

Senate Bill 1130 – Senator Rosapepe

AN ACT concerning

~~Maryland Center for Construction Education and Innovation – Codification~~
Establishment of Fund

The Bill was re-referred to the Committee on Economic Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

Senate Bill 1170 – Senators Conway, Pugh, McFadden, Ferguson, and Nathan-Pulliam

AN ACT concerning

~~Next-Generation~~ **Next Generation Scholars of Maryland**

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

Senate Bill 1171 – Senators Pugh, Conway, McFadden, Ferguson, and Nathan-Pulliam

AN ACT concerning

Enoch Pratt Free Library – Hours of Operation – Funding

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environment and Transportation:

Senate Bill 1172 – Senators Pugh, Conway, McFadden, Ferguson, and Nathan–Pulliam

AN ACT concerning

Seed Community Development Anchor Institution Fund

The Bill was re–referred to the Committee on Environment and Transportation.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re–referred to the Committee on Economic Matters and the Committee on Ways and Means:

Senate Bill 1173 – Senators Pugh, Conway, McFadden, Ferguson, and Nathan–Pulliam

AN ACT concerning

~~Department of Labor, Licensing and Regulation – Adult Education – Adult High Schools~~

Task Force to Study the Adult High School Concept

The Bill was re–referred to the Committee on Economic Matters and the Committee on Ways and Means.

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 968)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #21

Senate Bill 42 – Senator Conway

AN ACT concerning

State Board of Dental Examiners – Appointment of Dentist and Dental Hygienist Members – Advice and Consent of the Senate

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

Affirmative – 134 Negative – 2 (See Roll Call No. 969)

The Bill was then returned to the Senate.

Senate Bill 99 – Chair, Finance Committee (By Request – Departmental – Disabilities)

AN ACT concerning

Department of Disabilities – Assistive Technology Loan Program – Board of Directors

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

Affirmative – 136 Negative – 0 (See Roll Call No. 970)

The Bill was then returned to the Senate.

Senate Bill 109 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Health Occupations Boards – Criminal History Records Checks – Required

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

Affirmative – 136 Negative – 0 (See Roll Call No. 971)

The Bill was then returned to the Senate.

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 – 136 Negative – 0 (See Roll Call No. 972)

The Bill was then returned to the Senate.

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 yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 973)

The Bill was then returned to the Senate.

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 yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 974)

The Bill was then returned to the Senate.

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 yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 975)

The Bill was then returned to the Senate.

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~~ 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 – 136 Negative – 0 (See Roll Call No. 976)

The Bill was then returned to the Senate.

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 – 135 Negative – 0 (See Roll Call No. 977)

The Bill was then returned to the Senate.

**Senate Bill 848 – Senators Kelley, Madaleno, Astle, Benson, Brochin, Conway,
Currie, Feldman, Ferguson, Gladden, Guzzone, Kagan, King, Klausmeier,
Lee, Manno, McFadden, Nathan–Pulliam, Pinsky, Pugh, Ramirez, Raskin,
Young, and Zucker**

AN ACT concerning

Health Insurance – Contraceptive Equity Act

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

Affirmative – 101 Negative – 32 (See Roll Call No. 978)

The Bill was then returned to the Senate.

**Senate Bill 887 – ~~Senator Middleton~~ Senators Middleton, Astle, Benson, Feldman,
Hershey, Jennings, Kelley, Klausmeier, Mathias, Pugh, and Reilly**

AN ACT concerning

Health Insurance – Consumer Health Claim Filing Fairness Act

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

Affirmative – 134 Negative – 0 (See Roll Call No. 979)

The Bill was then returned to the Senate.

Senate Bill 919 – ~~Senator Middleton~~ Senators Middleton, Astle, Benson, Feldman, Hershey, Jennings, Kelley, Klausmeier, Mathias, Pugh, and Reilly

EMERGENCY BILL

AN ACT concerning

Insurance – ~~Exemption From State Insurance Laws for Self-Funded Student Health Plans~~

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

Affirmative – 136 Negative – 0 (See Roll Call No. 980)

The Bill was then returned to the Senate.

Senate Bill 929 – ~~Senators Klausmeier and Feldman~~ Senators Klausmeier, Kelley, Feldman, Astle, Benson, Hershey, Jennings, Mathias, Middleton, Pugh, and Reilly

AN ACT concerning

Health Benefit Plans – Network Access Standards and Provider Network Directories

FLOOR AMENDMENT

SB0929/446584/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 929
(Third Reading File Bill)

On page 7, in line 29, strike “**(M)**” and substitute “**(N)**”.

The preceding amendment was read and adopted.

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

Affirmative – 135 Negative – 0 (See Roll Call No. 981)

The Bill was then returned to the Senate.

SPECIAL ORDERS

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

Senate Bill 377 – The President (By Request – Administration)

AN ACT concerning

Admissions and Amusement Tax – Revenue Distribution – Maryland State Arts Council

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

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 982)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #78

House Bill 1312 – The Speaker (By Request – Justice Reinvestment Coordinating Council)

AN ACT concerning

Justice Reinvestment Act

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

Affirmative – 105 Negative – 31 (See Roll Call No. 983)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #22**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 – 136 Negative – 0 (See Roll Call No. 984)

The Bill was then returned to the Senate.**THIRD READING CALENDAR (HOUSE BILLS) #77****House Bill 429 – Delegates Patterson, Hixson, Afzali, Angel, Atterbeary, Barkley, D. Barnes, Barron, Brooks, Carr, Conaway, Dumais, Ebersole, Fennell, Gilchrist, Hayes, Haynes, Hill, Hornberger, C. Howard, Jackson, Jameson, Jones, Kelly, Long, Luedtke, McComas, McConkey, McCray, McMillan, Metzgar, A. Miller, Morhaim, O'Donnell, Pena-Melnyk, Platt, Proctor, Reilly, Sample-Hughes, Sanchez, Shoemaker, Simonaire, Smith, Sydnor, Tarlau, Turner, Valentino-Smith, A. Washington, M. Washington, and West**

AN ACT concerning

Task Force to Combat Habitual Student TruancyRead the third time and passed by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 985)

The Bill was then sent to the Senate.**House Bill 707 – Delegates Valentino-Smith, Tarlau, Walker, and A. Washington**

AN ACT concerning

~~**Horse Racing – Track Winnings – Intercepts for Restitution and Child Support Payments**~~

Study of Intercepting Horse Racing Winnings for Child Support and Restitution

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

Affirmative – 134 Negative – 0 (See Roll Call No. 986)

The Bill was then sent to the Senate.

House Bill 771 – Delegates D. Barnes, Angel, B. Barnes, Buckel, Fennell, Hornberger, Kelly, Long, Luedtke, Metzgar, Patterson, Platt, Reilly, Shoemaker, Simonaire, Tarlau, Walker, and A. Washington

AN ACT concerning

Public and Nonpublic Schools – Student Diabetes Management Program Administration of Diabetes Care Services – Guidelines

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

Affirmative – 135 Negative – 0 (See Roll Call No. 987)

The Bill was then sent to the Senate.

House Bill 1139 – Delegates M. Washington, Barron, Carter, Conaway, Glenn, Hixson, Jackson, Kaiser, Kelly, Lierman, Luedtke, Moon, Platt, Sydnor, Tarlau, Walker, ~~and P. Young~~ P. Young, Ebersole, Fennell, Hornberger, Patterson, and A. Washington

AN ACT concerning

Education – ~~Maryland Community School Strategy for Excellence in Public Education Act~~ Community School Strategy – Required Notice and Support

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

Affirmative – 132 Negative – 2 (See Roll Call No. 988)

The Bill was then sent to the Senate.

House Bill 1636 – Delegate Clippinger

AN ACT concerning

Baltimore City – ~~South Baltimore Gateway Community Benefits~~ Impact District and Distribution of Local Impact Grants

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

Affirmative – 131 Negative – 3 (See Roll Call No. 989)

The Bill was then sent to the Senate.

MESSAGE FROM THE SENATE

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **SB0587**
SPONSOR: Senator Madaleno, et al
SUBJECT: Alcoholic Beverages – Sale of Powdered Alcohol – Prohibition

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB0587**
SPONSOR: Senator Madaleno, et al
SUBJECT: Alcoholic Beverages – Sale of Powdered Alcohol – Prohibition

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments.

The House respectfully requests the Senate to reconsider and concur.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

CONCURRENCE CALENDAR #7

AMENDED IN THE SENATE

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

Delegate Davis moved that the House concur in the Senate amendments.

HB0290/477872/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 290

(Third Reading File Bill)

On page 4, in line 1, strike “(i)” and substitute “**(H)**”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 115 Negative – 20 (See Roll Call No. 990)

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 991)

ADJOURNMENT

At 12:57 P.M. on motion of Delegate Kaiser the House adjourned until 10:00 A.M. on Legislative Day March 29, 2016, Calendar Day Tuesday, April 5, 2016.

Annapolis, Maryland
Legislative Day: March 29, 2016
Calendar Day: Tuesday, April 5, 2016

The House met at 10:05 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Pamela Beidle of Anne Arundel County.

QUORUM CALL

The presiding officer announced a quorum call, showing 128 Members present.

(See Roll Call No. 992)

EXCUSES:

Del. Angel – late – illness

Del. Carter – late – personal

Del. Rosenberg – doctor’s appointment

Del. Simonaire – illness

The Journal of March 28, 2016 was read and approved.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 455 – Senator McFadden

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

Article – Education

Section 5–202(l)

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 Rules and Executive Nominations.

Senate Bill 815 – Senator Muse

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 Rules and Executive Nominations.

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; defining certain terms; 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 and Executive Nominations.

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 and Executive Nominations.

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR	CONTENT
HB 9	Baltimore County Delegation	Baltimore County – Orphans’ Court Judges – Compensation
HB 57	Del. Cassilly	Public Safety – Md Bldg Performance Standards – Adoption, Implementation, and Enfrmnt of Mdfctns
HB 60	Chair, Economic Matters Committee	Insurance – Certificate of Qualification, Licensing, and Registration – Electronic Means
HB 98	Del. B. Wilson	Criminal Law – Participation in Court Proceedings – Retaliation
HB 121	Del. Carozza	Criminal Law – False Statement Concerning Destructive Device or Toxic Material – Venue
HB 131	Del. Waldstreicher	Commercial Law – Nondisparagement Clauses in Consumer Contracts – Prohibition
HB 148	Del. Otto	Somerset County – Sheriff – Salary
HB 155	Del. Dumais	Criminal Law – Stalking
HB 157	Del. Valentino–Smith	Death or Life–Threatening Injury by Motor Vehicle or Vessel – Subsequent Offenders – Penalties
HB 237	Del. Smith	Courts – Prohibition Against Testimony by Convicted Perjurer – Repeal
HB 245	Del. Dumais	Child Abuse and Neglect – Failure to Report
HB 246	Cecil County Delegation	Public Safety – Fire Police – Cecil County
HB 285	Del. McIntosh	State Education Aid – Real Property Valuation – Tax Increment Financing

NUMBER	SPONSOR	CONTENT
HB 312	Del. Saab	Public Safety – Renewal of Handgun Permits – Fingerprinting
HB 314	Del. Atterbearn	Peace Orders – Grounds for Relief
HB 354	Del. Kramer	Crprtns and Real Este Invstmnt Trsts – Drctrs and Trustees – Duties and Imnty From Lblty
HB 357	Del. Afzali	Frederick County – Local Government Tort Claims Act – Notice of Claim
HB 358	Del. Jacobs	Kent County – Prospective Employees and Volunteers – Criminal History Records Check
HB 384	Del. Anderson	Baltimore City – Police Commissioner – Length of Term
HB 493	Del. Morales	Criminal Law – Extortion – Immigration Status
HB 523	Del. Stein	E-ZPass Accounts – Transponder Theft – Reporting and Unauthorized Charges
HB 534	Del. Sanchez	Family Law – Protective Orders – Notification of Service – Sunset Repeal
HB 541	Del. Kelly	Maryland Trust Act – Revocable Trust – Partial Revocation by Divorce or Annulment
HB 639	Del. Kelly	Health Ins – Provider Claims – Payment by Credit Card or Electronic Funds Transfer Payment Method
HB 659	Del. Proctor	Criminal Procedure – Victim’s Right to Restitution – Appeal
HB 675	Del. Branch	Vehicle Laws – Mechanical Repair Contracts
HB 718	Del. Kramer	Consumer Protection – Asset Recovery for Exploited Seniors Act
HB 785	Del. Anderson	Public Safety – Motorcycle Profiling – Training

NUMBER	SPONSOR	CONTENT
HB 786	Del. Morales	Workgroup to Study Safe Harbor Policy for Youth Victims of Human Trafficking – Sunset Extension
HB 788	Chair, Health and Government Operations Committee	Procurement – Small Business Reserve Program – Program Oversight and Continuation
HB 799	Del. O'Donnell	Aquaculture – Liability for Trespass
HB 803	Del. Rosenberg	Life Insurance – Freedom to Travel Act
HB 805	Del. Beidle	Motor Vehicles – Autocycles – Standards and Requirements
HB 832	Cecil County Delegation	Cecil County – Marriage Licenses – Applications
HB 855	Del. Morales	Crctnl Training Comm – Dept of Juv Srvcs Empls – Rvctn of Certfn and Reinstatement
HB 871	Del. Parrott	Agreements to Defend or Pay the Cost of Defense – Void
HB 890	St. Mary's County Delegation	St. Mary's County – Local Landlord and Tenant Law – Repeal
HB 922	Del. Beidle	Vehicle Laws – Application – Park Model Recreational Vehicles – Definition
HB 960	Del. Kelly	Guardians of Property and Custodians – Authority to Fund Certain Trusts and Accounts
HB 1024	Prince George's County Delegation and Montgomery County Delegation	Montgomery County – Municipal Authority to Regulate Structures – Clarification PG/MC 112–16

NUMBER	SPONSOR	CONTENT
HB 1092	St. Mary's County Delegation	St. Mary's County – Keeper of the Jail – Repeal
HB 1101	Montgomery County Delegation	Municipal Corporations – Closed Swimming Lake – Regulation MC 32–16
HB 1144	Del. W. Miller	Gas and Electric Companies – Retail Choice Customer Education and Protection Fund
HB 1150	Del. McMillan	Health Insurance – Consumer Health Claim Filing Fairness Act
HB 1180	Del. Carter	Correctional Services – Restrictive Housing – Report
HB 1303	Del. Angel	Freestanding Birthing Centers – Use of Ultrasound Imaging
HB 1503	Del. Simonaire	Adult Education – GED Testing Fees – Exemption for Homeless Youth
HB 1527 (Emerg)	Del. O'Donnell	Environment – Water Appropriation Permit – Aquaculture Exemption

By Order, Sylvia Siegert, Chief Clerk

Read and ordered journalized.

AMENDED IN THE SENATE

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**

Delegate Davis moved that the House not concur in the Senate amendments.

HB0306/627679/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 306

(Third Reading File Bill)

On page 2, strike beginning with the first “**THE**” in line 4 down through “**RESERVES**” in line 5 and substitute “:

(1) THE NATIONAL GUARD;

(2) THE MILITARY RESERVES;

(3) THE COMMISSIONED CORPS OF THE PUBLIC HEALTH SERVICE;

**(4) THE COMMISSIONED CORPS OF THE NATIONAL OCEANIC AND
ATMOSPHERIC ADMINISTRATION; AND**

**(5) THE COMMISSIONED CORPS OF THE COAST AND GEODETIC
SURVEY”.**

The preceding amendment was read and not concurred in.

MESSAGE TO THE SENATE

BILL: HB0306
SPONSOR: Delegate Smith, et al
SUBJECT: Labor and Employment – Hiring and Promotion Preferences –
Veterans and Their Spouses

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

THE COMMITTEE ON APPROPRIATIONS REPORT #17

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

House Bill 741 – Delegates Stein and Kaiser

AN ACT concerning

**Higher Education – Institutions of Postsecondary Education – Consumer
Protection Provisions**

HB0741/484564/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 741

(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) (1) 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 “UNDER PARAGRAPH (2)(I)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 on or before October 1, 2016, that included a teach–out plan:

(1) to teach–out the students enrolled in the for–profit institution of higher education at the time of closure;

(2) that requires a teach–out to be conducted by the for–profit institution of higher education;

(3) that requires a teach–out to be provided to the students using the same method of instructional delivery that was provided to the students on or before October 1, 2016; and

(4) that requires completion on or before December 31, 2017.”;

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.

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

**House Bill 1395 – Delegates Anderton, B. Barnes, Sample–Hughes, and
A. Washington**

AN ACT concerning

Local Government – Disparity Grants – Amounts

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 1458 – Delegates P. Young, D. Barnes, Brooks, Jackson,
Sample–Hughes, Smith, Vogt, and C. Wilson**

AN ACT concerning

Maryland College Collaboration for Student Veterans Commission

HB1458/724763/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1458

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “and appointment”.

AMENDMENT NO. 2

On page 2, in line 15, after the first “THE” insert “DESIGNEE OF THE”; strike beginning with the comma in line 15 down through “DESIGNEE” in line 16; strike beginning with “(2)” in line 17 down through “(3)” in line 19 and substitute:

**“(2) THE CHANCELLOR OF THE UNIVERSITY SYSTEM OF MARYLAND,
OR THE CHANCELLOR’S DESIGNEE;**

**“(3) THE PRESIDENT OF THE MARYLAND INDEPENDENT COLLEGE
AND UNIVERSITY ASSOCIATION, OR THE PRESIDENT’S DESIGNEE;**

(4) THE EXECUTIVE DIRECTOR OF THE MARYLAND ASSOCIATION OF COMMUNITY COLLEGES, OR THE EXECUTIVE DIRECTOR'S DESIGNEE; AND

(5);

and in line 20, after "PARTICIPATE" insert "**, APPOINTED BY THE PRESIDENT OF THE INSTITUTION**".

AMENDMENT NO. 3

On page 2, strike in their entirety lines 21 through 24, inclusive; and in line 25, strike "(C)" and substitute "**(B)**".

AMENDMENT NO. 4

On page 4, in line 1, strike "AND"; and in line 3, after "NECESSARY" insert "**; AND**".

(5) SUBMIT THE ANNUAL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THIS ARTICLE, THE GENERAL ASSEMBLY".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 22 – Senator Benson

AN ACT concerning

Human Services – Interagency Council on Homelessness – Membership

SB0022/674368/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 22

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “specifying” in line 5 down through “terms” in line 7 and substitute “altering the method of selecting and qualifications”; and in line 18, after “6–419” insert “and 6–420”.

On pages 1 and 2, strike in their entirety the lines beginning with line 21 on page 1 through line 10 on page 2, inclusive.

AMENDMENT NO. 2

On page 3, strike in its entirety line 14; in lines 15 and 21, in each instance, strike the bracket; in line 16, strike beginning with “From” through “chair” and substitute “**THE GOVERNOR SHALL DESIGNATE AS CHAIR OF THE COUNCIL A MEMBER WHO IS A SECRETARY OR A SECRETARY’S DESIGNEE WITH DECISION MAKING AUTHORITY ON ISSUES THAT RELATE TO THE WORK OF THE COUNCIL**”; strike in their entirety lines 17 through 19, inclusive; in lines 20 and 21, strike “(c)” and “(d)”, respectively, and substitute “**(B)**” and “**(C)**”, respectively; strike in their entirety lines 22 through 24, inclusive; and in line 25, strike “3.” and substitute “2.”.

On page 4, in line 1, strike “4.” and substitute “3.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 83 – Chair, Judicial Proceedings Committee (By Request – Departmental – Office of Crime Control and Prevention)

AN ACT concerning

Public Safety – School Safety Enforcement Fund

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 280 – Chair, Budget and Taxation Committee (By Request – Departmental – University System of Maryland)

AN ACT concerning

Academic Facilities Bonding Authority

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 379 – The President (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Qualified Zone Academy Bonds

SB0379/184568/1

BY: Appropriations Committee

AMENDMENT TO SENATE BILL 379

(Third Reading File Bill)

On page 1, in line 14, after “fund;” insert “establishing that proceeds from the sale of certain bonds may only be spent on certain eligible costs;”.

On page 3, after line 13, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That proceeds from the sale of the qualified zone academy bonds may only be spent on costs that were eligible under the rules and regulations governing the program that were in effect on January 1, 2016.”.

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

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 427 – Senators Pinsky, Conway, Ferguson, Guzzone, Middleton,
Raskin, and Young

AN ACT concerning

**Higher Education – Institutions of Postsecondary Education – Consumer
Protection Provisions**

SB0427/784269/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 427

(Third Reading File Bill)

AMENDMENT NO. 1

On page 5, in line 22, strike “PARAGRAPH (2)(II)2” and substitute “PARAGRAPH (2)(I)2”.

AMENDMENT NO. 2

On page 7, in line 17, after “closure” insert “on or before October 1, 2016.”; and strike beginning with “teachout” in line 17 down through “2016” in line 18 and substitute “teach-out plan:”

(1) to teach-out the students enrolled in the for-profit institution of higher education at the time of closure;

(2) that requires a teach-out to be conducted by the for-profit institution of higher education;

(3) that requires a teach-out to be provided to the students using the same method of instructional delivery that was provided to the students on or before October 1, 2016; and

(4) that requires completion on or before December 31, 2017”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 606 – Senator Waugh

AN ACT concerning

Maryland College Collaboration for Student Veterans Commission

SB0606/744865/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 606

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “and appointment”.

AMENDMENT NO. 2

On page 2, in line 18, after the first “THE” insert “DESIGNEE OF THE”; strike beginning with the comma in line 18 down through “DESIGNEE” in line 19; strike in their entirety lines 20 and 21; in line 22, strike “(3)” and substitute “(2)”; in line 24, strike “(4)” and substitute “(3)”; in line 26, strike “(5)” and substitute “(4)”; in line 28, strike “(6)” and substitute “(5)”; and in line 29, after “PARTICIPATE” insert “, APPOINTED BY THE PRESIDENT OF THE INSTITUTION”.

AMENDMENT NO. 3

On page 3, strike in their entirety lines 1 through 5, inclusive; and in line 6, strike “(C)” and substitute “(B)”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 758 – Senators Madaleno, Benson, Ferguson, Guzzone, Kagan, Manno, Pugh, ~~and Raskin~~ Raskin, Middleton, Astle, Kelley, Feldman, Mathias, Jennings, Hershey, and Klausmeier

AN ACT concerning

Food Stamp Program – Minimum Benefit – State Supplement

SB0758/584060/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 758

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “certain”; and in line 4, after “that” insert “includes a certain individual who”.

AMENDMENT NO. 2

On page 2, in line 6, strike “THAT CONSISTS OF ONE” and substitute “INCLUDES AN”; and in line 7, after “OLD” insert “AND”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 764 – Senators Raskin and Rosapepe

AN ACT concerning

Education – Student Journalists – Freedom of Speech and Freedom of the Press

SB0764/894963/1

BY: Appropriations Committee

AMENDMENT TO SENATE BILL 764

(Third Reading File Bill)

On page 4, in line 19, strike “HARASSING, THREATENING, OR INTIMIDATING” and substitute “VULGAR, LEWD, OR OBSCENE, OR LANGUAGE THAT HAS THE INTENT TO HARASS, THREATEN, OR INTIMIDATE”.

On page 6, in line 28, strike “HARASSING, THREATENING, OR INTIMIDATING” and substitute “VULGAR, LEWD, OR OBSCENE, OR LANGUAGE THAT HAS THE INTENT TO HARASS, THREATEN, OR INTIMIDATE”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

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.

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

Senate Bill 864 – Senators Lee, Benson, ~~and Madaleno~~ Brochin, Cassilly, Hough, Madaleno, Muse, Ramirez, Raskin, Ready, and Zirkin

AN ACT concerning

**Public Safety – Internet Crimes Against Children Task Force Fund –
Establishment
(Alicia’s Law)**

SB0864/514866/1

BY: Appropriations Committee

AMENDMENT TO SENATE BILL 864

(Third Reading File Bill)

On page 1, in line 15, after “appropriation” insert “of not less than a certain amount”.

On page 4, in line 21, after “APPROPRIATION” insert “OF NOT LESS THAN \$2,000,000”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 979 – Senator Peters

AN ACT concerning

Optional Retirement Program – Eligibility – Alterations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 982 – Senators Kasemeyer and Miller

AN ACT concerning

**~~Maryland State Retirement and Pension System – Private Equity and Venture~~
~~Capital Authority Investments~~**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1063 – Senator Madaleno

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIARY REPORT #12

Delegate Vallario, Chair, for the Committee on Judiciary recommended the following Bill be re-referred to the Committee on Judiciary and the Committee on Health and Government Operations:

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 Judiciary and the Committee on Health and Government Operations.

THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS REPORT #13

Delegate Hammen, Chair, for the Committee on Health and Government Operations 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

SB0217/196182/2

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 217

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “Assistants” insert “in certain fiscal years”.

AMENDMENT NO. 2

On page 2, in line 9, strike “(1)”; after line 10, insert:

“(D) (1) IN FISCAL YEAR 2017 AND FISCAL YEAR 2018, IF THE GOVERNOR DOES NOT INCLUDE IN THE STATE BUDGET AT LEAST \$550,000 FOR THE OPERATION OF THE MARYLAND LOAN ASSISTANCE REPAYMENT PROGRAM FOR PHYSICIANS AND PHYSICIAN ASSISTANTS UNDER TITLE 18, SUBTITLE 28 OF THE EDUCATION ARTICLE, AS ADMINISTERED BY THE MARYLAND HIGHER EDUCATION COMMISSION, THE COMPTROLLER SHALL DISTRIBUTE:

(I) \$550,000 OF THE FEES RECEIVED FROM THE BOARD TO THE OFFICE OF STUDENT FINANCIAL ASSISTANCE TO BE USED TO MAKE GRANTS UNDER THE MARYLAND LOAN ASSISTANCE REPAYMENT PROGRAM FOR PHYSICIANS AND PHYSICIAN ASSISTANTS UNDER TITLE 18, SUBTITLE 28 OF THE EDUCATION ARTICLE TO PHYSICIANS AND PHYSICIAN ASSISTANTS ENGAGED IN PRIMARY CARE OR TO MEDICAL RESIDENTS SPECIALIZING IN PRIMARY CARE WHO AGREE TO PRACTICE FOR AT LEAST 2 YEARS AS PRIMARY CARE PHYSICIANS IN A GEOGRAPHIC AREA OF THE STATE THAT HAS BEEN DESIGNATED BY THE SECRETARY OF HEALTH AND MENTAL HYGIENE AS BEING MEDICALLY UNDERSERVED; AND

(II) THE BALANCE OF THE FEES TO THE BOARD OF PHYSICIANS FUND.”;

in line 11, strike “(i)”; in the same line, strike “If” and substitute **“IN FISCAL YEAR 2019 AND EACH FISCAL YEAR THEREAFTER, IF”**; in lines 17 and 29, strike “1.” and “2.”, respectively, and substitute **“(I)”** and **“(II)”**, respectively; in line 30, strike “(ii)” and substitute **“(3)”**; and in line 35, strike **“\$400,000”** and substitute **“THE AMOUNT SPECIFIED IN PARAGRAPH (1) OR (2) OF THIS SUBSECTION”**.

On page 3, in lines 5, 16, 22, and 26, strike “(d)”, “(e)”, “(f)”, and “(g)”, respectively, and substitute **“(E)”**, **“(F)”**, **“(G)”**, and **“(H)”**, respectively; and in line 16, strike “(d)” and substitute **“(E)”**.

AMENDMENT NO. 3

On page 4, in line 1, strike “(1)”; after line 2, insert:

“(C) (1) IN FISCAL YEAR 2017 AND FISCAL YEAR 2018, IF THE GOVERNOR DOES NOT INCLUDE IN THE STATE BUDGET AT LEAST \$550,000 FOR THE OPERATION

OF THE MARYLAND LOAN ASSISTANCE REPAYMENT PROGRAM FOR PHYSICIANS AND PHYSICIAN ASSISTANTS UNDER TITLE 18, SUBTITLE 28 OF THE EDUCATION ARTICLE, AS ADMINISTERED BY THE MARYLAND HIGHER EDUCATION COMMISSION, THE COMPTROLLER SHALL DISTRIBUTE:

(I) \$550,000 OF THE FEES RECEIVED FROM THE BOARD TO THE OFFICE OF STUDENT FINANCIAL ASSISTANCE TO BE USED TO MAKE GRANTS UNDER THE MARYLAND LOAN ASSISTANCE REPAYMENT PROGRAM FOR PHYSICIANS AND PHYSICIAN ASSISTANTS UNDER TITLE 18, SUBTITLE 28 OF THE EDUCATION ARTICLE TO PHYSICIANS AND PHYSICIAN ASSISTANTS ENGAGED IN PRIMARY CARE OR TO MEDICAL RESIDENTS SPECIALIZING IN PRIMARY CARE WHO AGREE TO PRACTICE FOR AT LEAST 2 YEARS AS PRIMARY CARE PHYSICIANS IN A GEOGRAPHIC AREA OF THE STATE THAT HAS BEEN DESIGNATED BY THE SECRETARY OF HEALTH AND MENTAL HYGIENE AS BEING MEDICALLY UNDERSERVED; AND

(II) THE BALANCE OF THE FEES TO THE BOARD OF PHYSICIANS FUND.”;

in line 3, strike “(i)”; in the same line, strike “If” and substitute “IN FISCAL YEAR 2019 AND EACH FISCAL YEAR THEREAFTER, IF”; in lines 9 and 20, strike “1.” and “2.”, respectively, and substitute “(I)” and “(II)”, respectively; in line 21, strike “(ii)” and substitute “(3)”; in line 22, strike “\$400,000” and substitute “THE AMOUNT SPECIFIED IN PARAGRAPH (1) OR (2) OF THIS SUBSECTION”; and in line 28, strike “October” and substitute “July”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations 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.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

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**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 614 – Senator Conway

AN ACT concerning

**Veterinarians, Pharmacies, and Pharmacists – Dispensing Compounded
Preparations for Use by Companion Animals**

SB0614/446581/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 614

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Companion” and substitute “Nonfarm”; strike beginning with “altering” in line 4 down through “circumstances;” in line 6; in line 6, strike “an exception” and substitute “certain exceptions”; in line 7, after “medication” insert “that is not in a certain manufacturer’s container for a person who sells or dispenses certain medication in a container with a label showing certain information for use by a certain”

nonfarm animal and"; in line 9, strike "companion" and substitute "certain nonfarm"; in the same line, after "animal" insert "under certain circumstances"; in line 15, after "circumstances;" insert "prohibiting a pharmacy from providing certain compounded preparations in certain amounts to a licensed veterinarian under certain circumstances"; and in line 20, strike "companion" and substitute "nonfarm".

On page 2, in line 4, strike "through (b-3)" and substitute "and (b-2)".

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 32 on page 2 through line 8 on page 3, inclusive.

On page 3, in lines 9, 11, and 13, strike "~~(B-2)~~", "~~(B-3)~~", and "~~(B-4)~~", respectively, and substitute "~~(B-1)~~", "~~(B-2)~~", and "~~(B-3)~~", respectively.

On page 4, in line 3, strike the brackets; strike beginning with "; OR" in line 7 down through "ARTICLE" in line 25; and in line 27, before "A" insert "(A)".

On page 5, in line 9, strike "Practice" and substitute "EXCEPT AS PROVIDED IN SUBSECTIONS (B) AND (C) OF THIS SECTION, PRACTICE"; strike beginning with "labeled" in line 10 down through "ANIMAL" in line 21; and after line 25, insert:

"(B) A PERSON MAY PRACTICE VETERINARY MEDICINE AND SELL OR DISPENSE MEDICATION THAT IS NOT IN THE ORIGINAL MANUFACTURER'S CONTAINER IF:

(1) THE MEDICATION IS FOR USE BY A NONFARM ANIMAL AS DEFINED IN REGULATIONS ADOPTED BY THE BOARD; AND

(2) THE PERSON AFFIXES TO THE CONTAINER IN WHICH THE MEDICATION IS SOLD OR DISPENSED, A LABEL CLEARLY SHOWING THE BRAND, GENERIC OR CHEMICAL NAME AND STRENGTH, IF INDICATED, OF THE MEDICATION, THE TYPE OF NONFARM ANIMAL FOR WHICH THE MEDICATION IS DESIGNATED, AND THE OWNER'S LAST NAME.

(C) A LICENSED VETERINARIAN MAY DISPENSE COMPOUNDED NONSTERILE PREPARATIONS OR COMPOUNDED STERILE PREPARATIONS IF:

(1) THE COMPOUNDED NONSTERILE PREPARATIONS OR COMPOUNDED STERILE PREPARATIONS ARE TO BE USED FOR A NONFARM ANIMAL AS DEFINED BY REGULATIONS ADOPTED BY THE BOARD THAT ARE CONSISTENT WITH STATE AND FEDERAL LAW;

(2) THE NONFARM ANIMAL IS A PATIENT OF THE LICENSED VETERINARIAN;

(3) THE QUANTITY OF THE COMPOUNDED NONSTERILE PREPARATIONS OR COMPOUNDED STERILE PREPARATIONS DISPENSED DOES NOT EXCEED A 7-DAY SUPPLY;

(4) THE LICENSED VETERINARIAN DETERMINES THAT TIMELY ACCESS TO A COMPOUNDING PHARMACY IS NOT AVAILABLE AND THAT THE COMPOUNDED NONSTERILE PREPARATIONS OR COMPOUNDED STERILE PREPARATIONS ARE NOT OTHERWISE COMMERCIALY AVAILABLE;

(5) THE COMPOUNDED NONSTERILE PREPARATIONS OR COMPOUNDED STERILE PREPARATIONS ARE PROVIDED TO THE LICENSED VETERINARIAN BY A PHARMACIST IN ACCORDANCE WITH § 12-510 OF THE HEALTH OCCUPATIONS ARTICLE; AND

(6) THE COMPOUNDED NONSTERILE PREPARATIONS OR COMPOUNDED STERILE PREPARATIONS ARE DISPENSED IN A CONTAINER WITH A LABEL CLEARLY SHOWING:

(I) THE BRAND, GENERIC OR CHEMICAL NAME AND STRENGTH, IF INDICATED, OF THE COMPOUNDED NONSTERILE PREPARATIONS OR COMPOUNDED STERILE PREPARATIONS, THE TYPE OF NONFARM ANIMAL FOR WHICH THE COMPOUNDED NONSTERILE PREPARATIONS OR COMPOUNDED STERILE PREPARATIONS ARE DESIGNATED, AND THE OWNER'S LAST NAME; AND

(II) THE DISPENSING DATE AND THE EXPIRATION DATE OF THE COMPOUNDED NONSTERILE PREPARATIONS OR COMPOUNDED STERILE PREPARATIONS.”.

AMENDMENT NO. 3

On page 6 in line 23, on page 7 in lines 14 and 15 and 21, and on page 8 in line 20, in each instance, strike “§ 2-301(F)(8)” and substitute “§ 2-313(C)”.

On page 7, in line 17, strike “A” and substitute:

“(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A”.

On page 8, in line 4, after “PHARMACY” insert “; AND”

(3) COMPLIES WITH APPLICABLE FEDERAL LAW AND REGULATIONS.

(B) (1) THIS SUBSECTION DOES NOT APPLY TO DISPENSING COMPOUNDED NONSTERILE PREPARATIONS OR COMPOUNDED STERILE PREPARATIONS DISPENSED FOR A PATIENT-SPECIFIC PRESCRIPTION.

(2) A PHARMACY MAY NOT PROVIDE COMPOUNDED NONSTERILE PREPARATIONS OR COMPOUNDED STERILE PREPARATIONS COMPOUNDED USING BULK DRUG SUBSTANCES TO A LICENSED VETERINARIAN:

(I) IN AN AMOUNT GREATER THAN 10% OF THE TOTAL AMOUNT OF DRUG PRODUCTS SOLD OR DISPENSED FROM THE PHARMACY; OR

(II) IF THE COMPOUNDED NONSTERILE PREPARATIONS OR COMPOUNDED STERILE PREPARATIONS ARE COPIES OR CLOSE APPROXIMATIONS TO PRODUCTS APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION.

(3) FOR PURPOSES OF THE LIMITATION ESTABLISHED IN PARAGRAPH (2)(I) OF THIS SUBSECTION:

(I) THE CALCULATION SHALL BE MADE ON AN ANNUAL BASIS AND USE THE NUMBER OF DOSAGE UNITS SOLD OR DISPENSED; AND

(II) FOR NONRESIDENT PHARMACIES, THE TOTAL AMOUNT OF DRUG PRODUCTS SOLD OR DISPENSED SHALL BE THE PHARMACY’S TOTAL BUSINESS WITHIN THE STATE”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

**Senate Bill 899 – Senators Klausmeier, Feldman, Guzzone, Madaleno, ~~and Manno~~
Manno, Astle, Benson, Hershey, Jennings, Kelley, Mathias, Middleton,
Pugh, and Reilly**

AN ACT concerning

**Maryland Medical Assistance Program – Specialty Mental Health and Substance
Use Disorder Services – Parity**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

Senate Bill 1020 – Senator Pugh

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #15

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Judiciary:

**Senate Bill 502 – Senators Miller, ~~Bates~~, Benson, Conway, Currie, DeGrange,
~~Eckardt, Edwards~~, Guzzone, ~~Jennings~~, Kagan, King, Klausmeier, Lee,
Madaleno, Manno, Mathias, Middleton, ~~Norman~~, Peters, Pinsky, Pugh,
Ramirez, ~~Salling, Serafini, Waugh~~, and Zirkin**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Judges – Mandatory Retirement Age

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

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environment and Transportation:

Senate Bill 509 – Senator Waugh

AN ACT concerning

Real Property – Actions to Quiet Title

The Bill was re-referred to the Committee on Environment and Transportation.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Health and Government Operations:

Senate Bill 926 – ~~Senator Young~~ Senators Young, Astle, Benson, Feldman, Hershey, Jennings, Kelley, Klausmeier, Mathias, Middleton, Pugh, and Reilly

AN ACT concerning

Lyme Disease – Laboratory Test – Required Notice

The Bill was re-referred to the Committee on Health and Government Operations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Health and Government Operations:

Senate Bill 1081 – ~~Senator Eckardt~~ Senators Eckardt, Astle, Benson, Feldman, Hershey, Jennings, Kelley, Klausmeier, Mathias, Middleton, Pugh, and Reilly**EMERGENCY BILL**

AN ACT concerning

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

The Bill was re-referred to the Committee on Health and Government Operations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

Senate Bill 1162 – Senator Salling

AN ACT concerning

**Baltimore County – Education – Career Exploration and Development Activities
~~– Caffeinated Beverages~~ Coffee
(Java Act)**

The Bill was re-referred to the Committee on Ways and Means.

SPECIAL ORDERS

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

House Bill 1378 – Delegates Frick and Waldstreicher

AN ACT concerning

Maryland Small Business Retirement Savings Program and Trust

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

FLOOR AMENDMENT

HB1378/203923/1

BY: Delegate O'Donnell

AMENDMENTS TO HOUSE BILL 1378, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Economic Matters Committee Amendments (HB1378/273598/1), in line 19 of Amendment No. 1, after “liabilities;” insert “prohibiting the Board from offering investment options through any entity that received a loan from the federal government through a certain program and is unable to provide certain evidence to the Board;”.

AMENDMENT NO. 2

On page 12 of the bill, after line 23, insert:

“(1) THE BOARD MAY NOT OFFER ANY INVESTMENT OPTIONS THROUGH ANY ENTITY THAT:

(1) RECEIVED A LOAN FROM THE FEDERAL GOVERNMENT THROUGH:

(i) THE EMERGENCY ECONOMIC STABILIZATION ACT OF 2008;

(ii) THE FINANCIAL INSTITUTIONS REFORM, RECOVERY, AND ENFORCEMENT ACT OF 1989; OR

(iii) ANY OTHER FEDERAL GOVERNMENT LOAN PROGRAM DESIGNED TO PROVIDE RELIEF TO AN ENTITY WHOSE ECONOMIC STABILITY IS OR WAS THREATENED DUE TO A FINANCIAL CRISIS; AND

(2) IS UNABLE TO PROVIDE EVIDENCE TO THE BOARD THAT THE LOAN HAS BEEN REPAID IN FULL.”.

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

Affirmative – 56 Negative – 81 (See Roll Call No. 993)

FLOOR AMENDMENT

HB1378/793025/1

BY: Delegate O'Donnell

AMENDMENTS TO HOUSE BILL 1378, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Economic Matters Committee Amendments (HB1378/273598/1), in line 19 of Amendment No. 1, after “liabilities;” insert “prohibiting the Board from offering an investment option from certain banks or lending institutions;”.

AMENDMENT NO. 2

On page 12 of the bill, after line 23, insert:

“(I) THE BOARD MAY NOT OFFER ANY INVESTMENT OPTION FROM A BANK OR LENDING INSTITUTION THAT HAS NOT PASSED A STRESS TEST OFFERED BY THE FEDERAL RESERVE.”

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

Affirmative – 51 Negative – 84 (See Roll Call No. 994)

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 995)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #80

House Bill 927 – Delegate Davis

AN ACT concerning

Public Service Commission – Electric Affordability Program – Study

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

Affirmative – 116 Negative – 22 (See Roll Call No. 996)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #79

House Bill 580 – Delegates Clippinger, Anderson, Angel, Atterbeary, Barkley, B. Barnes, D. Barnes, Barron, Barve, Branch, Brooks, Carr, Carter, Chang, Conaway, Cullison, Davis, Dumais, Ebersole, Fennell, Fraser-Hidalgo, Frick, Frush, Gaines, Gilchrist, Glenn, Gutierrez, Hammen, Hayes, Haynes,

Healey, Hettleman, Hill, Hixson, Holmes, C. Howard, Jackson, Jalisi, Jones, Kaiser, Kelly, Knotts, Korman, Krimm, Lafferty, Lam, Lierman, Luedtke, McCray, McIntosh, A. Miller, Moon, Morales, Morhaim, Oaks, Patterson, Pena-Melnyk, Pendergrass, Platt, Proctor, Reznik, B. Robinson, S. Robinson, Rosenberg, Sample-Hughes, Sanchez, Smith, Sophocleus, Stein, Sydnor, Tarlau, Turner, Valderrama, Vallario, Vaughn, Waldstreicher, A. Washington, M. Washington, K. Young, P. Young, ~~and Zucker~~ Zucker, and Queen

AN ACT concerning

Labor and Employment – Maryland Healthy Working Families Act

Delegate Vaughn moved the previous question.

The motion was adopted.

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

Affirmative – 84 Negative – 54 (See Roll Call No. 997)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #23

Senate Bill 77 – Chair, Judicial Proceedings Committee (By Request – Departmental – Human Resources)

AN ACT concerning

Human Resources – Transition Planning for Foster Youth

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

Affirmative – 137 Negative – 0 (See Roll Call No. 998)

The Bill was then returned to the Senate.

Senate Bill 150 – Senators Lee, Feldman, Gladden, Kasemeyer, King, Madaleno, Manno, Pugh, Ramirez, and Zirkin

AN ACT concerning

Courts – Prohibition Against Testimony by Convicted Perjurer – Repeal

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

Affirmative – 116 Negative – 22 (See Roll Call No. 999)

The Bill was then returned to the Senate.

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 – 137 Negative – 1 (See Roll Call No. 1000)

The Bill was then returned to the Senate.

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 – 134 Negative – 4 (See Roll Call No. 1001)

The Bill was then returned to the Senate.

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 – 138 Negative – 0 (See Roll Call No. 1002)

The Bill was then returned to the Senate.

Senate Bill 508 – Senators Ramirez, Norman, and Ferguson

AN ACT concerning

Civil Penalties for Shoplifting and Employee Theft —~~Repeal~~

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

Affirmative – 86 Negative – 52 (See Roll Call No. 1003)

The Bill was then returned to the Senate.

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 – 137 Negative – 0 (See Roll Call No. 1004)

The Bill was then returned to the Senate.

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 – 138 Negative – 0 (See Roll Call No. 1005)

The Bill was then returned to the Senate.

Senate Bill 883 – Senators Hough and Young

AN ACT concerning

Frederick County – Local Government Tort Claims Act – Notice of Claim

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

Affirmative – 135 Negative – 0 (See Roll Call No. 1006)

The Bill was then returned to the Senate.

Senate Bill 946 – Senators Gladden, Hough, Ferguson, Lee, McFadden, Muse, Nathan–Pulliam, Raskin, and Zucker

AN ACT concerning

Correctional Services – Restrictive Housing – Report

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

Affirmative – 98 Negative – 39 (See Roll Call No. 1007)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #25

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 – 138 Negative – 0 (See Roll Call No. 1008)

The Bill was then returned to the Senate.

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 – 135 Negative – 0 (See Roll Call No. 1009)

The Bill was then returned to the Senate.

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 – 130 Negative – 8 (See Roll Call No. 1010)

The Bill was then returned to the Senate.

Senate Bill 422 – ~~Senator Kasemeyer~~ Senators Kasemeyer and McFadden

AN ACT concerning

Education – Maryland School for the Blind – Funding

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1011)

The Bill was then returned to the Senate.

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 – 135 Negative – 2 (See Roll Call No. 1012)

The Bill was then returned to the Senate.

Senate Bill 582 – Senator King

AN ACT concerning

Education – Robotics Grant Program – Establishment

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

Affirmative – 128 Negative – 10 (See Roll Call No. 1013)

The Bill was then returned to the Senate.

Senate Bill 794 – Senators Jennings, Kagan, Klausmeier, Waugh, Young, ~~and Zucker~~ Zucker, and Salling

AN ACT concerning

Education – Prekindergarten and Kindergarten Assessments – Administration

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1014)

The Bill was then returned to the Senate.

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 – 139 Negative – 0 (See Roll Call No. 1015)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #26

Senate Bill 377 – The President (By Request – Administration)

AN ACT concerning

Admissions and Amusement Tax – Revenue Distribution – Maryland State Arts Council

FLOOR AMENDMENT

SB0377/573125/1

BY: Delegate Hixson

AMENDMENT TO SENATE BILL 377

(Third Reading File Bill)

On page 4, in line 13, strike “**\$1,000,000**”; and in line 14, after “Article” insert “**.UP TO AN AGGREGATE AMOUNT OF \$1,000,000 IN EACH FISCAL YEAR**”.

The preceding amendment was read and adopted.

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1016)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #75

House Bill 1640 – Carroll County Delegation

AN ACT concerning

Carroll County – Local Government Tort Claims Act

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

Affirmative – 138 Negative – 1 (See Roll Call No. 1017)

The Bill was then sent to the Senate.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 328 – ~~Senator Conway~~ Senators Conway, Hough, McFadden, Muse, Ramirez, Raskin, and Zirkin

AN ACT concerning

Criminal Procedure – ~~Partial~~ Expungement

FOR the purpose of ~~authorizing a person to file a petition for a partial expungement of certain criminal records under certain circumstances; authorizing a court to~~

~~authorize a certain person to maintain certain records and limit inspection of certain records under certain circumstances; requiring a court to order that certain records may not be included on a certain Web site or within certain records; repealing a provision of law establishing that if a person is not entitled to expungement of one charge or conviction in a certain unit the person is not entitled to expungement of any other charge or conviction in the unit; and generally relating to expungement of criminal records~~ authorizing a person to file a petition for expungement of certain misdemeanor convictions; specifying certain convictions that are eligible for expungement; requiring a person to file a petition for expungement in a certain court; providing that a petition for expungement of certain misdemeanor convictions may not be filed earlier than a certain time; providing that a person is not eligible for expungement under certain circumstances; requiring the court to serve a copy of a petition on the State's Attorney and provide notice of the petition to certain victims; requiring the court to order the expungement of certain records under certain circumstances; requiring the court to hold a hearing on the petition under certain circumstances; authorizing the court to order the expungement of certain records after a hearing if the court makes certain findings on the record; requiring the court to deny a certain petition under certain circumstances; requiring certain custodians of certain records to destroy the records within a certain time after an order granting a petition; providing that the State's Attorney is a party to a certain proceeding; providing that a party to the proceeding is entitled to appellate review; and generally relating to expungement.

BY ~~repealing and reenacting, with amendments,~~ adding to
 Article – Criminal Procedure
 Section ~~10-105~~ 10-110
 Annotated Code of Maryland
 (2008 Replacement Volume and 2015 Supplement)

~~BY repealing~~
~~Article – Criminal Procedure~~
~~Section 10-107~~
~~Annotated Code of Maryland~~
~~(2008 Replacement Volume and 2015 Supplement)~~

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

Senate Bill 765 – Senators Raskin, Benson, Ferguson, Guzzone, ~~Hough~~, King, Lee, Muse, Ramirez, Ready, Rosapepe, ~~and Young~~ Young, and Zirkin

AN ACT concerning

CINA, Guardianship, Adoption, Custody, and Visitation – ~~Blindness~~ Disability of Parent, Guardian, Custodian, or Party

FOR the purpose of ~~establishing that, in making a disposition on a child in need of assistance (CINA) petition, the blindness of a child's parent, guardian, or custodian~~

~~is relevant only to the extent that the court finds, based on clear and convincing evidence in the record, that the blindness affects the ability of the parent, guardian, or custodian to give proper care and attention to the child and the child's needs; granting certain blind individuals the opportunity to prove that certain supportive parenting services would prevent a certain finding, determination, denial, or withholding of consent in certain proceedings; authorizing the juvenile court to require the provision of certain supportive parenting services and review the need for the continuation of the services within a reasonable period of time; requiring a court, a local department of social services, a guardian, or a child placement agency, in certain proceedings, to specifically state in writing the basis for a certain finding, denial, determination, or withholding of consent and the reason that the provision of certain supportive parenting services is not a reasonable accommodation to prevent the finding, denial, determination, or withholding of consent under certain circumstances; establishing that, in determining whether to grant custody and guardianship to a relative or a nonrelative, the blindness of the relative or nonrelative is relevant only to the extent that the court finds, based on clear and convincing evidence in the record, that the blindness affects the best interest of the child; requiring the Social Services Administration to adopt certain regulations; establishing that, in any custody or visitation proceeding, the blindness disability of a party is relevant only to the extent that the court finds, based on ~~clear and convincing~~ evidence in the record, that the blindness disability affects the best interest of the child; requiring, in a certain custody or visitation proceeding, the party alleging that the blindness disability of the other party affects the best interest of the child to bear a certain burden of proof; ~~defining a certain term;~~ altering the definition of "disability" in certain provisions of law; providing for the construction of "disability" in certain provisions of law; and generally relating to the blindness disability of certain individuals in certain CINA, guardianship, adoption, custody, and visitation proceedings.~~

BY repealing and reenacting, with amendments,
 Article – Courts and Judicial Proceedings
 Section 3–819(b)(2) and 3–819.2(a) ~~and (g)~~
 Annotated Code of Maryland
 (2013 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 3–819.2(g)
Annotated Code of Maryland
(2013 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
 Article – Family Law
 Section 5–338(b), 5–350, 5–3A–35(b), 5–3B–19, 5–525(a), ~~(d), and (j),~~ and
 9–107
 Annotated Code of Maryland
 (2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,
Article – Family Law
Section ~~5–3A–35(a)~~ and ~~5–525(d)~~ and (j)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

Senate Bill 797 – ~~Senator Pugh~~ Senators Pugh and Muse

AN ACT concerning

**Housing and Community Development – Shelter and Transitional Housing
Facilities Grant Program – Mandated Funding**

FOR the purpose of requiring, beginning in a certain fiscal year and each fiscal year thereafter, the Governor to include a certain amount of money in the annual budget bill for the Shelter and Transitional Housing Facilities Grant Program within the Department of Housing and Community Development; and generally relating to funding for shelters and transitional housing facilities.

BY adding to
Article – Housing and Community Development
Section 4–216
Annotated Code of Maryland
(2006 Volume and 2015 Supplement)

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

Senate Bill 1009 – Senators Benson, Manno, 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~~ making a certain contractor liable to a public body for a higher amount of liquidated damages when certain laborers or certain other employees are paid less than certain prevailing wage rates under certain circumstances; 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 and Executive Nominations.

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 and Executive Nominations.

QUORUM CALL

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

(See Roll Call No. 1018)

ADJOURNMENT

At 12:43 P.M. on motion of Delegate Kaiser the House adjourned until 10:00 A.M. on Legislative Day March 30, 2016, Calendar Day Wednesday, April 6, 2016.

Annapolis, Maryland
Legislative Day: March 30, 2016
Calendar Day: Wednesday, April 6, 2016

The House met at 10:13 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Joseline A. Pena–Melnik of Prince George’s and Anne Arundel counties.

QUORUM CALL

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 1019)

EXCUSES:

Del. Carter – personal
Del. McIntosh – late – dentist appointment
Del. Morales – business
Del. Simonaire – illness
Del. Smith – late – business
Del. A. Washington – late – personal

The Journal of March 29, 2016 was read and approved.

AMENDED IN THE SENATE

**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

Delegate Hixson moved that the House not concur in the Senate amendments.

HB0127/789935/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 127

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Criminal Law –”; strike in their entirety lines 6 through 10, inclusive, and substitute:

“BY adding to

Article – State Government

Section 9–1B–01 to be under the new subtitle “Subtitle 1B. Gaming Laws”

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)”;

in line 13, strike “Article – Criminal Law” and substitute:

“Article – State Government

SUBTITLE 1B. GAMING LAWS.”;

in line 14, strike “**12–115.”** and substitute “**9–1B–01.”**; and in line 15, strike “**THIS ARTICLE**” and substitute “**THE CRIMINAL LAW ARTICLE**”.

AMENDMENT NO. 2

On page 2, in line 20, strike “**\$500**” and substitute “**\$2,000**”.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB0127**
SPONSOR: Delegate Reznik, et al
SUBJECT: Criminal Law – Gaming – Home Games

By the Majority Leader:
 Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Ebersole, Chair
Delegate Fennell
Delegate Hornberger

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #24

Delegate Davis, Chair, for the Committee on Economic Matters 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

SB0066/803893/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 66

(Third Reading File Bill)

On page 2, strike beginning with “IN” in line 10 down through “EXAMINERS” in line 12 and substitute “THAT PROVIDES DENTAL SERVICES”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 74 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Unemployment Insurance – Effect of Retirement Payments on Eligibility for Benefits – Revision

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 84 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Unemployment Insurance – Calculation and Application of Table of Rates – Revision

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 86 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Unemployment Insurance – Exemption From Actively Seeking Work Requirement – Repeal

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 96 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

**Department of Labor, Licensing, and Regulation – State Collection Agency
Licensing Board – Authority of the Secretary**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 119 – ~~Senator Simonaire~~ Senators Simonaire, Peters, Astle, Benson, Feldman, Hershey, Jennings, Kelley, Klausmeier, Mathias, Middleton, Pugh, and Reilly

AN ACT concerning

Business Regulation – Business Discounts and Preferences for Veterans – Identification

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 175 – Senator Astle

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Disposition of Fees

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 206 – The President (By Request – Department of Legislative Services)

AN ACT concerning

Security Systems Technicians and Agencies – Fees and Repeal of Sunset Extension Provision and Program Evaluation**SB0206/453195/1**

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 206

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Fees and Repeal of”; in line 3, strike “Provision” and substitute “Extension”; strike beginning with “altering” in line 4 down through “license;” in line 7; in line 12, strike “making permanent” and substitute “continuing”; in line 14, after “individuals” insert “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 strike beginning with the semicolon in line 19 down through “evaluation” in line 21.

On page 2, in line 1, strike “18–303” and substitute “18–701”; strike in their entirety lines 4 through 8, inclusive, and substitute:

“BY repealing and reenacting, without amendments,

Article – State Government

Section 8–403(a)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)”;

in line 14, after “repealing” insert “and reenacting, with amendments,”; and strike in their entirety lines 19 through 24, inclusive.

AMENDMENT NO. 2

On pages 2 through 4, strike in their entirety the lines beginning with line 28 on page 2 through line 3 on page 4, inclusive.

On page 9, after line 3, insert:

“18-701.

Subject to the evaluation and reestablishment provisions of the Maryland Program Evaluation Act, this title and all regulations adopted under this title shall terminate and be of no further force and effect after July 1, [2016] 2021.”;

after line 10, insert:

“(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.”;

after line 15, insert:

“(52) security systems technicians, licensing and regulation of (§ 18-201 of the Business Occupations and Professions Article: [2013] 2018);”;

strike in their entirety lines 16 through 18, inclusive; and in line 19, strike “3.” and substitute “2.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 245 – Senators Manno and ~~Peters~~, Peters, Middleton, Astle, Benson, Feldman, Hershey, Jennings, Kelley, Klausmeier, Mathias, Pugh, and Reilly

AN ACT concerning

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

SB0245/553597/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 245
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after the third “and” insert “Their”.

AMENDMENT NO. 2

On page 2, strike beginning with the colon in line 3 down through “SURVEY” in line 10 and substitute “THE NATIONAL GUARD AND THE MILITARY RESERVES”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 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**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 414 – Senator Brochin

AN ACT concerning

Vehicle Laws – Mechanical Repair Contracts

SB0414/903092/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 414
(Third Reading File Bill)

On page 4, in line 9, after “AGENT,” insert “OR”; and in the same line, after “OBLIGOR,” insert “OR”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 777 – Senators Astle and Hershey

AN ACT concerning

Unemployment Insurance – Exemption From Covered Employment – Messenger Service Business

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 784 – ~~Senator Middleton~~ Senators Middleton, Astle, Benson, Feldman, Hershey, Jennings, Kelley, Klausmeier, Mathias, Pugh, and Reilly

AN ACT concerning

Motor Vehicle Insurance – Personal Injury Protection – ~~Optional~~ Rejection of Coverage

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 828 – Senator Conway

AN ACT concerning

Real Estate Brokers – Agency Relationships in Residential Real Estate Transactions – Disclosure and Consent Requirements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 830 – Senator Conway

AN ACT concerning

State Board of Cosmetologists – Limited License – Hair Services – Blow Drying

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 879 – Senator Edwards

AN ACT concerning

Garrett County – Alcoholic Beverages – Various Licenses

SB0879/473993/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 879

(Third Reading File Bill)

On page 11, in line 25, after “subtitle;” insert “[**and**]”; and in line 27, strike “and” and substitute “**AND**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 968 – Senator Astle

AN ACT concerning

Business Regulation – Home Builder Registration – Fees

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1015 – Senator Waugh

AN ACT concerning

**St. Mary’s County – Alcoholic Beverages – Permits, Training, Prohibited Acts,
and Violations**

SB1015/663393/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 1015

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike “permits” and substitute “license”; and in line 16, after “establishment;” insert “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;”.

AMENDMENT NO. 2

On page 4, in line 22, after “(a)” insert “**(1)**”; strike beginning with the colon in line 22 down through “(2)” in line 25; and strike in their entirety lines 28 and 29 and substitute:

“(2) IF THE BOARD FINDS THAT A PERSON HAS VIOLATED A LAW RELATING TO LICENSING THE SALE OF ALCOHOLIC BEVERAGES, THE BOARD MAY:

(I) REVOKE OR SUSPEND THE PERSON’S LICENSE;

(II) IMPOSE A CIVIL PENALTY NOT EXCEEDING \$1,000; OR

(III) BOTH REVOKE OR SUSPEND THE PERSON’S LICENSE AND IMPOSE A CIVIL PENALTY NOT EXCEEDING \$1,000.”.

On page 5, in line 1, strike “(C)” and substitute “(B)”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1076 – Washington County Senators

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIARY REPORT #13

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

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

AN ACT concerning

Justice Reinvestment Act

SB1005/152714/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 1005

(Third Reading File Bill)

AMENDMENT NO. 1

On pages 1 through 4, strike in their entirety the lines beginning with line 3 on page 1 through line 39 on page 4, inclusive, and substitute:

“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; expanding the types of programs for which a certain inmate may receive a certain deduction from the inmate’s term of confinement under certain circumstances for a certain purpose; 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 screening tool and 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 screening tool or 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 impose certain graduated sanctions; requiring the Division of Parole and Probation to provide prompt notice to the court on certain violations and 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 place a certain individual on 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 certain savings to revert to the Performance Incentive Grant Program Fund, rather than the General Fund; 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 Department of Public Safety and Correctional Services 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 and to ensure that certain protections are in place for a certain individual; requiring the Department to develop a certain matrix for a certain purpose; requiring 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; prohibiting a certain licensing board from denying an occupational license to a certain applicant for a certain reason; providing that an individual may receive only one certificate of rehabilitation under certain circumstances; providing that the Court of Appeals is not a licensing board for a certain purpose; 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 conduct a certain investigation for an inmate in a 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 and a State's Attorney; providing that a certain inmate be released on administrative release under certain circumstances; establishing that a victim has certain rights related to administrative release; requiring that an inmate's debilitation or incapacitation be chronic to qualify for medical parole; requiring the

Maryland Parole Commission to consider a certain medical recommendation or evaluation before granting medical parole; repealing a requirement that the Governor approve medical parole for an individual serving a certain sentence; providing that the Governor may disapprove a medical parole recommendation for a certain individual serving a certain sentence within a certain time; authorizing a parole commissioner to impose a certain period of imprisonment under certain circumstances; authorizing the Commissioner to depart from certain periods of incarceration under certain circumstances; authorizing a commissioner to revoke certain diminution credits previously earned by a certain individual under certain circumstances; requiring the State to provide each county a certain grant for each day that a certain inmate received certain programming or services from a certain local correctional facility at a certain time; 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 the maximum penalty for first-degree child abuse that results in the death of a victim under a certain age to be life imprisonment; altering the maximum penalty for child abuse that results in the death of the victim after a previous conviction for child abuse to be life imprisonment; altering certain penalties for certain offenses relating to controlled dangerous substances; altering certain penalties for possession of marijuana; authorizing the court to order the Department of Health and Mental Hygiene 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 Health and Mental Hygiene to evaluate a defendant and provide an assessment regarding drug treatment to certain parties; requiring the court to consider a certain assessment into a sentence for possession of a controlled dangerous substance in a certain manner; requiring the Division of Correction or a local facility to facilitate certain treatment for a certain person; repealing mandatory minimum sentences for certain offenses involving distribution of a controlled dangerous substance; authorizing a person who is serving a certain mandatory minimum sentence to apply to the court to modify or reduce the mandatory minimum sentence under certain circumstances; 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; providing that a certain person whose previous conviction was for violation of a certain provision of law is subject to a certain penalty only under certain circumstances; altering the penalties for theft, issuing or passing a bad check, credit card fraud, identity fraud, counterfeiting, and exploitation of a vulnerable adult; altering the penalties for certain offenses relating to criminal gangs; prohibiting a criminal gang or an individual belonging to a criminal gang from receiving or

investing certain proceeds in a certain manner; prohibiting criminal gangs and persons involved with criminal gangs from obtaining certain property under certain circumstances; prohibiting a person from conspiring to commit certain violations relating to criminal gangs; allowing a court to order a divestiture of certain property and to take certain other actions relating to criminal gangs and persons involved with criminal gangs; altering certain penalties; authorizing the Governor to request the Attorney General to aid in certain investigations or prosecutions; prohibiting a person from promoting or sponsoring a criminal gang; establishing certain venue provisions for certain offenses; providing that a certain geriatric parole procedure does not apply to a certain sexual offender; altering the age threshold for eligibility for geriatric parole; authorizing a court to impose a certain period of incarceration for a certain person who has violated a condition of probation under certain circumstances; authorizing the court to depart from certain periods of incarceration under certain circumstances; requiring the Department of Health and Mental Hygiene to immediately provide certain services; requiring the Department of Health and Mental Hygiene to facilitate certain treatment no later than a certain time period after a certain order; repealing certain limitations on certain duties of the Department of Health and Mental Hygiene relating to funding; authorizing the court to require the Department of Health and Mental Hygiene to appear in court to explain a certain delay under certain circumstances; establishing the Addiction Treatment Divestiture Fund as a special, nonlapsing fund in the Department of Health and Mental Hygiene; specifying the purposes of the Fund; requiring the Secretary of Health and Mental Hygiene 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 the Fund; exempting the Fund from a certain provision of law that requires interest on State money in special funds to accrue to the General Fund; establishing the Justice Reinvestment Oversight Board; providing for the membership, duties, staffing, procedures, and reporting requirements of the Board; establishing the Performance Incentive 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; repealing certain

provisions of law relating to the Justice Reinvestment Coordinating Council; 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 Department of Health and Mental Hygiene, the Department of Labor, Licensing, and Regulation, and the Department of Public Safety and Correctional Services, in consultation with certain organizations, to review and make recommendations regarding potential barriers to employment, licensing, and entrepreneurship for certain individuals and the criminalization of occupational licenses and to make certain recommendations regarding occupational licensing laws and report to the Governor and General Assembly 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; providing for the application of certain provisions of this Act; requiring the Administrative Office of the Courts to submit a certain annual report to the General Assembly; requiring the Justice Reinvestment Oversight Board to submit a certain report to the Governor and General Assembly on or before a certain date; providing for a delayed effective date for certain provisions of this Act; making conforming changes; altering certain definitions; defining certain terms; and generally relating to justice reinvestment.”.

AMENDMENT NO. 2

On pages 4 through 7, strike in their entirety the lines beginning with line 40 on page 4 through line 15 on page 7, inclusive, and substitute:

“BY repealing

Article – Public Safety

Section 1–601 through 1–605 and the subtitle “Subtitle 6. Justice Reinvestment Coordinating Council”

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Correctional ServicesSection 3–601, 3–704, 3–706, 3–707, 3–708, 6–101, 6–104, 6–111, 6–117, 7–205, 7–305, 7–309, 7–401, 7–504, 9–402, and 11–504Annotated Code of Maryland(2008 Replacement Volume and 2015 Supplement)BY repealing and reenacting, without amendments,Article – Correctional ServicesSection 3–705, 7–101(a) and (m), 7–103, and 7–301(a)Annotated Code of Maryland(2008 Replacement Volume and 2015 Supplement)BY adding toArticle – Correctional ServicesSection 6–119, 6–120, 6–121, 7–104, 7–301.1, and 9–614Annotated Code of Maryland(2008 Replacement Volume and 2015 Supplement)BY repealingArticle – Correctional ServicesSection 11–604Annotated Code of Maryland(2008 Replacement Volume and 2015 Supplement)BY repealing and reenacting, without amendments,Article – Criminal LawSection 5–601(a) and (b), 5–602 through 5–606, 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, with amendments,Article – Criminal LawSection 3–601 and 5–601(c)(1) and (2)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 LawSection 5–601(e), 5–609.1, and 9–807Annotated Code of Maryland(2012 Replacement Volume and 2015 Supplement)BY repealing and reenacting, with amendments,Article – Criminal LawSection 5–607, 5–608, 5–609, 5–612, 5–905, 7–104(g), 7–108, 8–106, 8–206, 8–207, 8–209, 8–301(g), 8–516, 8–611, 8–801(c), 9–801 through 9–805, and 14–101Annotated Code of Maryland(2012 Replacement Volume and 2015 Supplement)BY repealingArticle – Criminal LawSection 5–609.1Annotated Code of Maryland(2012 Replacement Volume and 2015 Supplement)BY repealing and reenacting, with amendments,Article – Criminal ProcedureSection 1–101, 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 – GeneralSection 8–507Annotated Code of Maryland(2015 Replacement Volume)BY adding toArticle – Health – GeneralSection 8–6D–01 to be under the new subtitle “Subtitle 6D. Addiction Treatment Divestiture Fund”Annotated Code of Maryland(2015 Replacement Volume)BY repealing and reenacting, with amendments,

Article – State Finance and Procurement
Section 6–226(a)(2)(ii)86.
Annotated Code of Maryland
(2015 Replacement Volume)
(As enacted by Section 3 of this Act)

BY adding to

Article – State Finance and Procurement
Section 6–226(a)(2)(ii)87.
Annotated Code of Maryland
(2015 Replacement Volume)
(As enacted by Section 3 of this Act)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement
Section 6–226(a)(2)(i)
Annotated Code of Maryland
(2015 Replacement Volume)

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 – TransportationSection 27–101(b)Annotated Code of Maryland(2012 Replacement Volume and 2015 Supplement)BY repealing and reenacting, with amendments,Article – TransportationSection 27–101(c)Annotated Code of Maryland(2012 Replacement Volume and 2015 Supplement)”.AMENDMENT NO. 3

On pages 7 through 96, strike in their entirety the lines beginning with line 18 on page 7 through line 11 on page 96, inclusive, and substitute:

“Article – Correctional Services3–601.

(a) IN THIS SECTION, “RISK AND NEEDS ASSESSMENT” HAS THE MEANING STATED IN § 6–101 OF THIS ARTICLE.

(B) Promptly after an inmate is sentenced to the jurisdiction of the Division, the Division shall assemble an adequate case record for the inmate that includes:

(1) a description of the inmate;

(2) a photograph of the inmate;

(3) the family history of the inmate;

(4) any previous record of the inmate;

(5) a summary of the facts of each case for which the inmate is serving a sentence; [and]

(6) THE RESULTS OF A RISK AND NEEDS ASSESSMENT OF THE INMATE REQUIRED UNDER SUBSECTION (C) OF THIS SECTION; AND

[(6)] (7) the results of the physical, mental, and educational examination of the inmate required under subsection [(b)] (C) of this section.

[(b)] (C) The Division shall conduct A RISK AND NEEDS ASSESSMENT AND a physical, mental, and educational examination of an inmate as soon as feasible after the individual is sentenced to the jurisdiction of the Division.

[(c)] (D) (1) Based on the information assembled under subsection [(a)] (B) of this section, the Division shall classify an inmate and [assign the inmate to any available treatment, training, or employment that the Division considers appropriate] DEVELOP A CASE PLAN TO GUIDE AN INMATE’S REHABILITATION WHILE UNDER THE CUSTODY OF THE DIVISION.

(2) THE CASE PLAN DEVELOPED UNDER THIS SUBSECTION SHALL INCLUDE:

(I) PROGRAMMING AND TREATMENT RECOMMENDATIONS BASED ON THE RESULTS OF THE RISK AND NEEDS ASSESSMENT CONDUCTED UNDER SUBSECTION (C) OF THIS SECTION;

(II) REQUIRED CONDUCT IN ACCORDANCE WITH THE RULES AND POLICIES OF THE DIVISION; AND

(III) A PLAN FOR THE PAYMENT OF RESTITUTION, NOT TO SUPERSEDE ANY PAYMENT PLAN ESTABLISHED BY THE COURT, IF RESTITUTION HAS BEEN ORDERED.

[(d)] (E) In accordance with regulations adopted by the Division, the managing official of each correctional facility shall maintain, as a part of an inmate’s case record:

(1) an adequate record of the conduct, effort, and progress of the inmate during confinement; and

(2) a record of the character of any offense committed by the inmate and the nature and amount of punishment inflicted.

[(e)] (F) To identify an inmate, the Division may photograph and fingerprint the inmate and record a description of the inmate’s personal background data.

3-704.

(a) An inmate shall be allowed a deduction in advance from the inmate's term of confinement.

(b) (1) The deduction allowed under subsection (a) of this section shall be calculated:

(i) from the first day of commitment to the custody of the Commissioner through the last day of the inmate's term of confinement;

(ii) except as provided in paragraph (2) of this subsection, at the rate of 10 days for each calendar month; and

(iii) on a prorated basis for any portion of a calendar month.

(2) If an inmate's term of confinement includes a consecutive or concurrent sentence for a crime of violence as defined in § 14-101 of the Criminal Law Article or a crime of manufacturing, distributing, dispensing, or possessing a controlled dangerous substance in violation of [§§ 5-602 through 5-609.] § 5-612[.] or § 5-613 of the Criminal Law Article, the deduction described in subsection (a) of this section shall be calculated at the rate of 5 days for each calendar month.

(c) A deduction under this section may not be allowed for a period during which an inmate does not receive credit for service of the inmate's term of confinement, including a period:

(1) during which the inmate's sentence is stayed;

(2) during which the inmate is not in the custody of the Commissioner because of escape; or

(3) for which the Maryland Parole Commission has declined to grant credit after revocation of parole or mandatory supervision.

3-705.

(a) (1) In addition to any other deductions allowed under this subtitle, an inmate may be allowed a deduction of 5 days from the inmate's term of confinement for each calendar month during which the inmate manifests satisfactory performance of assigned work tasks.

(2) The deduction described in paragraph (1) of this subsection shall be calculated:

(i) from the first day that the work task is performed; and

(ii) on a prorated basis for any portion of a calendar month during which the inmate performed the work task.

(b) The Commissioner shall adopt regulations governing the determination of deductions authorized under this section.

3-706.

(a) In addition to any other deductions allowed under this subtitle, AS AN INCENTIVE TO REDUCE A TERM OF INCARCERATION, an inmate may be allowed a deduction of 5 days from the inmate's term of confinement for each calendar month during which the inmate manifests satisfactory progress in OR COMPLETION OF:

(1) vocational courses; [or]

(2) other educational and training courses;

(3) **WORKFORCE DEVELOPMENT TRAINING;**

(4) **COGNITIVE-BEHAVIORAL THERAPY; OR**

(5) **SUBSTANCE ABUSE THERAPY.**

(b) The deduction described in subsection (a) of this section shall be calculated:

(1) from the first day that the inmate participates in the course; and

(2) on a prorated basis for any portion of the calendar month during which the inmate participates in the course.

3-707.

(a) **(1) [In] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IN addition to any other deductions allowed under this subtitle, an inmate may be allowed a deduction of up to [10] 20 days from the inmate's term of confinement for each calendar month during which the inmate manifests satisfactory progress in those special selected work projects or other special programs, INCLUDING RECIDIVISM REDUCTION PROGRAMMING, designated by the Commissioner and approved by the Secretary.**

(2) IF AN INMATE'S TERM OF CONFINEMENT INCLUDES A CONSECUTIVE OR CONCURRENT SENTENCE FOR A CRIME OF VIOLENCE, AS DEFINED IN § 14-101 OF THE CRIMINAL LAW ARTICLE, OR A CRIME OF MANUFACTURING, DISTRIBUTING, DISPENSING, OR POSSESSING A CONTROLLED DANGEROUS SUBSTANCE IN VIOLATION OF § 5-612 OR § 5-613 OF THE CRIMINAL LAW ARTICLE, THE DEDUCTION DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION SHALL BE CALCULATED AT THE RATE OF UP TO 10 DAYS FOR EACH CALENDAR MONTH.

(b) A deduction described in subsection (a) of this section shall be calculated:

(1) from the first day that the inmate is assigned to the work project or program; and

(2) on a prorated basis for any portion of the calendar month during which the inmate participates in the work project or program.

3-708.

Notwithstanding any other provision of this subtitle, an inmate may not be allowed a deduction under this subtitle of more than [20]:

(1) 20 DAYS FOR A CALENDAR MONTH FOR AN INMATE DESCRIBED IN § 3-707(A)(2) OF THIS SUBTITLE; AND

(2) 30 days for a calendar month FOR ALL OTHER INMATES.

6-101.

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

(b) **(1) “ABSCONDING” MEANS WILLFULLY EVADING SUPERVISION.**

(2) “ABSCONDING” DOES NOT INCLUDE MISSING A SINGLE APPOINTMENT WITH A SUPERVISING AUTHORITY.

(c) “Commission” means the Maryland Parole Commission.

[(c)] (D) “Crime of violence” has the meaning stated in § 14–101 of the Criminal Law Article.

(E) “CRIMINAL RISK FACTORS” MEANS AN INDIVIDUAL’S CHARACTERISTICS AND BEHAVIORS THAT:

(1) AFFECT THE INDIVIDUAL’S RISK OF ENGAGING IN CRIMINAL BEHAVIOR; AND

(2) ARE DIMINISHED WHEN ADDRESSED BY EFFECTIVE TREATMENT, SUPERVISION, AND OTHER SUPPORT SERVICES, RESULTING IN A REDUCED RISK OF CRIMINAL BEHAVIOR.

[(d)] (F) “Director” means the Director of the Division or the Director’s designee.

[(e)] (G) “Division” means the Division of Parole and Probation.

[(f)] (H) “Mandatory supervision” has the meaning stated in § 7–101 of this article.

[(g)] (I) “Offender” means an individual on parole or under mandatory supervision.

[(h)] (J) “Parolee” means an individual who has been released on parole.

[(i)] (K) “Program” means a home detention program established under § 6–108 of this subtitle.

(L) “RISK AND NEEDS ASSESSMENT” MEANS AN ACTUARIAL TOOL VALIDATED ON THE STATE’S CORRECTIONAL POPULATION THAT DETERMINES:

(1) AN INDIVIDUAL’S RISK OF REOFFENDING; AND

(2) THE CRIMINAL RISK FACTORS THAT, WHEN ADDRESSED, REDUCE THE INDIVIDUAL’S RISK OF REOFFENDING.

(M) “TECHNICAL VIOLATION” MEANS A VIOLATION OF A CONDITION OF PROBATION, PAROLE, OR MANDATORY SUPERVISION THAT DOES NOT INVOLVE:

(1) AN ARREST OR A SUMMONS ISSUED BY A COMMISSIONER ON A STATEMENT OF CHARGES FILED BY A LAW ENFORCEMENT OFFICER;

(2) A VIOLATION OF A CRIMINAL PROHIBITION OTHER THAN A MINOR TRAFFIC OFFENSE;

(3) A VIOLATION OF A NO–CONTACT OR STAY–AWAY ORDER; OR

(4) ABSCONDING.

6–104.

(a) Subject to the authority of the Secretary and in addition to any other duties established by law, the Division:

(1) shall:

(I) ADMINISTER A VALIDATED SCREENING TOOL ON EACH INDIVIDUAL ON PAROLE OR MANDATORY SUPERVISION UNDER THE SUPERVISION OF THE DIVISION;

(II) ADMINISTER A RISK AND NEEDS ASSESSMENT AND DEVELOP AN INDIVIDUALIZED CASE PLAN FOR EACH INDIVIDUAL ON PAROLE OR MANDATORY SUPERVISION WHO HAS BEEN SCREENED AS MODERATE OR HIGH RISK TO REOFFEND;

[(i)] (III) supervise [the conduct of parolees] AN INDIVIDUAL ON PAROLE OR MANDATORY SUPERVISION BASED ON THE RESULTS OF A VALIDATED SCREENING TOOL OR RISK AND NEEDS ASSESSMENT CONDUCTED UNDER ITEMS (I) OR (II) OF THIS ITEM;

[(ii)] (IV) supervise an individual under mandatory supervision until the expiration of the individual's maximum term or terms of confinement;

[(iii)] (V) regularly inform the Commission of the activities of offenders who are supervised by the Division, INCLUDING, IF REQUESTED BY THE COMMISSION, ANY GRADUATED SANCTIONS IMPOSED UNDER § 6-121 OF THIS SUBTITLE;

[(iv)] (VI) issue a warrant for the retaking of an offender charged with a violation of a condition of parole or mandatory supervision, if this authority is delegated by the Commission to the Director of the Division; and

[(v)] (VII) administer the Drinking Driver Monitor Program, collect supervision fees, and adopt guidelines for collecting the monthly program fee assessed in accordance with § 6-115 of this subtitle; and

(2) may recommend:

(i) that the Commission modify any condition of parole or mandatory supervision; and

(ii) that the Commission issue a warrant for the retaking of an offender.

(b) Funding for the Drinking Driver Monitor Program shall be as provided in the State budget.

6-111.

If a court suspends the sentence of an individual convicted of a crime and orders the individual to continue under the supervision of the Division for a specified time or until ordered otherwise, the Division shall:

(1) [supervise the conduct of] ADMINISTER A VALIDATED SCREENING TOOL ON the individual;

(2) [determine whether the individual is complying with the conditions of probation or suspension of sentence; and] ADMINISTER A RISK AND NEEDS ASSESSMENT AND DEVELOP AN INDIVIDUALIZED CASE PLAN FOR EACH INDIVIDUAL WHO HAS BEEN SCREENED AS MODERATE OR HIGH RISK TO REOFFEND;

(3) SUPERVISE AN INDIVIDUAL BASED ON THE PROBATION ORDER AND, TO THE EXTENT NOT INCONSISTENT WITH THAT ORDER, ON THE RESULTS OF A VALIDATED SCREENING TOOL OR RISK AND NEEDS ASSESSMENT CONDUCTED UNDER ITEMS (1) OR (2) OF THIS SECTION;

(4) NOTWITHSTANDING ANY OTHER LAW, IMPOSE GRADUATED SANCTIONS UNDER § 6-121 OF THIS SUBTITLE IN RESPONSE TO TECHNICAL VIOLATIONS AS AN ALTERNATIVE TO SEEKING REVOCATION UNDER § 6-223 OR § 6-224 OF THE CRIMINAL PROCEDURE ARTICLE;

~~(3)~~ (5) PROVIDE PROMPT NOTICE TO THE COURT OF ANY TECHNICAL VIOLATIONS COMMITTED AND GRADUATED SANCTIONS IMPOSED UNDER § 6-121 OF THIS SUBTITLE; AND

(6) report to the court on the individual's compliance.

6-117.

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

(2) "Abatement" means an end to active supervision of a supervised individual, without effect on the legal expiration date of the case or the supervised individual's obligation to:

(i) obey all laws; AND

(ii) [report as instructed; and

(iii)] obtain written permission from the Division of Parole and Probation before relocating the supervised individual’s residence outside the State.

(3) “Earned compliance credit” means a 20–day reduction from the period of active supervision of the supervised individual for every month that a supervised individual:

(i) exhibits [full compliance] COMPLIANCE with the conditions[.] AND goals[, and treatment as part] of the supervised individual’s probation, parole, or mandatory release supervision, as determined by the Department;

(ii) has no new arrests;

(iii) has not violated any conditions of no contact imposed on the supervised individual;

(iv) is current on court ordered payments for restitution, fines, and fees relating to the offense for which earned compliance credits are being accrued; and

(v) is current in completing any community supervision requirements included in the conditions of the supervised individual’s probation, parole, or mandatory release supervision.

(4) (i) “Supervised individual” means an individual placed on probation by a court or serving a period of parole or mandatory release supervision after release from a correctional facility.

(ii) “Supervised individual” does not include:

1. a person incarcerated, on probation, or convicted in this State for a crime of violence;

2. a person incarcerated, on probation, or convicted in this State for a crime under Title 3, Subtitle 3 of the Criminal Law Article;

3. a person incarcerated, on probation, or convicted in this State for a violation of § 2–503, [§] §§ [5–602 through § 5–617] **5–612 THROUGH 5–614**, § 5–627, or § 5–628 of the Criminal Law Article;

4. a person registered or eligible for registration under Title 11, Subtitle 7 of the Criminal Procedure Article;

5. a person who was convicted in any other jurisdiction of a crime and the person's supervision was transferred to this State; or

6. a person who was convicted in this State of a crime and the person's supervision was transferred to another state.

(b) The Department shall:

(1) establish a program to implement earned compliance credits; and

(2) adopt policies and procedures to implement the program.

(c) (1) Notwithstanding any other law, the Maryland Parole Commission or the court [may] SHALL adjust the period of a supervised individual's supervision on the recommendation of the Division of Parole and Probation for earned compliance credits accrued under a program created under this section.

(2) ONCE A COMBINATION OF TIME SERVED ON PROBATION, PAROLE, OR MANDATORY SUPERVISION, AND EARNED COMPLIANCE CREDITS SATISFY THE SUPERVISED INDIVIDUAL'S ACTIVE TERM OF SUPERVISION, THE DIVISION SHALL PLACE THE INDIVIDUAL ON ABATEMENT.

(D) THE DIVISION SHALL:

(1) PROVIDE REGULAR NOTIFICATION TO A SUPERVISED INDIVIDUAL OF THE TENTATIVE ABATEMENT TRANSFER DATE; AND

(2) DEVELOP POLICIES FOR NOTIFYING A SUPERVISED INDIVIDUAL OF CHANGE TO THE ABATEMENT TRANSFER DATE.

(E) AT LEAST 90 DAYS BEFORE THE DATE OF TRANSFER TO ABATEMENT, THE DIVISION SHALL NOTIFY THE COMMISSION OR THE COURT OF THE IMPENDING TRANSFER.

[(d)] (F) A supervised individual whose period of active supervision has been completely reduced as a result of earned compliance credits shall remain on abatement until the expiration of the supervised individual's sentence, unless:

- (1) the supervised individual consents to continued active supervision; or
- (2) the supervised individual violates a condition of probation, parole, or mandatory release supervision including failure to pay a required payment of restitution.

(G) A SUPERVISED INDIVIDUAL WHO IS PLACED ON ABATEMENT UNDER THIS SECTION MAY NOT BE REQUIRED TO:

- (1) REGULARLY REPORT TO A PAROLE OR PROBATION AGENT; OR
- (2) PAY A SUPERVISION FEE.

[(e)] (H) If a supervised individual violates a condition of probation while on abatement, a court may order the supervised individual to be returned to active supervision.

[(f)] (I) (1) Twenty-five percent of the savings realized by the Department as a result of the application of earned compliance credits shall revert to the Department.

(2) After the savings revert to the Department in accordance with paragraph (1) of this subsection, any remaining savings shall revert to the [General Fund] PERFORMANCE INCENTIVE GRANT FUND ESTABLISHED UNDER § 9-3209 OF THE STATE GOVERNMENT ARTICLE.

[(g)] (J) This section may not be construed to limit the authority of a court or the Parole Commission to extend probation, parole, or mandatory release supervision under § 6-222 of the Criminal Procedure Article.

(K) THE DEPARTMENT SHALL DEVELOP AN AUTOMATED APPLICATION FOR THE TRACKING AND AWARDING OF EARNED COMPLIANCE CREDITS BY THE DIVISION.

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

(2) "EVIDENCE-BASED PROGRAMS AND PRACTICES" MEANS PROGRAMS PROVEN BY SCIENTIFIC RESEARCH TO RELIABLY PRODUCE REDUCTIONS IN RECIDIVISM.

(3) "INNOVATIVE PROGRAMS AND PRACTICES" MEANS PROGRAMS THAT DO NOT MEET THE STANDARD OF EVIDENCE-BASED PRACTICES BUT WHICH PRELIMINARY RESEARCH OR DATA INDICATES WILL REDUCE THE LIKELIHOOD OF OFFENDER RECIDIVISM.

(B) THE DIVISION SHALL USE PRACTICABLE AND SUITABLE METHODS THAT ARE CONSISTENT WITH EVIDENCE-BASED PROGRAMS AND PRACTICES AND INNOVATIVE PROGRAMS AND PRACTICES TO AID AND ENCOURAGE A PROBATIONER OR PAROLEE TO IMPROVE CONDUCT, TO REDUCE THE RISK OF RECIDIVISM, AND TO PAY RESTITUTION.

(C) THE DIVISION SHALL HAVE AN INDEPENDENT VALIDATION STUDY CONDUCTED EVERY 3 YEARS ON THE RISK AND NEEDS ASSESSMENT TOOL.

6-120.

THE DEPARTMENT SHALL REQUIRE ALL PAROLE AND PROBATION AGENTS AND SUPERVISORS, COMMISSION MEMBERS, AND HEARING OFFICERS TO UNDERGO ANNUAL TRAINING BASED ON THE MOST CURRENT RESEARCH, REGARDING:

(1) IDENTIFYING, UNDERSTANDING, AND TARGETING AN INDIVIDUAL'S CRIMINAL RISK FACTORS;

(2) PRINCIPLES OF EFFECTIVE RISK INTERVENTIONS; AND

(3) SUPPORTING AND ENCOURAGING COMPLIANCE AND BEHAVIOR CHANGE, INCLUDING REGARDING THE PAYMENT OF RESTITUTION.

6-121.

(A) THIS SECTION SHALL APPLY TO ALL INDIVIDUALS UNDER THE SUPERVISION OF THE DIVISION.

(B) (1) THE DIVISION SHALL IMPOSE GRADUATED SANCTIONS IN RESPONSE TO TECHNICAL VIOLATIONS OF CONDITIONS OF SUPERVISION.

(2) GRADUATED SANCTIONS MAY NOT INCLUDE INCARCERATION OR INVOLUNTARY DETENTION.

(3) THE DIVISION SHALL PROVIDE NOTICE TO THE COURT OF A TECHNICAL VIOLATION COMMITTED AND A GRADUATED SANCTION IMPOSED AS A RESULT OF THE VIOLATION.

(C) THE DEPARTMENT SHALL:

(1) ESTABLISH A PROGRAM TO IMPLEMENT THE USE OF GRADUATED SANCTIONS IN RESPONSE TO TECHNICAL VIOLATIONS OF THE CONDITIONS OF COMMUNITY SUPERVISION;

(2) ADOPT POLICIES AND PROCEDURES TO IMPLEMENT THE PROGRAM AND TO ENSURE THAT DUE PROCESS PROTECTIONS ARE IN PLACE FOR AN INDIVIDUAL UNDER THE SUPERVISION OF THE DIVISION TO CHALLENGE GRADUATED SANCTIONS IMPOSED UNDER THE PROGRAM; AND

(3) DEVELOP A MATRIX TO GUIDE A PAROLE AND PROBATION AGENT IN DETERMINING THE SUITABLE RESPONSE TO A TECHNICAL VIOLATION THAT INCLUDES A RANGE OF THE MOST COMMON VIOLATIONS AND A RANGE OF POSSIBLE NONCUSTODIAL SANCTIONS TO BE IMPOSED.

(D) IF THE AVAILABLE GRADUATED SANCTIONS HAVE BEEN EXHAUSTED, THE DIVISION SHALL REFER THE INDIVIDUAL TO THE COURT OR THE COMMISSION FOR ADDITIONAL SANCTIONS, INCLUDING FORMAL REVOCATION OF PROBATION, PAROLE, OR MANDATORY SUPERVISION UNDER § 7-401 OR § 7-504 OF THIS ARTICLE OR § 6-223 OR § 6-224 OF THE CRIMINAL PROCEDURE ARTICLE.

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

(m) “Violent crime” means:

(1) a crime of violence as defined in § 14–101 of the Criminal Law Article;

or

(2) burglary in the first, second, or third degree.

7–103.

(a) In this section, “offender” has the meaning stated in § 6–101 of this article.

(b) The Department may issue a certificate of completion to an offender who:

(1) was supervised by the Department under conditions of:

(i) parole;

(ii) probation; or

(iii) mandatory release supervision;

(2) has completed all special and general conditions of supervision, including paying all required restitution, fines, fees, and other payment obligations; and

(3) is no longer under the jurisdiction of the Department.

7–104.

(A) THE DEPARTMENT SHALL ISSUE A CERTIFICATE OF REHABILITATION TO AN INDIVIDUAL WHO:

(1) WAS CONVICTED OF A MISDEMEANOR OR FELONY THAT IS NOT:

(I) A CRIME OF VIOLENCE, AS DEFINED IN § 14–101 OF THE CRIMINAL LAW ARTICLE; OR

(II) A SEXUAL OFFENSE FOR WHICH REGISTRATION IS REQUIRED UNDER TITLE 11, SUBTITLE 7 OF THE CRIMINAL PROCEDURE ARTICLE;

(2) WAS SUPERVISED BY THE DIVISION OF PAROLE AND PROBATION UNDER CONDITIONS OF:

(I) PAROLE;

(II) PROBATION; OR

(III) MANDATORY RELEASE SUPERVISION;

(3) HAS COMPLETED ALL SPECIAL AND GENERAL CONDITIONS OF SUPERVISION, INCLUDING PAYING ALL REQUIRED RESTITUTION, FINES, FEES, AND OTHER PAYMENT OBLIGATIONS; AND

(4) IS NO LONGER UNDER THE JURISDICTION OF THE DIVISION OF PAROLE AND PROBATION.

(B) IT IS THE POLICY OF THE STATE TO ENCOURAGE THE EMPLOYMENT OF NONVIOLENT EX-OFFENDERS AND REMOVE BARRIERS TO THEIR ABILITY TO DEMONSTRATE FITNESS FOR OCCUPATIONAL LICENSES OR CERTIFICATIONS REQUIRED BY THE STATE.

(C) A LICENSING BOARD MAY NOT DENY AN OCCUPATIONAL LICENSE OR CERTIFICATE TO AN APPLICANT WHO HAS BEEN ISSUED A CERTIFICATE OF REHABILITATION SOLELY ON THE BASIS THAT THE APPLICANT HAS PREVIOUSLY BEEN CONVICTED OF THE CRIME THAT IS THE SUBJECT OF THE CERTIFICATE OF REHABILITATION, UNLESS THE LICENSING BOARD DETERMINES THAT:

(1) THERE IS A DIRECT RELATIONSHIP BETWEEN THE APPLICANT'S PREVIOUS CONVICTION AND THE SPECIFIC OCCUPATIONAL LICENSE OR CERTIFICATE SOUGHT; OR

(2) THE ISSUANCE OF THE LICENSE OR CERTIFICATE WOULD INVOLVE AN UNREASONABLE RISK TO PROPERTY OR TO THE SAFETY OR WELFARE OF SPECIFIC INDIVIDUALS OR THE GENERAL PUBLIC.

(D) IN MAKING A DETERMINATION UNDER SUBSECTION (C) OF THIS SECTION, THE LICENSING BOARD SHALL CONSIDER:

(1) THE POLICY OF THE STATE EXPRESSED IN SUBSECTION (B) OF THIS SECTION;

(2) THE SPECIFIC DUTIES AND RESPONSIBILITIES REQUIRED OF A LICENSEE OR CERTIFICATE HOLDER;

(3) WHETHER THE APPLICANT'S PREVIOUS CONVICTION HAS ANY IMPACT ON THE APPLICANT'S FITNESS OR ABILITY TO PERFORM THE DUTIES AND RESPONSIBILITIES AUTHORIZED BY THE LICENSE OR CERTIFICATE;

(4) THE AGE OF THE APPLICANT AT THE TIME OF THE CONVICTION AND THE AMOUNT OF TIME THAT HAS ELAPSED SINCE THE CONVICTION;

(5) THE SERIOUSNESS OF THE OFFENSE FOR WHICH THE APPLICANT WAS CONVICTED;

(6) OTHER INFORMATION PROVIDED BY THE APPLICANT OR ON THE APPLICANT'S BEHALF WITH REGARD TO THE APPLICANT'S REHABILITATION AND GOOD CONDUCT; AND

(7) THE LEGITIMATE INTEREST OF THE DEPARTMENT IN PROTECTING PROPERTY AND THE SAFETY AND WELFARE OF SPECIFIC INDIVIDUALS OR THE GENERAL PUBLIC.

(E) AN INDIVIDUAL MAY RECEIVE ONLY ONE CERTIFICATE OF REHABILITATION PER LIFETIME.

(F) THE COURT OF APPEALS IS NOT A LICENSING BOARD FOR PURPOSES OF THIS SECTION.

(G) THE DEPARTMENT SHALL ADOPT REGULATIONS ESTABLISHING AN APPLICATION AND REVIEW PROCESS FOR A CERTIFICATE OF REHABILITATION THAT

ALLOWS THE STATE’S ATTORNEY AND THE VICTIM TO OBJECT TO THE ISSUANCE OF THE CERTIFICATE OF REHABILITATION.

7–205.

(a) The Commission has the exclusive power to:

(1) authorize the parole of an individual sentenced under the laws of the State to any correctional facility in the State;

(2) negotiate, enter into, and sign predetermined parole release agreements as provided under subsection (b) of this section;

(3) hear cases for parole **OR ADMINISTRATIVE RELEASE** in which:

(i) the Commissioner of Correction, after reviewing the recommendation of the appropriate managing official, objects to a parole;

(ii) the inmate was convicted of a homicide;

(iii) the inmate is serving a sentence of life imprisonment; [or]

(iv) the parole hearing is open to the public under § 7–304 of this title;

(V) THE INMATE FAILS TO MEET THE REQUIREMENTS OF THE ADMINISTRATIVE RELEASE PROCESS ESTABLISHED UNDER § 7–301.1 OF THIS TITLE;

OR

(VI) A VICTIM REQUESTS A HEARING AS PROVIDED UNDER § 7–301.1 OF THIS TITLE;

(4) hear exceptions to recommendations of a hearing examiner or a commissioner acting as a hearing examiner;

(5) review summarily all recommendations of a hearing examiner or a commissioner acting as a hearing examiner to which an exception has not been filed;

(6) hear a case for parole in absentia when an individual who was sentenced in this State to serve a term of imprisonment is in a correctional facility of a jurisdiction other than this State;

(7) hear cases of parole revocation; [and]

(8) if delegated by the Governor, hear cases involving an alleged violation of a conditional pardon; AND

(9) DETERMINE CONDITIONS FOR ADMINISTRATIVE RELEASE UNDER § 7-301.1 OF THIS TITLE.

(b) (1) (i) The Commission may negotiate, enter into, and sign a predetermined parole release agreement with the Commissioner of Correction and an inmate under the jurisdiction of the Commission.

(ii) The agreement may provide for the release of the inmate on parole at a predetermined time if, during the inmate's term of confinement, the inmate participates in the programs designated by the Commission and fulfills any other conditions specified in the agreement.

(2) This subsection does not affect any diminution of an inmate's term of confinement awarded under Title 3, Subtitle 7 and §§ 9-506 and 9-513 of this article OR AN INMATE'S ELIGIBILITY FOR ADMINISTRATIVE RELEASE UNDER § 7-301.1 OF THIS TITLE.

7-301.

(a) (1) Except as otherwise provided in this section, the Commission shall request that the Division of Parole and Probation make an investigation for inmates in a local correctional facility and the Division of Correction make an investigation for inmates in a State correctional facility that will enable the Commission to determine the advisability of granting parole to an inmate who:

(i) has been sentenced under the laws of the State to serve a term of 6 months or more in a correctional facility; and

(ii) has served in confinement one-fourth of the inmate's aggregate sentence.

(2) Except as provided in paragraph (3) of this subsection, or as otherwise provided by law or in a predetermined parole release agreement, an inmate is not eligible for parole until the inmate has served in confinement one-fourth of the inmate’s aggregate sentence.

(3) An inmate may be released on parole at any time in order to undergo drug or alcohol treatment, mental health treatment, or to participate in a residential program of treatment in the best interest of an inmate’s expected or newborn child if the inmate:

(i) is not serving a sentence for a crime of violence, as defined in § 14–101 of the Criminal Law Article;

(ii) is not serving a sentence for a violation of Title 3, Subtitle 6, § 5–608(d), § 5–609(d), § 5–612, § 5–613, § 5–614, § 5–621, § 5–622, or § 5–628 of the Criminal Law Article; and

(iii) has been determined to be amenable to treatment.

(4) The Division of Parole and Probation shall complete and submit to the Commission each investigation of an inmate in a local correctional facility required under paragraph (1) of this subsection within 60 days of commitment.

7–301.1.

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

(2) “ADMINISTRATIVE RELEASE” MEANS RELEASE OF AN ELIGIBLE INMATE WHO HAS SERVED ONE–FOURTH OF THE INMATE’S SENTENCE AND MET THE REQUIREMENTS ESTABLISHED UNDER THIS SECTION.

(3) “ELIGIBLE INMATE” MEANS AN INMATE WHO:

(I) HAS BEEN SENTENCED UNDER THE LAWS OF THE STATE TO SERVE A TERM OF 6 MONTHS OR MORE IN A CORRECTIONAL FACILITY;

(II) IS NOT SERVING A SENTENCE FOR:

1. A VIOLENT CRIME; OR

2. A SEXUAL OFFENSE FOR WHICH REGISTRATION IS REQUIRED UNDER TITLE 11, SUBTITLE 7 OF THE CRIMINAL PROCEDURE ARTICLE; AND

(III) IF SERVING A SENTENCE WITH A TERM OF CONFINEMENT THAT INCLUDES A MANDATORY MINIMUM SENTENCE, HAS SERVED THE MANDATORY PORTION OF THE SENTENCE.

(4) "VICTIM" MEANS:

(I) A PERSON WHO IS THE VICTIM OF A CRIME COMMITTED BY AN ELIGIBLE INMATE; OR

(II) IF THE PERSON DESCRIBED IN ITEM (I) OF THIS PARAGRAPH IS DECEASED, DISABLED, OR A MINOR, A DESIGNATED FAMILY MEMBER, GUARDIAN AD LITEM, OR OTHER REPRESENTATIVE OF THE PERSON.

(B) (1) FOR AN INMATE IN A CORRECTIONAL FACILITY, THE COMMISSION SHALL:

(I) CONDUCT AN INVESTIGATION TO DETERMINE THE INMATE'S ELIGIBILITY FOR ADMINISTRATIVE RELEASE;

(II) DETERMINE THE CONDITIONS UNDER WHICH AN ELIGIBLE INMATE MAY BE RELEASED AFTER HAVING SERVED ONE-FOURTH OF THE INMATE'S TERM OF CONFINEMENT; AND

(III) CALCULATE A TENTATIVE RELEASE ELIGIBILITY DATE FOR AN ELIGIBLE INMATE.

(2) THE INVESTIGATIONS REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE COMPLETED AND SUBMITTED TO THE COMMISSION WITHIN 60 DAYS OF COMMITMENT.

(C) FOR AN INMATE IN A LOCAL CORRECTIONAL FACILITY, THE COMMISSION, IN COLLABORATION WITH THE LOCAL CORRECTIONAL FACILITY, SHALL CONSIDER THE RESULTS OF THE INVESTIGATION CONDUCTED UNDER SUBSECTION (B)(1) OF THIS SECTION AND DEVELOP AN INDIVIDUAL CASE PLAN WITH WHICH AN ELIGIBLE INMATE MUST COMPLY IN ORDER TO BE RELEASED ON ADMINISTRATIVE RELEASE.

(D) (1) THE INDIVIDUAL CASE PLANS DEVELOPED UNDER SUBSECTION (C) OF THIS SECTION AND § 3-601(D) OF THIS ARTICLE SHALL INCLUDE CONDITIONS THAT AN INMATE WILL BE ABLE TO COMPLETE BEFORE THE INMATE'S ADMINISTRATIVE RELEASE DATE.

(2) AN INDIVIDUAL CASE PLAN MAY INCLUDE CONDITIONS THAT APPLY AFTER AN INMATE IS RELEASED ON ADMINISTRATIVE RELEASE.

(E) (1) NOTWITHSTANDING THE LIMITATIONS ON WHO IS CONSIDERED A VICTIM IN § 7-801 OF THIS TITLE, FOR PURPOSES OF THIS SECTION, A VICTIM HAS ALL THE RIGHTS UNDER THIS SECTION THAT ARE GRANTED TO A VICTIM UNDER THIS TITLE FOR A PAROLE HEARING.

(2) AS PROVIDED IN § 7-801 OF THIS TITLE, THE COMMISSION SHALL NOTIFY A VICTIM OF:

(I) THE ELIGIBLE INMATE'S ADMINISTRATIVE RELEASE ELIGIBILITY DATE;

(II) THE VICTIM'S RIGHT TO REQUEST AN OPEN HEARING UNDER § 7-304 OF THIS SUBTITLE; AND

(III) THE VICTIM'S RIGHT TO SUBMIT WRITTEN TESTIMONY CONCERNING THE CRIME AND THE IMPACT OF THE CRIME ON THE VICTIM.

(F) AN ELIGIBLE INMATE SHALL BE RELEASED ON ADMINISTRATIVE RELEASE, WITHOUT A HEARING BEFORE THE COMMISSION, AT THE INMATE'S RELEASE ELIGIBILITY DATE IF:

(1) THE INMATE HAS COMPLIED WITH THE CASE PLAN DEVELOPED UNDER SUBSECTION (C) OF THIS SECTION OR § 3-601(D) OF THIS ARTICLE;

(2) THE INMATE HAS NOT COMMITTED A CATEGORY 1 OR CATEGORY 2 RULE VIOLATION, AS DEFINED IN 12.02.27.04 OF THE CODE OF MARYLAND REGULATIONS, WITHIN 120 DAYS OF THE INMATE'S ADMINISTRATIVE RELEASE ELIGIBILITY DATE; AND

(3) A VICTIM HAS NOT REQUESTED A HEARING UNDER SUBSECTION (E) OF THIS SECTION.

(G) THE DIVISION OF CORRECTION AND EACH LOCAL CORRECTIONAL FACILITY SHALL NOTIFY THE COMMISSION OF AN ELIGIBLE INMATE'S COMPLIANCE OR NONCOMPLIANCE WITH THE CASE PLAN AT LEAST 30 DAYS BEFORE THE INMATE'S TENTATIVE ADMINISTRATIVE RELEASE ELIGIBILITY DATE.

(H) AN INDIVIDUAL ON ADMINISTRATIVE RELEASE IS SUBJECT TO:

(1) THE JURISDICTION OF THE COMMISSION IN THE SAME MANNER AS A PAROLEE; AND

(2) ALL LAWS AND CONDITIONS THAT APPLY TO PAROLEES.

(I) AN ELIGIBLE INMATE WHO IS NOT RELEASED ON ADMINISTRATIVE RELEASE UNDER THIS SECTION IS OTHERWISE ELIGIBLE FOR RELEASE AS PROVIDED UNDER THIS SUBTITLE.

7-305.

Each hearing examiner and commissioner determining whether an inmate is suitable for parole, and the Commission before entering into a predetermined parole release agreement, shall consider:

(1) the circumstances surrounding the crime;

(2) the physical, mental, and moral qualifications of the inmate;

(3) the progress of the inmate during confinement, including the academic progress of the inmate in the mandatory education program required under § 22–102 of the Education Article;

(4) a report on a drug or alcohol evaluation that has been conducted on the inmate, including any recommendations concerning the inmate’s amenability for treatment and the availability of an appropriate treatment program;

(5) whether there is reasonable probability that the inmate, if released on parole, will remain at liberty without violating the law;

(6) whether release of the inmate on parole is compatible with the welfare of society;

(7) an updated victim impact statement or recommendation prepared under § 7–801 of this title;

(8) any recommendation made by the sentencing judge at the time of sentencing;

(9) any information that is presented to a commissioner at a meeting with the victim; [and]

(10) any testimony presented to the Commission by the victim or the victim’s designated representative under § 7–801 of this title; AND

(11) COMPLIANCE WITH THE CASE PLAN DEVELOPED UNDER § 7–301.1 OF THIS SUBTITLE OR § 3–601 OF THIS ARTICLE.

7–309.

(a) This section applies to any inmate who is sentenced to a term of incarceration for which all sentences being served, including any life sentence, are with the possibility of parole.

(b) An inmate who is so **CHRONICALLY** debilitated or incapacitated by a medical or mental health condition, disease, or syndrome as to be physically incapable of presenting a danger to society may be released on medical parole at any time during the term of that

inmate's sentence, without regard to the eligibility standards specified in § 7-301 of this subtitle.

(c) (1) A request for a medical parole under this section may be filed with the Maryland Parole Commission by:

- (i) the inmate seeking the medical parole;
- (ii) an attorney;
- (iii) a prison official or employee;
- (iv) a medical professional;
- (v) a family member; or
- (vi) any other person.

(2) The request shall be in writing and shall articulate the grounds that support the appropriateness of granting the medical parole.

(d) Following review of the request, the Commission may:

(1) find the request to be inconsistent with the best interests of public safety and take no further action; or

(2) request that department or local correctional facility personnel provide information for formal consideration of parole release.

(e) The information to be considered by the Commission before granting medical parole shall, at a minimum, include:

(1) (I) A RECOMMENDATION BY THE MEDICAL PROFESSIONAL TREATING THE INMATE UNDER CONTRACT WITH THE DEPARTMENT OR LOCAL CORRECTIONAL FACILITY; OR

(II) IF REQUESTED BY AN INDIVIDUAL IDENTIFIED IN SUBSECTION (C)(1) OF THIS SECTION, ONE MEDICAL EVALUATION CONDUCTED AT

NO COST TO THE INMATE BY A MEDICAL PROFESSIONAL WHO IS INDEPENDENT FROM THE DIVISION OF CORRECTION OR LOCAL CORRECTIONAL FACILITY;

[(1)] (2) the inmate's medical information, including:

(i) a description of the inmate's condition, disease, or syndrome;

(ii) a prognosis concerning the likelihood of recovery from the condition, disease, or syndrome;

(iii) a description of the inmate's physical incapacity and score on the Karnofsky Performance Scale Index or similar classification of physical impairment; and

(iv) a mental health evaluation, where relevant;

[(2)] (3) discharge information, including:

(i) availability of treatment or professional services within the community;

(ii) family support within the community; and

(iii) housing availability, including hospital or hospice care; and

[(3)] (4) case management information, including:

(i) the circumstances of the current offense;

(ii) institutional history;

(iii) pending charges, sentences and other jurisdictions, and any other detainees; and

(iv) criminal history information.

(f) The Commission may require as a condition of release on medical parole that:

(1) the parolee agree to placement for a definite or indefinite period of time in a hospital or hospice or other housing accommodation suitable to the parolee's medical

condition, including the family home of the parolee, as specified by the Commission or the supervising agent; and

(2) the parolee forward authentic copies of applicable medical records to indicate that the particular medical condition giving rise to the release continues to exist.

(g) (1) If the Commission has reason to believe that a parolee is no longer so debilitated or incapacitated as to be physically incapable of presenting a danger to society, the parolee shall be returned to the custody of the Division of Correction or the local correctional facility from which the inmate was released.

(2) (i) A parole hearing for a parolee returned to custody shall be held to consider whether the parolee remains incapacitated and shall be heard promptly.

(ii) A parolee returned to custody under this subsection shall be maintained in custody, if the incapacitation is found to no longer exist.

(3) An inmate whose medical parole is revoked for lack of continued incapacitation may be considered for parole in accordance with the eligibility requirements specified in § 7-301 of this subtitle.

(h) (1) Subject to paragraph (2) of this subsection, provisions of law relating to victim notification and opportunity to be heard shall apply to proceedings relating to medical parole.

(2) In cases of imminent death, time limits relating to victim notification and opportunity to be heard may be REDUCED OR waived in the discretion of the Commission.

(i) [Consistent with § 7-301(d)(4) of this subtitle, a medical parole under this section for a person serving a life sentence shall require the approval of the Governor]

(1) IF THE COMMISSION DECIDES TO GRANT MEDICAL PAROLE TO AN INMATE SENTENCED TO LIFE IMPRISONMENT, THE DECISION SHALL BE TRANSMITTED TO THE GOVERNOR.

(2) THE GOVERNOR MAY DISAPPROVE THE DECISION BY WRITTEN TRANSMITTAL TO THE COMMISSION.

(3) IF THE GOVERNOR DOES NOT DISAPPROVE THE DECISION WITHIN 180 DAYS AFTER RECEIPT OF THE WRITTEN TRANSMITTAL, THE DECISION BECOMES EFFECTIVE.

(j) The Commission shall issue regulations to implement the provisions of this section.

7-401.

(a) If a parolee is alleged to have violated a condition of parole, one commissioner shall hear the case on revocation of the parole at the time and place that the Commission designates.

(b) (1) Each individual charged with a parole violation is entitled to be represented by counsel of the individual's choice or, if eligible, counsel provided by the Public Defender's office.

(2) The Commission shall keep a record of the hearing.

(c) If the commissioner finds from the evidence that the parolee has violated a condition of parole, the commissioner may take any action that the commissioner considers appropriate, including:

(1) (i) **SUBJECT TO SUBSECTION (D)(1) OF THIS SECTION,** revoking the order of parole;

(ii) setting a future hearing date for consideration for reparole; and

(iii) remanding the individual to the Division of Correction or local correctional facility from which the individual was paroled; or

(2) continuing parole:

(i) without modification of its conditions; or

(ii) with modification of its conditions, including a requirement that the parolee spend all or part of the remaining parole period in a home detention program.

(d) (1) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, IF AN ORDER OF PAROLE IS REVOKED DUE TO A TECHNICAL VIOLATION, AS DEFINED IN § 6-101 OF THIS ARTICLE, THE COMMISSIONER HEARING THE PAROLE REVOCATION MAY REQUIRE THE INDIVIDUAL TO SERVE A PERIOD OF IMPRISONMENT OF:

(I) FOR A FIRST VIOLATION, NOT MORE THAN 15 DAYS;

(II) FOR A SECOND VIOLATION, NOT MORE THAN 30 DAYS; AND

(III) FOR A THIRD VIOLATION, NOT MORE THAN 45 DAYS.

(2) Subject to paragraph [(2)] (3) of this subsection and further action by the Commission, if the order of parole is revoked FOR A FOURTH OR SUBSEQUENT TECHNICAL VIOLATION OR A VIOLATION THAT IS NOT A TECHNICAL VIOLATION, the commissioner hearing the parole revocation, in the commissioner's discretion, may require the inmate to serve any unserved portion of the sentence originally imposed.

[(2)] (3) An inmate may not receive credit for time between release on parole and revocation of parole if:

(i) the inmate was serving a sentence for a violent crime when parole was revoked; and

(ii) the parole was revoked due to a finding that the inmate committed a violent crime while on parole.

(4) (I) THERE IS A REBUTTABLE PRESUMPTION THAT THE LIMITS ON THE PERIOD OF IMPRISONMENT THAT MAY BE IMPOSED FOR A TECHNICAL VIOLATION ESTABLISHED IN PARAGRAPH (1) OF THIS SUBSECTION ARE APPLICABLE.

(II) THE PRESUMPTION MAY BE REBUTTED IF A COMMISSIONER FINDS AND STATES ON THE RECORD, AFTER CONSIDERATION OF THE FOLLOWING FACTORS, THAT ADHERING TO THE LIMITS ON THE PERIOD OF IMPRISONMENT ESTABLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION WOULD CREATE A RISK TO PUBLIC SAFETY, A VICTIM, OR A WITNESS:

1. THE NATURE OF THE PAROLE VIOLATION;

2. THE FACTS AND CIRCUMSTANCES OF THE CRIME FOR WHICH THE PAROLEE WAS CONVICTED; AND

3. THE PAROLEE’S HISTORY.

(III) ON FINDING THAT ADHERING TO THE LIMITS WOULD CREATE A RISK TO PUBLIC SAFETY, A VICTIM, OR A WITNESS UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE COMMISSIONER MAY:

1. DIRECT IMPOSITION OF A LONGER PERIOD OF IMPRISONMENT THAN PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION, BUT NO MORE THAN THE TIME REMAINING ON THE ORIGINAL SENTENCE; OR

2. COMMIT THE PAROLEE TO THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE FOR TREATMENT UNDER § 8-507 OF THE HEALTH – GENERAL ARTICLE.

(IV) A FINDING UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH OR AN ACTION UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH IS SUBJECT TO APPEAL UNDER TITLE 12, SUBTITLE 3 OR TITLE 12, SUBTITLE 4 OF THE COURTS ARTICLE.

(e) Subject to subsection (d) of this section, if a sentence has commenced as provided under § 9-202(c)(2) of this article and the inmate is serving that sentence when the order of parole is revoked, any reimposed portion of the sentence originally imposed shall begin at the expiration of any sentences which were begun under § 9-202(c)(2) of this article.

(f) (1) The inmate may seek judicial review in the circuit court within 30 days after receiving the written decision of the Commission.

(2) The court shall hear the action on the record.

(a) (1) In this section[, “term] THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “TERM of confinement” has the meaning stated in § 3–701 of this article.

(3) “TECHNICAL VIOLATION” HAS THE MEANING STATED IN § 6–101 OF THIS ARTICLE.

(b) (1) [The] SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE commissioner presiding at an individual’s mandatory supervision revocation hearing may revoke [any or all of the] diminution credits previously earned by the individual on the individual’s term of confinement IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:

(I) NOT MORE THAN 15 DAYS FOR A FIRST TECHNICAL VIOLATION;

(II) NOT MORE THAN 30 DAYS FOR A SECOND TECHNICAL VIOLATION;

(III) NOT MORE THAN 45 DAYS FOR A THIRD TECHNICAL VIOLATION; AND

(IV) UP TO ALL REMAINING DAYS FOR A FOURTH OR SUBSEQUENT TECHNICAL VIOLATION OR A VIOLATION THAT IS NOT A TECHNICAL VIOLATION.

(2) Nothing in this section affects the prohibition against the application of diminution credits under § 7–502 of this subtitle to the term of confinement of an inmate convicted and sentenced to imprisonment for a crime committed while on mandatory supervision.

(3) (1) THERE IS A REBUTTABLE PRESUMPTION THAT THE LIMITS ON THE REVOCATION OF DIMINUTION CREDITS FOR A TECHNICAL VIOLATION ESTABLISHED IN PARAGRAPH (1) OF THIS SUBSECTION ARE APPLICABLE.

(II) THE PRESUMPTION MAY BE REBUTTED IF A COMMISSIONER FINDS AND STATES ON THE RECORD, AFTER CONSIDERATION OF THE FOLLOWING FACTORS, THAT ADHERING TO THE LIMITS ON THE REVOCATION OF DIMINUTION CREDITS ESTABLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION WOULD CREATE A RISK TO PUBLIC SAFETY, A VICTIM, OR A WITNESS:

1. THE NATURE OF THE MANDATORY SUPERVISION VIOLATION;

2. THE FACTS AND CIRCUMSTANCES OF THE CRIME FOR WHICH THE INMATE WAS CONVICTED; AND

3. THE INMATE’S HISTORY.

(III) ON FINDING THAT ADHERING TO THE LIMITS WOULD CREATE A RISK TO PUBLIC SAFETY, A VICTIM, OR A WITNESS UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE COMMISSIONER MAY:

1. DIRECT THAT A GREATER NUMBER OF DIMINUTION CREDITS BE REVOKED THAN PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION; OR

2. COMMIT THE INMATE TO THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE FOR TREATMENT UNDER § 8-507 OF THE HEALTH – GENERAL ARTICLE.

(IV) A FINDING UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH OR AN ACTION UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH IS SUBJECT TO APPEAL UNDER TITLE 12, SUBTITLE 3 OR TITLE 12, SUBTITLE 4 OF THE COURTS ARTICLE.

[(c) After an inmate’s mandatory supervision has been revoked, the inmate may not be awarded any new diminution credits on the term of confinement for which the inmate was on mandatory supervision.]

(a) In this section, “sentenced inmates” means those inmates confined in a local correctional facility after being sentenced to the custody of the local correctional facility for more than 12 months and not more than 18 months.

(b) Subject to subsection (d) of this section, for each fiscal year the State shall provide each county a grant equal to at least \$45 for each day from the end of the 12th month through the end of the 18th month that a sentenced inmate was confined in a local correctional facility during the second preceding fiscal year.

(c) Subject to subsection (d) of this section, for each fiscal year the State shall provide each county a grant equal to at least \$45:

(1) for each day after the first day through the day of release that an inmate who has been sentenced to the jurisdiction of the Division of Correction was confined in a local correctional facility during the second preceding fiscal year; AND

(2) FOR EACH DAY THAT AN INMATE WHO HAS BEEN SENTENCED TO THE JURISDICTION OF THE DIVISION OF CORRECTION RECEIVED REENTRY OR OTHER PRE-RELEASE PROGRAMMING AND SERVICES FROM A LOCAL CORRECTIONAL FACILITY DURING THE SECOND PRECEDING FISCAL YEAR.

(d) (1) On or before October 1 of each year, each county shall submit to the Department inmate days reports for the previous fiscal year.

(2) If a county fails to submit the information required under paragraph (1) of this subsection when due, the Department shall deduct an amount equal to 20% of the grant under subsection (b) of this section for each 30 days or part of 30 days after the due date that the information has not been submitted.

9-614.

(A) THIS SECTION APPLIES TO AN INMATE IN A STATE OR LOCAL CORRECTIONAL FACILITY.

(B) THE DEPARTMENT SHALL COLLECT AN INMATE’S EARNINGS.

(C) FROM AN INMATE’S EARNINGS, THE DEPARTMENT SHALL:

(1) IF REQUIRED BY LAW, REIMBURSE THE COUNTY OR STATE FOR THE COST OF PROVIDING FOOD, LODGING, AND CLOTHING TO THE INMATE;

(2) PAY COURT ORDERED PAYMENTS FOR SUPPORT OF DEPENDENTS;

(3) PAY COURT ORDERED PAYMENTS FOR RESTITUTION; AND

(4) PAY COMPENSATION FOR VICTIMS OF CRIME IN ACCORDANCE WITH SUBSECTION (D) OF THIS SECTION.

(D) (1) OF THE EARNINGS OF AN INMATE IN THE PRIVATE SECTOR/PRISON INDUSTRY ENHANCEMENT CERTIFICATION PROGRAM OF THE UNITED STATES DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE, THE DEPARTMENT SHALL WITHHOLD 20% FOR COMPENSATION FOR VICTIMS OF CRIME, IN ACCORDANCE WITH THE REQUIREMENTS OF THE PROGRAM.

(2) (I) IF A COURT IN A CRIMINAL OR JUVENILE DELINQUENCY PROCEEDING HAS ORDERED THE INMATE TO PAY RESTITUTION, THE DEPARTMENT SHALL FORWARD THE MONEY WITHHELD UNDER PARAGRAPH (1) OF THIS SUBSECTION TO THE CRIMINAL INJURIES COMPENSATION FUND ESTABLISHED UNDER § 11-819 OF THE CRIMINAL PROCEDURE ARTICLE.

(II) THE CRIMINAL INJURIES COMPENSATION BOARD SHALL DISTRIBUTE FROM THE CRIMINAL INJURIES COMPENSATION FUND ANY AMOUNT RECEIVED UNDER THIS PARAGRAPH TO THE PERSON OR GOVERNMENTAL UNIT SPECIFIED IN THE JUDGMENT OF RESTITUTION TO PAY THE RESTITUTION AS REQUIRED UNDER § 11-607(B)(2) OF THE CRIMINAL PROCEDURE ARTICLE.

(3) IF THE INMATE IS NOT SUBJECT TO A JUDGMENT OF RESTITUTION OR THE JUDGMENT OF RESTITUTION IS SATISFIED, OF THE MONEY WITHHELD UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT SHALL PAY:

(I) 50% INTO THE CRIMINAL INJURIES COMPENSATION FUND ESTABLISHED UNDER § 11-819 OF THE CRIMINAL PROCEDURE ARTICLE; AND

(II) 50% INTO THE STATE VICTIMS OF CRIME FUND ESTABLISHED UNDER § 11-916 OF THE CRIMINAL PROCEDURE ARTICLE.

(E) THE DEPARTMENT SHALL:

(1) CREDIT TO THE INMATE'S ACCOUNT ANY BALANCE THAT REMAINS AFTER PAYING THE ITEMS IN SUBSECTION (C)(1) THROUGH (4) OF THIS SECTION; AND

(2) PAY THE BALANCE IN THE INMATE'S ACCOUNT TO THE INMATE WITHIN 15 DAYS AFTER THE INMATE IS RELEASED.

11-504.

(a) An inmate who is sentenced to a local correctional facility shall be allowed an initial deduction from the inmate's term of confinement.

(b) The deduction described in subsection (a) of this section shall be calculated:

(1) from the first day of the inmate's postsentence commitment to the custody of the local correctional facility to the last day of the inmate's maximum term of confinement;

(2) (I) at the rate of 5 days for each calendar month IF THE INMATE'S TERM OF CONFINEMENT INCLUDES A CONSECUTIVE OR CONCURRENT SENTENCE FOR A CRIME OF VIOLENCE, AS DEFINED IN § 14-101 OF THE CRIMINAL LAW ARTICLE; OR

(II) AT THE RATE OF 10 DAYS FOR EACH CALENDAR MONTH FOR ALL OTHER INMATES; and

(3) on a prorated basis for any portion of a calendar month.

[11-604.

(a) The Department shall collect an inmate's earnings.

(b) From an inmate's earnings, the Department shall:

(1) reimburse the county or State for the cost of providing food, lodging, and clothing to the inmate in a local correctional facility;

(2) pay court ordered payments for support of dependents;

(3) pay court ordered payments for restitution; and

(4) pay compensation for victims of crime in accordance with subsection (c) of this section.

(c) (1) Of the earnings of an inmate in the Private Sector/Prison Industry Enhancement Certification Program of the United States Department of Justice, Bureau of Justice Assistance, the Department shall withhold 20% for compensation for victims of crime, in accordance with the requirements of the Program.

(2) (i) If a court in a criminal or juvenile delinquency proceeding has ordered the inmate to pay restitution, the Department shall forward the 20% withheld under paragraph (1) of this subsection to the Criminal Injuries Compensation Fund established under § 11–819 of the Criminal Procedure Article.

(ii) The Criminal Injuries Compensation Board shall distribute from the Criminal Injuries Compensation Fund any amount received under this paragraph to the person or governmental unit specified in the judgment of restitution to pay the restitution as required under § 11–607(b)(2) of the Criminal Procedure Article.

(3) If the inmate is not subject to a judgment of restitution or the judgment of restitution is satisfied, of the money withheld under paragraph (1) of this subsection, the Department shall pay:

(i) 50% into the Criminal Injuries Compensation Fund established under § 11–819 of the Criminal Procedure Article; and

(ii) 50% into the State Victims of Crime Fund established under § 11–916 of the Criminal Procedure Article.

(d) The Department shall:

(1) credit to the inmate's account any balance that remains after paying the items in subsection (b)(1) through (3) of this section; and

(2) pay the balance in the inmate's account to the inmate within 15 days after the inmate is released.]

Article – Criminal Law

3-601.

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

(2) “Abuse” means physical injury sustained by a minor as a result of cruel or inhumane treatment or as a result of a malicious act under circumstances that indicate that the minor’s health or welfare is harmed or threatened by the treatment or act.

(3) “Family member” means a relative of a minor by blood, adoption, or marriage.

(4) “Household member” means a person who lives with or is a regular presence in a home of a minor at the time of the alleged abuse.

(5) “Severe physical injury” means:

(i) brain injury or bleeding within the skull;

(ii) starvation; or

(iii) physical injury that:

1. creates a substantial risk of death; or

2. causes permanent or protracted serious:

A. disfigurement;

B. loss of the function of any bodily member or organ; or

C. impairment of the function of any bodily member or organ.

(b) (1) A parent, family member, household member, or other person who has permanent or temporary care or custody or responsibility for the supervision of a minor may not cause abuse to the minor that:

(i) results in the death of the minor; or

(ii) causes severe physical injury to the minor.

(2) Except as provided in subsection (c) of this section, a person who violates paragraph (1) of this subsection is guilty of the felony of child abuse in the first degree and on conviction is subject to:

(i) imprisonment not exceeding 25 years; [or]

(ii) if the violation results in the death of [the] A victim AT LEAST 13 YEARS OLD, imprisonment not exceeding 40 years; OR

(III) IF THE VIOLATION RESULTS IN THE DEATH OF A VICTIM UNDER THE AGE OF 13 YEARS, IMPRISONMENT FOR LIFE.

(c) A person who violates this section after being convicted of a previous violation of this section is guilty of a felony and on conviction is subject to:

(1) imprisonment not exceeding 25 years; or

(2) if the violation results in the death of the victim, imprisonment [not exceeding 40 years] FOR LIFE.

(d) (1) (i) A parent or other person who has permanent or temporary care or custody or responsibility for the supervision of a minor may not cause abuse to the minor.

(ii) A household member or family member may not cause abuse to a minor.

(2) Except as provided in subsection (c) of this section, a person who violates paragraph (1) of this subsection is guilty of the felony of child abuse in the second degree and on conviction is subject to imprisonment not exceeding 15 years.

(e) A sentence imposed under this section may be separate from and consecutive to or concurrent with a sentence for any crime based on the act establishing the violation of this section.

5-601.

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

(1) possess or administer to another a controlled dangerous substance, unless obtained directly or by prescription or order from an authorized provider acting in the course of professional practice; or

(2) obtain or attempt to obtain a controlled dangerous substance, or procure or attempt to procure the administration of a controlled dangerous substance by:

(i) fraud, deceit, misrepresentation, or subterfuge;

(ii) the counterfeiting or alteration of a prescription or a written order;

(iii) the concealment of a material fact;

(iv) the use of a false name or address;

(v) falsely assuming the title of or representing to be a manufacturer, distributor, or authorized provider; or

(vi) making, issuing, or presenting a false or counterfeit prescription or written order.

(b) Information that is communicated to a physician in an effort to obtain a controlled dangerous substance in violation of this section is not a privileged communication.

(c) (1) Except as provided in paragraphs (2), (3), and (4) of this subsection, a person who violates this section is guilty of a misdemeanor and on conviction is subject to [imprisonment not exceeding 4 years or a fine not exceeding \$25,000 or both]:

(I) FOR A FIRST CONVICTION, IMPRISONMENT NOT EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING \$5,000 OR BOTH;

(II) FOR A SECOND OR THIRD CONVICTION, IMPRISONMENT NOT EXCEEDING 18 MONTHS OR A FINE NOT EXCEEDING \$5,000 OR BOTH; OR

(III) FOR A FOURTH OR SUBSEQUENT CONVICTION, IMPRISONMENT NOT EXCEEDING 2 YEARS OR A FINE NOT EXCEEDING \$5,000 OR BOTH.

(2) (i) Except as provided in subparagraph (ii) of this paragraph, a person whose violation of this section involves the use or possession of marijuana IS GUILTY OF A MISDEMEANOR AND is subject to imprisonment not exceeding [1 year] 6 MONTHS or a fine not exceeding \$1,000 or both.

(E) (1) (I) BEFORE IMPOSING A SENTENCE UNDER SUBSECTION (C) OF THIS SECTION, THE COURT MAY ORDER THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE OR A CERTIFIED AND LICENSED DESIGNEE TO CONDUCT AN ASSESSMENT OF THE DEFENDANT FOR SUBSTANCE USE DISORDER AND DETERMINE WHETHER THE DEFENDANT IS IN NEED OF AND MAY BENEFIT FROM DRUG TREATMENT.

(II) IF AN ASSESSMENT FOR SUBSTANCE USE DISORDER IS REQUESTED BY THE DEFENDANT AND THE COURT DENIES THE REQUEST, THE COURT SHALL STATE ON THE RECORD THE BASIS FOR THE DENIAL.

(2) ON RECEIVING AN ORDER UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, OR THE DESIGNEE, SHALL CONDUCT AN ASSESSMENT OF THE DEFENDANT FOR SUBSTANCE USE DISORDER AND PROVIDE THE RESULTS TO THE COURT, THE DEFENDANT OR THE DEFENDANT'S ATTORNEY, AND THE STATE IDENTIFYING THE DEFENDANT'S DRUG TREATMENT NEEDS.

(3) THE COURT SHALL CONSIDER THE RESULTS OF AN ASSESSMENT PERFORMED UNDER PARAGRAPH (2) OF THIS SUBSECTION WHEN IMPOSING THE DEFENDANT'S SENTENCE AND:

(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE COURT SHALL SUSPEND THE EXECUTION OF THE SENTENCE AND ORDER PROBATION AND, IF THE ASSESSMENT SHOWS THAT THE DEFENDANT IS IN NEED OF SUBSTANCE ABUSE TREATMENT, REQUIRE THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE OR THE DESIGNEE TO PROVIDE THE MEDICALLY APPROPRIATE LEVEL OF TREATMENT AS IDENTIFIED IN THE ASSESSMENT; OR

(II) THE COURT MAY IMPOSE A TERM OF IMPRISONMENT UNDER SUBSECTION (C) OF THIS SECTION AND ORDER THE DIVISION OF CORRECTION OR LOCAL CORRECTIONAL FACILITY TO FACILITATE THE MEDICALLY APPROPRIATE LEVEL OF TREATMENT FOR THE DEFENDANT AS IDENTIFIED IN THE ASSESSMENT.

5-602.

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

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

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

5-603.

Except as otherwise provided in this title, a person may not manufacture a controlled dangerous substance, or manufacture, distribute, or possess a machine, equipment, instrument, implement, device, or a combination of them that is adapted to produce a controlled dangerous substance under circumstances that reasonably indicate an intent to use it to produce, sell, or dispense a controlled dangerous substance in violation of this title.

5-604.

(a) In this section, "counterfeit substance" means a controlled dangerous substance, or its container or labeling, that:

(1) without authorization, bears a likeness of the trademark, trade name, or other identifying mark, imprint, number, or device of a manufacturer, distributor, or dispenser other than the actual manufacturer, distributor, or dispenser; and

(2) thereby falsely purports or is represented to be the product of, or to have been distributed by, the other manufacturer, distributor, or dispenser.

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

(1) create or distribute a counterfeit substance; or

(2) possess a counterfeit substance with intent to distribute it.

(c) Except as otherwise provided in this title, a person may not manufacture, distribute, or possess equipment that is designed to print, imprint, or reproduce an authentic or imitation trademark, trade name, other identifying mark, imprint, number, or device of another onto a drug or the container or label of a drug, rendering the drug a counterfeit substance.

5-605.

(a) “Common nuisance” means a dwelling, building, vehicle, vessel, aircraft, or other place:

(1) resorted to by individuals for the purpose of administering illegally controlled dangerous substances; or

(2) where controlled dangerous substances or controlled paraphernalia are manufactured, distributed, dispensed, stored, or concealed illegally.

(b) A person may not keep a common nuisance.

5-606.

(a) Except as otherwise provided in this title, a person may not pass, issue, make, or possess a false, counterfeit, or altered prescription for a controlled dangerous substance with intent to distribute the controlled dangerous substance.

(b) Information that is communicated to an authorized prescriber in an effort to obtain a controlled dangerous substance in violation of subsection (a) of this section is not a privileged communication.

5-607.

(a) Except as provided in §§ 5-608 and 5-609 of this subtitle, a person who violates a provision of §§ 5-602 through 5-606 of this subtitle is guilty of a felony and on conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding \$15,000 or both.

(b) [(1) Except as provided in § 5-609.1 of this subtitle, a person who has been convicted previously under subsection (a) of this section shall be sentenced to imprisonment for not less than 2 years.

(2) The court may not suspend the mandatory minimum sentence to less than 2 years.

(3) Except as provided in § 4-305 of the Correctional Services Article, the person is not eligible for parole during the mandatory minimum sentence.

(c) A person convicted under [subsection (a) of] this section is not prohibited from participating in a drug treatment program under § 8-507 of the Health – General Article because of the length of the sentence.

5-608.

(a) Except as otherwise provided in this section, a person who violates a provision of §§ 5-602 through 5-606 of this subtitle with respect to a Schedule I or Schedule II narcotic drug is guilty of a felony and on conviction is subject to imprisonment not exceeding [20] 10 years or a fine not exceeding [\$25,000] **\$15,000** or both.

(b) [(1) Except as provided in § 5-609.1 of this subtitle, a] **A person who is convicted under subsection (a) of this section or of conspiracy to commit a crime included in subsection (a) of this section [shall be sentenced] IS SUBJECT to imprisonment [for not less than] NOT EXCEEDING 10 years [and is subject to] OR a fine not exceeding [\$100,000] **\$15,000 OR BOTH** if the person previously has been convicted once:**

[(i)] (1) under subsection (a) of this section or § 5-609 of this subtitle;

[(ii)] (2) of conspiracy to commit a crime included in subsection (a) of this section or § 5–609 of this subtitle; or

[(iii)] (3) of a crime under the laws of another state or the United States that would be a crime included in subsection (a) of this section or § 5–609 of this subtitle if committed in this State.

[(2) The court may not suspend the mandatory minimum sentence to less than 10 years.

(3) Except as provided in § 4–305 of the Correctional Services Article, the person is not eligible for parole during the mandatory minimum sentence.]

(c) (1) [Except as provided in § 5–609.1 of this subtitle, a] A person who is convicted under subsection (a) of this section or of conspiracy to commit a crime included in subsection (a) of this section [shall be sentenced] IS SUBJECT to imprisonment [for not less than 25] NOT EXCEEDING 15 years [and is subject to] OR a fine not exceeding [\$100,000] \$25,000 OR BOTH if the person previously:

(i) has served at least one term of confinement of at least 180 days in a correctional institution as a result of a conviction:

1. under subsection (a) of this section or § 5–609 or § 5–614 of this subtitle;

2. of conspiracy to commit a crime included in subsection (a) of this section or § 5–609 of this subtitle; or

3. of a crime under the laws of another state or the United States that would be a crime included in subsection (a) of this section or § 5–609 of this subtitle if committed in this State; and

(ii) has been convicted twice, if the convictions arise from separate occasions:

1. under subsection (a) of this section or § 5–609 of this subtitle;

2. of conspiracy to commit a crime included in subsection (a) of this section or § 5–609 of this subtitle;

3. of a crime under the laws of another state or the United States that would be a crime included in subsection (a) of this section or § 5–609 of this subtitle if committed in this State; or

4. of any combination of these crimes.

(2) [The court may not suspend any part of the mandatory minimum sentence of 25 years.

(3) Except as provided in § 4–305 of the Correctional Services Article, the person is not eligible for parole during the mandatory minimum sentence.

(4) A separate occasion is one in which the second or succeeding crime is committed after there has been a charging document filed for the preceding crime.

(d) [(1) Except as provided in § 5–609.1 of this subtitle, a] A person who is convicted under subsection (a) of this section or of conspiracy to commit a crime included in subsection (a) of this section [shall be sentenced] **IS SUBJECT** to imprisonment [for not less than 40] **NOT EXCEEDING 20** years [and is subject to] **OR** a fine not exceeding **[\$100,000] \$25,000 OR BOTH** if the person previously has served three or more separate terms of confinement as a result of three or more separate convictions:

[(i)] (1) under subsection (a) of this section or § 5–609 of this subtitle;

[(ii)] (2) of conspiracy to commit a crime included in subsection (a) of this section or § 5–609 of this subtitle;

[(iii)] (3) of a crime under the laws of another state or the United States that would be a crime included in subsection (a) of this section or § 5–609 of this subtitle if committed in this State; or

[(iv)] (4) of any combination of these crimes.

[(2) The court may not suspend any part of the mandatory minimum sentence of 40 years.

(3) Except as provided in § 4–305 of the Correctional Services Article, the person is not eligible for parole during the mandatory minimum sentence.]

(e) A person convicted under subsection (a) of this section or of conspiracy to commit a crime included in subsection (a) of this section is not prohibited from participating in a drug treatment program under § 8–507 of the Health – General Article because of the length of the sentence.

5–609.

(a) Except as otherwise provided in this section, a person who violates a provision of §§ 5–602 through 5–606 of this subtitle with respect to any of the following controlled dangerous substances is guilty of a felony and on conviction is subject to imprisonment not exceeding [20] 10 years or a fine not exceeding [\$20,000] \$15,000 or both:

- (1) phencyclidine;
- (2) 1–(1–phenylcyclohexyl) piperidine;
- (3) 1–phenylcyclohexylamine;
- (4) 1–piperidinocyclohexanecarbonitrile;
- (5) N–ethyl–1–phenylcyclohexylamine;
- (6) 1–(1–phenylcyclohexyl)–pyrrolidine;
- (7) 1–(1–(2–thienyl)–cyclohexyl)–piperidine;
- (8) lysergic acid diethylamide; or
- (9) 750 grams or more of 3, 4–methylenedioxymethamphetamine (MDMA).

(b) [(1) Except as provided in § 5–609.1 of this subtitle, a] A person who is convicted under subsection (a) of this section or of conspiracy to commit a crime included in subsection (a) of this section [shall be sentenced] IS SUBJECT to imprisonment [for not

less than] NOT EXCEEDING 10 years [and is subject to] OR a fine not exceeding [\$100,000] \$15,000 OR BOTH if the person previously has been convicted once:

[(i)] (1) under subsection (a) of this section or § 5–608 of this subtitle;

[(ii)] (2) of conspiracy to commit a crime included in subsection (a) of this section or § 5–608 of this subtitle;

[(iii)] (3) of a crime under the laws of another state or the United States that would be a crime included in subsection (a) of this section or § 5–608 of this subtitle if committed in this State; or

[(iv)] (4) of any combination of these crimes.

[(2) The court may not suspend the mandatory minimum sentence to less than 10 years.

[(3) Except as provided in § 4–305 of the Correctional Services Article, the person is not eligible for parole during the mandatory minimum sentence.]

(c) (1) [Except as provided in § 5–609.1 of this subtitle, a] A person who is convicted under subsection (a) of this section or of conspiracy to commit a crime included in subsection (a) of this section [shall be sentenced] IS SUBJECT to imprisonment [for not less than 25] NOT EXCEEDING 15 years [and is subject to] OR a fine not exceeding [\$100,000] \$25,000 OR BOTH if the person previously:

(i) has served at least one term of confinement of at least 180 days in a correctional institution as a result of a conviction under subsection (a) of this section, § 5–608 of this subtitle, or § 5–614 of this subtitle; and

(ii) if the convictions do not arise from a single incident, has been convicted twice:

1. under subsection (a) of this section or § 5–608 of this subtitle;

2. of conspiracy to commit a crime included in subsection (a) of this section or § 5–608 of this subtitle;

3. of a crime under the laws of another state or the United States that would be a crime included in subsection (a) of this section or § 5–608 of this subtitle if committed in this State; or

4. of any combination of these crimes.

(2) [The court may not suspend any part of the mandatory minimum sentence of 25 years.

(3) Except as provided in § 4–305 of the Correctional Services Article, the person is not eligible for parole during the mandatory minimum sentence.

(4) A separate occasion is one in which the second or succeeding crime is committed after there has been a charging document filed for the preceding crime.

(d) [(1) Except as provided in § 5–609.1 of this subtitle, a] A person who is convicted under subsection (a) of this section or of conspiracy to commit a crime included in subsection (a) of this section [shall be sentenced] **IS SUBJECT** to imprisonment [for not less than 40] **NOT EXCEEDING 20** years [and is subject to] **OR** a fine not exceeding **[\$100,000] \$25,000 OR BOTH** if the person previously has served three separate terms of confinement as a result of three separate convictions:

[(i)] (1) under subsection (a) of this section or § 5–608 of this subtitle;

[(ii)] (2) of conspiracy to commit a crime included in subsection (a) of this section or § 5–608 of this subtitle;

[(iii)] (3) of a crime under the laws of another state or the United States that would be a crime included in subsection (a) of this section or § 5–608 of this subtitle if committed in this State; or

[(iv)] (4) of any combination of these crimes.

[(2) The court may not suspend any part of the mandatory minimum sentence of 40 years.

(3) Except as provided in § 4–305 of the Correctional Services Article, the person is not eligible for parole during the mandatory minimum sentence.]

(e) A person convicted under subsection (a) of this section or of conspiracy to commit a crime included in subsection (a) of this section is not prohibited from participating in a drug treatment program under § 8–507 of the Health – General Article because of the length of the sentence.

[5–609.1.

A court may depart from a mandatory minimum sentence prescribed in § 5–607, § 5–608, or § 5–609 of this subtitle if the court finds and states on the record that, giving due regard to the nature of the crime, the history and character of the defendant, and the defendant’s chances of successful rehabilitation:

(1) imposition of the mandatory minimum sentence would NOT result in substantial injustice to the defendant; and

(2) the mandatory minimum sentence is not necessary for the protection of the public.]

5–609.1.

(A) NOTWITHSTANDING ANY OTHER PROVISION OF LAW AND SUBJECT TO SUBSECTION (C) OF THIS SECTION, A PERSON WHO IS SERVING A TERM OF CONFINEMENT THAT INCLUDES A MANDATORY MINIMUM SENTENCE IMPOSED ON OR BEFORE SEPTEMBER 30, 2017, FOR A VIOLATION OF §§ 5–602 THROUGH 5–606 OF THIS SUBTITLE MAY APPLY TO THE COURT TO MODIFY OR REDUCE THE MANDATORY MINIMUM SENTENCE AS PROVIDED IN MARYLAND RULE 4–345, REGARDLESS OF WHETHER THE DEFENDANT FILED A TIMELY MOTION FOR RECONSIDERATION OR A MOTION FOR RECONSIDERATION WAS DENIED BY THE COURT.

(B) THE COURT MAY MODIFY THE SENTENCE AND DEPART FROM THE MANDATORY MINIMUM SENTENCE UNLESS THE STATE SHOWS THAT, GIVING DUE

REGARD TO THE NATURE OF THE CRIME, THE HISTORY AND CHARACTER OF THE DEFENDANT, AND THE DEFENDANT’S CHANCES OF SUCCESSFUL REHABILITATION:

(1) RETENTION OF THE MANDATORY MINIMUM SENTENCE WOULD NOT RESULT IN SUBSTANTIAL INJUSTICE TO THE DEFENDANT; AND

(2) THE MANDATORY MINIMUM SENTENCE IS NECESSARY FOR THE PROTECTION OF THE PUBLIC.

(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN APPLICATION FOR A HEARING UNDER SUBSECTION (A) OF THIS SECTION SHALL BE SUBMITTED TO THE COURT OR REVIEW PANEL ON OR BEFORE SEPTEMBER 30, 2018.

(2) THE COURT MAY CONSIDER AN APPLICATION AFTER SEPTEMBER 30, 2018, ONLY FOR GOOD CAUSE SHOWN.

(3) THE COURT SHALL NOTIFY THE STATE’S ATTORNEY OF A REQUEST FOR A HEARING.

(4) A PERSON MAY NOT FILE MORE THAN ONE APPLICATION FOR A HEARING UNDER SUBSECTION (A) OF THIS SECTION FOR A MANDATORY MINIMUM SENTENCE FOR A VIOLATION OF §§ 5–602 THROUGH 5–606 OF THIS SUBTITLE.

5–612.

(a) A person may not manufacture, distribute, dispense, or possess:

(1) 50 pounds or more of marijuana;

(2) 448 grams or more of cocaine;

(3) 448 grams or more of any mixture containing a detectable amount of cocaine;

(4) [50] 448 grams or more of cocaine base, commonly known as “crack”;

(5) 28 grams or more of morphine or opium or any derivative, salt, isomer, or salt of an isomer of morphine or opium;

(6) any mixture containing 28 grams or more of morphine or opium or any derivative, salt, isomer, or salt of an isomer of morphine or opium;

(7) 1,000 dosage units or more of lysergic acid diethylamide;

(8) any mixture containing the equivalent of 1,000 dosage units of lysergic acid diethylamide;

(9) 16 ounces or more of phencyclidine in liquid form;

(10) 448 grams or more of any mixture containing phencyclidine;

(11) 448 grams or more of methamphetamine; or

(12) any mixture containing 448 grams or more of methamphetamine.

(b) For the purpose of determining the quantity of a controlled dangerous substance involved in individual acts of manufacturing, distributing, dispensing, or possessing under subsection (a) of this section, the acts may be aggregated if each of the acts occurred within a 90-day period.

(c) (1) A person who is convicted of a violation of subsection (a) of this section shall be sentenced to imprisonment for not less than 5 years and is subject to a fine not exceeding \$100,000.

(2) The court may not suspend any part of the mandatory minimum sentence of 5 years.

(3) Except as provided in § 4-305 of the Correctional Services Article, the person is not eligible for parole during the mandatory minimum sentence.

5-905.

(a) [A] EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION, A person convicted of a subsequent crime under this title is subject to:

- (1) a term of imprisonment twice that otherwise authorized;
- (2) twice the fine otherwise authorized; or
- (3) both.

(b) For purposes of this section, a crime is considered a subsequent crime, if, before the conviction for the crime, the offender has ever been convicted of a crime under this title or under any law of the United States or of this or another state relating to other controlled dangerous substances.

(c) A person convicted of a subsequent crime under a law superseded by this title is eligible for parole, probation, and suspension of sentence in the same manner as those persons convicted under this title.

(d) A sentence on a single count under this section may be imposed in conjunction with other sentences under this title.

(E) A PERSON WHOSE PRIOR AND SUBSEQUENT CONVICTIONS WERE FOR A VIOLATION OF § 5–601, § 5–602, § 5–603, § 5–604, § 5–605, OR § 5–606 OF THIS TITLE IS SUBJECT TO THIS SECTION ONLY IF THE PERSON WAS ALSO PREVIOUSLY CONVICTED OF A CRIME OF VIOLENCE AS DEFINED IN § 14–101 OF THIS ARTICLE.

7–104.

(a) A person may not willfully or knowingly obtain or exert unauthorized control over property, if the person:

- (1) intends to deprive the owner of the property;
- (2) willfully or knowingly uses, conceals, or abandons the property in a manner that deprives the owner of the property; or
- (3) uses, conceals, or abandons the property knowing the use, concealment, or abandonment probably will deprive the owner of the property.

(b) A person may not obtain control over property by willfully or knowingly using deception, if the person:

(1) intends to deprive the owner of the property;

(2) willfully or knowingly uses, conceals, or abandons the property in a manner that deprives the owner of the property; or

(3) uses, conceals, or abandons the property knowing the use, concealment, or abandonment probably will deprive the owner of the property.

(c) (1) A person may not possess stolen personal property knowing that it has been stolen, or believing that it probably has been stolen, if the person:

(i) intends to deprive the owner of the property;

(ii) willfully or knowingly uses, conceals, or abandons the property in a manner that deprives the owner of the property; or

(iii) uses, conceals, or abandons the property knowing that the use, concealment, or abandonment probably will deprive the owner of the property.

(2) In the case of a person in the business of buying or selling goods, the knowledge required under this subsection may be inferred if:

(i) the person possesses or exerts control over property stolen from more than one person on separate occasions;

(ii) during the year preceding the criminal possession charged, the person has acquired stolen property in a separate transaction; or

(iii) being in the business of buying or selling property of the sort possessed, the person acquired it for a consideration that the person knew was far below a reasonable value.

(3) In a prosecution for theft by possession of stolen property under this subsection, it is not a defense that:

(i) the person who stole the property has not been convicted, apprehended, or identified;

(ii) the defendant stole or participated in the stealing of the property;

(iii) the property was provided by law enforcement as part of an investigation, if the property was described to the defendant as being obtained through the commission of theft; or

(iv) the stealing of the property did not occur in the State.

(4) Unless the person who criminally possesses stolen property participated in the stealing, the person who criminally possesses stolen property and a person who has stolen the property are not accomplices in theft for the purpose of any rule of evidence requiring corroboration of the testimony of an accomplice.

(d) A person may not obtain control over property knowing that the property was lost, mislaid, or was delivered under a mistake as to the identity of the recipient or nature or amount of the property, if the person:

(1) knows or learns the identity of the owner or knows, is aware of, or learns of a reasonable method of identifying the owner;

(2) fails to take reasonable measures to restore the property to the owner;
and

(3) intends to deprive the owner permanently of the use or benefit of the property when the person obtains the property or at a later time.

(e) A person may not obtain the services of another that are available only for compensation:

(1) by deception; or

(2) with knowledge that the services are provided without the consent of the person providing them.

(f) Under this section, an offender's intention or knowledge that a promise would not be performed may not be established by or inferred solely from the fact that the promise was not performed.

(g) (1) A person convicted of theft of property or services with a value of:

(i) at least [\$1,000] **\$1,500** but less than [\$10,000] **\$25,000** is guilty of a felony and:

1. is subject to imprisonment not exceeding [10] **5** years or a fine not exceeding \$10,000 or both; and

2. shall restore the property taken to the owner or pay the owner the value of the property or services;

(ii) at least [\$10,000] **\$25,000** but less than \$100,000 is guilty of a felony and:

1. is subject to imprisonment not exceeding [15] **10** years or a fine not exceeding \$15,000 or both; and

2. shall restore the property taken to the owner or pay the owner the value of the property or services; or

(iii) \$100,000 or more is guilty of a felony and:

1. is subject to imprisonment not exceeding [25] **20** years or a fine not exceeding \$25,000 or both; and

2. shall restore the property taken to the owner or pay the owner the value of the property or services.

(2) Except as provided in [paragraphs (3) and (4)] **PARAGRAPH (3)** of this subsection, a person convicted of theft of property or services with a value of **AT LEAST \$100 BUT** less than [\$1,000] **\$1,500**, is guilty of a misdemeanor and:

(i) is subject to imprisonment not exceeding [18 months] **360 DAYS** or a fine not exceeding \$500 or both; and

(ii) shall restore the property taken to the owner or pay the owner the value of the property or services.

(3) A person convicted of theft of property or services with a value of less than \$100 is guilty of a misdemeanor and:

(i) is subject to imprisonment not exceeding 90 days or a fine not exceeding \$500 or both; and

(ii) shall restore the property taken to the owner or pay the owner the value of the property or services.

(4) Subject to paragraph (5) of this subsection, a person who has [two] **FOUR** or more prior convictions under this subtitle and who is convicted of theft of property or services with a value of less than [~~\$1,000~~] **\$1,500** under paragraph (2) of this subsection is guilty of a misdemeanor and:

(i) is subject to imprisonment not exceeding 5 years or a fine not exceeding \$5,000 or both; and

(ii) shall restore the property taken to the owner or pay the owner the value of the property or services.

(5) The court may not impose the penalties under paragraph (4) of this subsection unless the State's Attorney serves notice on the defendant or the defendant's counsel before the acceptance of a plea of guilty or nolo contendere or at least 15 days before trial that:

(i) the State will seek the penalties under paragraph (4) of this subsection; and

(ii) lists the alleged prior convictions.

7–108.

(a) An indictment, information, warrant, or other charging document for theft under this part, other than for taking a motor vehicle under § 7–105 of this part, is sufficient if it substantially states:

“(name of defendant) on (date) in (county) stole (property or services stolen) of (name of victim), having a value of (less than [~~\$1,000~~, at least \$1,000 but less than \$10,000, at least \$10,000] **\$1,500, AT LEAST \$1,500 BUT LESS THAN \$25,000, AT LEAST \$25,000** but less than \$100,000, or \$100,000 or more) in violation of § 7–104 of the Criminal Law Article, against the peace, government, and dignity of the State.”.

(b) An indictment, information, warrant, or other charging document for theft under this part for taking a motor vehicle under § 7–105 of this part is sufficient if it substantially states:

“(name of defendant) on (date) in (county) knowingly and willfully took a motor vehicle out of (name of victim)’s lawful custody, control, or use, without the consent of (name of victim), in violation of § 7–105 of the Criminal Law Article, against the peace, government, and dignity of the State.”.

(c) In a case in the circuit court in which the general form of indictment or information is used to charge a defendant with a crime under this part, the defendant, on timely demand, is entitled to a bill of particulars.

(d) Unless specifically charged by the State, theft of property or services with a value of less than \$100 as provided under § 7–104(g)(3) of this subtitle may not be considered a lesser included crime of any other crime.

8–106.

(a) (1) A person who obtains property or services with a value of at least [\$1,000] **\$1,500** but less than [\$10,000] **\$25,000** by issuing or passing a check in violation of § 8–103 of this subtitle is guilty of a felony and on conviction is subject to imprisonment not exceeding [10] **5** years or a fine not exceeding \$10,000 or both.

(2) A person who obtains property or services with a value of at least [\$10,000] **\$25,000** but less than \$100,000 by issuing or passing a check in violation of § 8–103 of this subtitle is guilty of a felony and on conviction is subject to imprisonment not exceeding [15] **10** years or a fine not exceeding \$15,000 or both.

(3) A person who obtains property or services with a value of \$100,000 or more by issuing or passing a check in violation of § 8–103 of this subtitle is guilty of a felony and on conviction is subject to imprisonment not exceeding [25] **20** years or a fine not exceeding \$25,000 or both.

(b) A person who obtains property or services by issuing or passing more than one check in violation of § 8–103 of this subtitle is guilty of a felony and on conviction is subject to imprisonment not exceeding [10] **5** years or a fine not exceeding \$10,000 or both if:

(1) each check that is issued is for [less than \$1,000] AT LEAST \$1,500 BUT LESS THAN \$25,000 and is issued to the same person within a 30–day period; and

(2) the cumulative value of the property or services is [\$1,000 or more] AT LEAST \$1,500 BUT LESS THAN \$25,000.

(c) Except as provided in subsections (b) and (d) of this section, a person who obtains property or services with a value of AT LEAST \$100 BUT less than [\$1,000] \$1,500 by issuing or passing a check in violation of § 8–103 of this subtitle is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding [18 months] 360 DAYS or a fine not exceeding \$500 or both.

(d) (1) A person who obtains property or services with a value of less than \$100 by issuing or passing a check in violation of § 8–103 of this subtitle is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 90 days or a fine not exceeding \$500 or both.

(2) It is not a defense to the crime of obtaining property or services with a value of less than \$100 by issuing or passing a check in violation of § 8–103 of this subtitle that the value of the property or services at issue is \$100 or more.

8–206.

(a) A person may not for the purpose of obtaining money, goods, services, or anything of value, and with the intent to defraud another, use:

(1) a credit card obtained or retained in violation of § 8–204 or § 8–205 of this subtitle; or

(2) a credit card that the person knows is counterfeit.

(b) A person may not, with the intent to defraud another, obtain money, goods, services, or anything of value by representing:

(1) without the consent of the cardholder, that the person is the holder of a specified credit card; or

(2) that the person is the holder of a credit card when the credit card had not been issued.

(c) (1) (i) If the value of all money, goods, services, and other things of value obtained in violation of this section is at least ~~[\$1,000]~~ **\$1,500** but less than ~~[\$10,000]~~ **\$25,000**, a person who violates this section is guilty of a felony and on conviction is subject to imprisonment not exceeding ~~[10]~~ **5** years or a fine not exceeding \$10,000 or both.

(ii) If the value of all money, goods, services, and other things of value obtained in violation of this section is at least ~~[\$10,000]~~ **\$25,000** but less than \$100,000, a person who violates this section is guilty of a felony and on conviction is subject to imprisonment not exceeding ~~[15]~~ **10** years or a fine not exceeding \$15,000 or both.

(iii) If the value of all money, goods, services, and other things of value obtained in violation of this section is \$100,000 or more, a person who violates this section is guilty of a felony and on conviction is subject to imprisonment not exceeding ~~[25]~~ **20** years or a fine not exceeding \$25,000 or both.

(2) Except as provided in paragraph (3) of this subsection, if the value of all money, goods, services, and other things of value obtained in violation of this section is ~~AT LEAST \$100 BUT~~ less than ~~[\$1,000]~~ **\$1,500**, a person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding ~~[18 months]~~ **360 DAYS** or a fine not exceeding \$500 or both.

(3) If the value of all money, goods, services, and other things of value obtained in violation of this section ~~[does not exceed]~~ **IS LESS THAN** \$100, a person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 90 days or a fine not exceeding \$500 or both.

8-207.

(a) If a person is authorized by an issuer to furnish money, goods, services, or anything of value on presentation of a credit card by the cardholder, the person or an agent or employee of the person may not, with the intent to defraud the issuer or cardholder:

(1) furnish money, goods, services, or anything of value on presentation of:

(i) a credit card obtained or retained in violation of § 8-204 or § 8-205 of this subtitle; or

(ii) a credit card that the person knows is counterfeit; or

(2) fail to furnish money, goods, services, or anything of value that the person represents in writing to the issuer that the person has furnished.

(b) (1) (i) If the value of all money, goods, services, and other things of value furnished or not furnished in violation of this section is at least ~~[\$1,000]~~ **\$1,500** but less than ~~[\$10,000]~~ **\$25,000**, a person who violates this section is guilty of a felony and on conviction is subject to imprisonment not exceeding ~~[10]~~ **5** years or a fine not exceeding ~~\$10,000~~ or both.

(ii) If the value of all money, goods, services, and other things of value furnished or not furnished in violation of this section is at least ~~[\$10,000]~~ **\$25,000** but less than \$100,000, a person who violates this section is guilty of a felony and on conviction is subject to imprisonment not exceeding ~~[15]~~ **10** years or a fine not exceeding ~~\$15,000~~ or both.

(iii) If the value of all money, goods, services, and other things of value furnished or not furnished in violation of this section is \$100,000 or more, a person who violates this section is guilty of a felony and on conviction is subject to imprisonment not exceeding ~~[25]~~ **20** years or a fine not exceeding ~~\$25,000~~ or both.

(2) Except as provided in paragraph (3) of this subsection, if the value of all money, goods, services, and other things of value furnished or not furnished in violation of this section is **AT LEAST \$100 BUT** less than ~~[\$1,000]~~ **\$1,500**, a person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding ~~[18 months]~~ **360 DAYS** or a fine not exceeding \$500 or both.

(3) If the value of all money, goods, services, and other things of value furnished or not furnished in violation of this section ~~[does not exceed]~~ **IS LESS THAN \$100**, a person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 90 days or a fine not exceeding \$500 or both.

8–209.

(a) A person may not receive money, goods, services, or anything of value if the person knows or believes that the money, goods, services, or other thing of value was obtained in violation of § 8–206 of this subtitle.

(b) (1) (i) If the value of all money, goods, services, and other things of value obtained in violation of this section is at least ~~[\$1,000]~~ **\$1,500** but less than ~~[\$10,000]~~ **\$25,000**, a person who violates this section is guilty of a felony and on conviction is subject to imprisonment not exceeding ~~[10]~~ **5** years or a fine not exceeding \$10,000 or both.

(ii) If the value of all money, goods, services, and other things of value obtained in violation of this section is at least ~~[\$10,000]~~ **\$25,000** but less than \$100,000, a person who violates this section is guilty of a felony and on conviction is subject to imprisonment not exceeding ~~[15]~~ **10** years or a fine not exceeding \$15,000 or both.

(iii) If the value of all money, goods, services, and other things of value obtained in violation of this section is \$100,000 or more, a person who violates this section is guilty of a felony and on conviction is subject to imprisonment not exceeding ~~[25]~~ **20** years or a fine not exceeding \$25,000 or both.

(2) Except as provided in paragraph (3) of this subsection, if the value of all money, goods, services, and other things of value obtained in violation of this section is ~~AT LEAST \$100 BUT~~ less than ~~[\$1,000]~~ **\$1,500**, a person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding ~~[18 months]~~ **360 DAYS** or a fine not exceeding \$500 or both.

(3) If the value of all money, goods, services, and other things of value obtained in violation of this section ~~[does not exceed]~~ **IS LESS THAN** \$100, a person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 90 days or a fine not exceeding \$500 or both.

8-301.

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

(2) "Health care" means care, services, or supplies related to the health of an individual that includes the following:

(i) preventative, diagnostic, therapeutic, rehabilitative, maintenance care, palliative care and counseling, service assessment, or procedure:

1. with respect to the physical or mental condition or functional status of an individual; or

2. that affects the structure or function of the body; and

(ii) the sale or dispensing of a drug, device, equipment, or other item in accordance with a prescription.

(3) “Health information” means any information, whether oral or recorded in any form or medium, that:

(i) is created or received by:

1. a health care provider;

2. a health care carrier;

3. a public health authority;

4. an employer;

5. a life insurer;

6. a school or university; or

7. a health care clearinghouse; and

(ii) relates to the:

1. past, present, or future physical or mental health or condition of an individual;

2. provision of health care to an individual; or

3. past, present, or future payment for the provision of health care to an individual.

(4) “Interactive computer service” means an information service, system, or access software provider that provides or enables computer access by multiple users to

a computer server, including a system that provides access to the Internet and cellular phones.

(5) “Payment device number” has the meaning stated in § 8–213 of this title.

(6) (i) “Personal identifying information” includes a name, address, telephone number, driver’s license number, Social Security number, place of employment, employee identification number, health insurance identification number, medical identification number, mother’s maiden name, bank or other financial institution account number, date of birth, personal identification number, unique biometric data, including fingerprint, voice print, retina or iris image or other unique physical representation, digital signature, credit card number, or other payment device number.

(ii) “Personal identifying information” may be derived from any element in subparagraph (i) of this paragraph, alone or in conjunction with any other information to identify a specific natural or fictitious individual.

(7) “Re–encoder” means an electronic device that places encoded personal identifying information or a payment device number from the magnetic strip or stripe of a credit card onto the magnetic strip or stripe of a different credit card or any electronic medium that allows such a transaction to occur.

(8) “Skimming device” means a scanner, skimmer, reader, or any other electronic device that is used to access, read, scan, obtain, memorize, or store, temporarily or permanently, personal identifying information or a payment device number encoded on the magnetic strip or stripe of a credit card.

(b) A person may not knowingly, willfully, and with fraudulent intent possess, obtain, or help another to possess or obtain any personal identifying information of an individual, without the consent of the individual, in order to use, sell, or transfer the information to get a benefit, credit, good, service, or other thing of value or to access health information or health care.

(b–1) A person may not maliciously use an interactive computer service to disclose or assist another person to disclose the driver’s license number, bank or other financial institution account number, credit card number, payment device number, Social Security number, or employee identification number of an individual, without the consent of the individual, in order to annoy, threaten, embarrass, or harass the individual.

(c) A person may not knowingly and willfully assume the identity of another, including a fictitious person:

(1) to avoid identification, apprehension, or prosecution for a crime; or

(2) with fraudulent intent to:

(i) get a benefit, credit, good, service, or other thing of value;

(ii) access health information or health care; or

(iii) avoid the payment of debt or other legal obligation.

(d) A person may not knowingly, willfully, and with fraudulent intent to obtain a benefit, credit, good, service, or other thing of value or to access health information or health care, use:

(1) a re-encoder to place information encoded on the magnetic strip or stripe of a credit card onto the magnetic strip or stripe of a different credit card or use any other electronic medium that allows such a transaction to occur without the consent of the individual authorized to use the credit card from which the personal identifying information or payment device number is being re-encoded; or

(2) a skimming device to access, read, scan, obtain, memorize, or store personal identifying information or a payment device number on the magnetic strip or stripe of a credit card without the consent of the individual authorized to use the credit card.

(e) A person may not knowingly, willfully, and with fraudulent intent possess, obtain, or help another possess or obtain a re-encoder device or a skimming device for the unauthorized use, sale, or transfer of personal identifying information or a payment device number.

(f) A person may not knowingly and willfully claim to represent another person without the knowledge and consent of that person, with the intent to solicit, request, or take any other action to otherwise induce another person to provide personal identifying information or a payment device number.

(g) (1) (i) A person who violates this section where the benefit, credit, good, service, health information or health care, or other thing of value that is the subject of subsection (b), (c), or (d) of this section has a value of at least ~~[\$1,000]~~ **\$1,500** but less than ~~[\$10,000]~~ **\$25,000** is guilty of a felony and on conviction is subject to imprisonment not exceeding ~~[10]~~ **5** years or a fine not exceeding \$10,000 or both.

(ii) A person who violates this section where the benefit, credit, good, service, or other thing of value that is the subject of subsection (b), (c), or (d) of this section has a value of at least ~~[\$10,000]~~ **\$25,000** but less than \$100,000 is guilty of a felony and on conviction is subject to imprisonment not exceeding ~~[15]~~ **10** years or a fine not exceeding \$15,000 or both.

(iii) A person who violates this section where the benefit, credit, good, service, or other thing of value that is the subject of subsection (b), (c), or (d) of this section has a value of \$100,000 or more is guilty of a felony and on conviction is subject to imprisonment not exceeding ~~[25]~~ **20** years or a fine not exceeding \$25,000 or both.

(2) A person who violates this section where the benefit, credit, good, service, health information or health care, or other thing of value that is the subject of subsection (b), (c), or (d) of this section has a value of **AT LEAST \$100 BUT** less than ~~[\$1,000]~~ **\$1,500** is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding ~~[18 months]~~ **360 DAYS** or a fine not exceeding \$500 or both.

(3) A person who violates this section under circumstances that reasonably indicate that the person's intent was to manufacture, distribute, or dispense another individual's personal identifying information without that individual's consent is guilty of a felony and on conviction is subject to imprisonment not exceeding ~~[15]~~ **10** years or a fine not exceeding \$25,000 or both.

(4) A person who violates subsection (b-1), (c)(1), (e), or (f) of this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding ~~[18 months]~~ **360 DAYS** or a fine not exceeding \$500 or both.

(5) When the violation of this section is pursuant to one scheme or continuing course of conduct, whether from the same or several sources, the conduct may be considered as one violation and the value of the benefit, credit, good, service, or other thing of value may be aggregated in determining whether the violation is a felony or misdemeanor.

8-516.

(a) If a violation of this part results in the death of an individual, a person who violates a provision of this part is guilty of a felony and on conviction is subject to imprisonment not exceeding life or a fine not exceeding \$200,000 or both.

(b) If a violation of this part results in serious injury to an individual, a person who violates a provision of this part is guilty of a felony and on conviction is subject to imprisonment not exceeding 20 years or a fine not exceeding \$100,000 or both.

(c) If the value of the money, health care services, or other goods or services involved is [~~\$1,000~~] **\$1,500** or more in the aggregate, a person who violates a provision of this part is guilty of a felony and on conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding \$100,000 or both.

(d) A person who violates any other provision of this part is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 3 years or a fine not exceeding \$50,000 or both.

(e) (1) In this subsection, “business entity” includes an association, firm, institution, partnership, and corporation.

(2) A business entity that violates a provision of this part is subject to a fine not exceeding:

(i) \$250,000 for each felony; and

(ii) \$100,000 for each misdemeanor.

8-611.

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

(2) “Counterfeit mark” means:

(i) an unauthorized copy of intellectual property; or

(ii) intellectual property affixed to goods knowingly sold, offered for sale, manufactured, or distributed, to identify services offered or rendered, without the authority of the owner of the intellectual property.

(3) “Intellectual property” means a trademark, service mark, trade name, label, term, device, design, or word adopted or used by a person to identify the goods or services of the person.

(4) “Retail value” means:

(i) a trademark counterfeiter’s selling price for the goods or services that bear or are identified by the counterfeit mark; or

(ii) a trademark counterfeiter’s selling price of the finished product, if the goods that bear a counterfeit mark are components of the finished product.

(5) “Trademark counterfeiter” means a person who commits the crime of trademark counterfeiting prohibited by this section.

(b) A person may not willfully manufacture, produce, display, advertise, distribute, offer for sale, sell, or possess with the intent to sell or distribute goods or services that the person knows are bearing or are identified by a counterfeit mark.

(c) If the aggregate retail value of the goods or services is ~~[\$1,000]~~ **\$1,500** or more, a person who violates this section is guilty of the felony of trademark counterfeiting and on conviction:

(1) is subject to imprisonment not exceeding ~~[15]~~ **10** years or a fine not exceeding \$10,000 or both; and

(2) shall transfer all of the goods to the owner of the intellectual property.

(d) If the aggregate retail value of the goods or services is less than ~~[\$1,000]~~ **\$1,500**, a person who violates this section is guilty of the misdemeanor of trademark counterfeiting and on conviction:

(1) is subject to[:

(i) for a first violation,] imprisonment not exceeding [18 months] 360 DAYS or a fine not exceeding \$1,000 or both]; or

(ii) for each subsequent violation, imprisonment not exceeding 18 months or a fine not exceeding \$5,000 or both]; and

(2) shall transfer all of the goods to the owner of the intellectual property.

(e) An action or prosecution for trademark counterfeiting in which the aggregate retail value of the goods or services is less than [1,000] \$1,500 shall be commenced within 2 years after the commission of the crime.

(f) Any goods bearing a counterfeit mark are subject to seizure by a law enforcement officer to preserve the goods for transfer to the owner of the intellectual property either:

(1) under an agreement with the person alleged to have committed the crime; or

(2) after a conviction under this section.

(g) State or federal registration of intellectual property is prima facie evidence that the intellectual property is a trademark or trade name.

8–801.

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

(2) “Deception” has the meaning stated in § 7–101 of this article.

(3) “Deprive” has the meaning stated in § 7–101 of this article.

(4) “Obtain” has the meaning stated in § 7–101 of this article.

(5) “Property” has the meaning stated in § 7–101 of this article.

(6) (i) “Undue influence” means domination and influence amounting to force and coercion exercised by another person to such an extent that a vulnerable adult

or an individual at least 68 years old was prevented from exercising free judgment and choice.

(ii) “Undue influence” does not include the normal influence that one member of a family has over another member of the family.

(7) “Value” has the meaning stated in § 7–103 of this article.

(8) “Vulnerable adult” has the meaning stated in § 3–604 of this article.

(b) (1) A person may not knowingly and willfully obtain by deception, intimidation, or undue influence the property of an individual that the person knows or reasonably should know is a vulnerable adult with intent to deprive the vulnerable adult of the vulnerable adult’s property.

(2) A person may not knowingly and willfully obtain by deception, intimidation, or undue influence the property of an individual that the person knows or reasonably should know is at least 68 years old, with intent to deprive the individual of the individual’s property.

(c) (1) (i) A person convicted of a violation of this section when the value of the property is at least ~~[\$1,000]~~ **\$1,500** but less than ~~[\$10,000]~~ **\$25,000** is guilty of a felony and:

1. is subject to imprisonment not exceeding ~~[10]~~ **5** years or a fine not exceeding \$10,000 or both; and

2. shall restore the property taken or its value to the owner, or, if the owner is deceased, restore the property or its value to the owner’s estate.

(ii) A person convicted of a violation of this section when the value of the property is at least ~~[\$10,000]~~ **\$25,000** but less than \$100,000 is guilty of a felony and:

1. is subject to imprisonment not exceeding ~~[15]~~ **10** years or a fine not exceeding \$15,000 or both; and

2. shall restore the property taken or its value to the owner, or, if the owner is deceased, restore the property or its value to the owner’s estate.

(iii) A person convicted of a violation of this section when the value of the property is \$100,000 or more is guilty of a felony and:

1. is subject to imprisonment not exceeding [25] 20 years or a fine not exceeding \$25,000 or both; and

2. shall restore the property taken or its value to the owner, or, if the owner is deceased, restore the property or its value to the owner's estate.

(2) A person convicted of a violation of this section when the value of the property is less than [\$1,000] \$1,500 is guilty of a misdemeanor and:

(i) is subject to imprisonment not exceeding [18 months] 360 DAYS or a fine not exceeding \$500 or both; and

(ii) shall restore the property taken or its value to the owner, or, if the owner is deceased, restore the property or its value to the owner's estate.

9-801.

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

(b) "Coerce" means to compel or attempt to compel another by threat of harm or other adverse consequences.

(c) "Criminal gang" means a group or association of three or more persons whose members:

(1) individually or collectively engage in a pattern of criminal gang activity;

(2) have as one of their primary objectives or activities the commission of one or more underlying crimes, including acts by juveniles that would be underlying crimes if committed by adults; and

(3) have in common an overt or covert organizational or command structure.

(D) "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.

[(d)] (E) “Pattern of criminal gang activity” means the commission of, attempted commission of, conspiracy to commit, or solicitation of two or more underlying crimes or acts by a juvenile that would be an underlying crime if committed by an adult, provided the crimes or acts were not part of the same incident.

[(e)] (F) “Solicit” has the meaning stated in § 11–301 of this article.

[(f)] (G) “Underlying crime” means:

(1) a crime of violence as defined under § 14–101 of this article;

(2) a violation of § 3–203 (second degree assault), § 4–203 (wearing, carrying, or transporting a handgun), § 9–302 (inducing false testimony or avoidance of subpoena), § 9–303 (retaliation for testimony), § 9–305 (intimidating or corrupting juror), § 11–303 (human trafficking), § 11–304 (receiving earnings of prostitute), or § 11–306(a)(2), (3), or (4) (house of prostitution) of this article;

(3) a felony violation of § 3–701 (extortion), § 4–503 (manufacture or possession of destructive device), § 5–602 (distribution of CDS), § 5–603 (manufacturing CDS or equipment), § 5–604(B) (CREATING OR POSSESSING A COUNTERFEIT SUBSTANCE), § 5–606 (FALSE PRESCRIPTION), § 6–103 (second degree arson), § 6–202 (first degree burglary), § 6–203 (second degree burglary), § 6–204 (third degree burglary), § 7–104 (theft), or § 7–105 (unauthorized use of a motor vehicle) of this article; or

(4) a felony violation of § 5–133 of the Public Safety Article.

9–802.

(a) A person may not threaten an individual, or a friend or family member of an individual, with physical violence with the intent to coerce, induce, or solicit the individual to participate in or prevent the individual from leaving a criminal gang.

(b) A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 2 years or a fine not exceeding [\$1,000] \$10,000 or both.

9–803.

(a) A person may not threaten an individual, or a friend or family member of an individual, with or use physical violence to coerce, induce, or solicit the individual to participate in or prevent the individual from leaving a criminal gang:

(1) in a school vehicle, as defined under § 11–154 of the Transportation Article; or

(2) in, on, or within 1,000 feet of real property owned by or leased to an elementary school, secondary school, or county board of education and used for elementary or secondary education.

(b) Subsection (a) of this section applies whether or not:

(1) school was in session at the time of the crime; or

(2) the real property was being used for purposes other than school purposes at the time of the crime.

(c) A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 4 years or a fine not exceeding [\$4,000] \$20,000 or both.

(d) Notwithstanding any other law, a conviction under this section may not merge with a conviction under § 9–802 of this subtitle.

9–804.

(a) A person may not:

(1) participate in a criminal gang knowing that the members of the gang engage in a pattern of criminal gang activity; and

(2) knowingly and willfully direct or participate in an underlying crime, or act by a juvenile that would be an underlying crime if committed by an adult, committed for the benefit of, at the direction of, or in association with a criminal gang.

(B) A CRIMINAL GANG OR AN INDIVIDUAL BELONGING TO A CRIMINAL GANG MAY NOT:

(1) RECEIVE PROCEEDS KNOWN TO HAVE BEEN DERIVED DIRECTLY OR INDIRECTLY FROM AN UNDERLYING CRIME; AND

(2) USE OR INVEST, DIRECTLY OR INDIRECTLY, AN AGGREGATE OF \$10,000 OR MORE OF THE PROCEEDS FROM AN UNDERLYING CRIME IN:

(I) THE ACQUISITION OF A TITLE TO, RIGHT TO, INTEREST IN, OR EQUITY IN REAL PROPERTY; OR

(II) THE ESTABLISHMENT OR OPERATION OF ANY ENTERPRISE.

(C) A CRIMINAL GANG MAY NOT ACQUIRE OR MAINTAIN, DIRECTLY OR INDIRECTLY, ANY INTEREST IN OR CONTROL OF ANY ENTERPRISE OR REAL PROPERTY THROUGH AN UNDERLYING CRIME.

(D) A PERSON MAY NOT CONSPIRE TO VIOLATE SUBSECTION (A), (B), OR (C) OF THIS SECTION.

[(b)] (E) A person may not violate subsection (a) of this section that results in the death of a victim.

[(c)] (F) (1) (i) Except as provided in subparagraph (ii) of this paragraph, a person who violates this section is guilty of a felony and on conviction is subject to imprisonment not exceeding [10] 15 years or a fine not exceeding [\$100,000] \$1,000,000 or both.

(ii) A person who violates subsection [(b)] (E) of this section is guilty of a felony and on conviction is subject to imprisonment not exceeding [20] 25 years or a fine not exceeding [\$100,000] \$5,000,000 or both.

(2) (i) A sentence imposed under paragraph (1)(i) of this subsection for a first offense may be separate from and consecutive to or concurrent with a sentence for any crime based on the act establishing a violation of this section.

(ii) A sentence imposed under paragraph (1)(i) of this subsection for a second or subsequent offense, or paragraph (1)(ii) of this subsection shall be separate from and consecutive to a sentence for any crime based on the act establishing a violation of this section.

(iii) A consecutive sentence for a second or subsequent offense shall not be mandatory unless the State notifies the person in writing of the State's intention to proceed against the person as a second or subsequent offender at least 30 days before trial.

(3) IN ADDITION TO THE OTHER PENALTIES PROVIDED IN THIS SUBSECTION, ON CONVICTION THE COURT MAY:

(I) ORDER A PERSON OR CRIMINAL GANG TO BE DIVESTED OF ANY INTEREST IN AN ENTERPRISE OR REAL PROPERTY;

(II) ORDER THE DISSOLUTION OR REORGANIZATION OF AN ENTERPRISE; AND

(III) ORDER THE SUSPENSION OR REVOCATION OF ANY LICENSE, PERMIT, OR PRIOR APPROVAL GRANTED TO THE ENTERPRISE OR PERSON BY A UNIT OF THE STATE OR A POLITICAL SUBDIVISION OF THE STATE.

(G) (1) THIS SUBSECTION APPLIES TO A VIOLATION OF § 5-602, § 5-603, § 5-604(B), § 5-606, § 5-612, § 5-613, § 5-614, OR § 5-617 OF THIS ARTICLE.

(2) ASSETS DIVESTED UNDER THIS SECTION AND DERIVED FROM THE COMMISSION OF, ATTEMPTED COMMISSION OF, CONSPIRACY TO COMMIT, OR SOLICITATION OF A CRIME DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION, EITHER IN WHOLE OR IN PART, SHALL BE DEPOSITED IN THE ADDICTION TREATMENT DIVESTITURE FUND ESTABLISHED UNDER § 8-6D-01 OF THE HEALTH – GENERAL ARTICLE.

[(d)] (H) A person may be charged with a violation of this section only by indictment, criminal information, or petition alleging a delinquent act.

[(e)] (I) (1) The Attorney General, at the request of the GOVERNOR OR THE State's Attorney for a county in which a violation or an act establishing a violation of this section occurs, may:

- (i) aid in the investigation of the violation or act; and
- (ii) prosecute the violation or act.

(2) In exercising authority under paragraph (1) of this subsection, the Attorney General has all the powers and duties of a State's Attorney, including the use of the grand jury in the county, to prosecute the violation.

(3) Notwithstanding any other provision of law, in circumstances in which violations of this section are alleged to have been committed in more than one county, the respective State's Attorney of each county, or the Attorney General, may join the causes of action in a single complaint with the consent of each State's Attorney having jurisdiction over an offense sought to be joined.

[(f)] (J) Notwithstanding any other provision of law and provided at least one criminal gang activity of a criminal gang allegedly occurred in the county in which a grand jury is sitting, the grand jury may issue subpoenas, summon witnesses, and otherwise conduct an investigation of the alleged criminal gang's activities and offenses in other counties.

9-805.

(a) A person may not organize, supervise, PROMOTE, SPONSOR, finance, or manage a criminal gang.

(b) A person who violates this section is guilty of a felony and on conviction is subject to imprisonment not exceeding 20 years or a fine not exceeding **[\$100,000]** **\$1,000,000** or both.

(c) A sentence imposed under this section shall be separate from and consecutive to a sentence for any crime based on the act establishing a violation of this section.

9-807.

FOR PURPOSES OF VENUE, ANY VIOLATION OF THIS SUBTITLE IS CONSIDERED TO HAVE BEEN COMMITTED IN ANY COUNTY:

(1) IN WHICH ANY ACT WAS PERFORMED IN FURTHERANCE OF A VIOLATION OF THIS SUBTITLE;

(2) THAT IS THE PRINCIPAL PLACE OF THE OPERATIONS OF THE CRIMINAL GANG IN THE STATE;

(3) IN WHICH A DEFENDANT HAD CONTROL OR POSSESSION OF PROCEEDS OF A VIOLATION OF THIS SUBTITLE OR OF RECORDS OR OTHER MATERIAL OR OBJECTS THAT WERE USED IN FURTHERANCE OF A VIOLATION; OR

(4) IN WHICH A DEFENDANT RESIDES.

14-101.

(a) In this section, “crime of violence” means:

(1) abduction;

(2) arson in the first degree;

(3) kidnapping;

(4) manslaughter, except involuntary manslaughter;

(5) mayhem;

(6) maiming, as previously proscribed under former Article 27, §§ 385 and 386 of the Code;

(7) murder;

(8) rape;

(9) robbery under § 3-402 or § 3-403 of this article;

- (10) carjacking;
- (11) armed carjacking;
- (12) sexual offense in the first degree;
- (13) sexual offense in the second degree;
- (14) use of a handgun in the commission of a felony or other crime of violence;
- (15) child abuse in the first degree under § 3-601 of this article;
- (16) sexual abuse of a minor under § 3-602 of this article if:
 - (i) the victim is under the age of 13 years and the offender is an adult at the time of the offense; and
 - (ii) the offense involved:
 - 1. vaginal intercourse, as defined in § 3-301 of this article;
 - 2. a sexual act, as defined in § 3-301 of this article;
 - 3. an act in which a part of the offender's body penetrates, however slightly, into the victim's genital opening or anus; or
 - 4. the intentional touching, not through the clothing, of the victim's or the offender's genital, anal, or other intimate area for sexual arousal, gratification, or abuse;
- (17) an attempt to commit any of the crimes described in items (1) through (16) of this subsection;
- (18) continuing course of conduct with a child under § 3-315 of this article;
- (19) assault in the first degree;
- (20) assault with intent to murder;

(21) assault with intent to rape;

(22) assault with intent to rob;

(23) assault with intent to commit a sexual offense in the first degree; and

(24) assault with intent to commit a sexual offense in the second degree.

(b) (1) Except as provided in subsection (f) of this section, on conviction for a fourth time of a crime of violence, a person who has served three separate terms of confinement in a correctional facility as a result of three separate convictions of any crime of violence shall be sentenced to life imprisonment without the possibility of parole.

(2) Notwithstanding any other law, the provisions of this subsection are mandatory.

(c) (1) Except as provided in subsection (f) of this section, on conviction for a third time of a crime of violence, a person shall be sentenced to imprisonment for the term allowed by law but not less than 25 years, if the person:

(i) has been convicted of a crime of violence on two prior separate occasions:

1. in which the second or succeeding crime is committed after there has been a charging document filed for the preceding occasion; and

2. for which the convictions do not arise from a single incident; and

(ii) has served at least one term of confinement in a correctional facility as a result of a conviction of a crime of violence.

(2) The court may not suspend all or part of the mandatory 25-year sentence required under this subsection.

(3) A person sentenced under this subsection is not eligible for parole except in accordance with the provisions of § 4–305 of the Correctional Services Article.

(d) (1) On conviction for a second time of a crime of violence committed on or after October 1, 1994, a person shall be sentenced to imprisonment for the term allowed by law, but not less than 10 years, if the person:

(i) has been convicted on a prior occasion of a crime of violence, including a conviction for a crime committed before October 1, 1994; and

(ii) served a term of confinement in a correctional facility for that conviction.

(2) The court may not suspend all or part of the mandatory 10-year sentence required under this subsection.

(e) If the State intends to proceed against a person as a subsequent offender under this section, it shall comply with the procedures set forth in the Maryland Rules for the indictment and trial of a subsequent offender.

(f) (1) **THIS SUBSECTION DOES NOT APPLY TO A PERSON REGISTERED OR ELIGIBLE FOR REGISTRATION UNDER TITLE 11, SUBTITLE 7 OF THE CRIMINAL PROCEDURE ARTICLE.**

(2) A person sentenced under this section may petition for and be granted parole if the person:

(i) is at least [65] **60** years old; and

(ii) has served at least [15] **10** years of the sentence imposed under this section.

[(2)] (3) The Maryland Parole Commission shall adopt regulations to implement this subsection.

Article – Criminal Procedure

1-101.

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

(b) “ABSCONDING” HAS THE MEANING STATED IN § 6–101 OF THE CORRECTIONAL SERVICES ARTICLE.

(C) **(1)** “Charging document” means a written accusation alleging that a defendant has committed a crime.

(2) “Charging document” includes a citation, an indictment, an information, a statement of charges, and a warrant.

[(c)] (D) “Correctional facility” has the meaning stated in § 1–101 of the Correctional Services Article.

[(d)] (E) “County” means a county of the State or Baltimore City.

[(e)] (F) “Crime of violence” has the meaning stated in § 14–101 of the Criminal Law Article.

[(f)] (G) “Department” means the Department of Public Safety and Correctional Services.

[(g)] (H) “Inmate” has the meaning stated in § 1–101 of the Correctional Services Article.

[(h)] (I) “Local correctional facility” has the meaning stated in § 1–101 of the Correctional Services Article.

[(i)] (J) “Managing official” has the meaning stated in § 1–101 of the Correctional Services Article.

[(j)] (K) “Nolle prosequi” means a formal entry on the record by the State that declares the State’s intention not to prosecute a charge.

[(k)] (L) “Nolo contendere” means a plea stating that the defendant will not contest the charge but does not admit guilt or claim innocence.

[(l)] (M) “Person” means an individual, receiver, trustee, guardian, personal representative, fiduciary, representative of any kind, partnership, firm, association, corporation, or other entity.

~~[(m)] (N)~~ “Secretary” means the Secretary of the Department of Public Safety and Correctional Services.

~~[(n)] (O)~~ “State” means:

- (1) a state, possession, territory, or commonwealth of the United States; or
- (2) the District of Columbia.

~~[(o)] (P)~~ “State correctional facility” has the meaning stated in § 1–101 of the Correctional Services Article.

(Q) “TECHNICAL VIOLATION” HAS THE MEANING STATED IN § 6–101 OF THE CORRECTIONAL SERVICES ARTICLE.

6–223.

(a) A circuit court or the District Court may end the period of probation at any time.

(b) On receipt of written charges, filed under oath, that a probationer or defendant violated a condition of probation during the period of probation, the District Court may, during the period of probation or within 30 days after the violation, whichever is later, issue a warrant or notice requiring the probationer or defendant to be brought or appear before the judge issuing the warrant or notice:

(1) to answer the charge of violation of a condition of probation or of suspension of sentence; and

(2) to be present for the setting of a timely hearing date for that charge.

(c) Pending the hearing or determination of the charge, a circuit court or the District Court may remand the probationer or defendant to a correctional facility or release the probationer or defendant with or without bail.

(d) If, at the hearing, a circuit court or the District Court finds that the probationer or defendant has violated a condition of probation, the court may:

(1) revoke the probation granted or the suspension of sentence; and

(2) (I) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, FOR A TECHNICAL VIOLATION, IMPOSE A PERIOD OF INCARCERATION OF:

1. NOT MORE THAN 15 DAYS FOR A FIRST TECHNICAL VIOLATION;

2. NOT MORE THAN 30 DAYS FOR A SECOND TECHNICAL VIOLATION; AND

3. NOT MORE THAN 45 DAYS FOR A THIRD TECHNICAL VIOLATION; AND

(II) FOR A FOURTH OR SUBSEQUENT TECHNICAL VIOLATION OR A VIOLATION THAT IS NOT A TECHNICAL VIOLATION, impose any sentence that might have originally been imposed for the crime of which the probationer or defendant was convicted or pleaded nolo contendere.

(3) (I) THERE IS A REBUTTABLE PRESUMPTION THAT THE LIMITS ON THE PERIOD OF INCARCERATION THAT MAY BE IMPOSED FOR A TECHNICAL VIOLATION ESTABLISHED IN PARAGRAPH (2) OF THIS SUBSECTION ARE APPLICABLE.

(II) THE PRESUMPTION MAY BE REBUTTED IF THE COURT FINDS AND STATES ON THE RECORD, AFTER CONSIDERATION OF THE FOLLOWING FACTORS, THAT ADHERING TO THE LIMITS ON THE PERIOD OF INCARCERATION ESTABLISHED UNDER PARAGRAPH (2) OF THIS SUBSECTION WOULD CREATE A RISK TO PUBLIC SAFETY, A VICTIM, OR A WITNESS:

1. THE NATURE OF THE PROBATION VIOLATION;

2. THE FACTS AND CIRCUMSTANCES OF THE CRIME FOR WHICH THE PROBATIONER OR DEFENDANT WAS CONVICTED; AND

3. THE PROBATIONER'S OR DEFENDANT'S HISTORY.

(III) ON FINDING THAT ADHERING TO THE LIMITS WOULD CREATE A RISK TO PUBLIC SAFETY, A VICTIM, OR A WITNESS UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE COURT MAY:

1. DIRECT IMPOSITION OF A LONGER PERIOD OF INCARCERATION THAN PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, BUT NO MORE THAN THE TIME REMAINING ON THE ORIGINAL SENTENCE; OR

2. COMMIT THE PROBATIONER OR DEFENDANT TO THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE FOR TREATMENT UNDER § 8-507 OF THE HEALTH – GENERAL ARTICLE.

(IV) A FINDING UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH OR AN ACTION UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH IS SUBJECT TO APPEAL UNDER TITLE 12, SUBTITLE 3 OR TITLE 12, SUBTITLE 4 OF THE COURTS ARTICLE.

6-224.

(a) This section applies to a defendant who is convicted of a crime for which the court:

- (1) does not impose a sentence;
- (2) suspends the sentence generally;
- (3) places the defendant on probation for a definite time; or
- (4) passes another order and imposes other conditions of probation.

(b) If a defendant is brought before a circuit court to be sentenced on the original charge or for violating a condition of probation, and the judge then presiding finds that the defendant violated a condition of probation, the judge:

(1) SUBJECT TO SUBSECTION (C) OF THIS SECTION, may sentence the defendant to:

(i) all or any part of the period of imprisonment imposed in the original sentence; or

(ii) any sentence allowed by law, if a sentence was not imposed before; and

(2) may suspend all or part of a sentence and place the defendant on further probation on any conditions that the judge considers proper, and that do not exceed the maximum set under § 6–222 of this subtitle.

(c) **(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, IF THE COURT FINDS THAT THE DEFENDANT VIOLATED A CONDITION OF PROBATION THAT IS A TECHNICAL VIOLATION, THE COURT MAY IMPOSE A PERIOD OF INCARCERATION OF:**

(I) NOT MORE THAN 15 DAYS FOR A FIRST TECHNICAL VIOLATION;

(II) NOT MORE THAN 30 DAYS FOR A SECOND TECHNICAL VIOLATION;

(III) NOT MORE THAN 45 DAYS FOR A THIRD TECHNICAL VIOLATION; AND

(IV) ALL OR ANY PART OF THE PERIOD OF IMPRISONMENT IMPOSED IN THE ORIGINAL SENTENCE FOR A FOURTH OR SUBSEQUENT TECHNICAL VIOLATION.

(2) (I) THERE IS A REBUTTABLE PRESUMPTION THAT THE LIMITS ON THE PERIOD OF INCARCERATION THAT MAY BE IMPOSED FOR A TECHNICAL VIOLATION ESTABLISHED IN PARAGRAPH (1) OF THIS SUBSECTION ARE APPLICABLE.

(II) THE PRESUMPTION MAY BE REBUTTED IF THE COURT FINDS AND STATES ON THE RECORD, AFTER CONSIDERATION OF THE FOLLOWING FACTORS, THAT ADHERING TO THE LIMITS ON THE PERIOD OF INCARCERATION ESTABLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION WOULD CREATE A RISK TO PUBLIC SAFETY, A VICTIM, OR A WITNESS:

1. THE NATURE OF THE PROBATION VIOLATION;

2. THE FACTS AND CIRCUMSTANCES OF THE CRIME FOR WHICH THE DEFENDANT WAS CONVICTED; AND

3. THE DEFENDANT'S HISTORY.

(III) ON FINDING THAT ADHERING TO THE LIMITS WOULD CREATE A RISK TO PUBLIC SAFETY, A VICTIM, OR A WITNESS UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE COURT MAY:

1. DIRECT IMPOSITION OF A LONGER PERIOD OF INCARCERATION THAN PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION, BUT NO MORE THAN THE TIME REMAINING ON THE ORIGINAL SENTENCE; OR

2. COMMIT THE DEFENDANT TO THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE FOR TREATMENT UNDER § 8-507 OF THE HEALTH – GENERAL ARTICLE.

(IV) A FINDING UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH OR AN ACTION UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH IS SUBJECT TO APPEAL UNDER TITLE 12, SUBTITLE 3 OR TITLE 12, SUBTITLE 4 OF THE COURTS ARTICLE.

(D) (1) The District Court judge who originally imposed conditions of probation or suspension of sentence shall hear any charge of violation of the conditions of probation or suspension of sentence.

(2) Except as provided in paragraph (3) of this subsection, the judge shall sentence the defendant if probation is revoked or suspension stricken.

(3) If the judge has been removed from office, has died or resigned, or is otherwise incapacitated, any other judge of the District Court may act in the matter.

11-819.

(b) The Criminal Injuries Compensation Fund:

(1) shall be used to:

(i) carry out the provisions of this subtitle; and

(ii) distribute restitution payments forwarded to the Fund under [§ 11-604] § 9-614 of the Correctional Services Article; and

(2) may be used for:

(i) any award given under this subtitle; and

(ii) the costs of carrying out this subtitle.

Article – Health – General

8-507.

(a) Subject to the limitations in this section, a court that finds in a criminal case or during a term of probation that a defendant has an alcohol or drug dependency may commit the defendant as a condition of release, after conviction, or at any other time the defendant voluntarily agrees to participate in treatment, to the Department for treatment that the Department recommends, even if:

(1) The defendant did not timely file a motion for reconsideration under Maryland Rule 4-345; or

(2) The defendant timely filed a motion for reconsideration under Maryland Rule 4-345 which was denied by the court.

(b) Before a court commits a defendant to the Department under this section, the court shall:

(1) Offer the defendant the opportunity to receive treatment;

(2) Obtain the written consent of the defendant:

(i) To receive treatment; and

- (ii) To have information reported back to the court;
- (3) Order an evaluation of the defendant under § 8–505 or § 8–506 of this subtitle;
- (4) Consider the report on the defendant’s evaluation; and
- (5) Find that the treatment that the Department recommends to be appropriate and necessary.

(c) Immediately on receiving an order for treatment under this section, the Department shall order a report of all pending cases, warrants, and detainers for the defendant and forward a copy of the report to the court, the defendant, and the defendant’s last attorney of record.

(d) (1) The Department shall provide the services required by this section.

(2) A designee of the Department may carry out any of the Department’s duties under this section [if appropriate funding is provided].

(e) (1) A court may not order that the defendant be delivered for treatment until:

(i) [The Department gives the court notice that an appropriate treatment program is able to begin treatment of the defendant;

(ii) Any detainer based on an untried indictment, information, warrant, or complaint for the defendant has been removed; and

~~[(iii)]~~ (II) Any sentence of incarceration for the defendant is no longer in effect.

(2) The Department shall facilitate [the prompt] treatment of a defendant **WITHOUT UNNECESSARY DELAY AND IN NO EVENT LATER THAN 21 DAYS FROM THE ORDER.**

(3) IF A DEFENDANT WHO HAS BEEN COMMITTED FOR TREATMENT UNDER THIS SECTION IS NOT PLACED IN TREATMENT WITHIN 21 DAYS OF THE

ORDER, THE COURT MAY ORDER THE DEPARTMENT TO APPEAR TO EXPLAIN THE REASON FOR THE LACK OF PLACEMENT.

(f) For a defendant committed for treatment under this section, a court shall order supervision of the defendant:

(1) By an appropriate pretrial release agency, if the defendant is released pending trial;

(2) By the Division of Parole and Probation under appropriate conditions in accordance with §§ 6–219 through 6–225 of the Criminal Procedure Article and Maryland Rule 4–345, if the defendant is released on probation; or

(3) By the Department, if the defendant remains in the custody of a local correctional facility.

(g) A court may order law enforcement officials, detention center staff, Department of Public Safety and Correctional Services staff, or sheriff's department staff within the appropriate local jurisdiction to transport a defendant to and from treatment under this section.

(h) The Department shall promptly report to a court a defendant's withdrawal of consent to treatment and have the defendant returned to the court within 7 days for further proceedings.

(i) A defendant who is committed for treatment under this section may question at any time the legality of the commitment by a petition for a writ of habeas corpus.

(j) (1) A commitment under this section shall be for at least 72 hours and not more than 1 year.

(2) On good cause shown by the Department, the court, or the State, the court may extend the time period for providing the necessary treatment services in increments of 6 months.

(3) Except during the first 72 hours after admission of a defendant to a treatment program, the Department may terminate the treatment if the Department determines that:

(i) Continued treatment is not in the best interest of the defendant;
or

(ii) The defendant is no longer amenable to treatment.

(k) When a defendant is to be released from treatment under this section, the Department shall notify the court that ordered the treatment.

(l) (1) If a defendant leaves treatment without authorization, the responsibility of the Department is limited to the notification of the court that ordered the defendant's treatment as soon as it is reasonably possible.

(2) Notice under this subsection shall constitute probable cause for a court to issue a warrant for the arrest of a defendant.

(m) Nothing in this section imposes any obligation on the Department:

(1) To treat any defendant who knowingly and willfully declines to consent to further treatment; or

(2) In reporting to the court under this section, to include an assessment of a defendant's dangerousness to one's self, to another individual, or to the property of another individual by virtue of a drug or alcohol problem.

(n) Time during which a defendant is held under this section for inpatient evaluation or inpatient or residential treatment shall be credited against any sentence imposed by the court that ordered the evaluation or treatment.

(o) This section may not be construed to limit a court's authority to order drug treatment in lieu of incarceration under Title 5 of the Criminal Law Article.

SUBTITLE 6D. ADDICTION TREATMENT DIVESTITURE FUND.

8-6D-01.

(A) THERE IS AN ADDICTION TREATMENT DIVESTITURE FUND IN THE DEPARTMENT.

(B) THE PURPOSE OF THE FUND IS TO SUPPORT ADDICTION TREATMENT SERVICES TO PERSONS WITH SUBSTANCE-RELATED DISORDERS.

(C) THE SECRETARY SHALL ADMINISTER THE FUND.

(D) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(E) THE FUND CONSISTS OF:

(1) REVENUE DISTRIBUTED TO THE FUND UNDER § 9-804 OF THE CRIMINAL LAW ARTICLE;

(2) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;
AND

(3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.

(F) THE FUND MAY BE USED ONLY TO SUPPORT THE ACTIONS OF THE SECRETARY TO PROVIDE TREATMENT FOR SUBSTANCE-RELATED DISORDERS.

(G) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

(H) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.

Article – State Finance and Procurement

6-226.

(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:

85. the Military Personnel and Veteran–Owned Small Business No–Interest Loan Fund; [and]

86. the Performance Incentive Grant Fund; AND

87. **THE ADDICTION TREATMENT DIVESTITURE FUND.**

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – State Finance and Procurement

6–226.

(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:

84. the Economic Development Marketing Fund; [and]

85. the Military Personnel and Veteran–Owned Small Business No–Interest Loan Fund; AND

86. **THE PERFORMANCE INCENTIVE GRANT FUND.**

Article – State Government

SUBTITLE 32. JUSTICE REINVESTMENT OVERSIGHT BOARD.

9-3201.

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

(B) “BOARD” MEANS THE JUSTICE REINVESTMENT OVERSIGHT BOARD.

(C) “EXECUTIVE DIRECTOR” MEANS THE EXECUTIVE DIRECTOR OF THE GOVERNOR’S OFFICE OF CRIME CONTROL AND PREVENTION.

(D) “FUND” MEANS THE PERFORMANCE INCENTIVE GRANT FUND ESTABLISHED IN § 9-3209 OF THIS SUBTITLE.

9-3202.

THERE IS A JUSTICE REINVESTMENT OVERSIGHT BOARD IN THE GOVERNOR’S OFFICE OF CRIME CONTROL AND PREVENTION.

9-3203.

(A) THE BOARD CONSISTS OF THE FOLLOWING MEMBERS:

(1) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED BY THE PRESIDENT OF THE SENATE;

(2) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE SPEAKER OF THE HOUSE;

(3) THE EXECUTIVE DIRECTOR, OR THE EXECUTIVE DIRECTOR’S DESIGNEE;

(4) THE SECRETARY OF PUBLIC SAFETY AND CORRECTIONAL SERVICES, OR THE SECRETARY’S DESIGNEE;

- (5) THE CHAIR OF THE MARYLAND PAROLE COMMISSION, OR THE CHAIR'S DESIGNEE;
- (6) THE SECRETARY OF STATE POLICE, OR THE SECRETARY'S DESIGNEE;
- (7) THE ATTORNEY GENERAL, OR THE ATTORNEY GENERAL'S DESIGNEE;
- (8) THE PUBLIC DEFENDER, OR THE PUBLIC DEFENDER'S DESIGNEE;
- (9) THE SECRETARY OF BUDGET AND MANAGEMENT, OR THE SECRETARY'S DESIGNEE;
- (10) THE SECRETARY OF HEALTH AND MENTAL HYGIENE, OR THE SECRETARY'S DESIGNEE;
- (11) THE CHAIR OF THE LOCAL GOVERNMENT JUSTICE REINVESTMENT COMMISSION, OR THE CHAIR'S DESIGNEE;
- (12) TWO MEMBERS APPOINTED BY THE CHIEF JUDGE OF THE COURT OF APPEALS;
- (13) THE SECRETARY OF LABOR, LICENSING, AND REGULATION, OR THE SECRETARY'S DESIGNEE;
- (14) THE STATE SUPERINTENDENT OF SCHOOLS, OR THE SUPERINTENDENT'S DESIGNEE;
- (15) ONE MEMBER APPOINTED BY THE MARYLAND CHIEFS AND SHERIFFS ASSOCIATION;
- (16) THE PRESIDENT OF THE MARYLAND STATE'S ATTORNEYS' ASSOCIATION OR THE PRESIDENT'S DESIGNEE;

(17) TWO MEMBERS OF THE MARYLAND CORRECTIONAL ADMINISTRATORS ASSOCIATION, APPOINTED BY THE PRESIDENT OF THE MARYLAND CORRECTIONAL ADMINISTRATORS ASSOCIATION, INCLUDING ONE REPRESENTATIVE FROM A LARGE CORRECTIONAL FACILITY AND ONE REPRESENTATIVE FROM A SMALL CORRECTIONAL FACILITY;

(18) THE PRESIDENT OF THE MARYLAND ASSOCIATION OF COUNTIES OR THE PRESIDENT’S DESIGNEE; AND

(19) THE FOLLOWING INDIVIDUALS, APPOINTED BY THE GOVERNOR:

(I) ONE MEMBER REPRESENTING VICTIMS OF CRIME;

(II) ONE MEMBER REPRESENTING LAW ENFORCEMENT; AND

(III) ONE MEMBER WITH DIRECT EXPERIENCE TEACHING INMATES IN ACADEMIC PROGRAMS INTENDED TO ACHIEVE THE GOAL OF A HIGH SCHOOL DIPLOMA OR GENERAL EDUCATIONAL DEVELOPMENT CERTIFICATION.

(B) TO THE EXTENT PRACTICABLE, IN MAKING APPOINTMENTS UNDER THIS SECTION, THE GOVERNOR SHALL ENSURE GEOGRAPHIC DIVERSITY AMONG THE MEMBERSHIP OF THE BOARD.

(C) (1) THE TERM OF AN APPOINTED MEMBER OF THE BOARD IS 4 YEARS.

(2) THE TERMS OF THE APPOINTED MEMBERS OF THE BOARD ARE STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR MEMBERS OF THE BOARD ON OCTOBER 1, 2016.

(3) AT THE END OF A TERM, AN APPOINTED MEMBER:

(I) IS ELIGIBLE FOR REAPPOINTMENT; AND

(II) CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(4) A MEMBER WHO IS APPOINTED OR REAPPOINTED AFTER A TERM HAS BEGUN SERVES ONLY FOR THE REMAINDER OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(5) THE MEMBERS OF THE BOARD APPOINTED FROM THE SENATE OF MARYLAND, THE HOUSE OF DELEGATES, AND THE CHIEF JUDGE OF THE COURT OF APPEALS, SHALL SERVE IN AN ADVISORY CAPACITY ONLY.

9-3204.

(A) THE GOVERNOR SHALL APPOINT THE CHAIR OF THE BOARD.

(B) WITH THE APPROVAL OF THE BOARD, THE CHAIR MAY APPOINT A VICE CHAIR WHO SHALL HAVE THE DUTIES ASSIGNED BY THE CHAIR.

9-3205.

(A) A MAJORITY OF THE AUTHORIZED MEMBERSHIP OF THE BOARD IS A QUORUM.

(B) THE BOARD SHALL MEET AT LEAST QUARTERLY EACH YEAR AT THE TIMES AND PLACES DETERMINED BY THE BOARD OR THE CHAIR OF THE BOARD.

(C) A MEMBER OF THE BOARD:

(1) MAY NOT RECEIVE COMPENSATION FOR SERVICE ON THE BOARD; BUT

(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

9-3206.

THE GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION SHALL PROVIDE STAFF FOR THE BOARD.

9-3207.

(A) THE BOARD SHALL:

(1) MONITOR PROGRESS AND COMPLIANCE WITH THE IMPLEMENTATION OF THE RECOMMENDATIONS OF THE JUSTICE REINVESTMENT COORDINATING COUNCIL;

(2) CONSIDER THE RECOMMENDATIONS OF THE LOCAL GOVERNMENT JUSTICE REINVESTMENT COMMISSION AND ANY LEGISLATION, REGULATIONS, RULES, BUDGETARY CHANGES, OR OTHER ACTIONS TAKEN TO IMPLEMENT THE RECOMMENDATIONS OF THE JUSTICE REINVESTMENT COORDINATING COUNCIL;

(3) MAKE ADDITIONAL LEGISLATIVE AND BUDGETARY RECOMMENDATIONS FOR FUTURE DATA-DRIVEN, FISCALLY SOUND CRIMINAL JUSTICE POLICY CHANGES;

(4) COLLECT AND ANALYZE THE DATA SUBMITTED UNDER § 9-3208 OF THIS SUBTITLE REGARDING PRETRIAL DETAINEES;

(5) IN COLLABORATION WITH THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES, THE MARYLAND PAROLE COMMISSION, THE ADMINISTRATIVE OFFICE OF THE COURTS, AND THE MARYLAND STATE COMMISSION ON CRIMINAL SENTENCING POLICY, CREATE PERFORMANCE MEASURES TO TRACK AND ASSESS THE OUTCOMES OF THE LAWS RELATED TO THE RECOMMENDATIONS OF THE JUSTICE REINVESTMENT COORDINATING COUNCIL;

(6) CREATE PERFORMANCE MEASURES TO ASSESS THE EFFECTIVENESS OF THE GRANTS ADMINISTERED UNDER § 9-3209 OF THIS SUBTITLE; AND

(7) CONSULT AND COORDINATE WITH:

(I) THE LOCAL GOVERNMENT JUSTICE REINVESTMENT COMMISSION; AND

(II) OTHER UNITS OF THE STATE AND LOCAL JURISDICTIONS CONCERNING JUSTICE REINVESTMENT ISSUES.

(B) (1) IN COLLABORATION WITH THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES, THE BOARD SHALL DETERMINE THE ANNUAL SAVINGS FROM THE IMPLEMENTATION OF THE RECOMMENDATIONS OF THE JUSTICE REINVESTMENT COORDINATING COUNCIL BASED ON THE DIFFERENCE BETWEEN THE PRISON POPULATION AS MEASURED ON OCTOBER 1, 2017, THE BASELINE DAY, AND THE PRISON POPULATION AS MEASURED ON OCTOBER 1, 2018, THE COMPARISON DAY, AND THE VARIABLE COST OF INCARCERATION.

(2) IF THE PRISON POPULATION ON THE COMPARISON DAY IS LESS THAN THE PRISON POPULATION ON THE BASELINE DAY, THE BOARD SHALL DETERMINE A SAVINGS BASED ON THE DIFFERENCE IN THE PRISON POPULATION MULTIPLIED BY THE VARIABLE COST.

(3) THE BOARD ANNUALLY SHALL DETERMINE THE DIFFERENCE BETWEEN THE PRISON POPULATION ON OCTOBER 1, 2017, AND THE PRISON POPULATION ON OCTOBER 1 OF THE CURRENT YEAR AND CALCULATE ANY SAVINGS IN ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION.

(4) IF A PRISON POPULATION DECLINE CAUSES A CORRECTIONAL UNIT, WING, OR FACILITY TO CLOSE, THE BOARD SHALL CONDUCT AN ASSESSMENT TO DETERMINE THE SAVINGS FROM THE CLOSURE AND DISTRIBUTE THE SAVINGS, REALIZED ANNUALLY, ACCORDING TO THE SCHEDULE IN PARAGRAPH (5) OF THIS SUBSECTION.

(5) THE BOARD ANNUALLY SHALL RECOMMEND THAT THE SAVINGS IDENTIFIED IN PARAGRAPHS (2) THROUGH (4) OF THIS SUBSECTION BE DISTRIBUTED AS FOLLOWS:

(I) UP TO 50% OF THE SAVINGS SHALL BE PLACED IN THE PERFORMANCE INCENTIVE GRANT FUND FOR PURPOSES ESTABLISHED UNDER § 9-3209(B)(1) OF THIS SUBTITLE; AND

(II) THE REMAINING SAVINGS SHALL BE USED FOR ADDITIONAL SERVICES IDENTIFIED AS REINVESTMENT PRIORITIES IN THE JUSTICE REINVESTMENT COORDINATING COUNCIL’S FINAL REPORT.

(C) AT EACH MEETING OF THE BOARD, THE SECRETARY OF THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, OR THE SECRETARY’S DESIGNEE, SHALL REPORT TO THE BOARD:

(1) THE NUMBER OF INDIVIDUALS COMMITTED TO THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE FOR TREATMENT UNDER § 8-507 OF THE HEALTH – GENERAL ARTICLE IN THE PREVIOUS 3 MONTHS INCLUDING THE NUMBER OF DAYS THAT IT TOOK TO PLACE EACH INDIVIDUAL INTO TREATMENT AND WHERE THE INDIVIDUAL WAS PLACED FOR TREATMENT;

(2) THE NUMBER OF INDIVIDUALS COMMITTED TO THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE FOR TREATMENT UNDER § 8-507 OF THE HEALTH – GENERAL ARTICLE WHO ARE WAITING FOR TREATMENT BUT CANNOT BE PLACED DUE TO LACK OF CAPACITY; AND

(3) THE NUMBER OF INDIVIDUALS ASSESSED FOR SUBSTANCE USE DISORDER IN THE PREVIOUS 3 MONTHS UNDER § 5-601 OF THE CRIMINAL LAW ARTICLE AND WHETHER EACH INDIVIDUAL WAS PLACED INTO TREATMENT AS A RESULT OF THE ASSESSMENT.

(D) (1) THE BOARD MAY ENTER INTO AN AGREEMENT WITH AN ACADEMIC INSTITUTION OR ANOTHER SIMILAR ENTITY THAT IS QUALIFIED TO COLLECT AND INTERPRET DATA IN ORDER TO ASSIST THE BOARD WITH ITS DUTIES.

(2) (I) THE BOARD MAY RECOMMEND THAT A UNIT OF THE STATE ENTER INTO A CONTRACT OR AGREEMENT WITH A PUBLIC OR PRIVATE ENTITY TO OBTAIN ASSISTANCE OR FINANCIAL RESOURCES TO FUND AND OTHERWISE FURTHER THE PURPOSES OF THIS SUBTITLE, INCLUDING ENTERING INTO PUBLIC-PRIVATE PARTNERSHIPS, SOCIAL IMPACT BONDS, AND OPPORTUNITY COMPACTS.

(II) IF THE BOARD MAKES A RECOMMENDATION UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE BOARD SHALL PROVIDE WRITTEN

NOTICE TO THE SENATE JUDICIAL PROCEEDINGS COMMITTEE, THE HOUSE JUDICIARY COMMITTEE, AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, OF THE RECOMMENDATION.

(III) A UNIT OF THE STATE MAY NOT ENTER INTO A CONTRACT OR AN AGREEMENT RECOMMENDED BY THE BOARD UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH UNTIL 60 DAYS AFTER THE DATE OF THE NOTICE PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH.

(E) (1) THE BOARD SHALL ESTABLISH AN ADVISORY BOARD FOR THE PURPOSE OF INCLUDING STAKEHOLDERS IN THE CRIMINAL JUSTICE SYSTEM IN THE ANALYSIS OF THE IMPLEMENTATION OF JUSTICE REINVESTMENT INITIATIVES.

(2) THE EXECUTIVE DIRECTOR OF THE GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION SHALL APPOINT MEMBERS OF THE ADVISORY BOARD, SUBJECT TO THE APPROVAL OF THE CHAIR OF THE BOARD.

(3) MEMBERS OF THE ADVISORY BOARD SHALL INCLUDE:

(I) A REPRESENTATIVE OF THE EXCLUSIVE REPRESENTATIVE OF THE EMPLOYEES OF THE DIVISION OF PAROLE AND PROBATION;

(II) A REPRESENTATIVE OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE;

(III) A REPRESENTATIVE OF CASA DE MARYLAND;

(IV) A REPRESENTATIVE OF THE AMERICAN CIVIL LIBERTIES UNION;

(V) THE CHAIR OF THE CRIMINAL LAW AND PRACTICE SECTION OF THE MARYLAND STATE BAR ASSOCIATION OR THE CHAIR'S DESIGNEE;

(VI) A REPRESENTATIVE OF VICTIMS OF DOMESTIC VIOLENCE;

(VII) A REPRESENTATIVE OF VICTIMS OF SEXUAL ASSAULT;

(VIII) A REPRESENTATIVE WITH CLINICAL EXPERIENCE AND EXPERTISE IN BEHAVIORAL HEALTH AND CRIMINAL JUSTICE;

(IX) A REPRESENTATIVE OF THE MARYLAND RETAILERS ASSOCIATION;

(X) A REPRESENTATIVE OF AN ORGANIZATION WHOSE MISSION IS TO DEVELOP AND ADVOCATE FOR POLICIES AND PROGRAMS TO INCREASE THE SKILLS, JOB OPPORTUNITIES, AND INCOMES OF LOW-SKILL, LOW-INCOME WORKERS AND JOB SEEKERS;

(XI) A REPRESENTATIVE OF AN ORGANIZATION WHOSE MISSION IS TO ADVOCATE FOR EX-OFFENDERS; AND

(XII) A REPRESENTATIVE OF THE MARYLAND CHAMBER OF COMMERCE.

9-3208.

(A) SEMIANNUALLY, EACH COUNTY, THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES, THE MARYLAND PAROLE COMMISSION, THE ADMINISTRATIVE OFFICE OF THE COURTS, AND THE MARYLAND STATE COMMISSION ON CRIMINAL SENTENCING POLICY SHALL COLLECT AND REPORT DATA TO THE BOARD THAT IS DISAGGREGATED BY RACE AND ETHNICITY IN ORDER FOR THE BOARD TO PERFORM ITS DUTIES UNDER § 9-3207 OF THIS SUBTITLE, INCLUDING DATA RELATING TO:

(1) THE ADMISSION OF INMATES TO STATE AND LOCAL CORRECTIONAL FACILITIES;

(2) THE LENGTH OF INMATE SENTENCES;

(3) THE LENGTH OF TIME BEING SERVED BY INMATES, INCLUDING SUSPENDED PERIODS OF A CRIMINAL SENTENCE;

(4) RECIDIVISM;

(5) THE POPULATION OF COMMUNITY SUPERVISION;

(6) INFORMATION ABOUT THE INMATE POPULATION, INCLUDING THE AMOUNT OF RESTITUTION ORDERED AND THE AMOUNT PAID; AND

(7) DEPARTURES BY THE COURT AND THE COMMISSION FROM THE SENTENCING LIMITS FOR TECHNICAL VIOLATIONS UNDER §§ 6-223 AND 6-224 OF THE CRIMINAL PROCEDURE ARTICLE AND §§ 7-401 AND 7-504 OF THE CORRECTIONAL SERVICES ARTICLE.

(B) ON OR BEFORE MARCH 31 EACH YEAR, EACH COUNTY, AND THE DIVISION OF PRETRIAL DETENTION AND SERVICES SHALL REPORT TO THE BOARD THE FOLLOWING INFORMATION FOR THE PRIOR CALENDAR YEAR REGARDING INDIVIDUALS HELD IN PRETRIAL DETENTION:

(1) THE NUMBER OF INDIVIDUALS DETAINED PRETRIAL ON THE SAME DAY EACH YEAR;

(2) THE MEAN AND MEDIAN DAYS INDIVIDUALS WERE DETAINED IN PRETRIAL DETENTION;

(3) THE CHARGES UNDER WHICH INDIVIDUALS WERE DETAINED IN PRETRIAL DETENTION;

(4) THE REASONS WHY INDIVIDUALS WERE UNABLE TO SECURE RELEASE;

(5) THE NUMBER OF INDIVIDUALS WHO WERE RELEASED DURING THE PRETRIAL PERIOD; AND

(6) THE DISPOSITION OF EACH CASE.

9-3209.

(A) THERE IS A PERFORMANCE INCENTIVE GRANT FUND.

(B) (1) THE PURPOSE OF THE FUND IS TO MAKE USE OF THE SAVINGS FROM THE IMPLEMENTATION OF THE RECOMMENDATIONS OF THE JUSTICE REINVESTMENT COORDINATING COUNCIL.

(2) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE BOARD MAY RECOMMEND TO THE EXECUTIVE DIRECTOR THAT GRANTS BE MADE TO:

(I) ENSURE THAT THE RIGHTS OF CRIME VICTIMS ARE PROTECTED AND ENHANCED;

(II) PROVIDE FOR PRETRIAL RISK ASSESSMENTS;

(III) PROVIDE FOR SERVICES TO REDUCE PRETRIAL DETENTION;

(IV) PROVIDE FOR DIVERSION PROGRAMS, INCLUDING MEDIATION AND RESTORATIVE JUSTICE PROGRAMS;

(V) PROVIDE FOR RECIDIVISM REDUCTION PROGRAMMING;

(VI) PROVIDE FOR EVIDENCE-BASED PRACTICES AND POLICIES;

(VII) PROVIDE FOR SPECIALTY COURTS;

(VIII) PROVIDE FOR REENTRY PROGRAMS;

(IX) PROVIDE FOR SUBSTANCE USE DISORDER AND COMMUNITY MENTAL HEALTH SERVICE PROGRAMS; AND

(X) PROVIDE FOR ANY OTHER PROGRAM OR SERVICE THAT WILL FURTHER THE PURPOSES ESTABLISHED IN PARAGRAPH (1) OF THIS SUBSECTION.

(3) (I) AT LEAST 5% OF THE GRANTS PROVIDED TO A COUNTY UNDER THIS SECTION SHALL BE USED TO FUND PROGRAMS AND SERVICES TO ENSURE THAT THE RIGHTS OF CRIME VICTIMS ARE PROTECTED AND ENHANCED.

(II) THE GRANTS SHALL BE USED TO SUPPLEMENT, BUT NOT SUPPLANT, FUNDS RECEIVED FROM OTHER SOURCES.

(4) THE GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION SHALL RECEIVE FROM THE FUND EACH FISCAL YEAR THE AMOUNT NECESSARY TO OFFSET THE COSTS OF ADMINISTERING THE FUND, INCLUDING THE COSTS INCURRED IN AN AGREEMENT TO COLLECT AND INTERPRET DATA AS AUTHORIZED BY § 9-3207 OF THIS SUBTITLE.

(C) (1) SUBJECT TO THE AUTHORITY OF THE EXECUTIVE DIRECTOR, THE BOARD SHALL ADMINISTER THE FUND.

(2) THE EXECUTIVE DIRECTOR MAY APPROVE OR DISAPPROVE ANY GRANTS FROM THE FUND.

(D) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(E) THE FUND CONSISTS OF:

(1) MONEY APPROPRIATED IN THE STATE BUDGET;

(2) INTEREST EARNED ON MONEY IN THE FUND; AND

(3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.

(F) THE FUND MAY BE USED ONLY FOR THE PURPOSES ESTABLISHED IN SUBSECTION (B) OF THIS SECTION.

(G) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO THE FUND.

(H) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.

(I) MONEY EXPENDED FROM THE FUND FOR PROGRAMS TO REDUCE RECIDIVISM AND CONTROL CORRECTIONAL COSTS IS SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR THESE PURPOSES.

9-3210.

THE BOARD MAY PERFORM ANY ACTS NECESSARY AND APPROPRIATE TO CARRY OUT THE POWERS AND DUTIES SET FORTH IN THIS SUBTITLE.

9-3211.

(A) IN THIS SECTION, “COMMISSION” MEANS THE LOCAL GOVERNMENT JUSTICE REINVESTMENT COMMISSION.

(B) THERE IS A LOCAL GOVERNMENT JUSTICE REINVESTMENT COMMISSION.

(C) THE COMMISSION SHALL:

(1) ADVISE THE BOARD ON MATTERS RELATED TO LEGISLATION, REGULATIONS, RULES, BUDGETARY CHANGES, AND ALL OTHER ACTIONS NEEDED TO IMPLEMENT THE RECOMMENDATIONS OF THE JUSTICE REINVESTMENT COORDINATING COUNCIL AS THEY RELATE TO LOCAL GOVERNMENTS;

(2) MAKE RECOMMENDATIONS TO THE BOARD REGARDING GRANTS TO LOCAL GOVERNMENTS FROM THE FUND; AND

(3) CREATE PERFORMANCE MEASURES TO ASSESS THE EFFECTIVENESS OF THE GRANTS.

(D) (1) THE COMMISSION CONSISTS OF ONE MEMBER FROM EACH COUNTY APPOINTED BY THE GOVERNING BODY OF THE COUNTY.

(2) THE EXECUTIVE DIRECTOR SHALL APPOINT THE CHAIR OF THE COMMISSION.

(E) (1) THE TERM OF A MEMBER OF THE COMMISSION IS 4 YEARS.

(2) THE TERMS OF THE MEMBERS OF THE COMMISSION ARE STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR MEMBERS OF THE COMMISSION ON OCTOBER 1, 2016.

(3) AT THE END OF A TERM, A MEMBER:

(I) IS ELIGIBLE FOR REAPPOINTMENT; AND

(II) CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(4) A MEMBER WHO IS APPOINTED OR REAPPOINTED AFTER A TERM HAS BEGUN SERVES ONLY FOR THE REMAINDER OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(F) A MEMBER OF THE COMMISSION:

(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE COMMISSION; BUT

(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

(G) THE GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION SHALL PROVIDE STAFF FOR THE COMMISSION.

ON OR BEFORE DECEMBER 31, 2017, AND EACH YEAR THEREAFTER, THE BOARD SHALL REPORT TO THE GOVERNOR AND, SUBJECT TO § 2-1246 OF THIS ARTICLE, TO THE GENERAL ASSEMBLY ON THE ACTIVITIES OF THE BOARD AND THE LOCAL GOVERNMENT JUSTICE REINVESTMENT COMMISSION.

SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Transportation

27-101.

(b) Except as otherwise provided in this section, any person convicted of a misdemeanor for the violation of any of the provisions of the Maryland Vehicle Law is subject to a fine of not more than \$500.

(c) Any person who is convicted of a violation of any of the provisions of the following sections of this article is subject to a fine of not more than \$500 or imprisonment for not more than 2 months or both:

(1) § 12-301(e) or (f) (“Special identification cards: Unlawful use of identification card prohibited”);

(2) § 14-102 (“Taking or driving vehicle without consent of owner”);

(3) § 14-104 (“Damaging or tampering with vehicle”);

(4) § 14-107 (“Removed, falsified, or unauthorized identification number or registration card or plate”);

(5) § 14-110 (“Altered or forged documents and plates”);

(6) § 15-312 (“Dealers: Prohibited acts – Vehicle sales transactions”);

(7) § 15-313 (“Dealers: Prohibited acts – Advertising practices”);

(8) § 15-314 (“Dealers: Prohibited acts – Violation of licensing laws”);

(9) § 15-411 (“Vehicle salesmen: Prohibited acts”);

- (10) § 16–113(j) (“Violation of alcohol restriction”);
- (11) § 16–301, except § 16–301(a) or (b) (“Unlawful use of license”);
- (12) [§ 16–303(h) (“Licenses suspended under certain provisions of Code”);
- (13) § 16–303(i) (“Licenses suspended under certain provisions of the traffic laws or regulations of another state”);
- (15) § 20–103 (“Driver to remain at scene – Accidents resulting only in damage to attended vehicle or property”);
- ~~[(16)]~~ **(13)** § 20–104 (“Duty to give information and render aid”);
- ~~[(17)]~~ **(14)** § 20–105 (“Duty on striking unattended vehicle or other property”);
- ~~[(18)]~~ **(15)** § 20–108 (“False reports prohibited”);
- ~~[(19)]~~ **(16)** § 21–206 (“Interference with traffic control devices or railroad signs and signals”);
- ~~[(20)]~~ **(17)** As to a pedestrian in a marked crosswalk, § 21–502(a) (“Pedestrians’ right-of-way in crosswalks: In general”), if the violation contributes to an accident;
- ~~[(21)]~~ **(18)** As to another vehicle stopped at a marked crosswalk, § 21–502(c) (“Passing of vehicle stopped for pedestrian prohibited”), if the violation contributes to an accident;
- ~~[(22)]~~ **(19)** Except as provided in subsections (f) and (q) of this section, § 21–902(b) (“Driving while impaired by alcohol”);
- ~~[(23)]~~ **(20)** Except as provided in subsections (f) and (q) of this section, § 21–902(c) (“Driving while impaired by drugs or drugs and alcohol”);
- ~~[(24)]~~ **(21)** § 21–902.1 (“Driving within 12 hours after arrest”);

[(25)] (22) Title 21, Subtitle 10A (“Towing or Removal of Vehicles from Parking Lots”); or

[(26)] (23) § 27–107(d), (e), (f), or (g) (“Prohibited acts – Ignition interlock systems”).

SECTION 5. AND BE IT FURTHER ENACTED, That the Governor’s Office of Crime Control and Prevention shall:

(1) in coordination with the Department of Public Safety and Correctional Services, the Department of Health and Mental Hygiene, the Judiciary, public health and treatment professionals, and local corrections authorities, conduct an analysis to determine the gap between offender treatment needs and available treatment services in the State, including:

(i) a feasibility study of local jail and service provider capacity for substance use and mental health disorder and related treatment; and

(ii) a plan for how a sequential intercept model could be used to address the gap between offender treatment needs and available treatment services in the State; and

(2) report the results of the analysis with recommendations to the General Assembly, in accordance with § 2–1246 of the State Government Article, on or before December 31, 2016.

SECTION 6. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Governor provide funding annually in the budget bill for:

(1) the Department of Health and Mental Hygiene to expand the use of drug treatment under § 8–507 of the Health – General Article, as enacted by Section 2 of this Act;

(2) the Department of Health and Mental Hygiene and the Department of Public Safety and Correctional Services to establish a process to expand the enrollment of incarcerated individuals in Medicaid on release;

(3) the Division of Correction to expand treatment and programming within correctional institutions for substance abuse treatment, mental health treatment, cognitive-behavioral programming, and other evidence-based interventions for offenders;

(4) the Division of Parole and Probation to expand treatment and programming in the community to include day reporting centers, mental health treatment, cognitive-behavioral programming, and other evidence-based interventions for offenders; and

(5) the State unit responsible for the improvement of the collection of restitution as determined under Sections 12 and 13 of this Act.

SECTION 7. AND BE IT FURTHER ENACTED, That, on or before January 1, 2017, the Maryland Mediation and Conflict Resolution Office shall study and identify best practices for criminal referrals to mediation, based on experiences across the State and research, and submit a report of its findings and recommendations to the Justice Reinvestment Oversight Board, the Governor, and, in accordance with § 2-1246 of the State Government Article, the General Assembly.

SECTION 8. AND BE IT FURTHER ENACTED, That, on or before January 1, 2018, the State Commission on Criminal Sentencing Policy shall study how more alternatives to incarceration may be included in the sentencing guidelines and shall submit a report of the findings and recommendations to the Justice Reinvestment Oversight Board, the Governor, and, in accordance with § 2-1246 of the State Government Article, the General Assembly.

SECTION 9. AND BE IT FURTHER ENACTED, That the Department of Health and Mental Hygiene, the Department of Labor, Licensing and Regulation, and the Department of Public Safety and Correctional Services shall:

(1) in consultation with organizations representing businesses dedicated to improving the business climate in Maryland and nonprofit organizations with the mission to develop and advocate policies and programs to increase the skills, job opportunities, and incomes of low-skill and low-income workers and job seekers, review and make recommendations regarding:

(i) potential barriers to employment, licensing, and entrepreneurship for individuals with a criminal record, including the denial, suspension, or revocation of occupational licenses for criminal convictions; and

(ii) the criminalization of occupational license violations, including the practicing of an occupation without a license;

(2) make recommendations regarding changes to occupational licensing laws that:

(i) promote the State’s policy of encouraging employment of workers with a criminal record by removing barriers for applicants seeking to demonstrate fitness for occupational licenses;

(ii) protect the integrity of professional occupations while promoting the State’s interest in maintaining public safety and reducing costs and burdens to the criminal justice system; and

(iii) promote consistency in and uniform application of the occupational licensing laws across all State agencies, including the State Department of Agriculture, the Department of the Environment, the Department of Health and Mental Hygiene, the Department of Human Resources, the Department of Labor, Licensing, and Regulation, and the Department of Public Safety and Correctional Services; and

(iv) on or before December 31, 2016, report the findings and recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.

SECTION 10. AND BE IT FURTHER ENACTED, That the terms of the initial appointed members of the Justice Reinvestment Oversight Board shall expire as follows:

(1) two members in 2017;

(2) two members in 2018;

(3) two members in 2019; and

(4) two members in 2020.

SECTION 11. AND BE IT FURTHER ENACTED, That the terms of the initial members of the Local Government Justice Reinvestment Commission shall expire as follows:

- (1) six members in 2017;
- (2) six members in 2018;
- (3) six members in 2019; and
- (4) six members in 2020.

SECTION 12. AND BE IT FURTHER ENACTED, That the Governor's Office of Crime Control and Prevention shall:

(1) study the restitution process in the State and make recommendations concerning the restitution process, including:

(i) recommending a process and State unit for collecting data and developing evidence-based practices for restitution collection; and

(ii) recommending methods for developing additional enforcement and data collection technology infrastructure;

(2) determine which State unit should assume the duties currently undertaken by the Division of Parole and Probation and the Central Collection Unit regarding collection of restitution;

(3) determine whether the Criminal Injuries Compensation Board and any other victim services programs should be transferred to another entity, including considering whether a transfer would:

(i) minimize fragmentation of functions that the State government performs on behalf of victims of crime and delinquent acts, while ensuring that services for special populations, including victims of sexual assault and child sexual abuse, are performed by providers with expertise in the area of need; and

(ii) improve the coordination, efficiency, and effectiveness of State assistance to victims of crime and delinquent acts;

(4) consider any other ways to improve the collection of restitution;

(5) review the classifications for larceny–theft under the Uniform Crime Reporting Program to determine how to distinguish shoplifting offenses from theft by organized retail crime rings; and

(6) report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly by December 1, 2016, on its findings and recommendations.

SECTION 13. AND BE IT FURTHER ENACTED, That unless the Governor determines that transferring the collection of restitution from the Division of Parole and Probation and the Central Collection Unit to another State unit will not improve the collection of restitution, the Governor shall order the new State unit to assume the responsibility of collecting restitution by issuing an executive order to reorganize State government under Article II, Section 24 of the Maryland Constitution for the 2017 regular session of the General Assembly. The Governor shall include a provision in the executive order providing that the transfer may not be effective until 30 days after the Governor’s Office of Crime Control and Prevention notifies in writing the Governor, the President of the Senate, and the Speaker of the House that the new State unit is able to assume the collection roles and responsibilities.

SECTION 14. AND BE IT FURTHER ENACTED, That § 3–704, § 3–707, and § 3–708 of the Correctional Services Article, as enacted by Section 2 of this Act, shall be construed prospectively to apply only to inmates that are sentenced on or after October 1, 2017.

SECTION 15. AND BE IT FURTHER ENACTED, That on or before March 1 annually, the Administrative Office of the Courts shall report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly, on the number of substance abuse disorder assessments ordered by courts in criminal cases under § 8–505 of the Health – General Article during the previous calendar year.

SECTION 16. AND BE IT FURTHER ENACTED, That, on or before January 1, 2017, the Justice Reinvestment Oversight Board shall report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly on:

- (1) the status of the progress toward the implementation of this Act; and
- (2) the projected financial impact of the implementation of this Act on local jurisdictions and correctional facilities.

SECTION 17. AND BE IT FURTHER ENACTED, That Section 2 and Section 4 of this Act shall take effect October 1, 2017.

SECTION 18. AND BE IT FURTHER ENACTED, That, except as provided in Section 17 of this Act, this Act shall take effect October 1, 2016.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Dumais moved to put **Senate Bill 1005** on Third Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 111 Negative – 26 (See Roll Call No. 1020)

Two-thirds of the Delegates elected having voted in the affirmative, **Senate Bill 1005** was placed on Third Reading.

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

AN ACT concerning

Justice Reinvestment Act

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 106 Negative – 31 (See Roll Call No. 1021)

The Bill was then returned to the Senate.

THE COMMITTEE ON JUDICIARY REPORT #14

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

Senate Bill 233 – Senators Norman, Brochin, Edwards, Klausmeier, Raskin, and Ready

AN ACT concerning

Public Safety – Motorcycle Profiling – Training

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

Senate Bill 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.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

Senate Bill 278 – Senators Lee, Feldman, King, Manno, Nathan–Pulliam, Ramirez, Raskin, and Simonaire

AN ACT concerning

Criminal Law – Stalking ~~and Harassment~~

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

Senate Bill 287 – Senators Hough, Cassilly, Mathias, Muse, and Ready

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

Senate Bill 346 – Senators Ramirez, Brochin, Cassilly, Hough, Lee, Madaleno, Muse, ~~and Raskin~~ Raskin, Ready, and Zirkin

AN ACT concerning

Peace Orders – Grounds for Relief

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

Senate Bill 637 – Senator Cassilly

AN ACT concerning

Evidence – Admissibility of DNA Profile – Definition and Validation of DNA Profile

SB0637/392518/1

BY: House Judiciary Committee

AMENDMENT TO SENATE BILL 637

(Third Reading File Bill)

On page 2, in line 10, strike the brackets; strike beginning with “**INVESTIGATION’S**” in line 10 down through “**OR**” in line 11 and substitute a semicolon; after line 11, insert:

“(III) THE FEDERAL BUREAU OF INVESTIGATION’S QUALITY ASSURANCE STANDARDS FOR FORENSIC DNA TESTING LABORATORIES; OR”;

in line 12, strike “(III)” and substitute “(IV)”; in line 18, strike “THE” and substitute “STANDARDS ESTABLISHED BY THE”; in line 20, strike “OR” and substitute:

“(III) THE FEDERAL BUREAU OF INVESTIGATION’S QUALITY ASSURANCE STANDARDS FOR FORENSIC DNA TESTING LABORATORIES; OR”;

and in line 21, strike “(III)” and substitute “(IV)”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

**Senate Bill 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.

Delegate Vallario, Chair, for the Committee on Judiciary 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.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

Senate Bill 945 – Senators Raskin, Brochin, Feldman, Guzzone, King, Lee, Madaleno, Manno, Muse, Ramirez, Ready, Rosapepe, Young, Zirkin, and Zucker

AN ACT concerning

**Drunk Driving Reduction Act of 2016
(Noah’s Law)**

SB0945/952311/2

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 945

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “increasing” in line 4 down through “impaired;” in line 6; in line 8, strike “and driving while impaired”; in line 10, after “regarding” insert “certain revocations and”; in line 11, strike “suspensions on” and substitute “revocations of”; strike beginning with “and” in line 13 down through “person” in line 16; in line 20, after “Program” insert “under certain circumstances”; in line 21, strike “refuses or”; in line 22, after “a” insert “certain”; in the same line, strike “for breath alcohol concentration”; and strike beginning with “authorizing” in line 23 down through “circumstances” in line 24 and substitute “repealing certain disqualifying criteria from participation in the Program”.

On page 2, in line 4, after “for” insert “certain participation toward certain”; in the same line, after “participation;” insert “requiring a court to order a person to participate in the Program under certain circumstances;”; strike beginning with “establishing” in line 4 down through the semicolon in line 5; strike beginning with “altering” in line 6 down through “interlock” in line 7 and substitute “providing for the construction of a certain provision of law”; and in line 8, strike “required”.

AMENDMENT NO. 2

On page 2, in line 12, after “16–205.1,” insert “and”; in the same line, strike “ , and 27–107”; and after line 14, insert:

“BY adding to

Article – Transportation

Section 27–107.1Annotated Code of Maryland(2012 Replacement Volume and 2015 Supplement).AMENDMENT NO. 3

On page 2, in line 29, after “(a)” insert “**(1)**”; and in lines 30 and 33, strike “(1)” and “(2)”, respectively, and substitute “**(I)**” and “**(II)**”, respectively.

On page 3, in lines 1, 4, 6, and 9, strike “(i)”, “(ii)”, “(iii)”, and “(iv)”, respectively, and substitute “**1.**”, “**2.**”, “**3.**”, and “**4.**”, respectively; and after line 10, insert:

“(2) IN THE NOTICE OF PROPOSED REVOCATION, THE ADMINISTRATION SHALL ADVISE AN INDIVIDUAL WHO IS CONVICTED UNDER § 21–902(A) OF THIS ARTICLE THAT THE INDIVIDUAL, IF ELIGIBLE, IS REQUIRED TO PARTICIPATE IN THE IGNITION INTERLOCK SYSTEM PROGRAM FOR THE FOLLOWING PERIODS:

(I) 6 MONTHS THE FIRST TIME THE INDIVIDUAL IS REQUIRED TO PARTICIPATE IN THE IGNITION INTERLOCK SYSTEM PROGRAM;

(II) 1 YEAR THE SECOND TIME THE INDIVIDUAL IS REQUIRED TO PARTICIPATE IN THE IGNITION INTERLOCK SYSTEM PROGRAM; AND

(III) 3 YEARS THE THIRD OR ANY SUBSEQUENT TIME THE INDIVIDUAL IS REQUIRED TO PARTICIPATE IN THE IGNITION INTERLOCK SYSTEM PROGRAM.”

AMENDMENT NO. 4

On page 3, in lines 20, 21, and 22, in each instance, strike the bracket; in line 20, strike “SUBSECTIONS (D) AND (E)”; in the same line, after “section” insert “**AND § 16–404.1 OF THIS TITLE**”; in line 21, strike “SHALL”; strike beginning with “A” in line 22 down through “PERSON” in line 23; and strike beginning with the semicolon in line 26 down through “ARTICLE” in line 31.

On page 4, in lines 1 and 12, in each instance, strike the bracket; in line 1, after “section” insert “**AND § 16–404.1 OF THIS TITLE**”; in line 12, strike “SUBSECTION”; and in line 13, after “section” insert “**AND SUBJECT TO § 16–404.1 OF THIS TITLE**”.

On page 5, in lines 9, 17, 18, 20, and 22, in each instance, strike the bracket; in line 9, after “subsection” insert “AND § 16-404.1 OF THIS TITLE”; in line 18, strike “SUBSECTION (C)”; in the same line, strike “SECTION”; in line 20, after “year” insert “SUBJECT TO § 16-404.1 OF THIS TITLE”; in line 21, strike beginning with “THE” through “SECTION”; in line 25, after “year” insert “OR A LONGER PERIOD IF REQUIRED UNDER § 16-404.1 OF THIS TITLE”.

On page 6, in lines 12, 13, 14, 15, 27, and 32, in each instance, strike the bracket; in line 14, strike “(III)”; strike beginning with “The” in line 20 down through “3.” in line 22; in line 25, strike “4.” and substitute “3.”; strike beginning with “PARTICIPATE” in line 27 down through “TITLE” in line 28; in line 29, strike “(IV)” and substitute “(VI)”; in lines 30 and 31, strike “AS REQUIRED”; in line 32, strike “(3)”; and in the same line, strike “(2)”.

On page 7, in lines 7, 12, and 14, in each instance, strike the bracket; strike beginning with “A” in line 3 down through “OR” in line 4 and substitute “A VIOLATION OF § 21-902(A) OF THIS ARTICLE MORE THAN ONCE WITHIN A 5-YEAR PERIOD;”; strike in their entirety lines 5 and 6; in line 16, after “year” insert “OR A LONGER PERIOD IF REQUIRED UNDER § 16-404.1 OF THIS TITLE”; and in line 18, strike “for 1 year”.

On page 8 in lines 7, 12, 17, and 32, and on page 9 in line 9, in each instance, strike “3” and substitute “6”.

On page 8 in lines 8, 12 and 13, 18, and 32, and on page 9 in line 9, in each instance, strike “more than 1 year” and substitute “LESS THAN THE PERIOD REQUIRED UNDER § 16-401.1 OF THIS TITLE”.

On page 9 in lines 11, 12, 14, 19, and 32, and on page 10 in lines 1 and 2, in each instance, strike the bracket.

On page 9, in lines 12 and 14, strike “(4)” and “(5)”, respectively.

On page 9 in lines 29 and 31, on page 14 in line 4, on page 29 in line 28, on page 30 in lines 19 and 22, on page 32 in line 11, and on page 33 in line 3, in each instance, strike “restrictive” and substitute “RESTRICTED”.

On page 10, in line 1, strike “(F)”.

AMENDMENT NO. 5

On page 11, in line 30, strike “or”.

On page 12, in line 2, strike “**2 YEARS;**” and substitute “**1 YEAR; OR**”

C. FOR A THIRD OR SUBSEQUENT OFFENSE, SUSPEND THE DRIVER’S LICENSE FOR 2 YEARS;”.

On page 13, in line 2, strike “or”; in line 3, strike “or subsequent”; and in line 4, strike “**2 YEARS;**” and substitute “**1 YEAR; OR**”

C. FOR A THIRD OR SUBSEQUENT OFFENSE, SUSPEND THE DRIVER’S LICENSE FOR 2 YEARS;”.

On page 18, in line 27, strike “**2 YEARS;**” and substitute “**1 YEAR; OR**”

C. FOR A THIRD OR SUBSEQUENT OFFENSE, SUSPEND THE DRIVER’S LICENSE FOR 2 YEARS;”.

On page 25, in line 2, strike “or”; in line 4, strike “**2 YEARS**” and substitute “**1 YEAR; OR**”

C. FOR A THIRD OR SUBSEQUENT OFFENSE, SUSPEND THE DRIVER’S LICENSE FOR 2 YEARS;”.

AMENDMENT NO. 6

On page 13, strike beginning with “, INCLUDING” in line 32 down through “TITLE,” in line 34.

On pages 13 and 14, strike beginning with “A” in line 34 on page 13 down through “FOR” in line 1 on page 14.

On page 14, in lines 2, 3, and 8, in each instance, strike the bracket; in line 2, strike “AND”; in line 7, strike “and”; in line 11, after “violation” insert “;**AND**”

(VI) ADVISE THE PERSON THAT A COURT SHALL IMPOSE PARTICIPATION IN THE IGNITION INTERLOCK SYSTEM PROGRAM AS PART OF THE SENTENCE IN ACCORDANCE WITH § 27-107.1 OF THIS ARTICLE”;

and strike beginning with “, INCLUDING” in line 33 down through “TITLE” in line 35.

On page 15, in line 7, after the semicolon insert “**AND**”; strike beginning with “The” in line 8 down through “3.” in line 11; in line 16, strike the brackets; strike beginning with the first “A” in line 16 down through “SUBSECTION” in line 17; and in lines 19 and 20, strike “AS REQUIRED”.

On page 16, in line 3, strike the brackets; in the same line, strike “**0.08**”; in line 5, strike “under”; and in lines 5 and 6, strike “**§ 16-404.1 OF THIS TITLE**”.

On page 24, strike beginning with “UNDER” in line 5 down through “PARAGRAPH” in line 6.

On page 25, in line 20, after the semicolon insert “**AND**”; strike beginning with “**THE**” in line 21 down through “**(3)**” in line 25; and strike in their entirety lines 30 through 32, inclusive, and substitute:

“(II) ELECTS IN WRITING TO PARTICIPATE IN THE IGNITION INTERLOCK SYSTEM PROGRAM FOR 1 YEAR.”.

AMENDMENT NO. 7

On page 29, in line 7, after “**(L)**” insert “**(1)**”; after line 9, insert:

“(2) THIS SUBSECTION MAY NOT BE CONSTRUED AS LIMITING THE PROVISIONS OF § 16-404.1(M) OF THIS TITLE.”;

in line 20, strike the bracket; in the same line, strike “(n)” and substitute “**(O)**”; strike beginning with the colon in line 20 down through “Who” in line 21 and substitute “**WHO**”; in line 22, after “0.15” insert “**AND DID NOT ELECT TO PARTICIPATE IN THE IGNITION INTERLOCK SYSTEM PROGRAM**”; and strike beginning with the semicolon in line 22 down through “years” in line 26.

On page 30, in lines 11, 21, and 32, strike “(o)”, “(p)”, and “(O)”, respectively, and substitute “(P)”, “(Q)”, and “(R)”, respectively; in line 12, after the semicolon insert “**OR**”; strike beginning with the semicolon in line 14 down through “section” in line 17; and in line 31, strike the bracket.

AMENDMENT NO. 8

On page 32, in lines 5, 10, 11, 12, 20, 25, 26, 30, and 32, in each instance, strike the bracket; in line 5, strike “SHALL”; in line 7, strike “§ 21–902(a), (b), or (c)” and substitute “**§ 21–902(B) OR (C)**”; in line 8, strike “or (37)”; in line 12, strike “INDIVIDUAL’S LICENSE IS SUSPENDED”; strike beginning with the semicolon in line 13 down through “ARTICLE” in line 19; in line 21, strike “the individual is convicted of a violation of”; in line 22, strike “§ 21–902(a)(1) or (2)” and substitute “**THE INDIVIDUAL IS CONVICTED OF A VIOLATION OF § 21–902(A)**”; strike beginning with “and” in line 22 down through “more” in line 23; in line 23, strike “or”; in line 24, strike “§ 21–902(a)(3) or (b)(2)” and substitute “**THE INDIVIDUAL IS CONVICTED OF A VIOLATION OF § 21–902(B)(2)**”; in line 25, strike the period and substitute “;

3. THE INDIVIDUAL’S LICENSE IS SUSPENDED OR REVOKED UNDER § 16–205 OF THIS TITLE OR § 16–402(A)(37) OF THIS SUBTITLE FOR A VIOLATION OF § 21–902(A) OF THIS ARTICLE;

4. THE INDIVIDUAL’S LICENSE IS REVOKED UNDER § 16–205(B) OF THIS TITLE FOR:

A. HOMICIDE BY MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL OR ALCOHOL PER SE, HOMICIDE BY MOTOR VEHICLE WHILE IMPAIRED BY ALCOHOL, OR HOMICIDE BY MOTOR VEHICLE WHILE IMPAIRED BY A COMBINATION OF ONE OR MORE DRUGS AND ALCOHOL; OR

B. LIFE–THREATENING INJURY BY MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL OR ALCOHOL PER SE, LIFE–THREATENING INJURY BY MOTOR VEHICLE WHILE IMPAIRED BY ALCOHOL, OR LIFE–THREATENING INJURY BY MOTOR VEHICLE WHILE IMPAIRED BY ONE OR MORE DRUGS AND ALCOHOL; OR

5. THE INDIVIDUAL IS REQUIRED TO BE A PARTICIPANT BY A COURT ORDER UNDER § 27–107.1 OF THIS ARTICLE.”;

in lines 26 and 30, strike “(I)” and “(II)”, respectively; in line 27, strike “SUBSECTION (C) OF THIS SECTION”; in line 32, strike “(P)”; and after line 32, insert:

“(IV) THE ADMINISTRATION SHALL ISSUE A RESTRICTED LICENSE TO AN INDIVIDUAL WHO IS REQUIRED TO PARTICIPATE IN THE PROGRAM UNDER THIS SECTION AND WHO IS OTHERWISE ELIGIBLE.”

AMENDMENT NO. 9

On page 33, in lines 1 and 19, in each instance, strike the bracket; in line 6, strike “§ 21-902(a) or (b)” and substitute “**§ 21-902(B)**”; in line 13, strike “§ 21-902(a), (b), or (c)” and substitute “**§ 21-902(B) OR (C)**”; in line 19, before “THE” insert “.

(IV);

in line 21, after “SECTION” insert “**AND WHO IS OTHERWISE ELIGIBLE**”; in line 22, strike “An” and substitute “**EXCEPT AS PROVIDED IN § 16-205 OF THIS TITLE, AN**”; strike beginning with “THE” in line 23 down through “SPECIFIED” in line 24; in lines 26, 28, and 30, in each instance, strike the brackets; and in lines 26, 28, and 30, in each instance, strike “SECTION”.

On page 34, in lines 3 and 10, in each instance, strike the brackets; in line 10, strike “SHALL”; in line 17, strike “§ 21-902(a), (b), or (c)” and substitute “**§ 21-902(B) OR (C)**”; in line 18, strike “§ 16-402(a)(37)” and substitute “**§ 16-402(A)(28)**”; in line 19, strike “§ 21-902(a)” and substitute “**§ 21-902(B) OR (C)**”; in line 24, strike “§ 21-902(a), (b), or (c)” and substitute “**§ 21-902(B) OR (C)**”; in line 25, strike “§ 16-402(a)(37)” and substitute “**§ 16-402(A)(28)**”; in line 26, strike “§ 21-902(a)” and substitute “**§ 21-902(B) OR (C)**”; after line 27, insert:

“(2) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, THE ADMINISTRATION SHALL:

(I) MODIFY A SUSPENSION AND ISSUE A RESTRICTED LICENSE TO AN INDIVIDUAL WHO IS A PARTICIPANT IN THE PROGRAM AS PROVIDED UNDER § 16-205 OR § 16-205.1 OF THIS TITLE OR § 16-404 OF THIS SUBTITLE;

(II) REINSTATE THE DRIVER’S LICENSE OF A PARTICIPANT WHOSE LICENSE HAS BEEN REVOKED:

- 1. FOR A VIOLATION OF § 21-902(A) OF THIS ARTICLE;**
- 2. FOR AN ACCUMULATION OF POINTS UNDER § 16-402(A)(37) OF THIS SUBTITLE FOR A VIOLATION OF § 21-902(A) OF THIS ARTICLE; OR**
- 3. UNDER § 16-205.1(B) OR (F) OF THIS TITLE.**

(III) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IMPOSE ON A PARTICIPANT A PERIOD OF SUSPENSION IN ACCORDANCE WITH § 16-404(C)(2) AND (3) OF THIS SUBTITLE IN LIEU OF A LICENSE REVOCATION:

- 1. FOR A VIOLATION OF § 21-902(A) OF THIS ARTICLE;**
- 2. FOR AN ACCUMULATION OF POINTS UNDER § 16-402(A)(37) OF THIS SUBTITLE FOR A VIOLATION OF § 21-902(A) OF THIS ARTICLE; OR**
- 3. UNDER § 16-205.1(B) OR (F) OF THIS TITLE.”;**

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

On page 35, in line 1, strike “(3)” and substitute “**(4)**”; in line 3, strike the brackets; in the same line, strike “**§ 27-107(H)**”; and in lines 13 and 14, in each instance, strike the bracket.

On page 36, in line 2, strike “**REQUIRED**” and substitute “**AUTHORIZED**”; in the same line, after “**SECTION**” insert “**OR AS REQUIRED UNDER SUBSECTION (D) OF THIS SECTION**”; strike in their entirety lines 3 through 19, inclusive; and in lines 20, 23, and 34, strike “**(O)**”, “**(P)**”, and “**(Q)**”, respectively, and substitute “**(N)**”, “**(O)**”, and “**(P)**”, respectively.

On page 37, in line 3, strike “**(R)**” and substitute “**(Q)**”.

AMENDMENT NO. 10

On page 37, after line 16, insert:

“27-107.1.

(A) IN THIS SECTION, “TEST” HAS THE MEANING STATED IN § 16-205.1 OF THIS ARTICLE.

(B) IF A PERSON IS CONVICTED OF A VIOLATION UNDER § 21-902(B) OR (C) OF THIS ARTICLE AND THE TRIER OF FACT FINDS BEYOND A REASONABLE DOUBT THAT THE PERSON REFUSED TO TAKE A TEST ARISING OUT OF THE SAME CIRCUMSTANCES AS THE VIOLATION, THE COURT SHALL REQUIRE THE PERSON TO PARTICIPATE IN THE IGNITION INTERLOCK SYSTEM PROGRAM UNDER § 16-404.1 OF THIS ARTICLE FOR 1 YEAR.

(C) THE PENALTY PROVIDED IN THIS SECTION SHALL BE:

(1) IN ADDITION TO ANY OTHER CRIMINAL PENALTY FOR A VIOLATION OF § 21-902(B) OR (C) OF THIS ARTICLE;

(2) CONCURRENT WITH ANY OTHER PARTICIPATION IN THE IGNITION INTERLOCK SYSTEM PROGRAM ORDERED BY THE ADMINISTRATION UNDER ANY OTHER PROVISION OF THIS ARTICLE.

(D) IF A PERSON SUBJECT TO THIS SECTION PARTICIPATES IN THE IGNITION INTERLOCK SYSTEM PROGRAM UNDER § 16-205.1 OF THIS ARTICLE, THE PERSON SHALL RECEIVE CREDIT TOWARD THE LENGTH OF PARTICIPATION IN THE IGNITION INTERLOCK SYSTEM PROGRAM ARISING OUT OF THE SAME INCIDENT REQUIRED UNDER THIS SECTION.”.

AMENDMENT NO. 11

On page 37, in line 3, strike “convicted of any violation of § 21-902 of this article” and substitute “REQUIRED TO BE A PARTICIPANT UNDER SUBSECTION (D) OF THIS SECTION”.

AMENDMENT NO. 12

On pages 38 through 41, strike in their entirety the lines beginning with line 13 on page 38 through line 34 on page 41, inclusive.

The preceding 12 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario moved to put **Senate Bill 945** on Third Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 134 Negative – 2 (See Roll Call No. 1022)

Two-thirds of the Delegates elected having voted in the affirmative, **Senate Bill 945** was placed on Third Reading.

Senate Bill 945 – Senators Raskin, Brochin, Feldman, Guzzone, King, Lee, Madaleno, Manno, Muse, Ramirez, Ready, Rosapepe, Young, Zirkin, and Zucker

AN ACT concerning

**Drunk Driving Reduction Act of 2016
(Noah’s Law)**

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1023)

The Bill was then returned to the Senate.

THE COMMITTEE ON WAYS AND MEANS REPORT #19

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

House Bill 1167 – Delegates Buckel, Beitzel, Mautz, and Otto

AN ACT concerning

**Biotechnology Investment Tax Credit – Investment in Qualified Companies in
Low-Income Areas**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1168 – Delegates Buckel, Beitzel, Mautz, and Otto

AN ACT concerning

**Cybersecurity Investment Tax Credit – Investment in Qualified Companies in
Low-Income Areas**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means 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.

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

Senate Bill 47 – Senator Simonaire

AN ACT concerning

**Anne Arundel County – Property Tax Credit – Benefit Corporations and Benefit
Limited Liability Companies**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 48 – ~~Senator Reilly~~ Anne Arundel County Senators

AN ACT concerning

**Anne Arundel County – Property Tax Credit – Blind Individuals ~~and Surviving~~
Spouses**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 76 – Chair, Budget and Taxation Committee (By Request –
Departmental – Assessments and Taxation)**

AN ACT concerning

Enterprise Zones – Reimbursements to Local Governments – Schedule

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 137 – Senator Eckardt

AN ACT concerning

Income Tax Credit – Preservation and Conservation Easements

SB0137/555868/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 137

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “circumstances;” insert “requiring the Board of Public Works to approve tax credits on a first-come, first-served basis; providing that the total number of tax credits claimed by members of pass-through entities may not exceed a certain amount for each taxable year;”.

AMENDMENT NO. 2

On page 3, after line 26, insert:

“(5) (I) FOR A TAXABLE YEAR, THE TOTAL AGGREGATE AMOUNT OF CREDITS CLAIMED BY MEMBERS OF PASS-THROUGH ENTITIES UNDER THIS SECTION MAY NOT EXCEED \$200,000.

(II) FOR PASS-THROUGH ENTITIES, THE BOARD OF PUBLIC WORKS SHALL APPROVE CREDITS FOR CONVEYENCES UNDER THIS SECTION ON A FIRST-COME, FIRST-SERVED BASIS.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means 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.

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

Senate Bill 227 – Washington County Senators

AN ACT concerning

Washington County – Property Tax Credit – Disabled Veterans

Favorable report adopted.

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

The motion was adopted.

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

**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**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hixson, Chair, for the Committee on Ways and Means 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

SB0322/365560/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 322

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “individuals;” insert “requiring the Comptroller to cooperate with and assist the Department in auditing credit applications and to provide certain information to the Department under certain circumstances;”.

AMENDMENT NO. 2

On page 2, after line 30, insert:

“(3) (1) FOR INCOME VERIFICATION, THE COMPTROLLER SHALL:

**1. COOPERATE WITH THE DEPARTMENT IN ADOPTING A
PROCEDURE TO AUDIT THE APPLICATION FORMS; AND**

2. NOTWITHSTANDING § 13-202 OF THE TAX – GENERAL ARTICLE, SUPPLY THE DEPARTMENT WITH ADDITIONAL INFORMATION.

(II) THE COMPTROLLER SHALL ASSIST THE DEPARTMENT IN A POSTAUDIT OF EACH APPLICATION.”;

and in line 31, strike “(3)” and substitute “(4)”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 374 – ~~Senator Serafini~~ Senators Serafini, Currie, DeGrange, Eckardt, Edwards, Ferguson, Guzzone, Kasemeyer, King, Madaleno, Manno, McFadden, and Peters

AN ACT concerning

Income Tax Subtraction Modification – College Savings Plans – Contributions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 499 – Senator Ferguson

AN ACT concerning

Admissions and Amusement Tax – Baltimore City – Amateur Sports League Fees

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 520 – Washington County Senators

AN ACT concerning

~~Washington County Board~~ County Boards of Education – Motor Fuel Tax Exemption and Refund

SB0520/395367/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 520

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Education –” insert “School Buses –”; in line 6, strike “certain vehicles” and substitute “a school bus”; in line 8, strike “vehicles” and substitute “a school bus”; in line 11, strike “vehicles” and substitute “a school bus”; strike line 13 in its entirety and substitute “on motor fuel used to operate a school bus for a county board of education.”; and after line 13, insert:

“BY repealing and reenacting, without amendments,

Article – Transportation

Section 11–153, 11–154, and 11–173

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 20, insert:

“Article – Transportation

11–153.

“School bus” means a Type I school vehicle, as defined in this subtitle.

11–154.

(a) “School vehicle” means, except as provided in subsection (b) of this section, any motor vehicle that:

(1) Is used regularly for the exclusive transportation of children, students, or teachers for educational purposes or in connection with a school activity; and

(2) Is either:

(i) A Type I school vehicle, as defined in this subtitle; or

(ii) A Type II school vehicle, as defined in this subtitle.

(b) “School vehicle” does not include:

(1) A privately owned vehicle while it is carrying members of its owner’s household and not operated for compensation; or

(2) A vehicle that is registered as a Class M (multipurpose) vehicle under § 13–937 of this article or a Class A (passenger) vehicle under § 13–912 of this article and used to transport children between one or more schools or licensed child care centers or to and from designated areas that are approved by the Administration if:

(i) The vehicle is designed for carrying 15 persons or less, including the driver;

(ii) The children are permitted to embark or exit the vehicle only at a school or child care center or a designated area approved by the Administration;

(iii) The owner has obtained vehicle liability insurance or other security as required by Title 17 of this article; and

(iv) The vehicle is equipped with proper seat belts or safety seats so as to permit each child to be secured in a seat belt or a safety seat as required by §§ 22–412.2 and 22–412.3 of this article.

11–173.

(a) “Type I school vehicle” means a school vehicle that:

(1) Is designed and constructed to carry passengers;

(2) Is either of the body–on–chassis type construction or integral type construction; and

(3) Has a gross vehicle weight of more than 15,000 pounds and provides a minimum of 13 inches of seating space per passenger.

(b) “Type I school vehicle” does not include any bus operated by a common carrier under the jurisdiction of a State, regional, or federal regulatory agency or operated by the agency itself.”.

On page 2, in lines 4 and 7, in each instance, strike “VEHICLES” and substitute “A SCHOOL BUS”.

On page 3, in line 9, strike “VEHICLES” and substitute “A SCHOOL BUS”; and in line 12, strike “VEHICLES” and substitute “A SCHOOL BUS”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

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

SB0552/105561/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 552

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; in line 2, strike “Baltimore City –”; in the same line, after “Credit –” insert “Disabled or Fallen Law Enforcement Officers and Rescue Workers and”; in line 3, after the first “of” insert “authorizing a certain property tax credit for certain residential real property in Harford County owned by certain surviving spouses or certain cohabitants;”; in line 12, after “of” insert “certain provisions of”; strike beginning with “and” in line 12 down through “City” in

line 13 and substitute “making this Act an emergency measure; and generally relating to a property tax credit for certain residential property in the State”; and after line 13, insert:

“BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 9–210

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 20, insert:

“Article – Tax – Property

9–210.

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

(2) **“COHABITANT” MEANS AN INDIVIDUAL WHO FOR A PERIOD OF AT LEAST 180 DAYS IN THE YEAR BEFORE THE DEATH OF A FALLEN LAW ENFORCEMENT OFFICER OR RESCUE WORKER:**

(I) HAD A RELATIONSHIP OF MUTUAL INTERDEPENDENCE WITH THE FALLEN LAW ENFORCEMENT OFFICER OR RESCUE WORKER; AND

(II) RESIDED WITH THE FALLEN LAW ENFORCEMENT OFFICER OR RESCUE WORKER IN THE DWELLING.

(3) “Disabled law enforcement officer or rescue worker” means an individual who:

(i) has been found to be permanently and totally disabled by an administrative body or court of competent jurisdiction authorized to make such a determination; and

(ii) became disabled:

1. as a result of or in the course of employment as a law enforcement officer or a correctional officer; or

2. while in the active service of a fire, rescue, or emergency medical service, unless the disability was the result of the individual's own willful misconduct or abuse of alcohol or drugs.

[(3)] (4) (i) “Dwelling” means real property that:

1. is the legal residence of a disabled law enforcement officer or rescue worker, [or] a surviving spouse, OR A COHABITANT; and

2. is occupied by not more than two families.

(ii) “Dwelling” includes the lot or curtilage and structures necessary to use the real property as a residence.

[(4)] (5) “Fallen law enforcement officer or rescue worker” means an individual who dies:

(i) as a result of or in the course of employment as a law enforcement officer or a correctional officer; or

(ii) while in the active service of a fire, rescue, or emergency medical service, unless the death was the result of the individual's own willful misconduct or abuse of alcohol or drugs.

[(5)] (6) “Surviving spouse” means a surviving spouse, who has not remarried, of a fallen law enforcement officer or rescue worker.

(b) The Mayor and City Council of Baltimore City or the governing body of a county or municipal corporation may grant, by law, a property tax credit under this section against the county or municipal corporation property tax imposed on a dwelling that is owned by a disabled law enforcement officer or rescue worker, [or] a surviving spouse of a fallen law enforcement officer or rescue worker, OR A COHABITANT:

(1) if the dwelling was owned by the disabled law enforcement officer or rescue worker at the time the law enforcement officer or rescue worker was adjudged to be

permanently and totally disabled or by the fallen law enforcement officer or rescue worker at the time of the fallen law enforcement officer's or rescue worker's death;

(2) (I) if the disabled law enforcement officer or rescue worker was domiciled in the State as of the date the disabled law enforcement officer or rescue worker was adjudged to be permanently and totally disabled or the fallen law enforcement officer or rescue worker, or the surviving spouse was domiciled in the State as of the date of the fallen law enforcement officer's or rescue worker's death and the dwelling was acquired by the disabled law enforcement officer or rescue worker within 2 years of the date the disabled law enforcement officer or rescue worker was adjudged to be permanently and totally disabled or by the surviving spouse within 2 years of the fallen law enforcement officer's or rescue worker's death; or

(II) IN HARFORD COUNTY, IF THE DISABLED LAW ENFORCEMENT OFFICER OR RESCUE WORKER WAS DOMICILED IN THE STATE AS OF THE DATE THE DISABLED LAW ENFORCEMENT OFFICER OR RESCUE WORKER WAS ADJUDGED TO BE PERMANENTLY AND TOTALLY DISABLED OR THE FALLEN LAW ENFORCEMENT OFFICER OR RESCUE WORKER, THE SURVIVING SPOUSE, OR COHABITANT WAS DOMICILED IN THE STATE AS OF THE DATE OF THE FALLEN LAW ENFORCEMENT OFFICER'S OR RESCUE WORKER'S DEATH AND THE DWELLING WAS ACQUIRED BY THE DISABLED LAW ENFORCEMENT OFFICER OR RESCUE WORKER WITHIN 2 YEARS OF THE DATE THE DISABLED LAW ENFORCEMENT OFFICER OR RESCUE WORKER WAS ADJUDGED TO BE PERMANENTLY AND TOTALLY DISABLED OR BY THE SURVIVING SPOUSE OR COHABITANT WITHIN 2 YEARS OF THE FALLEN LAW ENFORCEMENT OFFICER'S OR RESCUE WORKER'S DEATH;

(3) IN HARFORD COUNTY, IF THE DWELLING WAS OWNED BY THE SURVIVING SPOUSE OR COHABITANT AT THE TIME OF THE FALLEN LAW ENFORCEMENT OFFICER'S OR RESCUE WORKER'S DEATH; OR

(4) if the dwelling was acquired after the disabled law enforcement officer or rescue worker, [or] the surviving spouse, OR THE COHABITANT qualified for a credit for a former dwelling under item [(1) or (2)] (1), (2), OR (3) of this subsection, to the extent of the previous credit.

(c) A county or municipal corporation may provide, by law, for:

(1) the amount and duration of a property tax credit allowed under this section; and

(2) any other provision necessary to carry out the provisions of this section.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:”.

On page 3, in line 18, strike “2.” and substitute “3.”; in the same line, after “That” insert “Section 2 of”; strike beginning with “shall” in line 18 down through “and” in line 19; and after line 19, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 597 – Senators Peters, DeGrange, Edwards, Guzzone, King, Manno, and Serafini

AN ACT concerning

Recordation and Transfer Taxes – Transfer of Controlling Interest – Exemptions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 759 – Senator Madaleno (By Request – Tax Credit Evaluation Committee) and Senator Peters

AN ACT concerning

~~Sustainable Communities~~ **Heritage Structure Rehabilitation Tax Credit –
Alteration and Extension**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 884 – Senators Hough and Young

AN ACT concerning

Frederick County – Property Tax – Small Business Tax Credit

Favorable report adopted.

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

The motion was adopted.

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

Senate Bill 998 – Senator Waugh

AN ACT concerning

St. Mary’s County – Property Tax Credit – New or Expanding Businesses

Favorable report adopted.

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

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 1024)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #81**House Bill 741 – Delegates Stein and Kaiser**

AN ACT concerning

Higher Education – Institutions of Postsecondary Education – Consumer Protection Provisions

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

Affirmative – 134 Negative – 2 (See Roll Call No. 1025)

The Bill was then sent to the Senate.

House Bill 1378 – Delegates Frick, Carr, Frush, Hixson, Kaiser, Kelly, Korman, Krimm, Lisanti, Luedtke, McCray, Morhaim, Patterson, Queen, Reznik, Shoemaker, Stein, A. Washington, K. Young, Brooks, Clippinger, Glenn, Valderrama, and Waldstreicher

AN ACT concerning

Maryland Small Business Retirement Savings Program and Trust

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

Affirmative – 92 Negative – 45 (See Roll Call No. 1026)

The Bill was then sent to the Senate.

House Bill 1395 – Delegates Anderton, B. Barnes, Sample–Hughes, and A. Washington

AN ACT concerning

Local Government – Disparity Grants – Amounts

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

Affirmative – 122 Negative – 13 (See Roll Call No. 1027)

The Bill was then sent to the Senate.

House Bill 1458 – Delegates P. Young, D. Barnes, Brooks, Jackson, Sample–Hughes, Smith, Vogt, and C. Wilson

AN ACT concerning

Maryland College Collaboration for Student Veterans Commission

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

Affirmative – 136 Negative – 1 (See Roll Call No. 1028)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #27

Senate Bill 22 – Senator Benson

AN ACT concerning

Human Services – Interagency Council on Homelessness – Membership

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

Affirmative – 135 Negative – 0 (See Roll Call No. 1029)

The Bill was then returned to the Senate.

**Senate Bill 83 – Chair, Judicial Proceedings Committee (By Request –
Departmental – Office of Crime Control and Prevention)**

AN ACT concerning

Public Safety – School Safety Enforcement Fund

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

Affirmative – 135 Negative – 0 (See Roll Call No. 1030)

The Bill was then returned to the Senate.

**Senate Bill 280 – Chair, Budget and Taxation Committee (By Request –
Departmental – University System of Maryland)**

AN ACT concerning

Academic Facilities Bonding Authority

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

Affirmative – 131 Negative – 5 (See Roll Call No. 1031)

The Bill was then returned to the Senate.

Senate Bill 379 – The President (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Qualified Zone Academy Bonds

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

Affirmative – 126 Negative – 9 (See Roll Call No. 1032)

The Bill was then returned to the Senate.

Senate Bill 427 – Senators Pinsky, Conway, Ferguson, Guzzone, Middleton, Raskin, and Young

AN ACT concerning

Higher Education – Institutions of Postsecondary Education – Consumer Protection Provisions

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

Affirmative – 133 Negative – 2 (See Roll Call No. 1033)

The Bill was then returned to the Senate.

Senate Bill 606 – Senator Waugh

AN ACT concerning

Maryland College Collaboration for Student Veterans Commission

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

Affirmative – 135 Negative – 1 (See Roll Call No. 1034)

The Bill was then returned to the Senate.

Senate Bill 758 – Senators Madaleno, Benson, Ferguson, Guzzone, Kagan, Manno, Pugh, ~~and Raskin~~ Raskin, Middleton, Astle, Kelley, Feldman, Mathias, Jennings, Hershey, and Klausmeier

AN ACT concerning

Food Stamp Program – Minimum Benefit – State Supplement

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

Affirmative – 120 Negative – 16 (See Roll Call No. 1035)

The Bill was then returned to the Senate.

Senate Bill 764 – Senators Raskin and Rosapepe

AN ACT concerning

Education – Student Journalists – Freedom of Speech and Freedom of the Press

FLOOR AMENDMENT

SB0764/123825/1

BY: Delegate Kittleman

AMENDMENT TO SENATE BILL 764

(Third Reading File Bill)

On page 6, strike beginning with the second “MAY” in line 27 down through “INTIMIDATING” in line 28 and substitute “HAVE THE INTENT TO HARASS, THREATEN, OR INTIMIDATE AN INDIVIDUAL”.

The preceding amendment was read and adopted.

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

The motion was adopted.

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 – 137 Negative – 0 (See Roll Call No. 1036)

The Bill was then returned to the Senate.

**Senate Bill 864 – Senators Lee, Benson, ~~and Madaleno~~ Brochin, Cassilly, Hough,
Madaleno, Muse, Ramirez, Raskin, Ready, and Zirkin**

AN ACT concerning

**Public Safety – Internet Crimes Against Children Task Force Fund –
Establishment
(Alicia’s Law)**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1037)

The Bill was then returned to the Senate.

Senate Bill 979 – Senator Peters

AN ACT concerning

Optional Retirement Program – Eligibility – Alterations

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1038)

The Bill was then returned to the Senate.

Senate Bill 982 – Senators Kasemeyer and Miller

AN ACT concerning

**~~Maryland~~ State Retirement and Pension System – Private Equity and Venture
Capital Authority Investments**

FLOOR AMENDMENT

SB0982/863723/1

BY: Delegate McConkey

AMENDMENTS TO SENATE BILL 982

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 9, after “Assembly;” insert “providing for the termination of this Act;”.

AMENDMENT NO. 2

On page 8, in line 25, after “2016.” 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 rejected by a roll call vote as follows:

Affirmative – 48 Negative – 87 (See Roll Call No. 1039)

FLOOR AMENDMENT

SB0982/843227/1

BY: Delegate B. Barnes

AMENDMENTS TO SENATE BILL 982

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 22, strike “a fiduciary of the several systems” and substitute “subject to certain standards of care and prohibited from taking certain actions under certain provisions of law”.

AMENDMENT NO. 2

On page 6, strike beginning with “A” in line 15 down through “2” in line 16 and substitute “SUBJECT TO THE STANDARDS OF CARE UNDER § 21-203 OF THIS TITLE AND THE PROHIBITED TRANSACTIONS UNDER § 21-205”.

On page 8, in line 13, after “SYSTEMS” insert “AS DEFINED IN § 21-201(B) OF THIS TITLE”.

The preceding 2 amendments were read and adopted.

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

Affirmative – 93 Negative – 45 (See Roll Call No. 1040)

The Bill was then returned to the Senate.

Senate Bill 1063 – Senator Madaleno

AN ACT concerning

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

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1041)

The Bill was then returned to the Senate.

**THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS REPORT
#14**

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

House Bill 1261 – Delegates K. Young, Cullison, Ebersole, Hill, Kelly, Moon, Pena–Melnyk, Reznik, Sample–Hughes, Tarlau, and M. Washington

AN ACT concerning

State Archivist – Process for Evaluating State Designations

HB1261/706983/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1261

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 15, strike “or reimburse certain workgroup members”; and in the same line, after “circumstances;” insert “prohibiting a member of a certain workgroup from receiving certain compensation but authorizing the reimbursement of certain expenses;”.

AMENDMENT NO. 2

On page 4, in line 17, after “(F)” insert “**(1)**”; in line 19, strike “**OR REIMBURSE WORKGROUP MEMBERS**”; and after line 19, insert:

“(2) A MEMBER OF A WORKGROUP ESTABLISHED UNDER SUBSECTION (D)(2) OF THIS SECTION:

(I) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE WORKGROUP; BUT

(II) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1350 – Delegate Hammen

AN ACT concerning

Freestanding Medical Facilities – Certificate of Need, Rates, and Definition

HB1350/396582/2

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1350

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Hammen” and substitute “Delegates Hammen, Angel, Barron, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, McMillan, Miele, Morgan, Morhaim, Oaks, Pena–Melnyk, Pendergrass, Rose, Saab, Sample–Hughes, West, and K. Young”; in line 5, after the semicolon insert “altering the number of days before the proposed closing or partial closing of a health care facility for the filing of a certain notice by a certain person;”; in line 18, after “circumstances,” insert “prohibiting a certain hospital from converting to a freestanding medical facility before a certain date;”; and in line 27, after “need,” insert “establishing a workgroup on rural health care delivery; providing for the membership, chair, and staff of the workgroup; requiring the workgroup to oversee a certain study of health care needs in certain counties and to hold certain public hearings; providing for the contents of a certain study; requiring the workgroup to review certain policy options and to report on a certain study and certain”

recommendations on or before a certain date; stating the intent of the General Assembly; providing for the construction of a certain provision of this Act; authorizing the use of certain funds for a certain purpose;”.

AMENDMENT NO. 2

On page 5, in line 23, strike “45” and substitute “**90**”; and in the same line, after “or” insert “**IF AT LEAST 45 DAYS BEFORE THE**”.

On page 8, in lines 6 and 20, in each instance, strike “45” and substitute “**60**”; in line 11, strike “NOT INCONSISTENT” and substitute “**CONSISTENT**”; and in line 29, after “SYSTEM” insert “**, AND ARE THE ONLY TWO HOSPITALS IN THE COUNTY**”.

On page 9, after line 2, insert:

“(III) NOTWITHSTANDING SUBPARAGRAPH (I) OF THIS PARAGRAPH, A LICENSED GENERAL HOSPITAL LOCATED IN KENT COUNTY MAY NOT CONVERT TO A FREESTANDING MEDICAL FACILITY IN ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH BEFORE JULY 1, 2020.”

AMENDMENT NO. 3

On page 11, after line 23, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) There is a workgroup on rural health care delivery.

(b) The workgroup consists of:

(1) the Chair of the Senate Finance Committee and the Chair of the House Health and Government Operations Committee;

(2) two members of the Senate of Maryland and two members of the House of Delegates from rural areas of the State, appointed by the President of the Senate and the Speaker of the House of Delegates, respectively;

(3) the Secretary of Health and Mental Hygiene, or the Secretary’s designee;

(4) the Chief Executive Officer of McCready Memorial Hospital, or the Chief Executive Officer's designee;

(5) the Chief Executive Officer of Garrett Regional Medical Center, or the Chief Executive Officer's designee; and

(6) individuals representing the interests of health care providers, business, labor, State and local government, consumers, and other stakeholder groups, appointed by the Maryland Health Care Commission.

(c) The Maryland Health Care Commission shall designate the chair of the workgroup.

(d) The Maryland Health Care Commission and the Department of Health and Mental Hygiene shall provide staff for the workgroup.

(e) The workgroup shall:

(1) oversee a study of rural health care needs in Caroline, Dorchester, Kent, Queen Anne's, and Talbot counties; and

(2) hold public hearings to gain community input regarding the health care needs in the five study counties.

(f) The study required under subsection (e)(1) of this section shall:

(1) be carried out by an entity with expertise in rural health care delivery and planning;

(2) examine challenges to the delivery of health care in the five study counties, including:

(i) the limited availability of health care providers and services;

(ii) the special needs of vulnerable populations;

(iii) transportation barriers; and

(iv) the economic impact of the closure, partial closure, or conversion of a health care facility;

(3) take into account the input gained through the public hearings held by the workgroup;

(4) identify opportunities created by telehealth and the Maryland all-payer model contract for restructuring the delivery of health care services; and

(5) develop policy options for addressing the health care needs of residents of and improving the health care delivery system in the five study counties.

(g) The workgroup shall:

(1) review the policy options developed under the study and recommend policies that address:

(i) the health care needs of residents of the five study counties; and

(ii) improvements to the health care delivery system in the five study counties; and

(2) on or before October 1, 2017, report on the findings of the study and the recommendations of the workgroup to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) It is the intent of the General Assembly that, due to unique circumstances and a desire for prompt consideration by the Maryland Health Care Commission of the certificate of need for the Prince George's Regional Medical Center, the memorandum of understanding, which sets forth the process for community engagement regarding the modernization and transformation plan for Laurel Regional Hospital entered into by the University of Maryland Medical System and representatives of local government, shall supplement the process for community engagement regarding the modernization and transformation plan for the Laurel Regional Hospital.

(b) Subsection (a) of this section may not be construed to affect the processes established under Section 1 of this Act.”.

AMENDMENT NO. 4

On page 11, before line 24, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law:

(a) Funds in the Maryland Health Benefit Exchange Fund deposited or transferred from the Maryland Health Insurance Plan Fund may be used by the Maryland Health Care Commission in fiscal years 2017 and 2018 to pay for the study of rural health care needs required under Section 2 of this Act.

(b) The amount of funds that may be used under subsection (a) of this section may not exceed \$500,000.”;

and in line 24, strike “2.” and substitute “5.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

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

The motion was adopted.

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

House Bill 1495 – Delegates Cullison, Haynes, Healey, Kelly, Pena–Melnik, Reznik, Sample–Hughes, and Vallario

AN ACT concerning

**State Government – Administrative Procedure Act – Contested Cases
– Judicial Review**

HB1495/326982/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1495
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “agency” insert “in certain contested cases”; and strike beginning with the first “in” in line 6 down through “employment” in line 7.

AMENDMENT NO. 2

On page 3, in lines 19 and 20, strike “: (I)”; in lines 21, 22, 24, 25, and 26, in each instance, strike the brackets; in lines 21, 22, 24, 25, and 26, strike “1.”, “2.”, “3.”, “4.”, and “5.”, respectively; in line 27, strike “or”; and after line 27, insert:

“(VI) IN A CASE INVOLVING TERMINATION OF EMPLOYMENT OR EMPLOYEE DISCIPLINE, FAILS TO REASONABLY STATE THE BASIS FOR THE TERMINATION OR THE NATURE AND EXTENT OF THE PENALTY OR SANCTION IMPOSED BY THE AGENCY; OR”.

On page 4, in line 1, strike “6.” and substitute “(VII)”; and strike beginning with “; AND” in line 1 down through “MISCONDUCT” in line 13.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

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

The motion was adopted.

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

House Bill 1537 – Delegate Hixson

AN ACT concerning

**Procurement – Priority of Purchasing Preferences – Individual With Disability
Owned Business**

HB1537/996581/1

BY: Health and Government Operations Committee

AMENDMENT TO HOUSE BILL 1537

(First Reading File Bill)

On page 1, in the sponsor line, strike “Delegate Hixson” and substitute “Delegates Hixson, Hammen, Angel, Barron, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McMillan, Miele, Morgan, Morhaim, Oaks, Pena–Melnyk, Pendergrass, Rose, Saab, Sample–Hughes, West, and K. Young”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 28 – ~~Senator Kagan~~ Senators Kagan, Conway, Pinsky, Bates, Nathan–Pulliam, Ramirez, Rosapepe, Salling, Simonaire, Waugh, Young, and Zucker

AN ACT concerning

State Government – Web Sites – Language Access

SB0028/146885/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 28

(Third Reading File Bill)

AMENDMENT NO. 1

On page 3, in line 8, after “**THAT**” insert “:

1. IS SPOKEN BY ANY LIMITED ENGLISH PROFICIENT POPULATION THAT CONSTITUTES AT LEAST 0.5% OF THE OVERALL POPULATION WITHIN THE STATE, AS MEASURED BY THE MOST RECENT UNITED STATES CENSUS; AND

2.”

AMENDMENT NO. 2

On page 3, in line 19, strike “**THAT**” and substitute “**IF:**

(I) THE STATE DEPARTMENT, AGENCY, OR PROGRAM DETERMINES THAT AN INACCURATE TRANSLATION OF THE CONTENT COULD LEAD TO A DENIAL OF SERVICES OR BENEFITS; OR

(II) THE CONTENT”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

Senate Bill 91 – Chair, Finance Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Public Health – State-Identified HIV Priorities

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations 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 State Board of Environmental Health Specialists – Sunset Extension and Revisions~~

SB0200/826083/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 200

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 19, after the second “to” insert “provide a certain”; and strike beginning with “on” in line 20 down through “dates” in line 24.

AMENDMENT NO. 2

On page 10, in line 27, strike “**2022**” and substitute “**2027**”.

On page 11, line 11, strike “**2021**” and substitute “**2023**”.

On pages 12 and 13, strike in their entirety the lines beginning with line 22 on page 12 through line 17 on page 13, inclusive.

On page 13, in line 18, strike “4.” and substitute “3.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 239 – Senator Kelley

AN ACT concerning

Maryland Fiduciary Access to Digital Assets Act

SB0239/866486/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 239

(Third Reading File Bill)

On page 10, in line 21, strike “CONTENT” and substitute “CATALOGUE”.

On page 14, in line 16, strike “CUSTODIAN” and substitute “GUARDIAN”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 354 – ~~Senator Feldman~~ Senators Feldman, Kelley, Klausmeier, Mathias, and Middleton

AN ACT concerning

Petitions for Emergency Evaluation – Minors – Sealing of Court Records

SB0354/686989/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 354

(Third Reading File Bill)

On page 3, in line 6, after “SEALED” insert “FOR GOOD CAUSE SHOWN”; and strike beginning with “IF:” in line 6 down through “SHOWN” in line 12.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

Senate Bill 451 – Senator Lee

AN ACT concerning

Maryland Trust Act – Revocable Trust – Partial Revocation by Divorce or Annulment

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

Senate Bill 551 – Senators Pugh, Astle, Benson, Feldman, Kelley, Klausmeier, ~~and Middleton~~ Middleton, and Mathias

AN ACT concerning

~~Department of Health and Mental Hygiene~~ **Behavioral Health Advisory Council – Clinical Crisis Walk-In Services and Mobile Crisis Teams – Strategic Plan**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

Senate Bill 853 – Senators Kelley, Benson, and Young

AN ACT concerning

Guardians of Property and Custodians – Authority to Fund Certain Trusts and Accounts

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 856 – Senators Kelley, Ferguson, and Nathan–Pulliam

AN ACT concerning

Public Health – HIV Testing During Pregnancy

SB0856/356987/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 856

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “Act;” insert “providing that certain health care providers may not be subject to certain disciplinary action under certain circumstances;”.

AMENDMENT NO. 2

On page 2, in line 17, after “(b)” insert “**(1)**”; in the same line, strike “A” and substitute “**EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A**”; in line 18, strike “(1)” and substitute “**(I)**”; and in line 24, strike “(2)” and substitute “**(II)**”.

On page 3, in line 6, strike “(3)” and substitute “**(III)**”; and after line 7, insert:

(2) PARAGRAPH (1) OF THIS SUBSECTION:

(I) APPLIES TO ROUTINE PRENATAL MEDICAL CARE VISITS;

AND

(II) DOES NOT APPLY TO THE INCIDENTAL OR EPISODIC PROVISION OF PRENATAL MEDICAL CARE GIVEN TO A PREGNANT PATIENT BY A HEALTH CARE PROVIDER.”.

AMENDMENT NO. 3

On page 4, in line 1, after “(f)” insert “**(1)**”; and after line 4, insert:

(2) A HEALTH CARE PROVIDER MAY NOT BE SUBJECT TO DISCIPLINARY ACTION BY THE PROFESSIONAL LICENSING BOARD THAT LICENSSES THE HEALTH CARE PROVIDER FOR NOT TESTING A PREGNANT PATIENT FOR HIV DURING THE THIRD TRIMESTER IN ACCORDANCE WITH THIS SECTION.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

Senate Bill 931 – Senators Zucker, Guzzone, and Raskin

AN ACT concerning

Birth Certificates – Homeless Individuals – Prohibition on Collection of Fee

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

AMENDED IN THE SENATE

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

Delegate Vallario moved that the House not concur in the Senate amendments.

HB0190/298679/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 190

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, 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,

Article – Courts and Judicial Proceedings

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 27 and 28, on page 3 in lines 9 and 10, on page 4 in lines 23, 24, 28, and 29, and on page 5 in lines 3, 4, 9, 10, 16, 17, and 20, in each instance, strike the bracket.

On page 3, in line 18, after “letter” insert “, **PREPARED BY A LAWYER ADMITTED TO PRACTICE LAW IN THE STATE,**”; in line 24, 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”;

and in lines 25, 27, and 29, strike “(ii)”, “(iii)”, and “(iv)”, respectively, and substitute “(III)”, “(IV)”, and “(V)”, respectively.

On page 4, in lines 1 and 5, strike “(v)” and “(vi)”, respectively, and substitute “(VI)” and “(VII)”, respectively; in line 4, strike “and”; in line 7, 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.

(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 21, and on page 4 in line 10, in each instance, after “address” insert “BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED”.

On page 4, in line 9, after the second “letter” insert “, PREPARED BY A LAWYER ADMITTED TO PRACTICE LAW IN THE STATE,”; and in line 13, strike “(v)” and substitute “(VIII)”.

On page 5, in line 1, 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)”;

after line 3, 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.”;

in line 8, strike “However, the” and substitute:

“(C) THE”;

after line 9, 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.”

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:

(1) ANY ACTUAL DAMAGES PROXIMATELY CAUSED BY THE VIOLATION; AND

(2) REASONABLE COURT COSTS AND ATTORNEY’S FEES.”.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB0190**
SPONSOR: Delegate Lierman, et al
SUBJECT: Civil Penalties for Shoplifting and Employee Theft – Repeal

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Smith, Chair
Delegate Morales
Delegate Sanchez

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

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

Delegate Vallario moved that the House not concur in the Senate amendments.

HB0192/918673/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 192

(Third 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 22, 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 subparagraph 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 5, after line 2, 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.”.

and in lines 3 and 6, strike “(9)” and “(10)”, respectively, and substitute “**(10)**” and “**(11)**”, respectively.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: HB0192
SPONSOR: Chair, Judiciary Committee
**SUBJECT: Juv Causes – Permanency Plans – Age Rstrctns on Use of Another
Planned Perm Living Arrangement**

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Rosenberg, Chair
Delegate Proctor
Delegate Glass

Said Bill is returned herewith.

By Order,
Sylvia Siegert
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE**House Bill 274 – Delegate Dumais**

AN ACT concerning

Family Law – Divorce – Corroboration of Testimony

Delegate Vallario moved that the House not concur in the Senate amendments.

HB0274/678177/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 274

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Testimony” insert “and Filing Procedures”; in line 4, after the semicolon, insert “authorizing parties to jointly file a certain complaint in order to initiate proceedings for an absolute divorce on the grounds of mutual consent; requiring the Court of Appeals to establish a certain joint complaint form and procedures for filing certain joint complaints;”; in line 11, after “7–101” insert “and 7–103(f)”; and after line 13, insert:

“BY repealing and reenacting, without amendments,

Article – Family Law

Section 7–103(a)(8)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY adding to

Article – Family Law

Section 7–103(f)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 6, insert:

“7–103.

(a) The court may decree an absolute divorce on the following grounds:

(8) mutual consent, if:

(i) the parties do not have any minor children in common;

(ii) the parties execute and submit to the court a written settlement agreement signed by both parties that resolves all issues relating to:

1. alimony; and

2. the distribution of property, including the relief provided in §§ 8–205 and 8–208 of this article;

(iii) neither party files a pleading to set aside the settlement agreement prior to the divorce hearing required under the Maryland Rules; and

(iv) both parties appear before the court at the absolute divorce hearing.

(F) (1) TO INITIATE PROCEEDINGS FOR AN ABSOLUTE DIVORCE ON THE GROUNDS OF MUTUAL CONSENT, THE PARTIES MAY JOINTLY FILE A COMPLAINT FOR ABSOLUTE DIVORCE.

(2) THE COURT OF APPEALS SHALL, BY RULE, ESTABLISH A JOINT COMPLAINT FORM AND PROCEDURES FOR FILING JOINT COMPLAINTS UNDER THIS SUBSECTION.

[(f)] (G) If a court decrees an absolute divorce on the grounds of mutual consent under subsection (a)(8) of this section, the court may:

(1) merge or incorporate the settlement agreement into the divorce decree;
and

(2) modify or enforce the settlement agreement consistent with Title 8, Subtitle 1 of this article.”.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: HB0274
SPONSOR: Delegate Dumais
SUBJECT: Family Law – Divorce – Corroboration of Testimony

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Dumais, Chair
Delegate Kittleman
Delegate Moon

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 641 – Delegates Sophocleus, Carey, Chang, Dumais, and S. Howard

AN ACT concerning

Evidence – Admissibility of DNA Profile – Definition and Validation of DNA Profile

Delegate Vallario moved that the House not concur in the Senate amendments.

HB0641/218279/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 641

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after the first “that” insert “a DNA profile is admissible for certain purposes if accompanied by”; and strike beginning with the comma in line 8 down through “law” in line 11.

AMENDMENT NO. 2

On page 2, in lines 5, 8, 9, 13, and 14, in each instance, strike the bracket; in line 7, strike “or”; in line 9, before “**INVESTIGATION’S**” insert “;

(III) THE FEDERAL BUREAU OF;

in line 10, after “**LABORATORIES**” insert a semicolon; in the same line, after “**OR**” insert:

(IV) THE FEDERAL BUREAU OF INVESTIGATION’S;

in line 12, after “A” insert “DNA PROFILE IS ADMISSIBLE UNDER THIS SECTION IF IT IS ACCOMPANIED BY A”; in line 13, strike “standards” and substitute “;

(I) STANDARDS;

in the same line, strike “or the” and substitute “;

(II) THE;

in line 14, strike “**ACCORDING TO THE**” and substitute “**OF THE FEDERAL BUREAU OF INVESTIGATION**;

(III) THE;

in line 15, after “**LABORATORIES**” insert a semicolon; in line 16, after “**OR**” insert:

(IV) THE FEDERAL BUREAU OF INVESTIGATION’S;

and strike beginning with “is” in line 16 down through “section” in line 17.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB0641**
SPONSOR: Delegate Sophocleus, et al
SUBJECT: Evidence – Admissibility of DNA Profile – Definition and Validation of DNA Profile

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Conaway, Chair
Delegate Queen
Delegate Rey

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 378 – Delegates Tarlau, Anderson, D. Barnes, Carr, Clippinger, Ebersole, Fennell, Frush, Hayes, Hettleman, Hill, Jalisi, Kelly, Korman, Luedtke, McCray, Moon, Morales, Patterson, Pena-Melnyk, Pendergrass, Platt, Sanchez, Turner, Walker, A. Washington, and M. Washington

AN ACT concerning

Homeowners' Property Tax Credit Program – Eligibility Awareness Campaign

Delegate Hixson moved that the House not concur in the Senate amendments.

HB0378/709235/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 378

(Third 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 “3. AND”; and in the same line, strike “ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND” and substitute “FURTHER ENACTED”.

On page 2, in line 2, strike “(W)” and substitute “(E)”; and in line 20, strike “2.” and substitute “4.”.

The preceding amendment was read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB0378**
SPONSOR: Delegate Tarlau, et al
SUBJECT: Homeowners' Property Tax Credit Program – Eligibility
Awareness Campaign

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate A. Washington, Chair
Delegate D. Barnes
Delegate Simonaire

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

CONCURRENCE CALENDAR #8**AMENDED IN THE SENATE**

House Bill 989 – Delegate Holmes

AN ACT concerning

**Residential Real Property – Sales Contracts – Notice of Water and Sewer
Charges**

Delegate Barve moved that the House concur in the Senate amendments.

HB0989/268878/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 989

(Third Reading File Bill)

On page 4, in line 14, strike “OPEN LIEN” and substitute “**FEE**”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 1042)

AMENDED IN THE SENATE

House Bill 1014 – Delegates Jones, Kaiser, Atterbeary, B. Barnes, Barve, Branch, Busch, Chang, Clippinger, Cullison, Davis, Ebersole, Frick, Frush, Gaines, Gutierrez, Hayes, Haynes, Hettleman, Hill, Hixson, Holmes, C. Howard, Jackson, Jalisi, Korman, Krimm, Lafferty, Lam, Lierman, Lisanti, Luedtke, McIntosh, A. Miller, Moon, Morhaim, Patterson, Platt, Reznik, B. Robinson, Sample-Hughes, Sanchez, Smith, Stein, Turner, Vallario, Waldstreicher, M. Washington, K. Young, and P. Young

AN ACT concerning

College Affordability Act of 2016

Delegate Hixson moved that the House concur in the Senate amendments.

HB1014/519230/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 1014

(Third Reading File Bill)

On page 4, strike beginning with “**IN**” in line 5 down through the first “**A**” in line 6 and substitute “**A**”.

On page 10, in lines 25 and 26, in each instance, strike “**LESS**” and substitute “**NO GREATER**”.

On page 12, after line 10, insert:

“Article – Education

18–114.

THE COMMISSION AND THE DEPARTMENT SHALL WORK COLLABORATIVELY TO DEVELOP AN APPLICATION FOR USE ON DIGITAL DEVICES THAT PROVIDES:

(1) INFORMATION ABOUT STATE FINANCIAL AID PROGRAMS;

(2) CALENDAR NOTIFICATIONS FOR DATES AND DEADLINES ASSOCIATED WITH APPLYING FOR FINANCIAL AID; AND

(3) ANY OTHER INFORMATION THE COMMISSION AND THE DEPARTMENT DETERMINE TO BE NECESSARY OR HELPFUL TO PARENTS AND STUDENTS REGARDING FINANCIAL AID IN THE STATE.”

On page 15, strike in their entirety lines 15 through 23, inclusive.

The preceding amendment was read and concurred in.

HB1014/883126/1

BY: Senator Pinsky

AMENDMENTS TO HOUSE BILL 1014

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 24, strike “semesters” and substitute “academic years”.

AMENDMENT NO. 2

On page 17, after line 1, insert:

“(A) IN THIS SECTION, “ACADEMIC YEAR” MEANS:

(1) THE FALL, SPRING, AND SUMMER SEMESTERS; AND

(2) ANY SEMESTER SHORTER IN LENGTH THAN THE TERM OF A REGULAR SEMESTER.;

in lines 2 and 13, strike “(a)” and “(b)”, respectively, and substitute “(B)” and “(C)”, respectively; in line 18, strike “SEMESTERS” and substitute “ACADEMIC YEARS”; in lines 20, 21, 23, and 27, in each instance, strike “SEMESTER” and substitute “ACADEMIC YEAR”; in lines 23, 27, and 30, in each instance, strike “15” and substitute “30”; and in line 27, strike “12” and substitute “24”.

On page 18, in line 2, strike “SEMESTERS” and substitute “ACADEMIC YEARS”; in lines 8, 9, 11, and 20, in each instance, strike “SEMESTER” and substitute “ACADEMIC YEAR”; in lines 11, 20, and 22, in each instance, strike “15” and substitute “30”; and in line 20, strike “12” and substitute “24”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 92 Negative – 45 (See Roll Call No. 1043)

AMENDED IN THE SENATE

House Bill 1401 – Delegates B. Robinson, Anderson, Branch, Carter, Chang, Clippinger, Conaway, Glenn, Hammen, Hayes, Haynes, Lierman, McCray, McIntosh, Oaks, Rosenberg, and M. Washington

AN ACT concerning

Enoch Pratt Free Library – Hours of Operation – Funding

Delegate Hixson moved that the House concur in the Senate amendments.

HB1401/369231/2

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1401

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “are” in line 5 down through “times” in line 6 and substitute “increase their operating hours above those as of a certain date”; in line 6, strike “State to remit to Baltimore City” and substitute “Governor to include in the State operating budget”; in line 7, strike “beginning”; in the same line, strike “a certain percentage of” and substitute “a certain amount in general funds to support”; in line 9, strike “funding for a certain percentage of” and substitute “a certain percentage match for each dollar of State funds granted to support”; and strike beginning with “requiring” in line 11 down through “Assembly,” in line 18 and substitute “requiring the State Department of Education to establish a certain process; declaring the intent of the General Assembly; requiring the Mayor and City Council of Baltimore City to report to the Department of Budget and Management and to certain committees of the General Assembly on or before a certain date in certain years; requiring the State Department of Education to submit a certain report to the Department of Budget and Management and to certain committees of the General Assembly on or before a certain date.”.

AMENDMENT NO. 2

On page 2, strike beginning with “ARE” in line 17 down through “HOLIDAYS” in line 18 and substitute “INCREASE THEIR OPERATING HOURS ABOVE THE HOURS IN EFFECT AS OF JANUARY 1, 2016”; in line 20, strike “AND EACH FISCAL YEAR THEREAFTER” and substitute “THROUGH FISCAL YEAR 2022”; strike beginning with “STATE” in line 21 down through “TO” in line 22 and substitute “GOVERNOR SHALL INCLUDE IN THE STATE OPERATING BUDGET \$3,000,000 IN GENERAL FUNDS TO SUPPORT THE ADDITIONAL OPERATING EXPENSES FOR”; in lines 24 and 30, in each instance, after “LIBRARY” insert “THAT, IN THAT FISCAL YEAR, WILL BE SUBJECT TO INCREASED OPERATING HOURS AS”; strike beginning with “FOR” in line 25 down through “GRANT,” in line 26 and substitute “TO RECEIVE ANY STATE FUNDS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH,”; in lines 27 and 28, strike “THE REMAINING 20% OF” and substitute “A 25% MATCH FOR EACH DOLLAR OF STATE FUNDS GRANTED TO SUPPORT”; and in line 34, after “(III)” insert “1.”.

AMENDMENT NO. 3

On page 3, after line 2, insert:

“2. THE DEPARTMENT SHALL ESTABLISH A PROCESS TO DISTRIBUTE THE STATE GRANT TO BALTIMORE CITY OR THE ENOCH PRATT FREE LIBRARY FOR THE ADDITIONAL OPERATING EXPENSES RELATED TO THE INCREASED HOURS OF OPERATION.”;

and strike in their entirety lines 3 through 16, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) It is the intent of the General Assembly that the increased operating hours of the Enoch Pratt Free Library as provided in this Act shall be prioritized to the library branches that are located in poor and underserved communities.

(b) On or before June 1, 2017, and on or before each June 1 through 2022, the Mayor and City Council of Baltimore City shall provide an annual report to the Department of Budget and Management and, in accordance with § 2–1246 of the State Government Article, the Senate Budget and Taxation Committee and the House Appropriations Committee that includes:

(1) a list of the branches of the Enoch Pratt Free Library in the next fiscal year that will be subject to increased operating hours above the operating schedule in place as of January 1, 2016; and

(2) an explanation of the selection process for the branches of the Enoch Pratt Free Library that will be subject to increased operating hours in the next fiscal year.

SECTION 3. AND BE IT FURTHER ENACTED, That, on or before December 31, 2020, the State Department of Education shall submit a report to the Department of Budget and Management and, in accordance with § 2–1246 of the State Government Article, the Senate Budget and Taxation Committee and the House Appropriations Committee that:

(1) includes an evaluation of the impact of the increased hours of operation of the branches of the Enoch Pratt Free Library;

(2) discusses the appropriateness of continued increased State funding for increased hours of operation of branches of the Enoch Pratt Free Library above the hours of operation in effect as of January 1, 2016; and

(3) includes recommendations for the future of continued increased State funding for the Enoch Pratt Free Library, including new technologies and changing neighborhood demographics and characteristics.”.

The preceding 3 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 93 Negative – 44 (See Roll Call No. 1044)

QUORUM CALL

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

(See Roll Call No. 1045)

ADJOURNMENT

At 11:55 A.M. on motion of Delegate Kaiser the House adjourned until 10:30 A.M. on Legislative Day March 31, 2016, Calendar Day Thursday, April 7, 2016.

Annapolis, Maryland
Legislative Day: March 31, 2016
Calendar Day: Thursday, April 7, 2016

The House met at 10:56 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Brooke E. Lierman of Baltimore City.

QUORUM CALL

The presiding officer announced a quorum call, showing 140 Members present.

(See Roll Call No. 1046)

EXCUSES:

Del. Carter – personal

Del. Healey – left briefly – illness

The Journal of March 30, 2016 was read and approved.

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR	CONTENT
HB 14	Del. Kipke	Natural Resources – Vessel Excise Tax Cap – Amount and Repeal of Termination
HB 37	Anne Arundel County Delegation	Anne Arundel County – Property Tax Deferrals – Payment Due Date
HB 51	Del. O'Donnell	Natural Resources – Aquaculture Coordinating Council – Membership
HB 66	Chair, Appropriations Committee	Residential Child Care Capital Grant Program – Repeal

NUMBER	SPONSOR	CONTENT
HB 122	Del. Stein	Critical Area Commission for the Chesapeake and Atlantic Coastal Bays – Membership From Ocean City
HB 147	Del. Otto	Somerset County Code of Public Local Laws – 2016 Edition – Legalization
HB 149	Del. Otto	Somerset County – Commissioners – Salary and Expense Reimbursements
HB 180	Del. West	Public Health – HIV Testing During Pregnancy
HB 194	Carroll County Delegation	Carroll Co – State’s Attorney’s Office and Child Support Enfrmnt Admin – Transfer of Prsnl
HB 205	Carroll County Delegation	Carroll County – Public Facilities Bonds
HB 272	Anne Arundel County Delegation	Anne Arundel Co – Property Tax Credit – Benefit Corporations and Benefit LLCs
HB 299	Del. Otto	Worcester County – Alcoholic Beverages – Refillable Container Permit for Draft Beer
HB 320	Frederick County Delegation	Frederick County – Property Tax – Small Business Tax Credit
HB 321	Anne Arundel County Delegation	Anne Arundel County – Archery Hunting – Safety Zone
HB 329	Del. Dumais	Children – Family Child Care Homes and Child Care Centers – Advertising and Penalties
HB 335	Del. Lierman	Income Tax Subtraction Modification – College Savings Plans – Contributions

NUMBER	SPONSOR	CONTENT
HB 366	Anne Arundel County Delegation	Anne Arundel County – Property Tax Credit – Blind Individuals
HB 383	Del. Busch	Maryland Emergency Management Assistance Compact – City of Annapolis
HB 403	Del. Morhaim	Construction Contracts – Change Orders (State Procurement Change Order Fairness Act)
HB 410	Del. O'Donnell	Natural Resources – Poaching Restitution Act of 2016
HB 431	Del. Bromwell	Maryland Achieving a Better Life Experience (ABLE) Program – Establishment
HB 543	Allegany County Delegation	Allegany County – Alcoholic Beverages – Minimum Age to Serve Liquor
HB 549	Caroline County Delegation	Caroline County – Alcoholic Beverages – Refillable Container Permit
HB 550	Del. Clippinger	Distillery License Holders – Sale of Product to Participants in Guided Tours
HB 576	Del. Beitzel	Maryland Dormant Minerals Interests Act – Use of Mineral Interest – Clarification
HB 577	Allegany County Delegation	Allegany County and Garrett County – Annual Financial Reports – Filing Date
HB 593	Del. M. Washington	Human Services – Interagency Council on Homelessness – Membership
HB 602	Anne Arundel County Delegation	Anne Arundel County – Special Taxing Districts – Water or Wastewater Services
HB 605	Frederick County Delegation	Frederick Co – Dvlp Rights and Responsibilities Agreements – Administrative Appeals

NUMBER	SPONSOR	CONTENT
HB 642	Anne Arundel County Delegation	Anne Arundel County – Alcoholic Beverages – Licenses
HB 648	Del. Moon	Alcoholic Beverage Taxes – Electronic Filing of Returns
HB 689	Del. Frick	Procurement – Prevailing Wage – Liquidated Damages
HB 697	Del. Otto	Worcester County – Alcoholic Beverages – Class A Beer, Wine, and Liquor License
HB 706	Del. Jameson	Charles Co – Alchlc Bevs – Entertainment Concessionaire and Entertainment Facility Licenses
HB 709	Del. Jones	Education – Maryland School for the Blind – Funding
HB 717	Dorchester County Delegation	Dorchester County – Class B Beer, Wine, and Liquor License – Minimum Seating Requirement
HB 720	Del. Kramer	Motor Vhcl Ins – Ins ID Card – Carrying Proof of Cvrge – Uninsured Motorist Ed and Enfrcmt Fnd
HB 730	Del. Sample–Hughes	Virginia I. Jones Alzheimer’s Disease and Rltd Disorders Cncl – Mbrshp and Ext of Trmntn Date
HB 737	Carroll County Delegation	Carroll County – Alcoholic Beverages Licenses – Beginning Hour of Sale
HB 752 (Emerg)	Del. Cullison	Physcns – Prescriptions Written by Physcn Assts or Nurse Practitioners – Preparing and Dispensing
HB 779	Del. Parrott	Alcoholic Beverages – Washington County – Local Penalties
HB 790	Del. Wivell	Washington County – Property Tax Credit – Disabled Veterans

NUMBER	SPONSOR	CONTENT
HB 791	Carroll County Delegation	Carroll County – Alcoholic Beverages – Beer, Wine, and Liquor Tasting License
HB 815	Cecil County Delegation	Horse Racing – Fair Hill – Arabian Breed Racing Authorization
HB 827	Del. O'Donnell	Newborn Infant Screening – Testing by Nonpublic Laboratories – Notification
HB 831	Washington County Delegation	Washington County – Collection of Fees, Charges, Penalties, and Assessments
HB 835	Cecil County Delegation	Local Facility Closure Reserve Funds – Investments and Reinvestments
HB 837	Del. Haynes	St Fin and Procurement – Public Senior Hghr Ed Instns – Plcs Concerning Procurement Cntrcts
HB 841	Frederick County Delegation	Frederick County – Alcoholic Beverages – Hotel Lobby License
HB 843	Frederick County Delegation	Frederick County – Alcoholic Beverages – Beauty Salon License
HB 844	Frederick County Delegation	Frederick County – Alcohol Awareness Program – Absence From Licensed Premises
HB 867	Washington County Delegation	Washington County – Contributions to Nonprofit Organizations – Process
HB 868	Del. McKay	Washington County – Fire, Rescue, and Ambulance Service – Local Authority
HB 889	St. Mary's County Delegation	St. Mary's County – Metropolitan Commission Bonds – Extension of Maximum Maturity Date

NUMBER	SPONSOR	CONTENT
HB 892	Harford County Delegation	Harford County – Alcoholic Beverages – Movie Theater License
HB 895	Del. Kaiser	Task Force to Study the Implementation of a Dyslexia Education Program – Membership, Duties, and Extension
HB 917	St. Mary's County Delegation	St. Mary's County – Property Tax Credit – New or Expanding Businesses
HB 970	Del. Reznik	Tax Sales – Condominium Assessments and Homeowners Association Fees
HB 972	St. Mary's County Delegation	St. Mary's County – Local Licenses – Repeal
HB 994	Allegheny County Delegation	Allegheny County – Alcoholic Beverages – Sunday Sales for Class A Licenses
HB 1005	Del. Kelly	Health Insurance – Contraceptive Equity Act
HB 1028	Del. Beitzel	Garrett County – Alcoholic Beverages – Sunday Sales
HB 1031	Frederick County Delegation	Frederick County – Alcoholic Beverages – Refillable Container Permits
HB 1071	Cecil County Delegation	Cecil County – Alcoholic Beverages – Licenses
HB 1090	Howard County Delegation	Howard County – Alcoholic Beverages – Continuing Care Retirement Community License Ho. Co. 15–16
HB 1109	Frederick County Delegation	Frederick County – Dry Election Districts – Repeal
HB 1156	Calvert County Delegation	Calvert County – Alcoholic Beverages – Beer or Wine Festival License

NUMBER	SPONSOR	CONTENT
HB 1220	Chair, Health and Government Operations Committee	Department of Health and Mental Hygiene – Health Program Integrity and Recovery Activities
HB 1226	Del. A. Washington	Recordation and Transfer Taxes – Transfer of Controlling Interest – Exemptions
HB 1277	Del. Cullison	Hospitals – Designation of Lay Caregivers
HB 1333	Del. M. Washington	Income Tax – Filing of Withholding Statements
HB 1353	Calvert County Delegation	Calvert County – Alcoholic Beverages – Special Event Festival Permit
HB 1387	Del. Hornberger	Commercial Northern Snakehead Bowfishing License – Establishment
HB 1417	Del. Morgan	Charles County and St. Mary’s County – Deer Management Permit – Firearms
HB 1448	Del. Vaughn	Business Regulation – Home Builder Registration – Fees
HB 1450	Del. Vaughn	Commercial Law – Debt Settlement Services – Fund and Sunset Repeal
HB 1462	Del. Bromwell	Vtrnrns, Phrmcs, and Pharmacists – Dispensing Cmpndd Preparations for Use by Nonfarm Animals

By Order, Sylvia Siegert, Chief Clerk

Read and ordered journalized.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 371 – Senators Peters, Middleton, ~~and Miller~~ Miller, Mathias, and Muse

AN ACT concerning

Income Tax – Subtraction Modification – Perpetual Conservation Easements

FOR the purpose of providing a subtraction modification under the Maryland income tax for certain proceeds from the sale of a perpetual conservation easement on real property in the State; providing for the application of this Act; and generally relating to a subtraction modification under the Maryland income tax for certain proceeds from the sale of a perpetual conservation easement on real property in the State.

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 10–207(a)

Annotated Code of Maryland

(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 and Executive Nominations.

Senate Bill 728 – Senators Mathias ~~and Edwards~~, Edwards, Eckardt, and Serafini

AN ACT concerning

Income Tax Credit – New Dwellings – Automatic Fire Sprinkler Systems

FOR the purpose of allowing a certain owner of a certain new dwelling in a certain county to claim a credit against the State income tax in a certain amount if a certain sprinkler system is installed in the new dwelling; limiting the tax credit to one record owner of a certain new dwelling; requiring the individual eligible for the tax credit to submit a certain application to the Office of the State Fire Marshal; requiring the Office to approve applications for the credit on a first–come, first–served basis and to certify the amount of the credit within a certain period of time; limiting the total amount of credits that may be approved in a taxable year; providing that the Office may not approve a credit in a taxable year beginning after a certain date; providing that the amount of the credit may not exceed the State income tax for that taxable year; authorizing a certain individual to apply any excess amount of the credit against the State income tax for succeeding taxable years; defining certain terms; providing for the application of this Act; and generally relating to an income tax credit for new dwellings with automatic fire sprinkler systems.

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 and Executive Nominations.

Senate Bill 757 – Senator Madaleno

AN ACT concerning

Alcoholic Beverage Taxes – Electronic Filing of Returns

FOR the purpose of requiring the Comptroller to develop and implement procedures for electronic filing of alcoholic beverage tax returns by a certain date; and generally relating to the filing of alcoholic beverage tax returns.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 5–201

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)

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

Senate Bill 921 – Senators Pugh, Feldman, Benson, Madaleno, Mathias, ~~and Middleton~~ Middleton, Pinsky, ~~and Raskin~~ Raskin, and Muse

AN ACT concerning

Clean Energy Jobs – Renewable Energy Portfolio Standard Revisions

FOR the purpose of ~~establishing the Clean Energy Workforce Account in the Maryland Employment Advancement Right Now Program; providing for the funding of the Account; specifying the purpose for which the Account may be used; specifying the priority for grants awarded from the Account; requiring the Department of Labor, Licensing, and Regulation to include certain information about the 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 in the Clean Energy Account; specifying the purpose for which the Clean Energy Account may be used; prohibiting funding from the Clean Energy 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; authorizing the Small, Minority, and Women-Owned Businesses Account to receive money from the Strategic Energy Investment Fund; requiring any money that the Account receives from the Fund to be used for a certain purpose; authorizing the Maryland Energy Administration to use the Strategic Energy Investment Fund for a certain purpose; requiring the Department of Labor, Licensing, and Regulation to study the workforce development training needs for the clean energy industry in the State; requiring the Department to seek input from certain agencies and stakeholders and identify certain information; requiring the Department to report to the General Assembly on or before a certain date on certain findings and recommendations; stating certain findings of the General Assembly; defining certain terms a certain term; 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.~~

~~BY adding to~~

~~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 11-700~~

~~Annotated Code of Maryland~~

~~(2008 Replacement Volume and 2015 Supplement)~~

BY repealing and reenacting, without amendments,

Article – Public Utilities
Section 7-702
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
 Article – Public Utilities
 Section ~~7-702, 7-703(b)(12)~~ 7-703(a)(2)(iii), (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, and 9-20B-01, and 9-20B-05(f) and (i) through (l)~~
 Annotated Code of Maryland
 (2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 9-20B-05(f)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY adding to
 Article – State Government
 Section ~~9-20B-05(i)~~ 9-20B-05(f-1)
 Annotated Code of Maryland
 (2014 Replacement Volume and 2015 Supplement)

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

Senate Bill 934 – Senator Manno

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~~ requiring a court to entertain a certain action against a local government or its

employee even though a certain notice was not given, under certain circumstances; 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 Rules and Executive Nominations.

Senate Bill 935 – Senator Manno

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~~ requiring a court to entertain an action under the Maryland Tort Claims Act even if a claimant fails to submit a certain written claim, under certain circumstances; providing for the application of this Act; and generally relating to ~~repealing a certain requirement~~ claim requirements 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 Rules and Executive Nominations.

Senate Bill 997 – Senator Waugh

AN ACT concerning

St. Mary's County – Metropolitan Commission Bonds – Extension of Maximum Maturity Date

FOR the purpose of altering the maximum period of time after which certain bonds issued by the St. Mary's County Metropolitan Commission mature; and generally relating to the issuance of bonds by the St. Mary's County Metropolitan Commission.

BY repealing and reenacting, with amendments,
The Public Local Laws of St. Mary's County
Section 113–6
Article 19 – Public Local Laws of Maryland
(2007 Edition and March 2014 Supplement, as amended)

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

Senate Bill 1072 – ~~Senator Muse~~ Senators Muse and Norman

AN ACT concerning

~~Juveniles – Restraint and Searches – Limitations~~
Task Force to Study the Restraint, Searches, and Needs of Children in the Juvenile Justice System

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~~ establishing the Task Force to Study the Restraint, Searches, and Needs of Children in the Juvenile Justice System; 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, examine, determine, and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task

Force to Study the Restraint, Searches, and Needs of Children in the Juvenile Justice System.

~~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 and Executive Nominations.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #16

CONSENT CALENDAR #12

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environment and Transportation:

House Bill 1506 – Chair, Environment and Transportation Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Natural Resources – Wildlife and Hunting

The Bill was re-referred to the Committee on Environment and Transportation.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environment and Transportation:

House Bill 1624 – Delegates Reilly, Adams, Afzali, Anderson, Anderton, Angel, Arentz, Atterbeary, Aumann, Barkley, B. Barnes, D. Barnes, Barron, Barve,

Beidle, Beitzel, Branch, Bromwell, Brooks, Buckel, Busch, Carey, Carozza, Carr, Carter, Cassilly, Chang, Ciliberti, Clippinger, Cluster, Conaway, Cullison, Davis, Dumais, Ebersole, Fennell, Fisher, Flanagan, Folden, Fraser-Hidalgo, Frick, Frush, Gaines, Ghrist, Gilchrist, Glass, Glenn, Grammer, Gutierrez, Hammen, Hayes, Haynes, Healey, Hettleman, Hill, Hixson, Holmes, Hornberger, C. Howard, S. Howard, Impallaria, Jackson, Jacobs, Jalisi, Jameson, Jones, Kaiser, Kelly, Kipke, Kittleman, Knotts, Korman, Kramer, Krebs, Krimm, Lafferty, Lam, Lierman, Lisanti, Long, Luedtke, Malone, Mautz, McComas, McConkey, McCray, McDonough, McIntosh, McKay, McMillan, Metzgar, Miele, A. Miller, W. Miller, Moon, Morales, Morgan, Morhaim, O'Donnell, Oaks, Otto, Parrott, Patterson, Pena-Melnyk, Pendergrass, Platt, Proctor, Queen, Rey, Reznik, B. Robinson, S. Robinson, Rose, Rosenberg, Saab, Sample-Hughes, Sanchez, Shoemaker, Simonaire, Smith, Sophocleus, Stein, Sydnor, Szeliga, Tarlau, Turner, Valderrama, Valentino-Smith, Vallario, Vaughn, Vogt, Waldstreicher, Walker, A. Washington, M. Washington, West, B. Wilson, C. Wilson, Wivell, K. Young, and P. Young

EMERGENCY BILL

AN ACT concerning

Transportation – Highways – Heroes Highway

The Bill was re-referred to the Committee on Environment and Transportation.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

Senate Bill 311 – Senators King, Guzzone, Kagan, and Madaleno

AN ACT concerning

~~Criminal Law~~ – Gaming – Home Games

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Health and Government Operations:

Senate Bill 605 – Senators Bates and Kagan

AN ACT concerning

~~Health Occupations~~ – Athletic Trainers – Evaluation and Treatment Protocols – Approval

The Bill was re-referred to the Committee on Health and Government Operations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means and the Committee on Appropriations:

Senate Bill 676 – Senators Kasemeyer, Currie, DeGrange, Ferguson, Guzzone, King, Madaleno, Manno, ~~and Peters~~ Peters, and Brochin

AN ACT concerning

College Affordability Act of 2016

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

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Judiciary:

Senate Bill 765 – Senators Raskin, Benson, Ferguson, Guzzone, ~~Hough~~, King, Lee, Muse, Ramirez, Ready, Rosapepe, ~~and Young~~ Young, and Zirkin

AN ACT concerning

CINA, Guardianship, Adoption, Custody, and Visitation – ~~Blindness~~ Disability of Parent, Guardian, Custodian, or Party

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

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

Senate Bill 1009 – Senators Benson, Manno, Kelley, Middleton, and Pugh

AN ACT concerning

Procurement – Prevailing Wage – Liquidated Damages

The Bill was re-referred to the Committee on Economic Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Health and Government Operations:

Senate Bill 1083 – Senator Conway

AN ACT concerning

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

The Bill was re-referred to the Committee on Health and Government Operations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

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 Ways and Means.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #17

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Judiciary:

**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 Judiciary.

QUORUM CALL

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

(See Roll Call No. 1047)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #82**House Bill 1167 – Delegates Buckel, Beitzel, Mautz, and Otto**

AN ACT concerning

**Biotechnology Investment Tax Credit – Investment in Qualified Companies in
Low-Income Areas**

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

Affirmative – 134 Negative – 5 (See Roll Call No. 1048)

The Bill was then sent to the Senate.

House Bill 1168 – Delegates Buckel, Beitzel, Mautz, and Otto

AN ACT concerning

**Cybersecurity Investment Tax Credit – Investment in Qualified Companies in
Low-Income Areas**

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

Affirmative – 132 Negative – 6 (See Roll Call No. 1049)

The Bill was then sent to the Senate.

**House Bill 1261 – Delegates K. Young, Cullison, Ebersole, Hill, Kelly, Moon,
Pena-Melnyk, Reznik, Sample-Hughes, Tarlau, and M. Washington**

AN ACT concerning

State Archivist – Process for Evaluating State Designations

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1050)

The Bill was then sent to the Senate.

**House Bill 1537 – ~~Delegate Hixson~~ Delegates Hixson, Hammen, Angel, Barron,
Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McMillan, Miele,
Morgan, Morhaim, Oaks, Pena-Melnyk, Pendergrass, Rose, Saab,
Sample-Hughes, West, and K. Young**

AN ACT concerning

**Procurement – Priority of Purchasing Preferences – Individual With Disability
Owned Business**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1051)

The Bill was then sent to the Senate.

VETOED HOUSE BILLS – 2016

VETOED HOUSE BILLS AND MESSAGES – 2016
(See Exhibit T of Appendix II)

The Messages from the Governor were journalized.

**House Bill 1013 – Delegates Beidle, Lierman, B. Barnes, Branch, Brooks, Busch,
Clippinger, Fennell, Frush, Haynes, Healey, Hixson, Holmes, C. Howard,
~~Jacobs~~, Krimm, Lafferty, McCray, McIntosh, Moon, Reznik, Tarlau, and
P. Young**

AN ACT concerning

Maryland Open Transportation Investment Decision Act of 2016

Delegate Vaughn moved the previous question.

The motion was adopted.

The Speaker put the question: “Shall the Bill pass, notwithstanding the objections of the Chief Executive?”

The veto was overridden by roll call vote as follows:

Affirmative – 88 Negative – 52 (See Roll Call No. 1052)

Said bill was then sent to the Senate.

MESSAGE TO THE SENATE

April 7, 2016

Ladies and Gentlemen of the Senate:

The House of Delegates has voted to override the Governor's veto of House Bill 1013. Said Bill is sent to you for your consideration.

By Order,
Sylvia Siegert, Chief Clerk

Read and adopted.

House Bill 172 – ~~Delegate Sophocles (By Request – Anne Arundel County Administration)~~ Anne Arundel County Delegation

AN ACT concerning

**~~Anne Arundel County – County Board of Education and School Board~~
~~Nominating Commission – Membership~~**

The Speaker put the question: “Shall the Bill pass, notwithstanding the objections of the Chief Executive?”

The veto was overridden by roll call vote as follows:

Affirmative – 90 Negative – 50 (See Roll Call No. 1053)

Said bill was then sent to the Senate.

MESSAGE TO THE SENATE

April 7, 2016

Ladies and Gentlemen of the Senate:

The House of Delegates has voted to override the Governor's veto of House Bill 172. Said Bill is sent to you for your consideration.

By Order,
Sylvia Siegert, Chief Clerk

Read and adopted.

THE COMMITTEE ON APPROPRIATIONS REPORT #18

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

House Bill 1642 – Delegate Oaks

AN ACT concerning

Higher Education – Morgan State University – Office of Technology Transfer

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 271 – Senators King, Benson, Currie, Ferguson, Guzzone, Lee, Madaleno, Manno, Peters, ~~and Young~~ Young, and Kasemeyer

AN ACT concerning

Capital Grant Program for Local School Systems With Significant Enrollment Growth or Relocatable Classrooms – Funding

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 532 – Senator McFadden

AN ACT concerning

Correctional Officers’ Retirement System – Membership – Correctional Case Management Specialist

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 542 – ~~Senator Feldman~~ Senators Feldman and Ferguson

AN ACT concerning

State Retirement and Pension System – Forfeiture of Benefits

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 584 – Senators King, Raskin, Ferguson, Feldman, Gladden, Guzzone, Kagan, Kelley, Klausmeier, Lee, Madaleno, Mathias, McFadden, Nathan–Pulliam, Peters, Pinsky, Pugh, Ramirez, Rosapepe, Young, and Zirkin

AN ACT concerning

Preschool Development Grants – Expansion Grants – Required State Funding

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 608 – Senator Guzzone

AN ACT concerning

Employees’ Pension System – Redeposit of Contributions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 818 – Senator Peters

AN ACT concerning

State Personnel – Individuals With Disabilities – Hiring Preferences

SB0818/404868/1

BY: Appropriations Committee

AMENDMENT TO SENATE BILL 818

(Third Reading File Bill)

On page 2, strike beginning with “WHO” in line 16 down through “ACTIVITIES” in line 19 and substitute “WITH DISABILITIES, AS DEFINED BY THE FEDERAL AMERICANS WITH DISABILITIES ACT”.

On pages 2 and 3, strike beginning with “WHO” in line 33 on page 2 down through “ACTIVITIES” in line 2 on page 3 and substitute “WITH A DISABILITY, AS DEFINED BY THE FEDERAL AMERICANS WITH DISABILITIES ACT”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1158 – ~~Senator McFadden~~ Senators McFadden and Conway

AN ACT concerning

Higher Education – Morgan State University – Office of Technology Transfer

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #25

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

Senate Bill 10 – Senator Simonaire

AN ACT concerning

Business Regulation – Charitable Organizations – Audit and Review

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 85 – Chair, Finance Committee (By Request – Departmental – Commerce)

AN ACT concerning

Department of Economic Competitiveness and Commerce – Renaming

SB0085/943491/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 85

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Renaming” insert “and Reorganization”; in line 4, after “Commerce;” insert “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;”; in line 11, after “Act;” insert “making conforming changes;”; in the same line, strike “renaming”; in line 12, after “Commerce” insert “and the Secretary of Commerce”; in line 15, strike “2–101(a), and 9–101(a)” and substitute “3–201(a), (b), and (c), 9–101(a), 10–401(a), (b), and (c), 10–901, and 10–903(a)”; in line 21, strike “2–101(c)(2)” and substitute “2–101”; in the same line, after the second semicolon, insert “2–108;”; and in line 22, strike “and 9–101(c)” and substitute “3–203(a) and (c)(1); 9–101(c); 10–403(b); and 10–903(b)”.

On page 2, after line 2, insert:

“BY repealing

Article – Economic Development

Section 2.5–103Annotated Code of Maryland(2008 Replacement Volume and 2015 Supplement)”.AMENDMENT NO. 2

On page 2, in line 23, before “(a)” insert a bracket; after line 23, insert:

“(b) The head of the Office is the Secretary.

~~(c)~~**(A)** (1) The Secretary is the head of economic development policy and implementation efforts in the State.”;

in line 24, strike “(c)”;

“(d)**(B)** (1) The Secretary also monitors the operations of:

(i) the Maryland Economic Development Corporation established under Title 10, Subtitle 1 of this article;

(ii) the Maryland Technology Development Corporation established under Title 10, Subtitle 4 of this article; and

(iii) the Maryland Public–Private Partnership Marketing Corporation established under Title 10, Subtitle 9 of this article.

(2) Nothing in this subsection may be construed to limit the independence or operations of these corporations.

2–108.

(a) The Secretary shall adopt regulations for the ~~[Office]~~ **OFFICE** of the Secretary.

(b) (1) Subject to § 2.5–206 of this article, the Secretary shall review regulations of a unit under the jurisdiction of the Department.

(2) The Secretary may approve, disapprove, or revise regulations of a unit.”;

and after line 29, insert:

“[2.5–103.

(a) (1) The Secretary shall employ an Executive Director.

(2) The Executive Director:

(i) serves at the pleasure of the Secretary; and

(ii) is entitled to compensation provided in the State budget.

(b) (1) The Executive Director shall manage the operations of the Department on behalf of the Secretary.

(2) The Executive Director:

(i) shall advise the Secretary on all matters assigned to the Department; and

(ii) is responsible for carrying out the Secretary’s policies on matters assigned to the Department.

(c) The Executive Director shall have experience with and possess qualifications relevant to the activities and purposes of the Department.]

3–201.

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

(b) “Advisory Board” means the Maryland Life Sciences Advisory Board.

(c) “Corporation” means the Maryland Technology Development Corporation.

3–203.

(a) The Advisory Board consists of the following [19] 18 members:

(1) the Secretary or the Secretary’s designee;

(2) [the Executive Director of the Department, or the Executive Director's designee;

(3) the Executive Director of the Corporation, or the Executive Director's designee; and

~~[(4)]~~ (3) the following members appointed by the Governor:

(i) three representing federal agencies located in the State with life sciences missions;

(ii) seven with executive experience in life sciences businesses located in the State, at least four of whom represent small businesses;

(iii) four representing institutions of higher education located in the State, one of whom shall represent a community college;

(iv) one with general business marketing experience in a life sciences business located in the State; and

(v) one member of the general public.

(c) (1) Except for the Secretary or the Secretary's designee[, the Executive Director of the Department or the Executive Director's designee,] and the Executive Director of the Corporation or the Executive Director's designee, the term of an Advisory Board member is 2 years."

On page 3, after line 2, insert:

"10-401.

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

(b) "Board" means the Board of Directors of the Corporation.

(c) "Corporation" means the Maryland Technology Development Corporation.

10-403.

(b) The Board consists of the following [16] 15 members:

(1) the Secretary or the Secretary's designee; AND

(2) [the Executive Director of the Department or the Executive Director's designee; and

(3) fourteen members appointed by the Governor with the advice and consent of the Senate:

(i) two representing the not-for-profit research sector of the State;

(ii) two with expertise in venture capital financing;

(iii) five with experience in technology-based businesses;

(iv) two representing colleges and universities; and

(v) three members of the general public.

10-901.

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

(b) “Board” means the Board of Directors of the Corporation.

(c) “Corporation” means the Maryland Public-Private Partnership Marketing Corporation.

10-903.

(a) A Board of Directors shall manage the Corporation and its units and exercise the corporate powers of the Board of Directors.

(b) The Board consists of the following [18] 17 members:

(1) the Secretary;

(2) [the Executive Director of the Department;

(3) (i) one member of the Senate of Maryland, who shall be a nonvoting member of the Board, designated by the President of the Senate; and

(ii) one member of the House of Delegates, who shall be a nonvoting member of the Board, designated by the Speaker of the House; and

[(4)](3) the following 14 members, appointed by the Governor with the advice and consent of the Senate:

(i) three representing businesses in the State;

(ii) two representing labor in the State;

(iii) two representing not-for-profit organizations in the State;

(iv) three with expertise in marketing or advertising;

(v) one with expertise in public relations and communications; and

(vi) three with expertise in economic development.”;

in line 16, after “That” insert “, except as expressly provided to the contrary in this Act,”; and in line 31, after “That” insert “, except as expressly provided to the contrary in this Act”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 87 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

**Mortgage Loan Originators – State Criminal History Records Check
Requirement – Repeal**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 92 – Chair, Finance Committee (By Request – Departmental – Labor,
Licensing and Regulation)**

AN ACT concerning

**Planned Apprenticeship Standards and On-the-Job Training Activities –
Revisions**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 93 – Chair, Finance Committee (By Request – Departmental – Labor,
Licensing and Regulation)**

AN ACT concerning

**Maryland Workforce Corporation and Health Care Personnel Training Fund –
Repeal**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 94 – Chair, Finance Committee (By Request – Departmental – Labor,
Licensing and Regulation)**

AN ACT concerning

Workforce Development – Revisions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 106 – Chair, Education, Health, and Environmental Affairs Committee
(By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Department of Labor, Licensing, and Regulation – State Board of Heating,
Ventilation, Air-Conditioning, and Refrigeration Contractors – Authority of the
Secretary**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 240 – Senator Kelley

AN ACT concerning

**Maryland Insurance Commissioner – Responsibility for Holding Hearings
– Delegation**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 417 – Senators Kelley, Astle, Benson, Guzzone, Jennings, Klausmeier,
Peters, Pugh, Reilly, ~~and Young~~ Young, Feldman, Middleton, Mathias, and
Hershey**

SECOND PRINTING

AN ACT concerning

~~**Labor and Employment – Minimum Wage – Individuals With Disabilities
(Ken Capone Equal Employment Act)**~~
Individuals With Disabilities – Minimum Wage and Community Integration

SB0417/583895/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 417
(Third Reading File Bill – Second Printing)

On page 1, after line 4, insert “(Ken Capone Equal Employment Act)”.

On page 8, in line 11, strike “PLAN OF HABILITATION” and substitute “SUPPLEMENTAL PLAN”; and in the same line, strike “§ 7-1006” and substitute “§ 7-1013”.

On page 16, in line 3, strike “(B)” and substitute “(b) [(1)]”; and in line 12, before “(1)” insert “(2)”.

On page 17, in lines 10 and 16, strike “(D)” and “(E)”, respectively, and substitute “(d)” and “(e)”, respectively.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 485 – Senators Pugh, Benson, Conway, Currie, Feldman, Ferguson, Guzzone, Kagan, King, Lee, Madaleno, Manno, McFadden, Middleton, Muse, Peters, Ramirez, Raskin, Rosapepe, and Young

AN ACT concerning

~~Labor and Employment – Task Force to Study Family and Medical Leave
Insurance
Program – Establishment~~

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 630 – Senator Hershey

AN ACT concerning

Comptroller – Distillery Off-Site Permit and Liquor Festival Permit

SB0630/873198/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 630

(Third Reading File Bill)

On page 1, in line 3, strike “issue” and substitute “grant”; and in line 15, strike “issue” and substitute “grant”.

On page 4 in line 2, and on page 5 in line 17, in each instance, strike “ISSUE” and substitute “GRANT”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 679 – Senators Astle, Benson, Hershey, Jennings, and Klausmeier

AN ACT concerning

Unemployment Insurance – Exemption From Covered Employment – Nail Technicians

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 839 – ~~Senator Feldman~~ Senators Feldman, Middleton, Astle, Benson, Hershey, Jennings, Kelley, Klausmeier, Mathias, and Reilly

AN ACT concerning

Insurance – Rate Filings – Trade Secrets

SB0839/373798/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 839

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, after “information;” insert “allowing the Division to disclose certain proprietary rate-related information to a certain consultant under certain circumstances;”.

AMENDMENT NO. 2

On page 4, in line 31, after “(IV)” insert “1.”; in the same line, strike “THE” and substitute “EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, THE”; in line 33, strike “ITEM 3 OF THIS SUBPARAGRAPH” and substitute “SUBPARAGRAPH (III)3 OF THIS PARAGRAPH”; and after line 33, insert:

“2. THE PEOPLE’S INSURANCE COUNSEL MAY DISCLOSE PROPRIETARY RATE-RELATED INFORMATION TO AN OUTSIDE CONSULTANT THAT THE DIVISION ENGAGES TO ASSIST THE DIVISION IN REVIEWING A HOMEOWNER’S INSURANCE RATE FILING, PROVIDED THAT THE OUTSIDE CONSULTANT ENTERS INTO A WRITTEN AGREEMENT TO MAINTAIN THE CONFIDENTIALITY OF THE PROPRIETARY RATE-RELATED INFORMATION.”

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 882 – ~~Senator Jennings~~ Senators Jennings, Middleton, Astle, Benson, Feldman, Hershey, Kelley, Klausmeier, Mathias, and Reilly

AN ACT concerning

Economic Development – Northeastern Maryland Additive Manufacturing Innovation Authority

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 958 – Cecil County Senators

AN ACT concerning

Cecil County – Alcoholic Beverages – ~~Class 9 Limited Distillery Licenses and Class 7 Micro-Brewery Licenses~~

SB0958/323991/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 958

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “a Class 9 limited distillery license and”; strike beginning with “authorizing” in line 5 down through “year;” in line 14; and in line 19, after “license;” insert “authorizing the Board of License Commissioners for Cecil County to determine a certain ratio of gross receipts;”.

On page 2, in line 14, strike “and 17–404”.

AMENDMENT NO. 2

On page 3, in line 12, strike “The following sections” and substitute “**SECTION 2–203 (“CLASS 9 LIMITED DISTILLERY LICENSE”)**”; in line 13, strike “[do not]” and substitute “**DOES NOT**”; strike beginning with the colon in line 13 down through “**SUBTITLE**” in line 17; and after line 17, insert:

“(C) SECTION 2–209 (“CLASS 7 MICRO–BREWERY LICENSE”) APPLIES IN THE COUNTY, SUBJECT TO § 17–403 OF THIS SUBTITLE.”

On pages 3 and 4, strike in their entirety the lines beginning with line 19 on page 3 through line 7 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.

Delegate Davis, Chair, for the Committee on Economic Matters and Delegate McIntosh, Chair, for the Committee on Appropriations reported favorably:

Senate Bill 1057 – Senator King

AN ACT concerning

Maryland Technology Development Corporation – Maryland Innovation Initiative – Financing Authority

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1078 – Washington County Senators

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1135 – Washington County Senators

AN ACT concerning

**Washington County – Business Licenses – Repeal of Zoning
Certification Requirement**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1140 – Senators Mathias and Eckardt

AN ACT concerning

Wicomico County – Alcoholic Beverages – Youth and Civic Center License

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ENVIRONMENT AND TRANSPORTATION REPORT #19

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

Senate Bill 4 – Senator Conway

AN ACT concerning

Natural Resources – Maryland Environmental Trust – Trustees

SB0004/650111/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 4

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “repealing” in line 3 down through “trustees” in line 6 and substitute “altering the number of trustees of the Maryland Environmental Trust; altering the number of trustees that are elected to the Trust beginning on a certain date; altering the manner in which a trustee is elected; requiring that a certain number of trustees be elected in a certain month and year; specifying that certain recommendations for an elected trustee represent and reflect certain criteria; prohibiting an elected trustee from serving more than a certain number of consecutive terms, subject to a certain exception”; in line 7, after “expenses;” insert “altering the number of times the trustees are required to meet; altering the number of trustees that may request a meeting for which the chair is required to call a meeting; altering the number of trustees that constitute a quorum;”; in lines 8 and 9, strike “an appointed trustee” and substitute “certain elected trustees”; in line 9, after “conforming” insert “and stylistic”; and in line 13, after “3–202” insert “and 3–204”.

AMENDMENT NO. 2

On page 2, in line 1, strike “15” and substitute **“19”**; in line 5, strike **“THE”** and substitute **“SUBJECT TO SUBPARAGRAPHS (II) AND (III) OF THIS PARAGRAPH, BEGINNING ON JUNE 1, 2017, OF THE”**; in the same line, strike “12” and substitute **“16”**; in the same line, strike “[, three” and substitute **“, FOUR”**; in line 6, strike “unanimous” and substitute **“A MAJORITY”**; strike beginning with the bracket in line 7 down through **“SENATE”** in line 8; after line 8, insert:

“(II) IN ORDER TO BRING THE COMPOSITION OF THE BOARD OF TRUSTEES UP TO 16 ELECTED TRUSTEES, FOUR TRUSTEES SHALL BE ELECTED IN OCTOBER 2016.

(III) THE TRUSTEES SHALL ELECT A TRUSTEE AS FOLLOWS:

1. THE GOVERNOR SHALL SUBMIT THREE RECOMMENDATIONS TO THE BOARD OF TRUSTEES, OF WHICH TWO SHALL BE ELECTED;

2. THE PRESIDENT OF THE SENATE SHALL SUBMIT THREE RECOMMENDATIONS TO THE BOARD OF TRUSTEES, OF WHICH ONE SHALL BE ELECTED; AND

3. THE SPEAKER OF THE HOUSE OF DELEGATES SHALL SUBMIT THREE RECOMMENDATIONS TO THE BOARD OF TRUSTEES, OF WHICH ONE SHALL BE ELECTED.”;

in lines 9 and 15, strike “(II)” and “(III)”, respectively, and substitute “(IV)” and “(V)”, respectively; strike beginning with “THE” in line 11 down through “insofar” in line 13 and substitute “**INSOFAR**”; in line 14, after “Trust” insert “**, THE RECOMMENDATIONS FOR AN ELECTED TRUSTEE SHALL:**”

1. REPRESENT A BROAD DISTRIBUTION OF PROFESSIONS AND GEOGRAPHIES;

2. REFLECT THE DIVERSITY OF THE STATE; AND

3. REPRESENT INDIVIDUALS WITH EXPERIENCE IN ONE OR MORE OF THE FOLLOWING CATEGORIES:

A. CONSERVATION OR PRESERVATION OF PARKLANDS, AGRICULTURAL LAND, FOREST LAND, HISTORIC AND CULTURAL PROPERTIES, NATURAL AREAS, OR IMPORTANT RECREATIONAL LANDS;

B. AGRICULTURE, INCLUDING THE HORSE INDUSTRY;

C. COMMUNITY PLANNING AND LAND USE POLICY, WITH AN EMPHASIS ON COMMUNITY SUSTAINABILITY, HEALTH COMMUNITIES, COMMUNITY FOOD SYSTEMS, YOUTH DEVELOPMENT AND EDUCATION, OR GREEN INFRASTRUCTURE;

D. ACADEMIC WORK IN NATURAL SCIENCE, SOCIAL SCIENCE, OR CULTURAL SCIENCE AT THE UNIVERSITY LEVEL; AND

E. BUSINESS LEADERSHIP, GOVERNANCE, OR FUND-RAISING IN ANY OF THE CATEGORIES IDENTIFIED UNDER THIS ITEM”;

strike beginning with “**THE**” in line 15 down through “**APPOINTED**” in line 16 and substitute “**EXCEPT AS PROVIDED UNDER SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, AN ELECTED**”; after line 17, insert:

“2. THE CHAIR MAY SERVE A THIRD CONSECUTIVE TERM IF ELECTED AS CHAIR DURING OR AFTER THE SECOND YEAR OF THE CHAIR’S SECOND TERM.”;

in line 18, strike “**APPOINTED**” and substitute “**ELECTED**”; in line 20, strike “**OCTOBER**” and substitute “**JUNE**”; strike beginning with “**AT**” in line 21 down through “**5.**” in line 23; in line 23, strike “**APPOINTED**” and substitute “**ELECTED TO FILL A VACANCY THAT ARISES**”; in line 24, strike “**SERVES**” and substitute “**:**”

A. SHALL BE ELECTED FROM RECOMMENDATIONS SUBMITTED BY THE GOVERNOR, THE PRESIDENT OF THE SENATE, OR THE SPEAKER OF THE HOUSE OF DELEGATES IN ACCORDANCE WITH SUBPARAGRAPH (III) OF THIS PARAGRAPH, AS APPLICABLE; AND

B. SERVES”;

and in line 25, strike “**APPOINTED AND QUALIFIES**” and substitute “**ELECTED**”.

On page 3, after line 6, insert:

“**3-204.**

(A) The trustees shall elect from among the elected membership a [chairman] CHAIR, secretary, and other officers as they determine.

(B) The trustees shall meet at least [twice] FOUR TIMES a year at places and on dates they determine.

(C) The [chairman] CHAIR may call other meetings, and must call one at the request of [four] SIX or more trustees.

(D) The secretary shall notify in writing every trustee of the time and place of every meeting at least seven days in advance of the meeting, except that meetings may be held on shorter notice if all trustees agree.

(E) [Eight] TEN trustees constitute a quorum to conduct business.

(F) If at any time there is no director, the [chairman] CHAIR shall assume the director's duties and powers.

(G) The [chairman] CHAIR with the consent of the trustees may appoint an advisory council.”;

in line 9, strike “appointed” and substitute “elected”; in line 12, strike “appointed” and substitute “four”; in the same line, after “Trust” insert “elected under § 3–202(a)(3)(ii) of the Natural Resources Article, as enacted by Section 1 of this Act,”; in lines 13, 14, 15, and 16, strike “2019 for all trustees”, “2020 for all trustees”, “2021 for all trustees”, and “2022 for all trustees”, respectively, and substitute “2017 for one trustee”, “2018 for one trustee”, “2019 for one trustee”, and “2020 for one trustee”, respectively; in lines 14, 15, and 16, strike “2017”, “2018”, and “2019”, respectively, and substitute “2016”, “2016”, and “2016”, respectively; and in line 18, strike “October” and substitute “June”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 61 – Senator Simonaire

AN ACT concerning

Natural Resources – Forest Lands and the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund – Miscellaneous Corrections and Clarifications

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 182 – Senators Mathias, Benson, Conway, and Rosapepe

AN ACT concerning

Public Safety – Rental Dwelling Units – Carbon Monoxide Alarms**SB0182/320112/1**

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 182

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike “a certain term” and substitute “certain terms”.

AMENDMENT NO. 2

On page 3, in line 3, strike “OR PLUGGED”.

On page 5, in line 2, after “DWELLING” insert “AS FOLLOWS:”

(1) OUTSIDE AND IN THE IMMEDIATE VICINITY OF EACH SEPARATE SLEEPING AREA; AND

(2) ON EVERY LEVEL OF THE UNIT, INCLUDING THE BASEMENT.”;

and strike in their entirety lines 6 through 8, inclusive.

AMENDMENT NO. 3

On page 3, after line 21, insert:

“(H) “SLEEPING AREA” HAS THE MEANING STATED IN § 9–101 OF THIS ARTICLE.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 241 – Senators Kelley, Benson, Conway, Currie, Madaleno, McFadden, Nathan–Pulliam, Rosapepe, and Young

AN ACT concerning

Real Property – Senior Apartment Facilities – Conversion

SB0241/190218/1

BY: Environment and Transportation Committee

AMENDMENT TO SENATE BILL 241

(Third Reading File Bill)

On page 3, strike beginning with “UNPAID” in line 18 down through “LEASE” in line 19 and substitute “RENT THAT WOULD HAVE BECOME DUE UNDER ANY REMAINING TERM OF THE LEASE AFTER TERMINATION UNDER THIS SECTION”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 381 – The President (By Request – Administration) and Senators Bates, Brochin, Cassilly, Eckardt, Edwards, Hershey, Jennings, Mathias, Muse, Norman, Reilly, Rosapepe, Salling, Serafini, Simonaire, and Waugh

AN ACT concerning

Housing and Community Development – Community Development Administration – Student and Residential Mortgage Loans

SB0381/670216/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 381

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “provide” and substitute “make, participate in making, and undertake a commitment for”; strike beginning with the first “to” in line 6 down through “off” in line 7 and substitute “to a homeowner for purchasing a homeowner’s primary residence and making payments on the homeowner’s”; in line 7, strike “debts” and substitute “debt”; in line 10, after “purchase” insert “or commit to purchase”; in line 12, strike “the purchase of” and substitute “purchasing”; in the same line, strike “pay off” and substitute “making payments on”; in line 14, after “circumstances;” insert “requiring the Administration to give priority to selling residential property owned by the Administration under certain circumstances; requiring the Department to report to the General Assembly on or before a certain date;”; in line 15, after the second “and” insert “student and”; and after line 21, insert:

“BY adding to

Article – Housing and Community Development

Section 4-242

Annotated Code of Maryland

(2006 Volume and 2015 Supplement)”.

AMENDMENT NO. 2

On page 2, in line 29, after “WITH” insert “THE HOMEOWNER OBTAINING SEPARATE FINANCIAL ASSISTANCE FROM A SOURCE OTHER THAN THE ADMINISTRATION FOR”.

On page 3, strike beginning with “MAKING” in line 20 down through “RESIDENCE” in line 22 and substitute “PURCHASING THE HOMEOWNER’S PRIMARY RESIDENCE IN CONJUNCTION WITH THE HOMEOWNER OBTAINING SEPARATE FINANCIAL ASSISTANCE FROM THE ADMINISTRATION FOR MAKING PAYMENTS ON THE HOMEOWNER’S STUDENT LOAN DEBT”.

On page 4, strike beginning with “MAKE” in line 23 down through “RESIDENCE” in line 25 and substitute “PURCHASE THE HOMEOWNER’S PRIMARY RESIDENCE IN CONJUNCTION WITH THE HOMEOWNER OBTAINING SEPARATE FINANCIAL ASSISTANCE FROM THE ADMINISTRATION FOR MAKING PAYMENTS ON THE HOMEOWNER’S STUDENT LOAN DEBT”.

On page 5, strike beginning with the first “THE” in line 12 down through “DEBT” in line 13 and substitute “EITHER OF THE PURPOSES SPECIFIED IN § 4-237(A)(1)(V) OF THIS SUBTITLE”.

AMENDMENT NO. 3

On page 5, after line 13, insert:

“4-242.

IN PROVIDING FINANCIAL ASSISTANCE TO A HOMEOWNER THAT INCLUDES THE PURCHASE OF THE HOMEOWNER’S PRIMARY RESIDENCE AND PAYMENTS ON THE HOMEOWNER’S STUDENT LOAN DEBT, THE ADMINISTRATION SHALL GIVE PRIORITY TO SELLING RESIDENTIAL PROPERTY THAT IS OWNED BY THE ADMINISTRATION.”.

AMENDMENT NO. 4

On page 5, before line 14, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 31, 2018, the Department of Housing and Community Development shall report to the General Assembly, in accordance with § 2-1246 of the State Government Article, on the implementation of this Act, including:

(1) information about the location and source of residential properties sold by the Department as part of any financial assistance provided under this Act; and

(2) recommendations for expanding the scope of the financial assistance provided under this Act.”;

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

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Barve, Chair, for the Committee on Environment and Transportation 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.

Delegate Barve, Chair, for the Committee on Environment and Transportation 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.

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

Senate Bill 996 – Senator Waugh

AN ACT concerning

St. Mary's County – Local Landlord and Tenant Law – Repeal

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ENVIRONMENT AND TRANSPORTATION REPORT #20

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

Senate Bill 46 – Senator Reilly

AN ACT concerning

Anne Arundel County – Archery Hunting – Safety Zone

SB0046/920511/1

BY: Environment and Transportation Committee

AMENDMENT TO SENATE BILL 46

(Third Reading File Bill)

On page 2, in line 9, after “in” insert “ANNE ARUNDEL COUNTY,”; in the same line, after the first “County” insert a comma; and strike in their entirety lines 12 through 21, inclusive.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 219 – Senators Ready, Bates, and Hough

EMERGENCY BILL

AN ACT concerning

Carroll County – Turkey Hunting on Private Property – Sundays

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 225 – Senator Simonaire

AN ACT concerning

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

SB0225/970415/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 225

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Licenses”; strike beginning with “Disabled” in line 2 down through “Veterans” in line 3 and substitute “Complimentary Licenses – Purple Heart Recipients”; strike beginning with “exempting” in line 4 down through “circumstances;” in line 6; in line 7, strike “certain” and substitute “a”; in the same line, strike “hunting and fishing licenses” and substitute “angler’s license, Chesapeake Bay and coastal sport fishing license, or hunting license and any associated State-issued stamps or permits”; in lines 7 and 8, strike “an out-of-state” and substitute “a”; strike beginning with “certifies” in line 8 down through “recipients” in line 16 and substitute “is a recipient”; in line 16, strike “Award” and substitute “award”; in lines 16 and 17, strike “providing for the termination of certain provisions of this Act;”; in line 17, after “making” insert “certain”; in the same line, after “to” insert “complimentary”; in line 21, strike “4-604(c)”; in the same line, strike “4-614(a)(2)”; in the same line, strike “4-745(c) and (e)” and substitute “4-745(e)”; in the same line, strike “10-303(a)(2)” and substitute “10-303”; and after line 23, insert:

“BY repealing and reenacting, without amendments,

Article – Natural Resources

Section 4-745(a)(1)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 4 through 22, inclusive; in line 30, strike “**LIFETIME**”; in line 31, after “**LICENSE**” insert “**AND TROUT STAMP**”; and in the same line, strike “**AN OUT-OF-STATE**” and substitute “**A**”.

On pages 2 and 3, strike beginning with “**CERTIFIES**” in line 31 on page 2 down through “**STATE**” in line 3 on page 3 and substitute “**IS A RECIPIENT OF THE PURPLE HEART AWARD**”.

On page 3, in lines 4, 6, and 8, in each instance, strike the brackets; in lines 4 and 6, in each instance, after “complimentary” insert “**ANGLER’S**”; in line 8, strike “**(C)**”; strike in their entirety lines 12 through 28, inclusive; and after line 29, insert:

“(a) (1) Except as provided in subsections (c) and (d) of this section and § 4–217 of this title, a person may not fish for finfish in the Chesapeake Bay or in its tributaries up to tidal boundaries or in State waters of the Atlantic Ocean and the Atlantic coastal bays and their tributaries without first obtaining a Chesapeake Bay and coastal sport fishing license or registration issued under subsection (d)(3) of this section and possessing evidence of the license or registration.”.

On pages 3 and 4, strike in their entirety the lines beginning with line 30 on page 3 through line 28 on page 4, inclusive.

On page 5, in line 1, after “(2)” insert “**(I)**”; after line 3, insert:

“(II) THE DEPARTMENT MAY ISSUE A COMPLIMENTARY CHESAPEAKE BAY AND COASTAL SPORT FISHING LICENSE TO A PERSON WHO IS A RECIPIENT OF THE PURPLE HEART AWARD.”;

strike beginning with “**THE**” in the line 4 down through “**(4)**” in line 10; in line 10, after “complimentary” insert “**CHESAPEAKE BAY AND COASTAL SPORT FISHING**”; after line 12, insert:

“(a) (1) The Department annually may issue a complimentary [hunter’s] **HUNTING** license to the President of the United States, the governor of any state, or an official or an enforcement officer of the game and fish management agency of another state which reciprocally offers complimentary hunting licenses.”;

in line 13, strike “(a)”; in lines 13 and 17, in each instance, strike the brackets; in lines 13 and 14 and lines 17 and 18, in each instance, strike “**SUBJECT TO THE REQUIREMENTS OF § 10–301.1 OF THIS SUBTITLE, THE**”; in lines 14 and 18, in each instance, strike “hunter’s” and substitute “**HUNTING**”; after line 22, insert:

“(3) THE DEPARTMENT MAY ISSUE A COMPLIMENTARY HUNTING LICENSE AND ANY ASSOCIATED STATE–ISSUED STAMP OR PERMIT TO A PERSON WHO IS A RECIPIENT OF THE PURPLE HEART AWARD.

[**(3)**] **(4) A complimentary license is not transferable and shall be issued on forms designated by the Department.**

(b) For the purposes of this section, “former prisoner of war” means a person who, while serving in the active military, naval, or air service of the United States, was forcibly detained or interned in the line of duty by an enemy government or its agents, or a hostile force, during a period of armed conflict.”;

strike beginning with “the” in line 23 down through “That” in line 27; and strike beginning with “Section” in line 28 down through “effect.” in line 31.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 266 – Senators Salling, Astle, Jennings, and Waugh

SECOND PRINTING

AN ACT concerning

~~**Natural Resources – Poaching Restitution Act of 2016**~~
Hunting – Deer – Penalties

SB0266/690011/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 266

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 3 in its entirety and substitute “Natural Resources – Poaching Restitution Act of 2016”; in line 4, after “requiring” insert “a court to order”; in lines 4 and 5, strike “violating certain provisions involving certain” and substitute “poaching”; in line 5, after “deer” insert “on any land in the State”; in line 6, strike “finest” and substitute “restitution”; in lines 6 and 7, strike “in accordance with certain requirements” and substitute “under certain circumstances and to perform community service under certain circumstances”; in line 9, strike “finest” and substitute “restitution”; in line 17, after “term;” insert “providing for the application of certain provisions of this Act;” and in lines 17 and 18, strike “illegally hunting, killing, or taking” and substitute “poaching”.

On page 2, after line 3, insert:

“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)”;

in line 6, after “Section” insert “10–101(q) and”; in line 11, after “Section” insert “10–212(a) and”; in line 28, after “MARYLAND,” insert “That Section(s) 10–101(q) through (cc), respectively, of Article – Natural Resources of the Annotated Code of Maryland be renumbered to be Section(s) 10–101(r) through (dd), respectively.”; and in line 32, strike “That” and substitute “SECTION 2. AND BE IT FURTHER ENACTED, That”.

AMENDMENT NO. 2

On page 2, after line 34, insert:

“10–101.

(Q) “POACHING” MEANS THE ILLEGAL HUNTING, KILLING, OR TAKING OF GAME.

10–212.

(a) The General Assembly finds and declares that:

(1) Hunting is an important and traditional activity in which 14,000,000 Americans who are at least 16 years old participate;

(2) Hunters have been and continue to be among the foremost supporters of sound wildlife management and conservation practices in the United States;

(3) Hunters and hunting organizations provide direct assistance to wildlife managers and enforcement officers of federal, state, and local governments;

(4) Fees for hunting licenses, permits, and stamps, and taxes on goods used by hunters, have generated billions of dollars for wildlife conservation, research, and management;

(5) Hunting is an essential component of effective wildlife management, as it is an important tool for reducing conflicts between people and wildlife and provides incentives for the conservation of wildlife, habitats, and ecosystems on which wildlife depends; [and]

(6) Hunting is an environmentally acceptable activity that occurs and can be provided for on State public lands without adverse effects on other uses of the lands; AND

(7) POACHING, AS DEFINED IN § 10-101 OF THIS TITLE, IS NOT ONLY A VIOLATION OF THE PUBLIC TRUST DOCTRINE, BUT ALSO VIOLATES THE TENETS OF SOUND WILDLIFE MANAGEMENT AND CONSERVATION PRACTICES STRICTLY ADHERED TO BY LAW-ABIDING SPORTSMEN AND SPORTSWOMEN WHO DEEM THE ACT INTOLERABLE.”.

On page 3, in line 28, strike “10-1101.1.”.

On pages 4 and 5, strike beginning with “(A)” in line 24 on page 4 down through “(E)” in line 14 on page 5 and substitute:

“10-1101.1.

(A) (1) NOTWITHSTANDING § 10-1101 OF THIS SUBTITLE, IF A PERSON IS CONVICTED OF POACHING DEER ON ANY LAND IN THE STATE, THE COURT SHALL ORDER THE PERSON TO PAY THE STATE RESTITUTION IN ACCORDANCE WITH THIS SECTION.

(2) FOR AN ACT OF POACHING THAT INVOLVES TRESPASSING ON ANOTHER’S PROPERTY, THIS SECTION APPLIES WITH RESPECT TO THE TRESPASS VIOLATION ONLY IF THE PERSON TRESPASSES IN A KNOWING OR WILLFUL MANNER.

(B) (1) FOR EACH SIKA DEER OR ANTLERED WHITE-TAILED DEER THAT OBTAINS A SCORE OF 150 GROSS INCHES OR LESS, AS MEASURED BY THE BOONE

AND CROCKETT CLUB'S SCORING SYSTEM FOR WHITE-TAILED DEER, A PERSON CONVICTED OF POACHING DEER SHALL:

(I) PAY RESTITUTION OF NOT LESS THAN \$2,000 BUT NOT EXCEEDING \$5,000, IN AN AMOUNT DEEMED REASONABLE BY THE COURT; AND

(II) PERFORM 80 HOURS OF COMMUNITY SERVICE.

(2) FOR EACH 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, A PERSON CONVICTED OF POACHING DEER SHALL:

(I) PAY RESTITUTION OF NOT LESS THAN \$5,000 BUT NOT EXCEEDING \$10,000, IN AN AMOUNT DEEMED REASONABLE BY THE COURT; AND

(II) PERFORM 80 HOURS OF COMMUNITY SERVICE.

(3) FOR EACH ANTLERLESS WHITE-TAILED DEER, A PERSON CONVICTED OF POACHING DEER SHALL:

(I) PAY RESTITUTION OF NOT LESS THAN \$300 BUT NOT EXCEEDING \$500, IN AN MOUNT DEEMED REASONABLE BY THE COURT; OR

(II) PERFORM 40 HOURS OF COMMUNITY SERVICE.

(C) THE RESTITUTION COLLECTED UNDER THIS SECTION SHALL BE CREDITED TO THE STATE WILDLIFE MANAGEMENT AND PROTECTION FUND, ESTABLISHED UNDER § 10-209 OF THIS TITLE.

(D)";

in line 19, strike "FINE" and substitute "RESTITUTION"; and in lines 26 and 34, strike "2." and "3.", respectively, and substitute "3." and "4.", respectively.

On page 6, in line 3, strike "4." and substitute "5.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 526 – Senator Bates

AN ACT concerning

Agriculture – ~~Donation of Commercial Feed~~ – Exemption

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 775 – ~~Senator Simonaire~~ Senators Simonaire, Rosapepe, Bates, Young, Zucker, Conway, Waugh, Nathan-Pulliam, and Pinsky

AN ACT concerning

Natural Resources – Recreational License Donation Program – Establishment

SB0775/450118/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 775

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 1, after “term;” insert “requiring the Department to submit a certain report on the recreational license donation program to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act;”.

AMENDMENT NO. 2

On page 4, in line 25, after “That” insert “, on or before December 31, 2018, the Department of Natural Resources shall submit a report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly that states:”

(1) the number of donated licenses and stamps issued under the recreational license donation program, aggregated by:

(i) the types of licenses issued; and

(ii) the status that formed the basis of the license recipient's eligibility for the donated licenses;

(2) the nonprofit charitable organizations that sponsored recipients of donated licenses, aggregated by the number and types of licenses issued;

(3) an accounting of the money deposited into and redeemed out of the Recreational License Donation Fund; and

(4) any other information related to the recreational license donation program that the Department considers relevant.

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

and in line 26, after “2016.” insert “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 adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 837 – Senator Waugh

AN ACT concerning

Crabs – Harvest Times – Trotlines and Crab Pots

SB0837/720311/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 837
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute “Tidal Fish License – Catching Crabs Using Trotline Gear – Holidays”; in line 3, strike “requiring” and substitute “authorizing”; in the same line, after “adopt” insert “certain”; strike beginning with “that” in line 4 down through “option” in line 10 and substitute “restricting a tidal fish licensee who catches crabs using trotline gear to a workday of at least a certain duration on certain holidays if the Department authorizes the workday to begin at a certain time”; and in line 11, strike “harvest times for crabs using trotlines and crab pots” and substitute “tidal fish licenses”.

AMENDMENT NO. 2

On page 2, in line 21, strike “If” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, IF”; in line 23, strike the brackets; in the same line, strike “SUBJECT TO SUBSECTION (C) OF THIS SECTION, THE”; and after line 28, insert:

“(3) NOTWITHSTANDING PARAGRAPH (2) OF THIS SUBSECTION, IF THE DEPARTMENT AUTHORIZES THE WORKDAY TO BEGIN EARLIER THAN 1 HOUR BEFORE SUNRISE, THEN THE DEPARTMENT MAY ADOPT REGULATIONS TO RESTRICT A TIDAL FISH LICENSEE WHO CATCHES CRABS USING TROTLINE GEAR TO A WORKDAY OF AT LEAST 10 HOURS PER DAY, EXCLUDING TIME SPENT SETTING OR TAKING UP GEAR, ON THE FOLLOWING HOLIDAYS AND THE WEEKEND EITHER BEFORE OR AFTER THE HOLIDAY:

- (I) MEMORIAL DAY;**
- (II) INDEPENDENCE DAY; AND**
- (III) LABOR DAY.”**

On pages 2 and 3, strike in their entirety the lines beginning with line 29 on page 2 through line 14 on page 3, inclusive.

On page 3, in line 15, strike the brackets; and in the same line, strike “(D)”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1047 – Senator Lee

AN ACT concerning

Task Force to Study Recording Deeds for Victims of Domestic Violence

SB1047/370011/1

BY: Environment and Transportation Committee

AMENDMENT TO SENATE BILL 1047

(Third Reading File Bill)

On page 2, in line 16, strike “and”; and in line 18, after “violence” insert “;

(vii) one representative of the Maryland Associations of Counties; and

(viii) one representative of the Maryland Municipal League”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1054 – Senator Mathias

AN ACT concerning

Commercial Northern Snakehead Bowfishing License – Establishment

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ENVIRONMENT AND TRANSPORTATION REPORT #18

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

Senate Bill 134 – Senator Mathias

AN ACT concerning

Somerset County – Sheriff – Salary

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 135 – Senator Mathias

AN ACT concerning

Somerset County – Commissioners – Salary and Expense Reimbursements

SB0135/170616/1

BY: Environment and Transportation Committee

AMENDMENT TO SENATE BILL 135

(Third Reading File Bill)

On page 1, in line 5, strike “altering the types of expenses eligible for reimbursement;” and substitute “altering the expenses for which each Commissioner may receive reimbursement; altering a certain requirement related to the submission of certain reimbursement vouchers by the Commissioners;”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

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.

Delegate Barve, Chair, for the Committee on Environment and Transportation 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.

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

Senate Bill 390 – Senator Middleton

AN ACT concerning

Charles County Sheriff – Salaries and Collective Bargaining

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 431 – Senator Edwards

AN ACT concerning

Allegany County and Garrett County – Annual Financial Reports – Filing Date

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

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.

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

Senate Bill 518 – Washington County Senators

AN ACT concerning

Washington County – Collection of Fees, Charges, Penalties, and Assessments

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 774 – Senator Norman

AN ACT concerning

Motor Vehicles – Autocycles – Standards and Requirements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 995 – Senator Waugh

AN ACT concerning

St. Mary’s County – Local Licenses – Repeal

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 999 – Senator Waugh

AN ACT concerning

St. Mary’s County – Keeper of the Jail – Repeal

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1136 – Senator Eckardt

EMERGENCY BILL

AN ACT concerning

**Regulation of Radiation Sources – Fee – Exemption for Pro Bono Temporary
~~Pro Bono~~ Dental Clinics**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIARY REPORT #15

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

Senate Bill 156 – Senator Cassilly

AN ACT concerning

Criminal Law – Participation in Court Proceedings – Retaliation

SB0156/672519/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 156

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 4 and 6, in each instance, after “for” insert “any reason relating to”; and in lines 4 and 6, in each instance, after “a” insert “certain case in a”.

AMENDMENT NO. 2

On page 2, in lines 4, 7, 14, and 17, in each instance, after “FOR” insert “ANY REASON RELATING TO”; in lines 5 and 15, after “A” insert “PENDING OR COMPLETED CASE IN A”; and in lines 7 and 17, in each instance, after “DUTIES” insert “IN A PENDING OR COMPLETED CASE”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

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.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

Senate Bill 208 – Senators Hough, Bates, Eckardt, Edwards, Hershey, Jennings, Norman, Ready, Reilly, Serafini, and Waugh

AN ACT concerning

Public Safety – Renewal of Handgun Permits – Fingerprinting

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

Senate Bill 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.

THE COMMITTEE ON ENVIRONMENT AND TRANSPORTATION REPORT #21

Delegate Barve, Chair, for the Committee on Environment and Transportation 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)**

SB0198/460311/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 198

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “prohibiting” in line 13 down through “manner;” in line 15; in line 15, after “Department” insert “of Agriculture”; in line 16, strike “study” and substitute “review certain laws and regulations”; in line 20, strike “certain civil penalties” and substitute “a certain civil penalty”; and in the same line, after “Act;” insert “exempting this Act from certain provisions of law;”.

On page 2, in line 2, after “(r)” insert “, 12–101, 12–102, and 12–103”; and after line 10, insert:

“BY repealing and reenacting, with amendments,

Article – Agriculture

Section 12–104

Annotated Code of Maryland

(2007 Replacement Volume and 2015 Supplement)”.

AMENDMENT NO. 2

On page 4, in line 26, strike “CLOTHIANDIN” and substitute “CLOTHIANIDIN”; and in line 29, strike “CONSISTENT WITH” and substitute “PROTECTIVE OF POLLINATORS, TAKING INTO ACCOUNT”.

AMENDMENT NO. 3

On page 5, in line 6, strike “\$50” and substitute “\$250”; and after line 6, insert:

“12–101.”

Any person who violates any provision of this article is guilty of a misdemeanor. Unless another penalty specifically is provided elsewhere in this article, the person, upon conviction, is subject to a fine not exceeding \$500, or imprisonment not exceeding three months, or both, with costs imposed in the discretion of the court.

12-102.

Unless another penalty specifically is provided elsewhere in this article, any person found guilty of a second or subsequent violation of any provision of the same title, is subject to a fine not exceeding \$1,000, or imprisonment not exceeding one year, or both, with costs imposed in the discretion of the court. For the purposes of this section, a second or subsequent violation is one which has occurred within two years of any prior violation of this title and which arises out of a separate set of circumstances.

12-103.

In addition to any administrative penalty provided in this article, violation of any rule or regulation adopted by the Secretary pursuant to the provisions of this article is a misdemeanor and is punishable as provided in §§ 12-101 and 12-102 of this subtitle.

12-104.

This title does not apply to a violation of:

- (1) Title 1, Subtitle 3 of this article; AND
- (2) TITLE 5, SUBTITLE 2A OF THIS ARTICLE.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0198/893329/1

BY: Delegate Hornberger

AMENDMENT TO SENATE BILL 198, AS AMENDED

On page 1 of the Environment and Transportation Committee Amendments (SB0198/460311/1), in line 1 of Amendment No. 3, strike “\$250” and substitute “\$50”.

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

Affirmative – 50 Negative – 86 (See Roll Call No. 1054)

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 876 – Senator Serafini

AN ACT concerning

Natural Resources – Black Fly Management and Control – Washington County

SB0876/200613/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 876

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 3 and 9, in each instance, strike “requiring” and substitute “authorizing”; in line 3, after “Resources” insert “, in conjunction with the Department of Agriculture.”; in line 4, after “State” insert “under certain circumstances”; in line 6, after “Department” insert “of Natural Resources”; in the same line, after “with” insert “the Department of Agriculture and”; in line 8, after “Resources” insert “and the Department of Agriculture”; and in line 9, after “Department” insert “of Natural Resources, in conjunction with the Department of Agriculture.”.

AMENDMENT NO. 2

On page 2, in lines 7 and 20, in each instance, after “WITH” insert “THE DEPARTMENT OF AGRICULTURE AND”; in line 11, strike “THE” and substitute “SUBJECT TO FUNDING MADE AVAILABLE TO THE DEPARTMENT AND THE DEPARTMENT OF AGRICULTURE TO IMPLEMENT THE PROVISIONS OF THIS SUBTITLE, THE”; and in the same line, strike “SHALL” and substitute “MAY, IN CONJUNCTION WITH THE DEPARTMENT OF AGRICULTURE.”.

On page 3, in line 8, after “**DEPARTMENT**” insert “**AND THE DEPARTMENT OF AGRICULTURE**”; and in line 12, strike “**SHALL**” and substitute “**MAY, IN CONJUNCTION WITH THE DEPARTMENT OF AGRICULTURE,**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1172 – Senators Pugh, Conway, McFadden, Ferguson, and Nathan–Pulliam

AN ACT concerning

Seed Community Development Anchor Institution Fund

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:

House Bill 1350 – ~~Delegate Hammen~~ Delegates Hammen, Angel, Barron, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, McMillan, Miele, Morgan, Morhaim, Oaks, Pena–Melnyk, Pendergrass, Rose, Saab, Sample–Hughes, West, and K. Young

AN ACT concerning

Freestanding Medical Facilities – Certificate of Need, Rates, and Definition

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

FLOOR AMENDMENT

HB1350/793828/1

BY: Delegates Lisanti and Hornberger

AMENDMENTS TO HOUSE BILL 1350, AS AMENDEDAMENDMENT NO. 1

On page 1 of the Health and Government Operations Committee Amendments (HB1350/396582/2), in line 8 of Amendment No. 1, after “date;” insert “prohibiting a certain hospital from closing before the later of a certain date or a certain conversion is completed;”.

AMENDMENT NO. 2

On page 2 of the Health and Government Operations Committee Amendments, in line 4 of Amendment No. 2, after “2020.” insert:

“(IV) NOTWITHSTANDING SUBPARAGRAPH (I) OF THIS PARAGRAPH, A LICENSED GENERAL HOSPITAL IN HARFORD COUNTY MAY NOT CLOSE BEFORE THE LATER OF:

1. OCTOBER 1, 2017; OR

2. THE CONVERSION TO A FREESTANDING MEDICAL FACILITY IN ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH IS COMPLETE.”.

On page 2 of the Health and Government Operations Committee Amendments, in line 15 of Amendment No. 3, strike “and” and substitute:

“(6) the Chief Executive Officer of Harford Memorial Hospital, or the Chief Executive Officer’s designee;

(7) the Chief Executive Officer of Union Hospital, or the Chief Executive Officer’s designee; and”.

On page 3 of the Health and Government Operations Committee Amendments, in line 1, of Amendment No. 3, strike “(6)” and substitute “(8)”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 1055)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #51

Senate Bill 28 – ~~Senator Kagan~~ Senators Kagan, Conway, Pinsky, Bates, Nathan-Pulliam, Ramirez, Rosapepe, Salling, Simonaire, Waugh, Young, and Zucker

AN ACT concerning

State Government – Web Sites – Language Access

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

Affirmative – 102 Negative – 33 (See Roll Call No. 1056)

The Bill was then returned to the Senate.

Senate Bill 91 – Chair, Finance Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Public Health – State-Identified HIV Priorities

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

Affirmative – 134 Negative – 3 (See Roll Call No. 1057)

The Bill was then returned to the Senate.

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 – 137 Negative – 0 (See Roll Call No. 1058)

The Bill was then returned to the Senate.

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 – 138 Negative – 0 (See Roll Call No. 1059)

The Bill was then returned to the Senate.

Senate Bill 239 – Senator Kelley

AN ACT concerning

Maryland Fiduciary Access to Digital Assets Act

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1060)

The Bill was then returned to the Senate.

Senate Bill 354 – ~~Senator Feldman~~ Senators Feldman, Kelley, Klausmeier, Mathias, and Middleton

AN ACT concerning

Petitions for Emergency Evaluation – Minors – Sealing of Court Records

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1061)

The Bill was then returned to the Senate.

Senate Bill 451 – Senator Lee

AN ACT concerning

Maryland Trust Act – Revocable Trust – Partial Revocation by Divorce or Annulment

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

Affirmative – 135 Negative – 3 (See Roll Call No. 1062)

The Bill was then returned to the Senate.

Senate Bill 551 – Senators Pugh, Astle, Benson, Feldman, Kelley, Klausmeier, ~~and Middleton~~ Middleton, and Mathias

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 yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 1063)

The Bill was then returned to the Senate.

Senate Bill 853 – Senators Kelley, Benson, and Young

AN ACT concerning

Guardians of Property and Custodians – Authority to Fund Certain Trusts and Accounts

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1064)

The Bill was then returned to the Senate.

Senate Bill 856 – Senators Kelley, Ferguson, and Nathan–Pulliam

AN ACT concerning

Public Health – HIV Testing During Pregnancy

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1065)

The Bill was then returned to the Senate.

Senate Bill 931 – Senators Zucker, Guzzone, and Raskin

AN ACT concerning

Birth Certificates – Homeless Individuals – Prohibition on Collection of Fee

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

Affirmative – 137 Negative – 1 (See Roll Call No. 1066)

The Bill was then returned to the Senate.

MESSAGE FROM THE SENATE

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: HB0127
SPONSOR: Delegate Reznik, et al
SUBJECT: Criminal Law – Gaming – Home Games

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Ebersole, Chairman
Delegate Fennell
Delegate Hornberger.

The Senate appoints:

Senator King, Chair
Senator Eckardt
Senator Currie

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

AMENDED IN THE SENATE

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**

Delegate Davis moved that the House not concur in the Senate amendments.

HB0140/244331/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 140

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “Sunset” insert “Fees and Repeal of”; in the same line, strike “Extension” and substitute “Provision”; in line 4, after “of” insert “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;”; in line 12, strike “continuing” and substitute “making permanent”; strike beginning with “in” in line 14 down through “year” in line 19 and substitute “repealing a certain termination provision; repealing a requirement that the Department of Legislative Services conduct a certain evaluation”; in line 23, strike “18-701” and substitute “18-303”.

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

“BY repealing

Article – Business Occupations and Professions

Section 18-701

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)”;

in line 7, strike “and reenacting, with amendments,”; and after line 11, insert:

“BY renumberingArticle – State GovernmentSection 8–403(b)(53) through (57), respectivelyto be Section 8–403(b)(52) through (56), respectivelyAnnotated Code of Maryland(2014 Replacement Volume and 2015 Supplement)”.AMENDMENT NO. 2

On page 2, after line 14, insert:

“18–303.(a) An applicant for a license shall:(1) submit to the Secretary an application on the form that the Secretary provides;(2) submit the documents required by this section; and(3) pay to the Secretary:(I) an application fee of [\$150 which shall include the cost of the Maryland and national criminal records check] \$100;(II) THE FEE AUTHORIZED UNDER § 10–221(B)(7) OF THE CRIMINAL PROCEDURE ARTICLE FOR ACCESS TO MARYLAND CRIMINAL HISTORY RECORDS; AND(III) THE MANDATORY PROCESSING FEE REQUIRED BY THE FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY RECORDS CHECK.(b) The application form provided by the Secretary shall contain a statement advising the applicant that willfully making a false statement on an application is a misdemeanor, subject to a fine or imprisonment or both, as provided under § 18–504 of this title.

(c) If the applicant is a firm, the representative member shall complete the application form and otherwise be responsible for the firm's compliance with this section.

(d) (1) The application shall be accompanied by at least two written recommendations for the applicant.

(2) Each recommendation shall be signed, under oath, by a reputable citizen of the State.

(e) (1) An applicant for a license shall submit with the application a set of legible fingerprints of the applicant on a form approved by the Criminal Justice Information System Central Repository and the Director of the Federal Bureau of Investigation.

(2) If the applicant is a firm, the applicant shall pay the cost of the fingerprint card records check for each firm member.

(f) An applicant for a license shall submit with the application a copy of a bond or proof of insurance in accordance with the requirements of § 18-401 of this title.

(g) The Secretary may waive the requirements of subsections (a)(2) and (3), (d), and (e) of this section and issue a license to an applicant who:

(1) provides adequate evidence that the applicant:

(i) is licensed to engage in the business of providing security systems services in another state; and

(ii) became licensed in the other state:

1. after meeting qualifications that are at least equivalent to those required in this State; and

2. after submitting to a State and national criminal records check; and

(2) pays to the Secretary a processing fee of [~~\$150~~] **\$100.**"

On page 8, strike in their entirety lines 22 through 25, inclusive; and strike in their entirety lines 28 through 32, inclusive.

On page 9, strike in their entirety lines 4 and 5 and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 8–403(b)(53) through (57), respectively, of Article – State Government of the Annotated Code of Maryland be renumbered to be Section(s) 8–403(b)(52) through (56), respectively.”;

and in line 6, strike “2.” and substitute “3.”.

The preceding 3 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB0140**
 SPONSOR: Speaker
 SUBJECT: Security Systems Technicians and Agencies – Sunset Extension
 and Program Evaluation

By the Majority Leader:
 Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
 Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 915 – Delegates Jacobs, Carozza, Cassilly, Hornberger, S. Howard, Malone, Mautz, Otto, ~~and Reilly~~ Reilly, Arentz, Metzgar, and Sample-Hughes

AN ACT concerning

~~Crabs – Harvest Times – Trotlines and Crab Pots~~
Tidal Fish License – Catching Crabs Using Trotline Gear – Holidays

Delegate Barve moved that the House not concur in the Senate amendments.

HB0915/254432/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 915

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 3 in its entirety and substitute “Crabs – Harvest Times – Trotlines and Crab Pots”; strike beginning with “authorizing” in line 4 down through “regulations” in line 5 and substitute “requiring the Department of Natural Resources to adopt regulations that provide the option to a tidal fish licensee authorized to catch crabs using trotlines and crab pots to work certain hours during a certain time period; requiring a licensee who chooses a certain hours-of-work option to notify the Department of that choice by a certain date; prohibiting a licensee who chooses a certain hours-of-work option from changing that option until the following license year; requiring a licensee who chooses a certain hours-of-work option to affix a certain display on the licensee’s vessel signifying the choice of that option; and generally relating to harvest times for crabs using trotlines and crab pots”; and strike beginning with “restricting” in line 11 down through “licenses” in line 15.

AMENDMENT NO. 2

On page 2, strike beginning with “**EXCEPT**” in line 23 down through “**IF**” in line 24 and substitute “**If**”; and in line 26, strike “The” and substitute “**SUBJECT TO SUBSECTION (C) OF THIS SECTION, THE**”.

On page 3, strike in their entirety lines 1 through 10, inclusive; after line 28, insert:

“(C) (1) THE DEPARTMENT SHALL ADOPT REGULATIONS THAT PROVIDE THE OPTION TO A LICENSEE WHO IS AUTHORIZED TO CATCH CRABS USING TROTLINES OR CRAB POTS TO WORK THE FOLLOWING HOURS FROM JULY 15 THROUGH SEPTEMBER 15 OF ANY YEAR, INCLUSIVE:

(I) FOR A LICENSEE WHO USES TROTLINE GEAR, HOURS THAT BEGIN 2 HOURS BEFORE SUNRISE AND END 8 HOURS AFTER SUNRISE, NOT INCLUDING TIME SPENT SETTING OR TAKING UP GEAR; OR

(II) FOR A LICENSEE WHO USES CRAB POTS, HOURS THAT BEGIN 1.5 HOURS BEFORE SUNRISE AND END 6.5 HOURS AFTER SUNRISE.

(2) (I) A LICENSEE WHO CHOOSES THE OPTION OF WORKING THE EARLIER HOURS UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL NOTIFY THE DEPARTMENT OF THAT CHOICE BY JULY 1 OF THE LICENSE YEAR.

(II) AFTER A LICENSEE CHOOSES THE EARLY-HOURS OPTION FOR THE LICENSE YEAR, THE LICENSEE MAY NOT CHANGE OPTIONS UNTIL THE FOLLOWING LICENSE YEAR.

(3) A LICENSEE WHO CHOOSES THE EARLY-HOURS OPTION SHALL AFFIX A DISPLAY ON THE LICENSEE’S VESSEL IN A FORM AND MANNER DETERMINED BY THE DEPARTMENT TO SIGNIFY THE CHOICE OF THE EARLY-HOURS OPTION.”;

and in line 29, strike “(c)” and substitute “(D)”.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB0915**
 SPONSOR: Delegate Jacobs, et al
 SUBJECT: Tidal Fish License – Catching Crabs Using Trotline Gear –
 Holidays

By the Majority Leader:
 Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate O’Donnell, Chair

Delegate Stein
Delegate Gilchrist

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 140 Members present.

(See Roll Call No. 1067)

ADJOURNMENT

At 1:41 P.M. on motion of Delegate Kaiser the House adjourned until 4:00 P.M. on Legislative Day April 1, 2016, Calendar Day Thursday, April 7, 2016.

Annapolis, Maryland
Legislative Day: April 1, 2016
Calendar Day: Thursday, April 7, 2016

The House met at 4:51 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Kathy Szeliga of Baltimore and Harford counties.

QUORUM CALL

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

(See Roll Call No. 1068)

EXCUSES:

Del. Carter – personal

Del. Frick – left early – business

Del. Pena–Melnyk – personal

Del. Vogt – personal

The Journal of March 31, 2016 was read and approved.

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR	CONTENT
HB 69	Del. Luedtke	Personal Property Tax – Credit for New or Small Business
HB 74	The Speaker	Judgeships – Circuit Courts and District Court
HB 117	Del. Barron	State Board of Pharmacy – Licensure Requirements for Pharmacists – Proof of Proficiency in English
HB 169 (Emerg)	Carroll County Delegation	Carroll County – Turkey Hunting on Private Property – Sundays

NUMBER	SPONSOR	CONTENT
HB 229	Chair, Environment and Transportation Committee	Commercial Motor Vehicles – Operation – Transportation Emergencies
HB 241	Del. Rosenberg	Elec Lw – St Elected Offcls – Cmpgn Fund–Raising During Gen Asm Session – Civil Pnlty
HB 276	Del. Stein	Income Tax Credit – Preservation and Conservation Easements
HB 331 (Emerg)	Del. Stein	Program Open Space – Funding for Capital Improvements
HB 344	Del. Afzali	Voter Rgstrtn – Affiliation Wth Pltcl Party and Prctptn in Primary Elec, Caucus, or Convention
HB 356	Del. Pendergrass	Supplemental Nutrition Assistance Program Benefits – Grant Application
HB 412	Del. Kaiser	Education – Assessments – Administration and Provision of Information
HB 446	Del. West	State Government – Maryland Youth Advisory Council – Revisions
HB 459	The Speaker	Birth and Death Certificates – Fee Reduction
HB 489	Del. Hammen	Trmntn of Md Hlth Ins Plan, Trnsfr of Sr Prscptn Drg Asstnce Prgrm, and Fndg for St Rinsrnc Prgrm
HB 496	Del. Krebs	Ethics Comm, Comm on Jud Dsblts, Jud Ethics Com, and Jt Ethics Com – Duties
HB 503	Chair, Environment and Transportation Committee	WMATA Compact – Bd of Directors – Appointing Authority for Fed Mbrs

NUMBER	SPONSOR	CONTENT
HB 511	Del. Cullison	Maryland Medical Assistance Program – Former Foster Care Adolescents – Dental Care
HB 554	Del. Bromwell	Insurance – Surplus Lines – Short-Term Medical Insurance
HB 596	Del. Flanagan	State Department of Education – Hearing Aid Loan Bank Program – Age of Eligibility
HB 727	Del. West	Horse Racing – Satellite Simulcast Betting – Public Hearing Requirements
HB 801	Chair, Health and Government Operations Committee	Health Insurance – Required Conformity With Federal Law
HB 828	Del. Ebersole	Special Elections – Voting by Mail – Canvass of Votes
HB 854	Del. Lisanti	State Highway Administration – Relocation of Water or Sewer Lines – Cost Sharing
HB 898	Del. Metzgar	Property Tax Credit – Elderly Individuals and Veterans
HB 983	Del. D. Barnes	Public Schools – Food Recovery Programs – Authorization
HB 999	Del. Kaiser	Commission on Innovation and Excellence in Education
HB 1004	Del. Davis	Equal Pay Commission – Establishment
HB 1105	Howard County Delegation	Howard County Public School System – Access to Public Information Ho. Co. 9–16
HB 1148	Del. Gilchrist	Income Tax – Retirement Income – Collection of Information
HB 1155	Calvert County Delegation	Calvert County – Bonding Authority

NUMBER	SPONSOR	CONTENT
HB 1198	Prince George's County Delegation and Montgomery County Delegation	Prince George's Co – M–NCPCC – Extraordinary Dvlp District PG/MC 109–16
HB 1217	Del. Sample– Hughes	Md Med Assistance Program – Specialty Mental Hlth and Sbstnc Use Disorder Srvcs – Parity
HB 1227	Del. Clippinger	Admissions and Amusement Tax – Baltimore City – Amateur Sports League Fees
HB 1281	Del. Jameson	Strategic Energy Investment Program and Advisory Board – Alterations
HB 1291	Del. Kelly	State Board of Cosmetologists – Limited License – Hair Services – Blow Drying
HB 1397	Del. B. Barnes	Participating Governmental Units – Amortization Schedule
HB 1438	Del. Sophocleus	Correctional Officers' Retirement System – Mbrshp – Correctional Case Mgt Specialist
HB 1445	Calvert County Delegation	Calvert County – Property Tax Credit – Commerce Zones
HB 1487	Del. Valderrama	Health Care Provider Malpractice Insurance – Scope of Coverage
HB 1488	Del. Hettleman	Service, Stipends, and Scholarships – Maryland Corps Program – Established
HB 1493	Calvert County Delegation	Calvert County – Economic Development Incentive Fund – Eligibility Criteria

By Order, Sylvia Siegert, Chief Clerk

Read and ordered journalized.

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR	CONTENT
HB 20	Del. O'Donnell	Calvert County and St. Mary's County – Archery Hunting – Safety Zone
HB 62	Chair, Environment and Transportation Committee	Natural Resources – Fishing and Hunting Licenses
HB 136	Del. Stein	State Government – Financial Education and Capability Commission – Composition
HB 163	Del. Anderson	Baltimore Cty Bd of Schl Commrs – Submission of a Cmprhnsv Master Plan – Rpl of Duplicative Reqmt
HB 226	Del. Mautz	Talbot County – Board of Education – Student Members
HB 232	Del. Hayes	Athletic Trainers – Evaluation and Treatment Protocols – Approval
HB 249	Del. Smith	Members of the National Guard – Employment and Reemployment Rights – Enforcement
HB 470	Del. Krebs	Health Occupations – Dental Hygienists – Administration of Nitrous Oxide
HB 490	Del. Cullison	Maryland Nurse Practice Act – Peer Review and Advisory Committees and Penalties
HB 494	Del. Miele	Ag – Animal Shelters – Uniform Standards of Oprtn and Care (Animal Shelters Standards Act of 2016)
HB 680	Del. Kipke	Health Occupations – Dental Hygienists – Local Anesthesia
HB 713	Del. Luedtke	School Behavioral Health Accountability Act

NUMBER	SPONSOR	CONTENT
HB 747	Del. Gilchrist	Real Estate Brokers – Licensure Requirement – Exemption for Lawyers
HB 873	Del. Smith	Elec Lw – Spcl Elecs – Absentee Ballots for Absent Uniformed Srvcs Voters and Overseas Voters
HB 878	Del. Parrott	Maryland Higher Education Commission – Religious Educational Institutions – Authority to Operate
HB 984	Del. Saab	Open Meetings Act – Retention of Minutes and Recordings – Revision
HB 998	Del. Hill	State Board of Physicians – Physician Licensing Reciprocity
HB 1051	Harford County Delegation	Harford County – Alcoholic Beverages – Community College License
HB 1077	Montgomery County Delegation	Montgomery County Board of Elections – Election Director – Appointment Requirement MC 26–16
HB 1095	Del. Platt	Ed – Prekindergarten Programs – Ntfctn of Eligibility by Lcl Depts of Scl Srvcs
HB 1127	Prince George’s County Delegation	Prince George’s Co – Dissemination of Voter Info Mtrl – Multifamily Rsdntl Strctrs PG 408–16
HB 1129	Prince George’s County Delegation and Montgomery County Delegation	WSSC – Commissioners Appointed From Montgomery Co – Qlftns PG/MC 116–16
HB 1453	Del. Vaughn	Real Estate Licensees – Verification of Service Provider Licensing Status
HB 1463	Del. Patterson	Coordinating Council for Juvenile Services Educational Programs – Membership

NUMBER	SPONSOR	CONTENT
HB 1469	Del. Carey	Real Este Brokers – Agency Rltnshps in Rsdntl Real Este Trnsctns – Dsclsr and Consent Reqmts

By Order, Sylvia Siegert, Chief Clerk

Read and ordered journalized.

MESSAGE FROM THE SENATE

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **HB0378**
SPONSOR: Delegate Tarlau, et al
SUBJECT: Homeowners' Property Tax Credit Program – Eligibility
 Awareness Campaign

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate A. Washington, Chairman
Delegate D. Barnes
Delegate Simonaire.

The Senate appoints:

Senator DeGrange, Chair
Senator Ferguson
Senator Edwards

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

CONCURRENCE CALENDAR #9

AMENDED IN THE SENATE

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

Delegate Davis moved that the House concur in the Senate amendments.

HB0188/207773/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 188

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 9 and 10, strike “by the Commissioner” and substitute “or generated”; in line 10, strike “exercise of” and substitute “course of exercising”; in the same line, after “examine” insert “certain persons required to be licensed under certain provisions of law,”; in line 11, after the first comma insert “and”; in the same line, strike “, and other persons required to be licensed under certain”; in line 12, strike “provisions of law”; and in line 13, after “altering” insert “and establishing”.

On page 2, in line 10, strike “and” and substitute a comma; in the same line, after “2–117” insert “, 11–501(o), and 11–601(s)”; and after line 12, insert:

“BY adding to

Article – Financial Institutions

Section 2–117.1

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)”.

AMENDMENT NO. 2

On page 3, strike line 25 in its entirety and substitute “**(Q) “NATIONWIDE MORTGAGE LICENSING SYSTEM AND REGISTRY” MEANS A MULTISTATE UNIFORM LICENSING SYSTEM**”; and in line 28, after the comma insert “**THAT MAY BE USED**”.

On page 4, after line 11, insert:

“(A) IN THIS SECTION, “LICENSED PERSON” MEANS:

(1) A PERSON REQUIRED TO BE LICENSED UNDER THIS ARTICLE, WHETHER OR NOT THE PERSON MAINTAINS A LICENSE; AND

(2) A COLLECTION AGENCY REQUIRED TO BE LICENSED UNDER THE BUSINESS REGULATION ARTICLE, WHETHER OR NOT THE COLLECTION AGENCY MAINTAINS A LICENSE.

(B) THIS SECTION DOES NOT APPLY TO:

(1) INFORMATION RELATING TO PUBLICLY ADJUDICATED DISCIPLINARY OR ENFORCEMENT ACTIONS AGAINST A LICENSED PERSON; OR

(2) INFORMATION OR MATERIAL PROVIDED TO THE NATIONWIDE MORTGAGE LICENSING SYSTEM AND REGISTRY UNDER TITLE 11, SUBTITLE 5 OR 6 OF THIS ARTICLE.

(C) EXCEPT AS OTHERWISE PROVIDED IN THIS ARTICLE, A PERSON, INCLUDING THE COMMISSIONER AND AN EMPLOYEE OF AND THE ATTORNEY FOR THE COMMISSIONER’S OFFICE, MAY NOT DISCLOSE ANY INFORMATION OBTAINED OR GENERATED IN THE COURSE OF EXERCISING THE COMMISSIONER’S AUTHORITY TO EXAMINE LICENSED PERSONS.

(D) THE COMMISSIONER AND AN EMPLOYEE OF AND THE ATTORNEY FOR THE COMMISSIONER’S OFFICE MAY DISCLOSE THE INFORMATION DESCRIBED IN SUBSECTION (C) OF THIS SECTION:

(1) IF PERFORMING A PUBLIC DUTY TO REPORT ON OR TAKE SPECIAL ACTION RELATING TO A LICENSED PERSON;

(2) IF TESTIFYING AS A WITNESS IN A CRIMINAL PROCEEDING;

(3) IF INFORMING A DIRECTOR, OFFICER, MEMBER, PARTNER, EMPLOYEE, OR AGENT OF A LICENSED PERSON OF THE RESULTS OF AN EXAMINATION;

(4) IF PROVIDING INFORMATION TO ANY STATE OR FEDERAL AGENCY HAVING SUPERVISORY AUTHORITY OVER THE LICENSED PERSON; AND

(5) IF ENTERING INFORMATION INTO EVIDENCE UNDER SEAL IN A PUBLIC ENFORCEMENT HEARING.

[(a)] (E) Subject to subsections [(b), (c),] (F), (G), and [(d)] (L) of this section, AND notwithstanding any other provision of State [laws or regulations] LAW, the Commissioner may:

(1) Enter into [cooperative and] information sharing agreements with any federal or state regulatory agency having authority over [financial institutions] LICENSED PERSONS or with any federal or state law enforcement agency, INCLUDING THE OFFICE OF FOREIGN ASSET CONTROL, AND ANY SUCCESSOR TO THESE AGENCIES, AND ANY AGENCY OF A FOREIGN COUNTRY WITH PRIMARY RESPONSIBILITY FOR REGULATING LICENSED PERSONS, provided that the agreements prohibit the [agency] AGENCIES from disclosing any shared information ABOUT A LICENSED PERSON without THE prior written consent from the Commissioner regarding disclosure of the particular information; and

(2) Exchange information about a [financial institution] LICENSED PERSON, including information obtained OR GENERATED during an examination, with any federal or [state] OTHER STATE'S regulatory agency having authority over the [financial institution] THE LICENSED PERSON or with any federal or state law enforcement agency, INCLUDING THE OFFICE OF FOREIGN ASSET CONTROL, AND ANY SUCCESSOR TO THESE AGENCIES, AND ANY AGENCY OF A FOREIGN COUNTRY WITH PRIMARY RESPONSIBILITY FOR REGULATING LICENSED PERSONS.

(F) INFORMATION SHARED BY THE COMMISSIONER UNDER SUBSECTION (E) OF THIS SECTION MAY NOT BE DISCLOSED BY AN AGENCY UNDER FEDERAL OR OTHER STATES' LAWS GOVERNING THE DISCLOSURE OF PUBLIC INFORMATION, OR BY SUBPOENA, DISCOVERY, OR ADMISSION INTO EVIDENCE IN PRIVATE CIVIL LITIGATION OR ADMINISTRATIVE PROCESS, WITHOUT THE PRIOR WRITTEN CONSENT OF THE COMMISSIONER.

[(b)](G) If the Commissioner receives a record from an agency under [a cooperative and] AN information sharing agreement authorized by subsection [(a)(1)] (E)(1) of this section and the agency expressly retains ownership of the record, either in writing or by law or regulation, the Commissioner:

(1) May not disclose the record to any person that requests the record under Title 4, Subtitles 1 through 5 of the General Provisions Article; and

(2) Shall forward the request for the record to the agency that owns the record for processing in accordance with the laws or regulations governing disclosure of the agency's records.

[(c)] (H) Notwithstanding § 2–113(d) of this subtitle, an affiliate as defined in § 2–113(a) of this subtitle is subject to [subsection (a) of] this section if that affiliate maintains or is required to maintain a license issued by the Commissioner **OR THE STATE COLLECTION AGENCY LICENSING BOARD.**

(I) ANY PROVISION OF TITLE 4, SUBTITLES 1 THROUGH 5 OF THE GENERAL PROVISIONS ARTICLE RELATING TO THE DISCLOSURE OF ANY INFORMATION DESCRIBED IN SUBSECTION (C) OF THIS SECTION SHALL BE SUPERSEDED BY THE REQUIREMENTS OF THIS SECTION.

(J) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, ALL INFORMATION DISCLOSED BY THE COMMISSIONER OR AN EMPLOYEE OF OR THE ATTORNEY FOR THE COMMISSIONER'S OFFICE TO ANY PERSON AS PERMITTED UNDER SUBSECTIONS (D) AND (E) OF THIS SECTION:

(1) REMAINS THE PROPERTY OF THE COMMISSIONER; AND

(2) MAY NOT BE FURTHER DISCLOSED BY ANY PERSON WITHOUT THE PRIOR WRITTEN PERMISSION OF THE COMMISSIONER.

(K) A PERSON WHO VIOLATES ANY PROVISION OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO:

(1) FORFEITURE OF THE PERSON'S OFFICE OR EMPLOYMENT; AND

(2) A FINE NOT EXCEEDING \$1,000 OR IMPRISONMENT NOT EXCEEDING 2 YEARS OR BOTH.

[(d)] (L) This section does not authorize the Commissioner to share or exchange information in any way THAT IS prohibited by federal law.

2-117.1.

(A) THIS SECTION DOES NOT APPLY TO INFORMATION RELATING TO PUBLICLY ADJUDICATED DISCIPLINARY OR ENFORCEMENT ACTIONS AGAINST BANKING INSTITUTIONS OR CREDIT UNIONS AND DESIGNATED BY THE COMMISSIONER FOR ACCESS TO THE PUBLIC.;

in line 12, strike “(A)” and substitute “(B)”; in the same line, strike “, A” and substitute “:

(1) A;

in line 14, after “OBTAINED” insert “**OR GENERATED**”; in line 15, strike “EXERCISE OF” and substitute “**COURSE OF EXERCISING**”; in line 16, strike the first comma and substitute “**OR**”; in line 16, strike “, OR OTHER PERSONS REQUIRED TO BE LICENSED”; in line 17, after “ARTICLE” insert “;**AND**

(2) THE COMMISSIONER AND THE EMPLOYEES OF AND THE ATTORNEY FOR THE COMMISSIONER’S OFFICE MAY NOT DISCLOSE:

(I) THE NAME OF ANY DEBTOR OF A BANKING INSTITUTION OR CREDIT UNION; OR

(II) ANY INFORMATION ABOUT THE PRIVATE ACCOUNTS WITH OR TRANSACTIONS OF A BANKING INSTITUTION OR CREDIT UNION;

in line 18, strike “(B)” and substitute “(C)”; in the same line, after “COMMISSIONER” insert “AND AN EMPLOYEE OF AND THE ATTORNEY FOR THE COMMISSIONER’S OFFICE”; in line 19, strike “(A)” and substitute “(B)”; in line 21, strike the first comma and substitute “**OR**”; strike beginning with the second comma in line 21 down through “ARTICLE” in line 22; in line 25, strike the second comma and substitute “**OR**”; strike beginning with the third

comma in line 25 down through “ARTICLE” in line 26; in line 29, strike the comma and substitute “OR”; in the same line, strike “INSTITUTIONS” and substitute “INSTITUTION”; and in line 30, strike “UNIONS, OR OTHER PERSONS REQUIRED TO BE LICENSED UNDER THIS ARTICLE” and substitute “UNION”.

On pages 6 and 7, strike in their entirety the lines beginning with line 17 on page 6 through line 2 on page 7, inclusive, and substitute:

“(D) SUBJECT TO SUBSECTIONS (E), (F), AND (J) OF THIS SECTION, AND NOTWITHSTANDING ANY OTHER PROVISION OF STATE LAW, THE COMMISSIONER MAY:

(1) ENTER INTO INFORMATION SHARING AGREEMENTS WITH ANY FEDERAL OR STATE REGULATORY AGENCY HAVING AUTHORITY OVER BANKING INSTITUTIONS OR CREDIT UNIONS, A FEDERAL HOME LOAN BANK, OR ANY FEDERAL OR STATE LAW ENFORCEMENT AGENCY, INCLUDING THE OFFICE OF FOREIGN ASSET CONTROL, AND ANY SUCCESSOR TO THESE AGENCIES, PROVIDED THAT THE AGREEMENTS PROHIBIT THE AGENCIES FROM DISCLOSING ANY SHARED INFORMATION ABOUT A BANKING INSTITUTION OR CREDIT UNION WITHOUT THE PRIOR WRITTEN CONSENT FROM THE COMMISSIONER REGARDING DISCLOSURE OF THE PARTICULAR INFORMATION; AND

(2) EXCHANGE INFORMATION ABOUT A BANKING INSTITUTION OR A CREDIT UNION, INCLUDING INFORMATION OBTAINED OR GENERATED DURING AN EXAMINATION, WITH ANY FEDERAL OR OTHER STATE’S REGULATORY AGENCY HAVING AUTHORITY OVER THE BANKING INSTITUTION OR CREDIT UNION OR WITH ANY FEDERAL OR STATE LAW ENFORCEMENT AGENCY.”

On page 7, in line 3, strike “(D)” and substitute “(E)”; in the same line, strike “(C)” and substitute “(D)”; strike in their entirety lines 9 through 28, inclusive, and substitute:

“(F) IF THE COMMISSIONER RECEIVES A RECORD FROM AN AGENCY UNDER AN INFORMATION SHARING AGREEMENT AUTHORIZED BY SUBSECTION (D)(1) OF THIS SECTION AND THE AGENCY EXPRESSLY RETAINS OWNERSHIP OF THE RECORD, EITHER IN WRITING OR BY LAW OR REGULATION, THE COMMISSIONER:

(1) MAY NOT DISCLOSE THE RECORD TO ANY PERSON THAT REQUESTS THE RECORD UNDER TITLE 4, SUBTITLES 1 THROUGH 5 OF THE GENERAL PROVISIONS ARTICLE; AND

(2) SHALL FORWARD THE REQUEST FOR THE RECORD TO THE AGENCY THAT OWNS THE RECORD FOR PROCESSING IN ACCORDANCE WITH THE LAWS OR REGULATIONS GOVERNING DISCLOSURE OF THE AGENCY'S RECORDS.”;

in line 29, strike “(H)” and substitute “(G)”; in the same line, strike “PROVISIONS” and substitute “PROVISION”; and in line 31, after “IN” insert “SUBSECTION (B) OF”.

On page 8, in lines 1 and 7, strike “(I)” and “(J)”, respectively, and substitute “(H)” and “(I)”, respectively; in line 1, strike “BY” and substitute “IN”; in line 2, after “DISCLOSED” insert “BY THE COMMISSIONER OR AN EMPLOYEE OF OR THE ATTORNEY FOR THE COMMISSIONER’S OFFICE”; in the same line, strike “(B) AND (C)” and substitute “(C) AND (D)”; in line 10, strike “FOR EACH OCCURRENCE, A” and substitute “A”; in the same line, strike “\$5,000” and substitute “\$1,000”; and strike in their entirety lines 12 and 13, and substitute:

“(J) THIS SECTION DOES NOT AUTHORIZE THE COMMISSIONER TO SHARE OR EXCHANGE INFORMATION IN ANY WAY THAT IS PROHIBITED BY FEDERAL LAW.”.

AMENDMENT NO. 3

On page 11, after line 22, insert:

“11-501.

(o) “Nationwide Mortgage Licensing System and Registry” [means a mortgage licensing system developed and maintained by the Conference of State Bank Supervisors and the American Association of Residential Mortgage Regulators for the licensing and registration of licensed mortgage loan originators and mortgage lenders] HAS THE MEANING STATED IN § 1-101 OF THIS ARTICLE.

11-601.

(s) “Nationwide Mortgage Licensing System and Registry” has the meaning stated in [§ 11-501 of this title] § 1-101 OF THIS ARTICLE.”.

The preceding 3 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 1069)

AMENDED IN THE SENATE

House Bill 264 – Delegates B. Robinson, A. Washington, Glenn, Anderson, Angel, Atterbeary, D. Barnes, Barron, Branch, Brooks, Carr, Carter, Conaway, Davis, Fennell, Gaines, Hayes, Haynes, Hill, Holmes, C. Howard, Jackson, Jones, Knotts, McCray, Moon, Oaks, Patterson, Pena–Melnyk, Proctor, Sample–Hughes, Smith, Sydnor, Tarlau, Turner, Vaughn, Walker, M. Washington, ~~and C. Wilson~~ C. Wilson, Jalisi, Krimm, Lisanti, Morales, Morhaim, Platt, and Queen

AN ACT concerning

~~**Study Group to Investigate Discriminatory Practices Against Minority Franchisees**~~

Task Force to Investigate the Challenges of and Opportunities for Minorities in Business

Delegate Davis moved that the House concur in the Senate amendments.

HB0264/337374/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 264

(Third Reading File Bill)

On page 4, strike beginning with “including” in line 5 down through “Maryland.” in line 6; strike beginning with “study” in line 14 down through “(4)” in line 25; and in line 31, strike “(5)” and substitute “(4)”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 133 Negative – 4 (See Roll Call No. 1070)

AMENDED IN THE SENATE

House Bill 740 – Delegates Kelly, Anderson, Angel, Atterbeary, Barkley, B. Barnes, D. Barnes, Barron, Barve, Brooks, Carr, Carter, Clippinger, Conaway, Cullison, Dumais, Ebersole, Fennell, Fraser–Hidalgo, Frick, Frush, Gaines, Gilchrist, Glenn, Gutierrez, Hammen, Hayes, Haynes, Healey, Hettleman, Hill, Hixson, Holmes, C. Howard, Jackson, Jalisi, Jones, Kaiser, Korman, Krimm, Lafferty, Lam, Lierman, Lisanti, Luedtke, McCray, McIntosh, A. Miller, Moon, Morales, Morhaim, Oaks, Patterson, Pena–Melnyk, Pendergrass, Platt, Reznik, B. Robinson, S. Robinson, Rosenberg, Sample–Hughes, Sanchez, Smith, Sophocleus, Stein, Tarlau, Turner, Valderrama, Waldstreicher, A. Washington, M. Washington, K. Young, and P. Young

AN ACT concerning

~~Labor and Employment~~ Task Force to Study Family and Medical Leave Insurance Program Establishment

Delegate Davis moved that the House concur in the Senate amendments.

HB0740/477379/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 740
(Third Reading File Bill)

On page 3, in lines 24 and 26, in each instance, strike “two members” and substitute “one member”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 97 Negative – 39 (See Roll Call No. 1071)

AMENDED IN THE SENATE

House Bill 995 – Allegany County Delegation

AN ACT concerning

Allegheny County – Alcoholic Beverages – Sunday Sales

Delegate Davis moved that the House concur in the Senate amendments.

HB0995/804733/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 995

(Third Reading File Bill)

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 5, strike beginning with “before” in line 8 down through “Act.” in line 19.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 1072)

AMENDED IN THE SENATE

House Bill 1062 – St. Mary’s County Delegation

AN ACT concerning

**St. Mary’s County – Alcoholic Beverages – Permits, Training, Prohibited Acts,
and Violations**

Delegate Davis moved that the House concur in the Senate amendments.

HB1062/654538/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1062

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike “permits” and substitute “license”.

AMENDMENT NO. 2

On page 5, strike lines 4 and 5 in their entirety; and in line 6, strike “(C)” and substitute “(B)”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 137 Negative – 1 (See Roll Call No. 1073)

AMENDED IN THE SENATE**House Bill 1072 – Delegate Beitzel**

AN ACT concerning

Garrett County – Alcoholic Beverages – Various Licenses

Delegate Davis moved that the House concur in the Senate amendments.

HB1072/613124/1

BY: Senator Edwards

AMENDMENT TO HOUSE BILL 1072

(Third Reading File Bill)

On page 11, in line 23, after “subtitle;” insert “[and]”; and in line 25, strike “and” and substitute “AND”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 1074)

AMENDED IN THE SENATE

House Bill 211 – Delegates Healey, Beidle, Beitzel, Carr, Fraser–Hidalgo, Frush, Gilchrist, Gutierrez, Holmes, Jalisi, Kaiser, Lafferty, Lam, Lierman, Luedtke, Moon, Morhaim, Pendergrass, B. Robinson, S. Robinson, Sydnor, M. Washington, and Zucker

AN ACT concerning

**Neonicotinoid Pesticides – ~~Labeling, Signage, and~~ Restrictions on Sales and Use
(Pollinator Protection Act of 2016)**

Delegate Barve moved that the House concur in the Senate amendments.

HB0211/104534/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 211

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “establishing” in line 13 down through “Act:” in line 14 and substitute “requiring the Department of Agriculture to incorporate certain practices into a certain pollinator protection plan; requiring the Department to review certain laws and regulations and make recommendations regarding certain matters; requiring the Department to reports its findings and recommendations to the Governor and General Assembly within a certain period of time after the publication of a certain pollinator risk assessment;”.

On page 2, in line 3, strike “5–2A–03” and substitute “5–2A–04”.

AMENDMENT NO. 2

On page 4, strike lines 16 and 17 in their entirety and substitute:

“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, CLOTHIANIDIN, 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 PROTECTIVE OF POLLINATORS, TAKING INTO ACCOUNT 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."

The preceding 2 amendments were read and concurred in.

HB0211/813323/1

BY: Senator Hough

AMENDMENTS TO HOUSE BILL 211, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments (HB0211/104534/1), in line 7 of Amendment No. 1, after "assessment;" insert "establishing a certain civil penalty for a violation of this Act; exempting this Act from certain provisions of law;"; and in line 8, strike "5-2A-04" and substitute "5-2A-05".

On page 1 of the bill, in line 18, after "(r)" insert ", 12-101, 12-102, and 12-103".

On page 2 of the bill, after line 6, insert:

"BY repealing and reenacting, with amendments,

Article – Agriculture

Section 12-104

Annotated Code of Maryland

(2007 Replacement Volume and 2015 Supplement)".

AMENDMENT NO. 2

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments, in line 7 of Amendment No. 2, after “ASSEMBLY.” insert:

“5-2A-05.

A PERSON WHO VIOLATES THIS SUBTITLE IS SUBJECT TO A CIVIL PENALTY OF \$250.

12-101.

Any person who violates any provision of this article is guilty of a misdemeanor. Unless another penalty specifically is provided elsewhere in this article, the person, upon conviction, is subject to a fine not exceeding \$500, or imprisonment not exceeding three months, or both, with costs imposed in the discretion of the court.

12-102.

Unless another penalty specifically is provided elsewhere in this article, any person found guilty of a second or subsequent violation of any provision of the same title, is subject to a fine not exceeding \$1,000, or imprisonment not exceeding one year, or both, with costs imposed in the discretion of the court. For the purposes of this section, a second or subsequent violation is one which has occurred within two years of any prior violation of this title and which arises out of a separate set of circumstances.

12-103.

In addition to any administrative penalty provided in this article, violation of any rule or regulation adopted by the Secretary pursuant to the provisions of this article is a misdemeanor and is punishable as provided in §§ 12-101 and 12-102 of this subtitle.

12-104.

This title does not apply to a violation of:

- (1) Title 1, Subtitle 3 of this article; AND
- (2) TITLE 5, SUBTITLE 2A OF THIS ARTICLE.”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 99 Negative – 38 (See Roll Call No. 1075)

AMENDED IN THE SENATE

House Bill 374 – Delegate Anderson (By Request – Baltimore City Administration)

AN ACT concerning

Criminal Law – Pretrial Release – Prior Crime of Violence

Delegate Vallario moved that the House concur in the Senate amendments.

HB0374/288873/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 374

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Crime of Violence” and substitute “Crimes”; in line 4, after “with” insert “a crime of violence if the defendant has previously been convicted of a certain crime; prohibiting a District Court commissioner from authorizing release of a defendant charged with”; and in line 18, strike “5–202(f)” and substitute “5–202(c) and (f)”.

AMENDMENT NO. 2

On page 3, after line 22, 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;
2. any other conditions that will reasonably ensure that the 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 concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 1076)

QUORUM CALL

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

(See Roll Call No. 1077)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #83

House Bill 1642 – Delegate Oaks

AN ACT concerning

Higher Education – Morgan State University – Office of Technology Transfer

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

Affirmative – 113 Negative – 23 (See Roll Call No. 1078)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #84

House Bill 1350 – ~~Delegate Hammen~~ Delegates Hammen, Angel, Barron, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, McMillan, Miele, Morgan, Morhaim, Oaks, Pena-Melnyk, Pendergrass, Rose, Saab, Sample-Hughes, West, and K. Young

AN ACT concerning

Freestanding Medical Facilities – Certificate of Need, Rates, and Definition

Delegate Vaughn moved to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

THIRD READING CALENDAR (SENATE BILLS) #47

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 – 134 Negative – 0 (See Roll Call No. 1079)

The Bill was then returned to the Senate.

**Senate Bill 74 – Chair, Finance Committee (By Request – Departmental – Labor,
Licensing and Regulation)**

AN ACT concerning

**Unemployment Insurance – Effect of Retirement Payments on Eligibility for
Benefits – Revision**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1080)

The Bill was then returned to the Senate.

**Senate Bill 84 – Chair, Finance Committee (By Request – Departmental – Labor,
Licensing and Regulation)**

AN ACT concerning

**Unemployment Insurance – Calculation and Application of Table of Rates –
Revision**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1081)

The Bill was then returned to the Senate.

**Senate Bill 86 – Chair, Finance Committee (By Request – Departmental – Labor,
Licensing and Regulation)**

AN ACT concerning

**Unemployment Insurance – Exemption From Actively Seeking Work
Requirement – Repeal**

Delegate Tarlau moved to make the Bill a Special Order for Friday.

The motion was adopted.

**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 – 138 Negative – 0 (See Roll Call No. 1082)

The Bill was then returned to the Senate.

Senate Bill 96 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

**Department of Labor, Licensing, and Regulation – State Collection Agency
Licensing Board – Authority of the Secretary**

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1083)

The Bill was then returned to the Senate.

Senate Bill 119 – ~~Senator Simonaire~~ Senators Simonaire, Peters, Astle, Benson, Feldman, Hershey, Jennings, Kelley, Klausmeier, Mathias, Middleton, Pugh, and Reilly

AN ACT concerning

Business Regulation – Business Discounts and Preferences for Veterans – Identification

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1084)

The Bill was then returned to the Senate.

Senate Bill 175 – Senator Astle

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Disposition of Fees

Delegate Frick moved to make the Bill a Special Order for Friday.

The motion was adopted.

Senate Bill 206 – The President (By Request – Department of Legislative Services)

AN ACT concerning

Security Systems Technicians and Agencies – Fees and Repeal of Sunset Extension Provision and Program Evaluation

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1085)

The Bill was then returned to the Senate.

Senate Bill 245 – Senators ~~Manno and Peters~~, Peters, Middleton, Astle, Benson, Feldman, Hershey, Jennings, Kelley, Klausmeier, Mathias, Pugh, and Reilly

AN ACT concerning

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

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

Affirmative – 135 Negative – 2 (See Roll Call No. 1086)

The Bill was then returned to the Senate.

SPECIAL ORDERS

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

House Bill 1495 – Delegates Cullison, Haynes, Healey, Kelly, Pena-Melnyk, Reznik, Sample-Hughes, and Vallario

AN ACT concerning

**State Government – Administrative Procedure Act – Contested Cases
– Judicial Review**

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

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 1087)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #28

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 – 137 Negative – 0 (See Roll Call No. 1088)

The Bill was then returned to the Senate.

**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 – 137 Negative – 0 (See Roll Call No. 1089)

The Bill was then returned to the Senate.

**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 – 138 Negative – 0 (See Roll Call No. 1090)

The Bill was then returned to the Senate.

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 – 137 Negative – 0 (See Roll Call No. 1091)

The Bill was then returned to the Senate.

**Senate Bill 899 – Senators Klausmeier, Feldman, Guzzone, Madaleno, ~~and Manno~~
Manno, Astle, Benson, Hershey, Jennings, Kelley, Mathias, Middleton,
Pugh, and Reilly**

AN ACT concerning

**Maryland Medical Assistance Program – Specialty Mental Health and Substance
Use Disorder Services – Parity**

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

Affirmative – 137 Negative – 1 (See Roll Call No. 1092)

The Bill was then returned to the Senate.

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 – 138 Negative – 0 (See Roll Call No. 1093)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #49

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 – 137 Negative – 0 (See Roll Call No. 1094)

The Bill was then returned to the Senate.

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 – 137 Negative – 0 (See Roll Call No. 1095)

The Bill was then returned to the Senate.

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 – 137 Negative – 0 (See Roll Call No. 1096)

The Bill was then returned to the Senate.

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 – 137 Negative – 0 (See Roll Call No. 1097)

The Bill was then returned to the Senate.

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 – 135 Negative – 0 (See Roll Call No. 1098)

The Bill was then returned to the Senate.

Senate Bill 346 – Senators Ramirez, Brochin, Cassilly, Hough, Lee, Madaleno, Muse, ~~and Raskin~~ Raskin, Ready, and Zirkin

AN ACT concerning

Peace Orders – Grounds for Relief

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1099)

The Bill was then returned to the Senate.

Senate Bill 637 – Senator Cassilly

AN ACT concerning

Evidence – Admissibility of DNA Profile – Definition and Validation of DNA Profile

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1100)

The Bill was then returned to the Senate.

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

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1101)

The Bill was then returned to the Senate.

Senate Bill 924 – Senator Ramirez

AN ACT concerning

Family Law – Protective Orders – Notification of Service – Sunset Repeal

FLOOR AMENDMENT

SB0924/233123/1

BY: Delegate Angel

AMENDMENTS TO SENATE BILL 924

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Notification of Service – Sunset Repeal” and substitute “Definition of Abuse and Repeal of Sunset of Notification of Service”; in line 3, after the first “of” insert “altering the definition of “abuse” for purposes of certain provisions of law relating to domestic violence to include harassment and malicious destruction of property;”; in line 5, after “contingency;” insert “defining certain terms;”; and after line 6, insert:

“BY repealing and reenacting, with amendments,

Article – Family Law

Section 4–501

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 19, insert:

“4–501.

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

(b) (1) “Abuse” means any of the following acts:

(i) an act that causes serious bodily harm;

(ii) an act that places a person eligible for relief in fear of imminent serious bodily harm;

(iii) assault in any degree;

(iv) rape or sexual offense under §§ 3–303 through 3–308 of the Criminal Law Article or attempted rape or sexual offense in any degree;

(v) false imprisonment; [or]

(vi) stalking under § 3–802 of the Criminal Law Article;

(VII) HARASSMENT; OR

(VIII) MALICIOUS DESTRUCTION OF PROPERTY.

(2) If the person for whom relief is sought is a child, “abuse” may also include abuse of a child, as defined in Title 5, Subtitle 7 of this article. Nothing in this subtitle shall be construed to prohibit reasonable punishment, including reasonable corporal punishment, in light of the age and condition of the child, from being performed by a parent or stepparent of the child.

(3) If the person for whom relief is sought is a vulnerable adult, “abuse” may also include abuse of a vulnerable adult, as defined in Title 14, Subtitle 1 of this article.

(c) “Child care provider” means a person that provides supervision and care for a minor child.

(d) “Cohabitant” means a person who has had a sexual relationship with the respondent and resided with the respondent in the home for a period of at least 90 days within 1 year before the filing of the petition.

(e) “Commissioner” means a District Court Commissioner appointed in accordance with Article IV, § 41G of the Maryland Constitution.

(f) “Court” means the District Court or a circuit court in this State.

(g) “Emergency family maintenance” means a monetary award given to or for a person eligible for relief to whom the respondent has a duty of support under this article based on:

(1) the financial needs of the person eligible for relief; and

(2) the resources available to the person eligible for relief and the respondent.

(h) “Executive Director” means the Executive Director of the Governor’s Office of Crime Control and Prevention.

(i) “Final protective order” means a protective order issued under § 4–506 of this subtitle.

(J) “HARASSMENT” MEANS AN INTENTIONAL OR KNOWING COURSE OF CONDUCT OR A SERIES OF ACTS, INCLUDING WRITTEN OR ELECTRONIC COMMUNICATION OR TRANSMISSION, THAT CONTINUES AFTER A REASONABLE WARNING OR REQUEST TO STOP BY OR ON BEHALF OF ANOTHER PERSON AND THAT:

(1) SERIOUSLY ALARMS, TORMENTS, TERRORIZES, OR DISTURBS THE OTHER PERSON;

(2) HAS NO LEGAL PURPOSE; AND

(3) WOULD CAUSE A REASONABLE PERSON TO SUFFER MENTAL OR EMOTIONAL DISTRESS.

[(j)] (K) “Home” means the property in this State that:

(1) is the principal residence of a person eligible for relief; and

(2) is owned, rented, or leased by the person eligible for relief or respondent or, in a petition alleging child abuse or abuse of a vulnerable adult, an adult living in the home at the time of a proceeding under this subtitle.

[(k)] (L) “Interim protective order” means an order that a Commissioner issues under this subtitle pending a hearing by a judge on a petition.

[(l)] (M) “Local department” means the local department that has jurisdiction in the county:

(1) where the home is located; or

(2) if different, where the abuse is alleged to have taken place.

(N) “MALICIOUS DESTRUCTION OF PROPERTY” MEANS AN ACT THAT WILLFULLY DESTROYS, INJURES, OR DEFACES THE REAL OR PERSONAL PROPERTY OF ANOTHER PERSON, INCLUDING A PERMANENT DRAWING, PAINTING, MARKING, OR INSCRIPTION, EVEN IF THE PROPERTY IS HELD AS TENANTS BY THE ENTIRETY, AND THAT:

(1) SERIOUSLY ALARMS, TORMENTS, TERRORIZES, OR DISTURBS THE OTHER PERSON;

(2) HAS NO LEGAL PURPOSE; AND

(3) WOULD CAUSE A REASONABLE PERSON TO SUFFER MENTAL OR EMOTIONAL DISTRESS.

[(m)] (O) “Person eligible for relief” includes:

(1) the current or former spouse of the respondent;

- (2) a cohabitant of the respondent;
- (3) a person related to the respondent by blood, marriage, or adoption;
- (4) a parent, stepparent, child, or stepchild of the respondent or the person eligible for relief who resides or resided with the respondent or person eligible for relief for at least 90 days within 1 year before the filing of the petition;
- (5) a vulnerable adult;
- (6) an individual who has a child in common with the respondent; or
- (7) an individual who has had a sexual relationship with the respondent within 1 year before the filing of the petition.

[(n)] (P) (1) “Pet” means a domesticated animal.

(2) “Pet” does not include livestock.

[(o)] (Q) (1) “Petitioner” means an individual who files a petition.

(2) “Petitioner” includes:

(i) a person eligible for relief; or

(ii) the following persons who may seek relief from abuse on behalf of a minor or vulnerable adult:

1. the State’s Attorney for the county where the child or vulnerable adult lives, or, if different, where the abuse is alleged to have taken place;

2. the department of social services that has jurisdiction in the county where the child or vulnerable adult lives, or, if different, where the abuse is alleged to have taken place;

3. a person related to the child or vulnerable adult by blood, marriage, or adoption; or

4. an adult who resides in the home.

[(p)] (R) “Residence” includes the yard, grounds, outbuildings, and common areas surrounding the residence.

[(q)] (S) “Respondent” means the person alleged in the petition to have committed the abuse.

[(r)] (T) “Temporary protective order” means a protective order issued under § 4–505 of this subtitle.

[(s)] (U) “Victim” includes a person eligible for relief.

[(t)] (V) “Vulnerable adult” has the meaning provided in § 14–101(q) of this article.”.

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

Affirmative – 65 Negative – 61 (See Roll Call No. 1102)

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1103)

The Bill was then returned to the Senate.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **SB1005**
SPONSOR: President
SUBJECT: Justice Reinvestment Act

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Zirkin, Chair

Senator McFadden
Senator Hough
Senator Peters
Senator DeGrange

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

Motion to suspend the rules to allow 5 members on a conference committee.

The motion was adopted by roll call vote as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 1104)

MESSAGE TO THE SENATE

BILL: **SB1005**
SPONSOR: President
SUBJECT: Justice Reinvestment Act

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Zirkin, Chairman
Senator McFadden
Senator Hough
Senator Peters
Senator DeGrange.

The House appoints:

Delegate Dumais, Chair
Delegate Hammen
Delegate Barron
Delegate Vallario
Delegate West

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

QUORUM CALL

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

(See Roll Call No. 1105)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #50

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 – 136 Negative – 0 (See Roll Call No. 1106)

The Bill was then returned to the Senate.

Senate Bill 47 – Senator Simonaire

AN ACT concerning

Anne Arundel County – Property Tax Credit – Benefit Corporations and Benefit Limited Liability Companies

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

Affirmative – 126 Negative – 12 (See Roll Call No. 1107)

The Bill was then returned to the Senate.

Senate Bill 48 – ~~Senator Reilly~~ Anne Arundel County Senators

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 – 138 Negative – 0 (See Roll Call No. 1108)

The Bill was then returned to the Senate.

**Senate Bill 76 – Chair, Budget and Taxation Committee (By Request –
Departmental – Assessments and Taxation)**

AN ACT concerning

Enterprise Zones – Reimbursements to Local Governments – Schedule

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

Affirmative – 136 Negative – 2 (See Roll Call No. 1109)

The Bill was then returned to the Senate.

Senate Bill 137 – Senator Eckardt

AN ACT concerning

Income Tax Credit – Preservation and Conservation Easements

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1110)

The Bill was then returned to the Senate.

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 – 137 Negative – 0 (See Roll Call No. 1111)

The Bill was then returned to the Senate.

**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 – 137 Negative – 0 (See Roll Call No. 1112)

The Bill was then returned to the Senate.

**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 – 135 Negative – 3 (See Roll Call No. 1113)

The Bill was then returned to the Senate.

**Senate Bill 374 – ~~Senator Serafini~~ Senators Serafini, Currie, DeGrange, Eckardt,
Edwards, Ferguson, Guzzone, Kasemeyer, King, Madaleno, Manno,
McFadden, and Peters**

AN ACT concerning

Income Tax Subtraction Modification – College Savings Plans – Contributions

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1114)

The Bill was then returned to the Senate.

Senate Bill 499 – Senator Ferguson

AN ACT concerning

Admissions and Amusement Tax – Baltimore City – Amateur Sports League Fees

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1115)

The Bill was then returned to the Senate.

Senate Bill 520 – Washington County Senators

AN ACT concerning

~~Washington County Board~~ **County Boards of Education – Motor Fuel Tax
Exemption and Refund**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1116)

The Bill was then returned to the Senate.

**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 yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 1117)

The Bill was then returned to the Senate.

**Senate Bill 597 – Senators Peters, DeGrange, Edwards, Guzzone, King, Manno,
and Serafini**

AN ACT concerning

Recordation and Transfer Taxes – Transfer of Controlling Interest – Exemptions

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1118)

The Bill was then returned to the Senate.

Senate Bill 759 – Senator Madaleno (By Request – Tax Credit Evaluation Committee) and Senator Peters

AN ACT concerning

~~Sustainable Communities~~ **Heritage Structure Rehabilitation Tax Credit –
Alteration and Extension**

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

Affirmative – 126 Negative – 12 (See Roll Call No. 1119)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #52

Senate Bill 271 – Senators King, Benson, Currie, Ferguson, Guzzone, Lee, Madaleno, Manno, Peters, ~~and Young~~ Young, and Kasemeyer

AN ACT concerning

Capital Grant Program for Local School Systems With Significant Enrollment Growth or Relocatable Classrooms – Funding

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

Affirmative – 119 Negative – 18 (See Roll Call No. 1120)

The Bill was then returned to the Senate.

Senate Bill 532 – Senator McFadden

AN ACT concerning

Correctional Officers' Retirement System – Membership – Correctional Case Management Specialist

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1121)

The Bill was then returned to the Senate.

Senate Bill 542 – ~~Senator Feldman~~ Senators Feldman and Ferguson

AN ACT concerning

State Retirement and Pension System – Forfeiture of Benefits

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1122)

The Bill was then returned to the Senate.

Senate Bill 584 – Senators King, Raskin, Ferguson, Feldman, Gladden, Guzzone, Kagan, Kelley, Klausmeier, Lee, Madaleno, Mathias, McFadden, Nathan-Pulliam, Peters, Pinsky, Pugh, Ramirez, Rosapepe, Young, and Zirkin

AN ACT concerning

Preschool Development Grants – Expansion Grants – Required State Funding

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

Affirmative – 90 Negative – 43 (See Roll Call No. 1123)

The Bill was then returned to the Senate.

Senate Bill 608 – Senator Guzzone

AN ACT concerning

Employees’ Pension System – Redeposit of Contributions

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1124)

The Bill was then returned to the Senate.

Senate Bill 818 – Senator Peters

AN ACT concerning

State Personnel – Individuals With Disabilities – Hiring Preferences

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

Affirmative – 135 Negative – 1 (See Roll Call No. 1125)

The Bill was then returned to the Senate.

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

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

Affirmative – 134 Negative – 3 (See Roll Call No. 1126)

The Bill was then returned to the Senate.

Senate Bill 1158 – ~~Senator McFadden~~ Senators McFadden and Conway

AN ACT concerning

Higher Education – Morgan State University – Office of Technology Transfer

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

Affirmative – 108 Negative – 27 (See Roll Call No. 1127)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #53**Senate Bill 10 – Senator Simonaire**

AN ACT concerning

Business Regulation – Charitable Organizations – Audit and Review

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1128)

The Bill was then returned to the Senate.

Senate Bill 85 – Chair, Finance Committee (By Request – Departmental – Commerce)

AN ACT concerning

Department of Economic Competitiveness and Commerce – Renaming

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1129)

The Bill was then returned to the Senate.

Senate Bill 87 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Mortgage Loan Originators – State Criminal History Records Check Requirement – Repeal

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1130)

The Bill was then returned to the Senate.

Senate Bill 92 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Planned Apprenticeship Standards and On-the-Job Training Activities – Revisions

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1131)

The Bill was then returned to the Senate.

Senate Bill 93 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

**Maryland Workforce Corporation and Health Care Personnel Training Fund –
Repeal**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1132)

The Bill was then returned to the Senate.

**Senate Bill 94 – Chair, Finance Committee (By Request – Departmental – Labor,
Licensing and Regulation)**

AN ACT concerning

Workforce Development – Revisions

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1133)

The Bill was then returned to the Senate.

**Senate Bill 106 – Chair, Education, Health, and Environmental Affairs Committee
(By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Department of Labor, Licensing, and Regulation – State Board of Heating,
Ventilation, Air-Conditioning, and Refrigeration Contractors – Authority of the
Secretary**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 1134)

The Bill was then returned to the Senate.

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 – 137 Negative – 0 (See Roll Call No. 1135)

The Bill was then returned to the Senate.

Senate Bill 417 – Senators Kelley, Astle, Benson, Guzzone, Jennings, Klausmeier, Peters, Pugh, Reilly, ~~and Young~~ Young, Feldman, Middleton, Mathias, and Hershey

SECOND PRINTING

AN ACT concerning

~~Labor and Employment – Minimum Wage – Individuals With Disabilities
(Ken Capone Equal Employment Act)~~
Individuals With Disabilities – Minimum Wage and Community Integration

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

Affirmative – 111 Negative – 26 (See Roll Call No. 1136)

The Bill was then returned to the Senate.

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 – 136 Negative – 0 (See Roll Call No. 1137)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #24

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 – 137 Negative – 0 (See Roll Call No. 1138)

The Bill was then returned to the Senate.

Senate Bill 861 – Senators Young and Hough

AN ACT concerning

Frederick County – Dry Election Districts – Repeal

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1139)

The Bill was then returned to the Senate.

Senate Bill 888 – ~~Senator Middleton~~ Senators Middleton, Astle, Benson, Feldman, Hershey, Jennings, Kelley, Klausmeier, Mathias, and Reilly

AN ACT concerning

**Motor Vehicle Insurance – Program to Incentivize and Enable Uninsured
Vehicle Owners to Be Insured**

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

Affirmative – 133 Negative – 4 (See Roll Call No. 1140)

The Bill was then returned to the Senate.

Senate Bill 916 – Harford County Senators

AN ACT concerning

Harford County – Alcoholic Beverages – Community College License

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

Affirmative – 135 Negative – 2 (See Roll Call No. 1141)

The Bill was then returned to the Senate.

Senate Bill 1077 – Washington County Senators

AN ACT concerning

Washington County – Alcoholic Beverages – License Renewal Procedures

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1142)

The Bill was then returned to the Senate.

Senate Bill 1079 – Washington County Senators

AN ACT concerning

Washington County – Alcoholic Beverages – Hotel and Motel Licenses

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1143)

The Bill was then returned to the Senate.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #18

CONSENT CALENDAR #13

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

House Bill 1572 – Delegate Otto

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 Appropriations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

Senate Bill 481 – Senators Lee, Raskin, Astle, Benson, Conway, Currie, DeGrange, Feldman, Ferguson, Gladden, Guzzone, Kagan, Kasemeyer, Kelley, King, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Muse, Nathan-Pulliam, Peters, Pinsky, Pugh, Ramirez, Rosapepe, Young, and Zirkin

AN ACT concerning

Labor and Employment – Equal Pay for Equal Work

The Bill was re-referred to the Committee on Economic Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

Senate Bill 869 – ~~Senator Nathan Pulliam~~ Senators Nathan Pulliam, Benson, Conway, Currie, Feldman, Ferguson, Gladden, Guzzone, Kelley, King, Lee, Madaleno, Manno, Mathias, McFadden, Muse, Peters, Pugh, Ramirez, Raskin, Young, and Zucker

AN ACT concerning

~~Commission on~~ **Governor’s Office of Minority Affairs – Workgroup on Reconciliation and Equity**

The Bill was re-referred to the Committee on Economic Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

Senate Bill 921 – ~~Senators Pugh, Feldman, Benson, Madaleno, Mathias, and Middleton~~ Middleton, Pinsky, and Raskin ~~Raskin~~ Raskin, and Muse

AN ACT concerning

Clean Energy Jobs – Renewable Energy Portfolio Standard Revisions

The Bill was re-referred to the Committee on Economic Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Judiciary:

Senate Bill 1072 – ~~Senator Muse~~ Senators Muse and Norman

AN ACT concerning

~~Juveniles – Restraint and Searches – Limitations~~
Task Force to Study the Restraint, Searches, and Needs of Children in the Juvenile Justice System

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

AMENDED IN THE SENATE

House Bill 1299 – Delegate A. Washington

AN ACT concerning

**Property Tax – ~~Public Land and Public Use~~ Crane Located on State Property –
Exemption**

Delegate Hixson moved that the House not concur in the Senate amendments.

HB1299/289734/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 1299

(Third Reading File Bill)

On page 1, in line 2, before “Property” insert “Personal”; in the same line, strike “Crane Located on State Property” and substitute “State Land”; in lines 5 and 8, in each instance, after “certain” insert “personal”; and in line 6, strike “providing for the construction of this Act”.

On page 2, in line 2, strike “PERSONAL”; in the same line, strike “A CRANE” and substitute “BEING”; in line 3, strike “CARGO HANDLING PURPOSES” and substitute “:

(1) A PUBLIC PURPOSE UNDER A PUBLIC-PRIVATE PARTNERSHIP AGREEMENT WITH A STATE ENTITY; OR

(2) CARGO HANDLING PURPOSES”;

strike in their entirety lines 4 through 6, inclusive; and in line 7, strike “3.” and substitute “2.”.

The preceding amendment was read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB1299**
 SPONSOR: Delegate Washington, A.
 SUBJECT: Property Tax – Crane Located on State Property – Exemption

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate M. Washington, Chair
Delegate Fennell
Delegate Metzgar

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

QUORUM CALL

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

(See Roll Call No. 1144)

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 297 – ~~Senator Madaleno~~ Senators Madaleno, Benson, Feldman, Hershey, Kelley, Klausmeier, Middleton, Pugh, and Reilly

AN ACT concerning

Health Insurance – Habilitative Services – Period of Time for Coverage

FOR the purpose of extending until the end of a certain month the period of time during which certain health insurers, nonprofit health service plans, and health maintenance organizations are required to provide coverage of certain habilitative services for insureds and enrollees who are children; repealing a provision of law stating that a certain determination by a certain entity is considered an adverse decision for certain purposes; altering a certain definition; repealing a certain

definition; providing for the application of this Act; and generally relating to health insurance coverage for habilitative services.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–835
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

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

Senate Bill 442 – Senators Manno, Guzzone, Lee, Madaleno, and Raskin

AN ACT concerning

General Provisions – Commemorative Days – National Healthcare Decisions Day

FOR the purpose of requiring the Governor annually to proclaim a certain day as National Healthcare Decisions Day; and generally relating to National Healthcare Decisions Day.

BY renumbering
Article – General Provisions
Section 7–405 through 7–416, respectively
to be Section 7–406 through 7–417, respectively
Annotated Code of Maryland
(2014 Volume and 2015 Supplement)

BY adding to
Article – General Provisions
Section 7–405
Annotated Code of Maryland
(2014 Volume and 2015 Supplement)

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

Senate Bill 658 – Senator Benson

AN ACT concerning

Retail Business Owners – Automated Teller Machines – Notice of Skimming Device

FOR the purpose of requiring the owner of a retail business with an automated teller machine located on the premises of the business who has knowledge of an illegal skimming device installed on or near the automated teller machine to ~~post a certain~~

~~notice in a certain manner and to keep the notice posted for a certain period of time notify the operator of the automated teller machine of the existence of a certain skimming device and certain information to identify the automated teller machine under certain circumstances; providing for the application of this Act; defining a certain term; and generally relating to automated teller machines located on retail business premises.~~

BY adding to

Article – Business Regulation
Section 19–104
Annotated Code of Maryland
(2015 Replacement Volume and 2015 Supplement)

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

Senate Bill 939 – Senators Madaleno and Raskin

AN ACT concerning

Maryland Medical Assistance Program – ~~Nursing Homes – Advance Payments~~ Determinations of Eligibility for Long-Term Care Services – Reports and Meetings

FOR the purpose of requiring the Department of Health and Mental Hygiene ~~to make a certain advance payment to a nursing home at the request of the nursing home under certain circumstances; providing that the advance payment may not exceed a certain amount; requiring the Department to pay the balance due to a nursing home under certain circumstances; requiring the Department to recover certain advance payments in a certain manner under certain circumstances; defining a certain term,~~ in consultation with the Department of Human Resources, to submit a report on the State’s progress in determining the eligibility of certain applicants within a certain time period to certain committees of the General Assembly on or before a certain date and quarterly thereafter; requiring that the report include certain information; requiring the Department of Health and Mental Hygiene, in collaboration with the Department of Human Resources, to conduct certain meetings to discuss certain reports and develop certain strategies; providing for the termination of this Act; and generally relating to the Maryland Medical Assistance Program and ~~advance payments to nursing homes~~ determinations of eligibility for long-term care services.

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

~~Article – Health – General
Section 15–101(a) and (h)
Annotated Code of Maryland
(2015 Replacement Volume)~~

~~BY adding to~~

~~Article – Health – General~~

~~Section 15-148
Annotated Code of Maryland
(2015 Replacement Volume)~~

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

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~~ Physical and Digital Infrastructure in the Public Schools – Assessment

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,~~ in cooperation and coordination with certain local school systems, to conduct a certain assessment of certain infrastructure needed for certain reasons on or before a certain date; providing for the contents of a certain assessment; requiring a certain assessment to be submitted to certain committees of the General Assembly in accordance with a certain provision of law on or before a certain date; and generally relating to the physical and digital infrastructure needs of public schools in the State.

~~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 and Executive Nominations.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #55**Senate Bill 4 – Senator Conway**

AN ACT concerning

Natural Resources – Maryland Environmental Trust – Trustees

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1145)

The Bill was then returned to the Senate.

Senate Bill 61 – Senator Simonaire

AN ACT concerning

Natural Resources – Forest Lands and the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund – Miscellaneous Corrections and Clarifications

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1146)

The Bill was then returned to the Senate.

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 – 131 Negative – 3 (See Roll Call No. 1147)

The Bill was then returned to the Senate.

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 – 135 Negative – 2 (See Roll Call No. 1148)

The Bill was then returned to the Senate.

Senate Bill 381 – The President (By Request – Administration) and Senators Bates, Brochin, Cassilly, Eckardt, Edwards, Hershey, Jennings, Mathias, Muse, Norman, Reilly, Rosapepe, Salling, Serafini, Simonaire, and Waugh

AN ACT concerning

Housing and Community Development – Community Development Administration – Student and Residential Mortgage Loans

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

Affirmative – 133 Negative – 3 (See Roll Call No. 1149)

The Bill was then returned to the Senate.

Senate Bill 591 – Senator King

AN ACT concerning

Tax Sales – Condominium Assessments and Homeowners Association Fees

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1150)

The Bill was then returned to the Senate.

Senate Bill 859 – Senators Young and Hough

AN ACT concerning

Frederick County – Development Rights and Responsibilities Agreements – Administrative Appeals

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

Affirmative – 136 Negative – 1 (See Roll Call No. 1151)

The Bill was then returned to the Senate.

Senate Bill 996 – Senator Waugh

AN ACT concerning

St. Mary's County – Local Landlord and Tenant Law – Repeal

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

Affirmative – 136 Negative – 1 (See Roll Call No. 1152)

The Bill was then returned to the Senate.

SPECIAL ORDERS

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

House Bill 1350 – ~~Delegate Hammen~~ Delegates Hammen, Angel, Barron, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, McMillan, Miele, Morgan, Morhaim, Oaks, Pena-Melnyk, Pendergrass, Rose, Saab, Sample-Hughes, West, and K. Young

AN ACT concerning

Freestanding Medical Facilities – Certificate of Need, Rates, and Definition

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

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1153)

The Bill was then sent to the Senate.

Senate Bill 227 – Washington County Senators

AN ACT concerning

Washington County – Property Tax Credit – Disabled Veterans

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT 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: BILL ON 3RD READING. FLOOR AMENDMENT BY DEL. KITTLEMAN (# 123825/1) ADOPTED.

Delegate Kittleman moved to reconsider Floor Amendment No. 123825/1.

The motion was adopted.

Delegate Kittleman moved to withdraw Floor Amendment No. 123825/1.

FLOOR AMENDMENT

SB0764/123825/1

BY: Delegate Kittleman

AMENDMENT TO SENATE BILL 764

(Third Reading File Bill)

On page 6, strike beginning with the second “MAY” in line 27 down through “INTIMIDATING” in line 28 and substitute “HAVE THE INTENT TO HARASS, THREATEN, OR INTIMIDATE AN INDIVIDUAL”.

The preceding amendment was withdrawn.

FLOOR AMENDMENT

SB0764/933720/1

BY: Delegate Kittleman

AMENDMENT TO SENATE BILL 764, AS AMENDED

(Third Reading File Bill)

On page 6 of the bill, in lines 27 and 28, strike “MAY BE DEFINED AS PROFANE,”.

In the Appropriations Committee Amendment (SB0764/894963/1), in line 5, strike “VULGAR, LEWD, OR OBSCENE, OR LANGUAGE THAT”; and in line 6, after “INTIMIDATE” insert “AN INDIVIDUAL”.

The preceding amendment was read and adopted.

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

Affirmative – 129 Negative – 8 (See Roll Call No. 1154)

The Bill was then returned to the Senate.

Senate Bill 884 – Senators Hough and Young

AN ACT concerning

Frederick County – Property Tax – Small Business Tax Credit

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

Read the second time and ordered prepared for Third Reading.

Senate Bill 998 – Senator Waugh

AN ACT concerning

St. Mary’s County – Property Tax Credit – New or Expanding Businesses

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

Read the second time and ordered prepared for Third Reading.

CONCURRENCE CALENDAR #10

AMENDED IN THE SENATE

**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~~

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0352/539839/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 352
(Third Reading File Bill – Second Printing)

On page 3, in line 4, strike “**BEGINNING**” and substitute “**(I) SUBJECT TO THE LIMITATION UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH, BEGINNING**”; and after line 12, insert:

“(II) A LOCAL SCHOOL SYSTEM MAY NOT BE EXEMPT FOR 2 CONSECUTIVE 6-YEAR AUDIT CYCLES.”

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 131 Negative – 2 (See Roll Call No. 1155)

AMENDED IN THE SENATE

House Bill 445 – Delegates Lierman, Chang, Hettleman, Jackson, Korman, Krimm, and P. Young

AN ACT concerning

Food Stamp Program – Minimum Benefit – State Supplement

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0445/237778/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 445

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “authorizing” and substitute “requiring”; in line 4, after “that” insert “includes a certain individual who”; and strike beginning with “requiring” in line 5 down through “Act.” in line 8.

AMENDMENT NO. 2

On page 2, in line 6, after “**HOUSEHOLD**” insert “**INCLUDES AN INDIVIDUAL WHO IS AT LEAST 62 YEARS OLD AND**”; in line 8, strike “**MAY**” and substitute “**SHALL**”; strike

in their entirety lines 10 through 13, inclusive; in line 14, strike “3.” and substitute “2.”; and strike beginning with “It” in line 15 down through “effect.” in line 18.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 117 Negative – 19 (See Roll Call No. 1156)

AMENDED IN THE SENATE

House Bill 454 – The Speaker (By Request – Administration)

AN ACT concerning

State Employees – Merit Increases in Salary

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0454/359333/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 454

(Third Reading File Bill)

On page 2, in line 11, strike “OR”; and in line 12, after “(v)” insert “MARYLAND TRANSPORTATION AUTHORITY POLICE REPRESENTED BY FRATERNAL ORDER OF POLICE LODGE 34 WHO ARE SUBJECT TO A STEP INCREASE EFFECTIVE APRIL 1, 2016, IN ACCORDANCE WITH AND CONSISTENT WITH A COLLECTIVE BARGAINING AGREEMENT NEGOTIATED WITH THE STATE; OR

(VI)”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 1157)

AMENDED IN THE SENATE

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

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0582/529335/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 582

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Vested”.

AMENDMENT NO. 2

On page 3, in line 5, strike “WHILE A MEMBER”; in line 6, strike “IS NOT EMPLOYED AS A MEMBER ON” and substitute “SEPARATED FROM EMPLOYMENT AS A MAXIMUM SECURITY ATTENDANT AT THE CLIFTON T. PERKINS HOSPITAL CENTER BEFORE”; and strike beginning with “AS” in line 7 down through “CENTER” in line 8 and substitute “IN A POSITION ELIGIBLE FOR MEMBERSHIP IN THE CORRECTIONAL OFFICERS’ RETIREMENT SYSTEM”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 1158)

AMENDED IN THE SENATE

House Bill 928 – Delegate Kramer

AN ACT concerning

State Personnel – Individuals With Disabilities – Hiring Preferences

Delegate McIntosh moved that the House concur in the Senate amendments.

HB0928/157473/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 928

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “requiring” insert “a”; strike beginning with “authorities” in line 5 down through “branches” in line 6 and substitute “authority for a certain position in the Executive Branch”; and in line 14, strike “2–310” and substitute “2–204”.

AMENDMENT NO. 2

On page 2, in line 8, strike “**2–310.**” and substitute “**2–204.**”; and strike beginning with “APPOINTING” in line 9 down through “BRANCHES” in line 10 and substitute “**AN APPOINTING AUTHORITY FOR A POSITION IN THE EXECUTIVE BRANCH**”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 134 Negative – 1 (See Roll Call No. 1159)

AMENDED IN THE SENATE

House Bill 920 – Delegates O’Donnell and Dumais

AN ACT concerning

Real Property – Actions to Quiet Title

Delegate Barve moved that the House concur in the Senate amendments.

HB0920/478876/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 920

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, strike “authorizing” and substitute “requiring”.

AMENDMENT NO. 2

On page 8, in line 9, strike “MAY” and substitute “SHALL”; and in line 12, strike “**IF THE JUDGMENT IS RECORDED, THE**” and substitute “THE”.

The preceding 2 amendments were read and concurred in.

HB0920/713825/1

BY: Senator Zirkin

AMENDMENT TO HOUSE BILL 920

(Third Reading File Bill)

On page 4, in line 27, strike “CLAIM” and substitute “INTEREST IN THE TITLE OF THE PROPERTY”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 1160)

AMENDED IN THE SENATE

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

Delegate Hixson moved that the House concur in the Senate amendments.

HB0086/894230/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 86
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “frame;” insert “requiring the State Department of Education and county boards of education to submit certain reports on or before certain dates;”.

AMENDMENT NO. 2

On page 4, after line 19, 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.”;

and in line 20, strike “2.” and substitute “4.”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 132 Negative – 5 (See Roll Call No. 1161)

AMENDED IN THE SENATE

House Bill 115 – Delegates Reznik, Barkley, Barve, Brooks, Ebersole, Glenn, Jalisi, Kipke, Lam, McKay, Pena–Melnyk, and K. Young

AN ACT concerning

Education – Robotics Grant Program – Establishment

Delegate Hixson moved that the House concur in the Senate amendments.

HB0115/894837/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 115

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 2, after “SCHOOLS” insert “AND NONPROFIT ROBOTICS CLUBS”; in the same line, strike “AND EXPAND”; in line 3, after “PROGRAMS” insert “AND TO INCREASE THE NUMBER OF ROBOTICS PROGRAMS IN THE STATE”; and in line 4, after “(B)” insert “(1)”.

AMENDMENT NO. 2

On page 2, strike beginning with the colon in line 5 down through “HAS” in line 6 and substitute “IS PROPOSING A NEW ROBOTICS PROGRAM OR CLUB OR HAS”; in line 6, strike “; OR” and substitute a period; in line 7, strike “IS ASSOCIATED WITH AN” and substitute “AN”; and in the same line, after “CLUB” insert “IS ELIGIBLE TO RECEIVE A GRANT UNDER THIS SECTION IF THE NONPROFIT ROBOTICS CLUB IS ASSOCIATED WITH A PUBLIC SCHOOL”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 126 Negative – 10 (See Roll Call No. 1162)

AMENDED IN THE SENATE

House Bill 146 – Delegate M. Washington (By Request – Baltimore City Administration) and Delegates Anderson, Clippinger, Glenn, Haynes, McCray, McIntosh, Oaks, ~~and B. Robinson~~ B. Robinson, Carter, Rosenberg, Branch, Hammen, Lierman, and Metzgar

AN ACT concerning

Baltimore City – Property Tax Credit – Public Safety Officers

Delegate Hixson moved that the House concur in the Senate amendments.

HB0146/879830/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 146

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; in line 2, strike “Baltimore City –”; in the same line, after “Credit –” insert “Disabled or Fallen Law Enforcement Officers and Rescue Workers and”; in line 3, after the first “of” insert “authorizing a certain property tax credit for certain residential real property in Harford County owned by certain surviving spouses or certain cohabitants;”; in line 12, after “of” insert “certain provisions of”; strike beginning with “and” in line 12 down through “City” in line 13 and substitute “making this Act an emergency measure; and generally relating to a property tax credit for certain residential property in the State”; and after line 13, insert:

“BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 9–210

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 20, insert:

“Article – Tax – Property

9–210.

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

(2) **“COHABITANT” MEANS AN INDIVIDUAL WHO FOR A PERIOD OF AT LEAST 180 DAYS IN THE YEAR BEFORE THE DEATH OF A FALLEN LAW ENFORCEMENT OFFICER OR RESCUE WORKER:**

(I) HAD A RELATIONSHIP OF MUTUAL INTERDEPENDENCE WITH THE FALLEN LAW ENFORCEMENT OFFICER OR RESCUE WORKER; AND

(II) RESIDED WITH THE FALLEN LAW ENFORCEMENT OFFICER OR RESCUE WORKER IN THE DWELLING.

(3) “Disabled law enforcement officer or rescue worker” means an individual who:

(i) has been found to be permanently and totally disabled by an administrative body or court of competent jurisdiction authorized to make such a determination; and

(ii) became disabled:

1. as a result of or in the course of employment as a law enforcement officer or a correctional officer; or

2. while in the active service of a fire, rescue, or emergency medical service, unless the disability was the result of the individual’s own willful misconduct or abuse of alcohol or drugs.

[(3)] (4) (i) “Dwelling” means real property that:

1. is the legal residence of a disabled law enforcement officer or rescue worker, [or] a surviving spouse, OR A COHABITANT; and

2. is occupied by not more than two families.

(ii) “Dwelling” includes the lot or curtilage and structures necessary to use the real property as a residence.

[(4)] (5) “Fallen law enforcement officer or rescue worker” means an individual who dies:

(i) as a result of or in the course of employment as a law enforcement officer or a correctional officer; or

(ii) while in the active service of a fire, rescue, or emergency medical service, unless the death was the result of the individual’s own willful misconduct or abuse of alcohol or drugs.

[(5)] (6) “Surviving spouse” means a surviving spouse, who has not remarried, of a fallen law enforcement officer or rescue worker.

(b) The Mayor and City Council of Baltimore City or the governing body of a county or municipal corporation may grant, by law, a property tax credit under this section against the county or municipal corporation property tax imposed on a dwelling that is owned by a disabled law enforcement officer or rescue worker, [or] a surviving spouse of a fallen law enforcement officer or rescue worker, OR A COHABITANT:

(1) if the dwelling was owned by the disabled law enforcement officer or rescue worker at the time the law enforcement officer or rescue worker was adjudged to be permanently and totally disabled or by the fallen law enforcement officer or rescue worker at the time of the fallen law enforcement officer’s or rescue worker’s death;

(2) (I) if the disabled law enforcement officer or rescue worker was domiciled in the State as of the date the disabled law enforcement officer or rescue worker was adjudged to be permanently and totally disabled or the fallen law enforcement officer or rescue worker, or the surviving spouse was domiciled in the State as of the date of the fallen law enforcement officer’s or rescue worker’s death and the dwelling was acquired by the disabled law enforcement officer or rescue worker within 2 years of the date the disabled law enforcement officer or rescue worker was adjudged to be permanently and totally disabled or by the surviving spouse within 2 years of the fallen law enforcement officer’s or rescue worker’s death; or

(II) IN HARFORD COUNTY, IF THE DISABLED LAW ENFORCEMENT OFFICER OR RESCUE WORKER WAS DOMICILED IN THE STATE AS OF THE DATE THE DISABLED LAW ENFORCEMENT OFFICER OR RESCUE WORKER WAS ADJUDGED TO BE PERMANENTLY AND TOTALLY DISABLED OR THE FALLEN LAW ENFORCEMENT OFFICER OR RESCUE WORKER, THE SURVIVING SPOUSE, OR COHABITANT WAS DOMICILED IN THE STATE AS OF THE DATE OF THE FALLEN LAW ENFORCEMENT OFFICER'S OR RESCUE WORKER'S DEATH AND THE DWELLING WAS ACQUIRED BY THE DISABLED LAW ENFORCEMENT OFFICER OR RESCUE WORKER WITHIN 2 YEARS OF THE DATE THE DISABLED LAW ENFORCEMENT OFFICER OR RESCUE WORKER WAS ADJUDGED TO BE PERMANENTLY AND TOTALLY DISABLED OR BY THE SURVIVING SPOUSE OR COHABITANT WITHIN 2 YEARS OF THE FALLEN LAW ENFORCEMENT OFFICER'S OR RESCUE WORKER'S DEATH;

(3) IN HARFORD COUNTY, IF THE DWELLING WAS OWNED BY THE SURVIVING SPOUSE OR COHABITANT AT THE TIME OF THE FALLEN LAW ENFORCEMENT OFFICER'S OR RESCUE WORKER'S DEATH; OR

(4) if the dwelling was acquired after the disabled law enforcement officer or rescue worker, [or] the surviving spouse, OR THE COHABITANT qualified for a credit for a former dwelling under item [(1) or (2)] (1), (2), OR (3) of this subsection, to the extent of the previous credit.

(c) A county or municipal corporation may provide, by law, for:

(1) the amount and duration of a property tax credit allowed under this section; and

(2) any other provision necessary to carry out the provisions of this section.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:”.

On page 3, in line 18, strike “2.” and substitute “3.”; in the same line, after “That” insert “Section 2 of”; strike beginning with “shall” in line 18 down through “and” in line 19; and after line 19, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.”

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 1163)

AMENDED IN THE SENATE

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

Delegate Hixson moved that the House concur in the Senate amendments.

HB0202/309934/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 202

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Gaming Payouts – Donation of Coins” and substitute “Pilot Program – Donation of Coins From Gaming Payouts”; in line 4, strike “authorizing certain” and substitute “requiring a”; in the same line, strike “licensees” and substitute “licensee”; in line 5, strike “for” and substitute “to offer”; in the same line, after “players” insert “the opportunity”; in line 7, strike “authorizing certain licensees” and substitute “requiring a licensee”; in line 8, strike “certain” and substitute “a”; in the same line, strike “facilities” and substitute “facility”; and in line 9, after “Fund;” insert “requiring the Commission to report to certain committees of the General Assembly on or before a certain date;”.

AMENDMENT NO. 2

On page 3, in line 29, strike "AUTHORIZING LICENSEES" and substitute "REQUIRING ONE LICENSEE".

AMENDMENT NO. 3

On page 4, in line 1, strike "A" and substitute "THE"; after line 14, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That, on or before January 1, 2019, the State Lottery and Gaming Control Commission shall report to the Senate Budget and Taxation Committee and the House Committee on Ways and Means, in accordance with § 2-1246 of the State Government Article, on the implementation of the pilot program to allow players at a video lottery facility to donate coins, when receiving a cash payout, to the Maryland Veterans Trust Fund. The report shall include recommendations on the expansion, alteration, or repeal of the pilot program.";

and in line 15, strike "2." and substitute "3.".

The preceding 3 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 1164)

AMENDED IN THE SENATE

House Bill 340 – Delegates Tarlau, Angel, Carr, Fennell, McCray, Platt, ~~and Sanchez~~ Sanchez, C. Howard, Hixson, Kaiser, Ebersole, Hornberger, Metzgar, Patterson, D. Barnes, Simonaire, Walker, Turner, A. Washington, M. Washington, Long, and Shoemaker

AN ACT concerning

Property Tax – Renters' Property Tax Relief Program

Delegate Hixson moved that the House concur in the Senate amendments.

HB0340/619237/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 340
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “excluding” in line 3 down through “renters;” in line 4; strike in their entirety lines 9 through 13, inclusive; and in line 16, strike “9–102(a)(2), (h),” and substitute “9–102(h)”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 5 through 18, inclusive.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 136 Negative – 1 (See Roll Call No. 1165)

AMENDED IN THE SENATE

House Bill 451 – The Speaker (By Request – Administration)

AN ACT concerning

Admissions and Amusement Tax – Revenue Distribution – Maryland State Arts Council

Delegate Hixson moved that the House concur in the Senate amendments.

HB0451/619833/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 451
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “repealing” in line 5 down through “fund;” in line 6; in line 8, after “jars;” insert “requiring that certain funds distributed to the Council be included in the Council’s prior fiscal year appropriation for purposes of a certain calculation;”; and strike in their entirety lines 11 through 16, inclusive.

AMENDMENT NO. 2

On page 2, in line 2, after “4-512(a)” insert “and 4-801”; after line 9, insert:

“BY repealing and reenacting, without amendments,

Article – State Finance and Procurement

Section 7-325(a)(2)

Annotated Code of Maryland

(2015 Replacement Volume)”;

strike in their entirety lines 10 through 13, inclusive; in line 14, strike “2.” and substitute “1.”; in the same line, strike “AND IT BE FURTHER ENACTED” and substitute “BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND”; in line 22, strike “§ 2-202(A)(1)(II)” and substitute “§ 2-202(A)(1)(II)2”; and after line 24, insert:

“4-801.

(a) In this section, “Fund” means the Special Fund for Preservation of Cultural Arts in Maryland.

(b) There is a Special Fund for Preservation of Cultural Arts in Maryland.

(c) The purpose of the Fund is to provide supplemental grants to cultural arts organizations in the State that qualify for general operating support grants from the Maryland State Arts Council.

(d) The Secretary of Commerce shall administer the Fund.

(e) (1) The Fund is a special, nonlapsing fund that is not subject to § 7-302 of the State Finance and Procurement Article.

(2) The State Treasurer shall hold the Fund separately, and the Comptroller shall account for the Fund.

(f) The Fund consists of:

(1) revenue distributed to the Fund under [§ 2-202(a)(1)(ii)] ~~§ 2-202(A)(1)(II)1~~ of the Tax – General Article; and

(2) any other money from any other source accepted for the benefit of the Fund.

(g) The Fund shall be used to provide supplemental grants for operating and programmatic improvements that strengthen the organizational capacity and financial stability of cultural arts organizations in the State that qualify for general operating support grants from the Maryland State Arts Council.

(h) (1) The State Treasurer shall invest the money of the Fund in the same manner as other State money may be invested.

(2) Any investment earnings of the Fund shall be credited to the General Fund of the State.

(i) For each appropriation to the Fund, the Governor may:

(1) include the funds in the State budget subject to appropriation by the General Assembly; or

(2) transfer the funds by budget amendment from the Fund to the expenditure account of the Maryland State Arts Council.

(j) Supplemental grants made from the Fund are supplemental to and may not take the place of funding that otherwise would be appropriated for qualifying organizations.”.

AMENDMENT NO. 3

On page 3, in line 6, after “5%” insert “AS FOLLOWS:”

1. \$1,000,000”;

in the same line, strike the bracket; in line 8, strike the bracket and substitute “**; AND**

2. THE REMAINDER TO THE”;

and after line 9, insert:

“Article – State Finance and Procurement

7-325.

(a) (2) For fiscal year 2013 and each fiscal year thereafter, the Governor shall include in the annual budget bill submitted to the General Assembly a General Fund appropriation for the Maryland State Arts Council in an amount not less than the amount of the General Fund appropriation for the Council as approved in the State budget as enacted by the General Assembly for the prior fiscal year, increased by not less than the percentage by which the projected total General Fund revenues for the upcoming fiscal year exceed the revised estimate of total General Fund revenues for the current fiscal year, as contained in the report of estimated State revenues submitted by the Board of Revenue Estimates to the Governor under § 6-106(b) of this article.

SECTION 2. AND BE IT FURTHER ENACTED, That any funds distributed to the Maryland State Arts Council in accordance with § 2-202 of the Tax – General Article as enacted in this Act shall be included in the Maryland State Arts Council’s prior fiscal year appropriation for purposes of calculating the required appropriation under § 7-325 of the State Finance and Procurement Article.”.

The preceding 3 amendments were read and concurred in.

HB0451/743026/1

BY: Senator Madaleno

AMENDMENT TO HOUSE BILL 451, AS AMENDED

(Third Reading File Bill)

On page 3 of the Budget and Taxation Committee Amendments (HB0451/619833/1), in line 2 of Amendment No. 3, strike “**\$1,000,000**”.

On page 3 of the bill, in line 8, after “Article” insert “**, UP TO AN AGGREGATE AMOUNT OF \$1,000,000 IN EACH FISCAL YEAR**”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 1166)

AMENDED IN THE SENATE**House Bill 1017 – Prince George’s County Delegation**

AN ACT concerning

**Prince George’s County – Property Tax Deferrals – Elderly and Disabled
Homeowners
PG 412-16**

Delegate Hixson moved that the House concur in the Senate amendments.

HB1017/329836/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 1017

(Third Reading File Bill)

On page 1, strike beginning with “a” in line 5 down through “paid” in line 6 and substitute “the interest payable”; and in line 6, after “deferrals” insert “may not exceed a certain rate of interest”.

On page 3, in line 13, strike “SHALL BE” and substitute “MAY NOT EXCEED”.

On page 5, in line 3, after the second “OF” insert “UP TO”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 1167)

AMENDED IN THE SENATE**House Bill 1352 – Wicomico County Delegation**

AN ACT concerning

Wicomico County Board of Education – Election and Appointment of Members

Delegate Hixson moved that the House concur in the Senate amendments.

HB1352/684930/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1352

(Third Reading File Bill)

On page 6, strike beginning with “BY” in line 16 down through “COUNCIL,” in line 17.

On page 11, in line 20, strike “30” and substitute “60”; in line 21, strike “30-DAY” and substitute “60-DAY”; and after line 22, insert:

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

On page 13, strike beginning with “BY” in line 16 down through “COUNCIL,” in line 17.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 1168)

MESSAGE FROM THE SENATE**FIRST READING OF SENATE BILLS****Senate Bill 515 – Senator DeGrange**

AN ACT concerning

County Boards of Education – Procurements for Construction or Repair of School Projects

FOR the purpose of making certain provisions of law concerning the advertising for bids for procurements costing more than a certain amount applicable to construction or repair for certain school projects in the State; including certain construction and

repair ~~services~~ projects under certain provisions of law concerning the award of certain procurement contracts to certain bidders; requiring the award of certain contracts to consider a certain plan for meeting or exceeding certain minority business enterprise goals; defining certain terms; providing for the application of this Act; providing for a delayed effective date; and generally relating to procurement for construction and repair ~~services for~~ of schools.

BY repealing and reenacting, with amendments,
Article – Education
Section ~~1-101 and~~ 5-112
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

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

QUORUM CALL

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

(See Roll Call No. 1169)

ADJOURNMENT

At 6:44 P.M. on motion of Delegate Kaiser the House adjourned until 12:30 P.M. on Legislative Day April 2, 2016, Calendar Day Friday, April 8, 2016.

Annapolis, Maryland
Legislative Day: April 2, 2016
Calendar Day: Friday, April 8, 2016

The House met at 12:56 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Deborah C. Rey of St. Mary's County.

QUORUM CALL

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

(See Roll Call No. 1170)

EXCUSES:

Del. Afzali – left briefly – legislative

Del. Arentz – left briefly – legislative business

Del. Carter – personal

Del. Pena–Melnyk – personal

The Journal of April 1, 2016 was read and approved.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 376 – The President (By Request – Administration) and Senators Bates, Cassilly, Eckardt, Edwards, Hershey, Jennings, Mathias, Muse, Norman, Ready, Reilly, Rosapepe, Salling, Serafini, Simonaire, and Waugh

AN ACT concerning

**Pathways in Technology Early College High (P–TECH)
Schools Act of 2016**

FOR the purpose of establishing a certain ~~number~~ of State–funded Pathways in Technology Early College High (P–TECH) schools in the State; authorizing certain planning grants for P–TECH schools; requiring certain P–TECH schools to reserve at least a certain percentage of their available space for certain students; requiring certain memorandums of understanding to include certain provisions; requiring the State to provide a certain grant to P–TECH schools beginning in a certain fiscal year for certain costs; providing that the grant may not exceed a certain amount in certain

~~fiscal years; requiring a county board to pay for dual enrollment costs for certain P-TECH students; prohibiting a county board from charging certain P-TECH students for certain costs; prohibiting a community college from charging certain P-TECH students dual enrollment costs; requiring the State Department of Education to reimburse the county board for a certain amount of dual enrollment costs; requiring the Department to adopt certain regulations; authorizing a county board to enter into or amend certain agreements with a community college; defining certain terms; requiring a certain report by a certain date~~ certain reports by certain dates; ~~subjecting certain schools to a certain certification process~~ requirement under certain circumstances; providing for the construction of this Act; and generally relating to P-TECH schools.

BY adding to

Article – Education

Section ~~8-801 and 18-14A-07~~ 7-1701 to be under the new subtitle “Subtitle 17. Pathways in Technology Early College High (P-TECH) Schools”

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

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

~~Article – Education~~

~~Section 18-14A-04~~

~~Annotated Code of Maryland~~

~~(2014 Replacement Volume and 2015 Supplement)~~

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

Senate Bill 726 – Senators Mathias, Benson, Feldman, Guzzone, Klausmeier, Madaleno, Middleton, and Peters

EMERGENCY BILL

AN ACT concerning

Maryland Clean Energy Center – ~~Clean Energy Technology Funding~~ Task Force

FOR the purpose of ~~expanding certain findings of the General Assembly concerning the Maryland Clean Energy Center; expanding the purposes of the Center; altering the membership of the Board of Directors of the Center; requiring the Center to establish a Credit Investment Advisory Committee for certain purposes; providing that Committee members are subject to the Public Ethics Law for certain purposes; altering the authority of the Center to provide certain financing for clean energy technology-based businesses; establishing a Clean Energy Technology Financing Fund in the Center for certain purposes; providing for the sources and administration of the Fund; providing for the purposes of the Fund; clarifying the application of certain provisions under the Maryland Clean Energy Technology Incubator Program; defining a certain term; altering certain definitions; providing~~

~~for the application of this Act; providing for the transfer of certain funds from the Maryland Strategic Energy Investment Fund to the Center in certain fiscal years for certain purposes; providing for the transfer of certain funds from the Maryland Strategic Energy Investment Fund to the Clean Energy Technology Financing Fund by a certain date for certain purposes; stating the intent of the General Assembly concerning certain funding; making this Act an emergency measure establishing the Task Force on the Maryland Clean Energy Center; 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; specifying the charge of the Task Force; requiring the Task Force to assess certain programs, review certain State financing instrumentalities, identify certain resources, review certain cost-effective opportunities, and make certain determinations; requiring the Task Force to report its findings and recommendations to the General Assembly on or before a certain date; requiring the Office of Legislative Audits to conduct a certain performance audit; providing for the termination of this Act; and generally relating to the Maryland Clean Energy Center and project funding.~~

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

~~Article — Economic Development~~

~~Section 10-801, 10-802, 10-806, 10-807, 10-810, 10-814, 10-820, 10-833,
10-834(a), 10-835, and 10-837~~

~~Annotated Code of Maryland~~

~~(2008 Volume and 2015 Supplement)~~

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

~~Article — Economic Development~~

~~Section 10-816, 10-817, 10-821, 10-822, 10-825, and 10-826~~

~~Annotated Code of Maryland~~

~~(2008 Volume and 2015 Supplement)~~

~~BY adding to~~

~~Article — Economic Development~~

~~Section 10-817.1~~

~~Annotated Code of Maryland~~

~~(2008 Volume and 2015 Supplement)~~

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

~~Article — State Government~~

~~Section 9-20B-05~~

~~Annotated Code of Maryland~~

~~(2014 Replacement Volume and 2015 Supplement)~~

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

Senate Bill 922 – Senators Rosapepe, Bates, Benson, Conway, Currie, Feldman, Ferguson, Guzzone, Kagan, Kelley, Klausmeier, Madaleno, Manno, Mathias,

McFadden, Muse, Nathan–Pulliam, Peters, Raskin, Salling, Simonaire, Waugh, Young, ~~and Zucker~~ Zucker, Astle, Hershey, Middleton, Pugh, and Reilly

AN ACT concerning

Career Apprenticeship Opportunity Act of 2016

FOR the purpose of requiring the State Board of Education to develop, on or before a certain date, certain goals for percentages of certain students for completing certain career and technical education programs and earning certain credentials; stating certain goals of the State; requiring, on or before a certain date, the State Board to develop a method to consider, under certain circumstances, a student's attainment of a certain credential or completion of a certain apprenticeship program as equivalent to a certain Advanced Placement examination score for a certain purpose; requiring the State Board to report to the Governor and the General Assembly on or before a certain date regarding the progress towards attaining certain goals; requiring the Division of Workforce Development and Adult Learning to partner with certain State departments to identify, by a certain date, opportunities to create certain registered apprenticeship programs for a certain purpose; requiring the Division to identify opportunities to create certain registered apprenticeship programs to address the workforce needs of the State; allowing a credit against the State income tax for the employment of a certain eligible apprentice under certain circumstances; providing that the credit may not exceed a certain amount; providing that any unused credit may be carried forward to another taxable year; limiting the amount of certain credits approved by the Comptroller in a taxable year; requiring a taxpayer claiming the credit to attach certain proof to the taxpayer's return; requiring the Comptroller to adopt certain regulations; providing for the application of this Act; providing for the termination of certain provisions of this Act; defining a certain term; and generally relating to career and technical education programs and certain apprenticeships in the State.

BY adding to

Article – Education

Section 21–204

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 11–102(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 11–103

Annotated Code of Maryland
(2008 Replacement 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 and Executive Nominations.

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~~ 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 Rules and Executive Nominations.

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 and Executive Nominations.

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR	CONTENT
HB 400	Del. M. Washington	Hghr Ed – Ttn Wvrs for Foster Care Recipients and Unaccompanied Homeless Youth – Mdfctns
HB 1420	Del. Cullison	State Board of Massage Therapy Examiners – Licensure, Registration, and Regulation
HB 1457	Del. Vaughn	Land Surveyors – Qlfctns for License – Ed, Experience, and Examination Requirements

By Order, Sylvia Siegert, Chief Clerk

Read and ordered journalized.

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 127** SPONSOR: **Delegate Reznik**

SUBJECT: **Criminal Law – Gaming – Home Games**

THIRD READING CALENDAR HOUSE NO. **11** SENATE NO. **4**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
 Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That Amendment No. 1 of the attached Budget and Taxation Committee Amendments (HB0127/789935/1) be adopted.

(2) That Amendment No. 2 of the attached Budget and Taxation Committee Amendments (HB0127/789935/1) be rejected.

(3) That the attached Conference Committee Amendment (HB0127/353927/1) be adopted.

HB0127/789935/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 127

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Criminal Law –”; strike in their entirety lines 6 through 10, inclusive, and substitute:

“BY adding to

Article – State Government

Section 9–1B–01 to be under the new subtitle “Subtitle 1B. Gaming Laws”

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)”;

in line 13, strike “Article – Criminal Law” and substitute:

“Article – State Government

SUBTITLE 1B. GAMING LAWS.”;

in line 14, strike “**12–115.**” and substitute “**9–1B–01.**”; and in line 15, strike “**THIS ARTICLE**” and substitute “**THE CRIMINAL LAW ARTICLE**”.

AMENDMENT NO. 2

On page 2, in line 20, strike “**\$500**” and substitute “**\$2,000**”.

HB0127/353927/1

BY: Conference Committee

AMENDMENT TO HOUSE BILL 127

(Third Reading File Bill)

On page 2, in line 20, strike “**\$500**” and substitute “**\$1,000**”.

Senate Members:

House Members:

Chair, **Nancy J. King**
Not signed

Chair, **Eric Ebersole**

Adelaide C. Eckardt
Not signed

Diana M. Fennell

Ulysses Currie

Kevin B. Hornberger

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 1171)

The Bill was then sent to the Senate.

THE COMMITTEE ON APPROPRIATIONS REPORT #19

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

Senate Bill 296 – Carroll County Senators

AN ACT concerning

Carroll County – Public Facilities Bonds

SB0296/874660/1

BY: Appropriations Committee

AMENDMENT TO SENATE BILL 296

(Third Reading File Bill)

On page 1, in line 9, strike “paramount” and substitute “par amount”; and on page 2, in line 26, strike “paramount” and substitute “par amount”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 307 – Calvert County Senators

AN ACT concerning

Calvert County – Bonding Authority

SB0307/904164/1

BY: Appropriations Committee

AMENDMENT TO SENATE BILL 307

(Third Reading File Bill)

On page 1, in line 7, strike “paramount” and substitute “par amount”; and on page 2, in line 13, strike “paramount” and substitute “par amount”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 631 – Senator Hershey

AN ACT concerning

Local Facility Closure Reserve Funds – Investments and Reinvestments

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #26

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

Senate Bill 148 – Senator Feldman

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters 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.

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

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 561 – Senator Ferguson

AN ACT concerning

Baltimore City – Alcoholic Beverages – ~~Class C Beer, Wine, and Liquor~~ Licenses

SB0561/503098/1

BY: Economic Matters Committee

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; in line 12, after “City;” insert “authorizing the Board to transfer a certain Class B–D–7 license from a certain location to a certain location;”; and in line 14, after “school;” insert “altering the expiration date for certain licenses; making this Act an emergency measure;”.

On page 2, in line 1, after “12–604” insert “and 12–1604(d) and (e)”; and in line 6, after “12–1604(c)(2)(iv)” insert “, (d), and (e)”.

AMENDMENT NO. 2

On page 3, in line 16, after “district;” insert “AND”; strike in their entirety lines 17 through 22, inclusive; in line 23, strike “**(6)**” and substitute “**(4)**”; in line 25, strike “; AND” and substitute a period; and strike in their entirety lines 26 through 29, inclusive.

On page 4, strike in their entirety lines 1 through 3, inclusive; and after line 14, insert:

(D) THE BOARD MAY ISSUE:

(1) A CLASS C BEER, WINE, AND LIQUOR LICENSE IN THE 200 BLOCK OF HOLLIDAY STREET IN WARD 3, PRECINCT 3;

(2) A CLASS C BEER, WINE, AND LIQUOR LICENSE IN THE 200 BLOCK OF SOUTH CENTRAL AVENUE IN WARD 3, PRECINCT 3; AND

(3) SUBJECT TO SUBSECTION (E) 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.

(E) A CLASS D BEER LICENSE MAY BE TRANSFERRED INTO THE AREA SPECIFIED UNDER SUBSECTION (D)(3) OF THIS SECTION IF ORIGINALLY ISSUED FOR ANOTHER AREA.

[(d)] (F) Notwithstanding subsection (c)(1) and (2) of this section, the Board may not issue a Class B beer, wine, and liquor restaurant license in:

(1) the area covered by the Key Highway East Industrial Area Urban Renewal Plan, as adopted by the Mayor and City Council of Baltimore City in Ordinance 986 on June 29, 1987;

(2) the area covered by the Key Highway Urban Renewal Plan, as adopted by the Mayor and City Council of Baltimore City in Ordinance 622 on March 12, 1986;

(3) (i) ward 1, precinct 4 or 5;

(ii) ward 23, precinct 1; and

(iii) ward 24, precinct 5; and

(4) the area known as Pen Lucy, ward 9, precincts 1 and 2.

[(e)] (G) (1) Except as provided in paragraph (2) of this subsection, the Board may not issue a license for:

(i) ward 1, precincts 4 and 5;

(ii) ward 23, precinct 1; or

(iii) ward 24, precinct 5.

(2) The Board may issue not more than two Class B beer, wine, and liquor licenses, so that the cumulative number of licenses issued or transferred is two, into the area of 829 through 919 E. Fort Avenue only if the Board:

(i) has executed a memorandum of understanding between the community associations in Riverside and Locust Point regarding the nature of the establishment; and

(ii) enforces the memorandum of understanding against any license holder that obtains a license under this paragraph and seeks to renew or transfer the license.”.

AMENDMENT NO. 3

On page 4, after line 3, insert:

“(E) ONE CLASS B-D-7 LICENSE ISSUED FOR A PROPERTY SURROUNDED BY MORTON STREET ON THE WEST, WEST EAGER STREET ON THE NORTH, NORTH CHARLES STREET ON THE EAST, AND WEST READ STREET ON THE SOUTH MAY BE TRANSFERRED TO A PROPERTY SURROUNDED BY 21ST STREET ON THE NORTH, MORTON STREET ON THE WEST, NORTH CHARLES STREET ON THE EAST, AND 20TH STREET ON THE SOUTH.”.

AMENDMENT NO. 4

On page 5, after line 19, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That all alcoholic beverages licenses issued by the Baltimore City Board of Liquor License Commissioners that are due to expire on April 30, 2016:

- (1) will expire instead on May 31, 2016; and
- (2) if renewed, will expire on April 30, 2017.”;

in line 20, strike “2.” and substitute “3.”; in the same line, after “That” insert “Section 1 of”; and after line 21, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That, except as provided in Section 3 of this Act, this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1007 – ~~Senator Peters~~ **Senators Peters, Astle, Benson, Currie, Feldman, Guzzone, Kasemeyer, Kelley, King, Klausmeier, Madaleno, Manno, McFadden, Middleton, Pugh, and Rosapepe**

AN ACT concerning

Maryland Small Business Retirement Savings Program and Trust

SB1007/963794/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 1007

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 16, after “disclosures:” insert “specifying that the assets in a certain employee’s Program account are the property of the employee; prohibiting the State from transferring any assets of the Trust to specified funds of the State, or otherwise encumbering any assets of the Trust:”.

AMENDMENT NO. 2

On page 11, in line 19, strike “AND”; and in line 21, after “PROGRAM” insert “; AND”

(VI) INFORMATION ABOUT ALTERNATIVE RETIREMENT SAVINGS OPTIONS”.

AMENDMENT NO. 3

On page 14, after line 5, insert:

“(F) THE STATE MAY NOT TRANSFER ANY ASSETS OF THE TRUST TO THE GENERAL FUND OR ANY OTHER FUND OF THE STATE, OR OTHERWISE ENCUMBER ANY ASSETS OF THE TRUST.”

AMENDMENT NO. 4

On page 16, after line 25, insert:

“(G) THE ASSETS IN A PARTICIPATING EMPLOYEE’S PROGRAM ACCOUNT ARE THE PROPERTY OF THE PARTICIPATING EMPLOYEE.”

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 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**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1130 – Senator Rosapepe

AN ACT concerning

~~Maryland Center for~~ **Construction Education and Innovation – Codification
Establishment of Fund**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ENVIRONMENT AND TRANSPORTATION REPORT #22

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

House Bill 1624 – Delegates Reilly, Adams, Afzali, Anderson, Anderton, Angel, Arentz, Atterbeary, Aumann, Barkley, B. Barnes, D. Barnes, Barron, Barve, Beidle, Beitzel, Branch, Bromwell, Brooks, Buckel, Busch, Carey, Carozza, Carr, Carter, Cassilly, Chang, Ciliberti, Clippinger, Cluster, Conaway, Cullison, Davis, Dumais, Ebersole, Fennell, Fisher, Flanagan, Folden, Fraser-Hidalgo, Frick, Frush, Gaines, Ghrist, Gilchrist, Glass, Glenn, Grammer, Gutierrez, Hammen, Hayes, Haynes, Healey, Hettleman, Hill, Hixson, Holmes, Hornberger, C. Howard, S. Howard, Impallaria, Jackson, Jacobs, Jalisi, Jameson, Jones, Kaiser, Kelly, Kipke, Kittleman, Knotts, Korman, Kramer, Krebs, Krimm, Lafferty, Lam, Lierman, Lisanti, Long, Luedtke, Malone, Mautz, McComas, McConkey, McCray, McDonough, McIntosh, McKay, McMillan, Metzgar, Miele, A. Miller, W. Miller, Moon, Morales, Morgan, Morhaim, O'Donnell, Oaks, Otto, Parrott, Patterson,

Pena–Melnyk, Pendergrass, Platt, Proctor, Queen, Rey, Reznik, B. Robinson, S. Robinson, Rose, Rosenberg, Saab, Sample–Hughes, Sanchez, Shoemaker, Simonaire, Smith, Sophocleus, Stein, Sydnor, Szeliga, Tarlau, Turner, Valderrama, Valentino–Smith, Vallario, Vaughn, Vogt, Waldstreicher, Walker, A. Washington, M. Washington, West, B. Wilson, C. Wilson, Wivell, K. Young, and P. Young

EMERGENCY BILL

AN ACT concerning

Transportation – Highways – Heroes Highway

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

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 JUDICIARY REPORT #16

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

Senate Bill 502 – Senators Miller, ~~Bates~~, Benson, Conway, Currie, DeGrange, ~~Eckardt~~, ~~Edwards~~, Guzzone, ~~Jennings~~, Kagan, King, Klausmeier, Lee, Madaleno, Manno, Mathias, Middleton, ~~Norman~~, Peters, Pinsky, Pugh, Ramirez, ~~Salling~~, ~~Serafini~~, ~~Waugh~~, and Zirkin

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Judges – Mandatory Retirement Age

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

Senate Bill 943 – Senators Raskin, Benson, Feldman, Guzzone, Kelley, King, Lee, Madaleno, Manno, Muse, Peters, Rosapepe, Waugh, and Young

AN ACT concerning

Criminal Procedure – Firearms – Transfer

SB0943/952710/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 943

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “court” insert “, on request of the State’s Attorney.”; strike beginning with “requiring” in line 6 down through “firearms;” in line 10 and substitute “requiring a person who is prohibited from possessing a certain firearm to transfer the firearm to a certain law enforcement official or a certain firearms dealer within a certain time period; authorizing a person who is prohibited from possessing a certain firearm to designate a representative to make a certain firearm transfer;”; and strike beginning with “requiring” in line 11 down through “circumstances;” in line 15.

On pages 1 and 2, strike in their entirety the lines beginning with line 22 on page 1 through line 4 on page 2, inclusive.

On page 4 in line 10, on page 6 in line 6, on page 9 in line 19, and on page 10 in lines 10 and 11, in each instance, strike “FELONY OR CONVICTED OF A”.

On page 6, strike in their entirety lines 20 through 34, inclusive.

On page 7, strike in their entirety lines 4 and 5 and substitute:

“(2) “CONVICTED OF A DISQUALIFYING CRIME” HAS THE MEANING STATED IN § 5–101 OF THE PUBLIC SAFETY ARTICLE.”

AMENDMENT NO. 2

On pages 7 and 8, strike in their entirety the lines beginning with line 8 on page 7 through line 11 on page 8, inclusive, and substitute:

“(B) ON REQUEST OF THE STATE’S ATTORNEY, A COURT SHALL INFORM A PERSON CONVICTED OF A DISQUALIFYING CRIME, EITHER VERBALLY OR IN WRITING OR BOTH, THAT THE PERSON IS PROHIBITED FROM POSSESSING:

(1) A REGULATED FIREARM UNDER § 5-133 OF THE PUBLIC SAFETY ARTICLE; OR

(2) A RIFLE OR SHOTGUN UNDER § 5-205 OF THE PUBLIC SAFETY ARTICLE.

(C) (1) A PERSON WHO IS PROHIBITED FROM POSSESSING A FIREARM UNDER § 5-133 OR § 5-205 OF THE PUBLIC SAFETY ARTICLE SHALL TRANSFER THE FIREARM WITHIN 2 BUSINESS DAYS AFTER THE CONVICTION TO:

(I) A STATE OR LOCAL LAW ENFORCEMENT OFFICIAL; OR

(II) A FEDERALLY LICENSED FIREARMS DEALER.

(2) A PERSON PROHIBITED FROM POSSESSING A FIREARM UNDER § 5-133 OR § 5-205 OF THE PUBLIC SAFETY ARTICLE MAY DESIGNATE A REPRESENTATIVE TO TRANSFER A FIREARM TO A STATE OR LOCAL LAW ENFORCEMENT OFFICIAL OR TO A FEDERALLY LICENSED FIREARMS DEALER.”

On page 8, in line 13, after “PARAGRAPH” insert “**(1) OR**”.

On pages 8 and 9, strike in their entirety the lines beginning with line 27 on page 8 through line 13 on page 9, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

Senate Bill 1097 – Senators Mathias, Eckardt, Edwards, Hershey, and Middleton

AN ACT concerning

Local Government Tort Claims Act – Regional Development Councils

SB1097/722611/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 1097

(Third Reading File Bill)

AMENDMENT NO. 1

On page 3, in line 8, strike the brackets; strike beginning with “A” in line 8 down through “COUNCIL” in line 9; and after line 9, insert:

“(18) THE MID–SHORE REGIONAL COUNCIL;

(19) THE UPPER SHORE REGIONAL COUNCIL;

(20) THE TRI–COUNTY COUNCIL FOR THE LOWER EASTERN SHORE OF MARYLAND;”.

AMENDMENT NO. 2

On page 3, in lines 10, 11, 12, 14, 15, 17, 18, 19, 23, 26, 27, and 30, strike “(18)”, “(19)”, “(20)”, “(21)”, “(22)”, “(23)”, “(24)”, “(25)”, “(26)”, “(27)”, “(28)”, and “(29)”, respectively, and substitute “**(21)**”, “**(22)**”, “**(23)**”, “**(24)**”, “**(25)**”, “**(26)**”, “**(27)**”, “**(28)**”, “**(29)**”, “**(30)**”, “**(31)**”, and “**(32)**”, respectively.

On page 4, strike in their entirety lines 1 through 12, 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 WAYS AND MEANS REPORT #20

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

Senate Bill 459 – Senator Conway

AN ACT concerning

Campaign Finance – Ballot Issue Committees – Prospective Questions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 533 – Senator Pinsky

AN ACT concerning

Education – ~~Administration of Assessments~~ – Administration and Provision of Information

SB0533/845367/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 533

(Third Reading File Bill)

On page 1, in line 10, after “year;” insert “defining a certain term;”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 595 – Senator Rosapepe

AN ACT concerning

Education – ~~Dual Enrollment~~ – Middle School Students – Awarding of Credit

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 950 – Senator Conway

AN ACT concerning

~~**Education – Students With Disabilities – Parental Consent for Individualized
Education Program Content**~~

**Education – Students With Disabilities – Study of Parental Consent in the
Individualized Education Program Process**

SB0950/235163/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 950

(Third Reading File Bill)

On page 2, in line 16, after “directors” insert “and teachers”; in line 20, strike “and”; and in the same line, after “Association” insert “of Maryland, and parents of students with disabilities”.

On page 3, strike beginning with the colon in line 4 down through “(i)” in line 5; and strike in their entirety lines 7 and 8, inclusive.

On page 5, in line 2, 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.

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

Senate Bill 1080 – Senator Edwards

AN ACT concerning

Garrett County – Property Tax Exemption – Garrett College Business Incubator

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1125 – ~~Senator Ferguson~~ Senators Ferguson, McFadden, Pugh, Nathan-Pulliam, and Conway

AN ACT concerning

**~~Education – Maryland Extended Day and Summer Enhancement Programs~~
Public School Opportunities Enhancement Act**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1170 – ~~Senators Conway, Pugh, McFadden, Ferguson, and Nathan-Pulliam~~

AN ACT concerning

~~Next-Generation~~ Next Generation Scholars of Maryland

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1171 – ~~Senators Pugh, Conway, McFadden, Ferguson, and Nathan-Pulliam~~

AN ACT concerning

Enoch Pratt Free Library – Hours of Operation – Funding

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 86 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Unemployment Insurance – Exemption From Actively Seeking Work Requirement – Repeal

STATUS OF BILL: BILL ON 3RD READING.

FLOOR AMENDMENT

SB0086/143821/3

BY: Delegate Tarlau

AMENDMENTS TO SENATE BILL 86

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Repeal” and substitute “Revision”; in line 4, strike “repealing the prohibition on denying unemployment benefits to” and substitute “altering the minimum age required for”; in line 5, strike “who are at least 60 years old and”; in line 6, strike “for failing”; in the same line, after the second “to” insert “be exempt from the”; in the same line, strike “seek” and substitute “seeking”; and in the same line, after “work” insert “requirement”.

AMENDMENT NO. 2

On page 2, in lines 1, 5, and 9, in each instance, strike the bracket; and in line 8, strike “60” and substitute “70”.

The preceding 2 amendments were read and rejected.

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

Affirmative – 129 Negative – 9 (See Roll Call No. 1172)

The Bill was then returned to the Senate.

Senate Bill 175 – Senator Astle

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Disposition of Fees

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 89 Negative – 49 (See Roll Call No. 1173)

The Bill was then returned to the Senate.

QUORUM CALL

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 1174)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #85

**House Bill 1495 – Delegates Cullison, Haynes, Healey, Kelly, Pena–Melnyk,
Reznik, Sample–Hughes, and Vallario**

AN ACT concerning

**State Government – Administrative Procedure Act – Contested Cases
– Judicial Review**

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

Affirmative – 94 Negative – 44 (See Roll Call No. 1175)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #58

Senate Bill 156 – Senator Cassilly

AN ACT concerning

Criminal Law – Participation in Court Proceedings – Retaliation

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1176)

The Bill was then returned to the Senate.

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 – 127 Negative – 10 (See Roll Call No. 1177)

The Bill was then returned to the Senate.

Senate Bill 208 – Senators Hough, Bates, Eckardt, Edwards, Hershey, Jennings, Norman, Ready, Reilly, Serafini, and Waugh

AN ACT concerning

Public Safety – Renewal of Handgun Permits – Fingerprinting

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

Affirmative – 137 Negative – 1 (See Roll Call No. 1178)

The Bill was then returned to the Senate.

Senate Bill 310 – Senators Raskin, Cassilly, Hough, Lee, and Ramirez

AN ACT concerning

Child Abuse and Neglect – Failure to Report

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

Affirmative – 129 Negative – 9 (See Roll Call No. 1179)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #59

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 – 98 Negative – 39 (See Roll Call No. 1180)

The Bill was then returned to the Senate.

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 – 137 Negative – 0 (See Roll Call No. 1181)

The Bill was then returned to the Senate.

Senate Bill 1172 – Senators Pugh, Conway, McFadden, Ferguson, and Nathan–Pulliam

AN ACT concerning

Seed Community Development Anchor Institution Fund

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

Affirmative – 89 Negative – 47 (See Roll Call No. 1182)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #48

**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 – 135 Negative – 0 (See Roll Call No. 1183)

The Bill was then returned to the Senate.

Senate Bill 414 – Senator Brochin

AN ACT concerning

Vehicle Laws – Mechanical Repair Contracts

Delegate Davis moved to make the Bill a Special Order for Monday.

The motion was adopted.

Senate Bill 777 – Senators Astle and Hershey

AN ACT concerning

**Unemployment Insurance – Exemption From Covered Employment – Messenger
Service Business**

Delegate M. Washington moved to make the Bill a Special Order for Saturday.

The motion was rejected.

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

Affirmative – 115 Negative – 21 (See Roll Call No. 1184)

The Bill was then returned to the Senate.

**Senate Bill 784 – ~~Senator Middleton~~ Senators Middleton, Astle, Benson, Feldman,
Hershey, Jennings, Kelley, Klausmeier, Mathias, Pugh, and Reilly**

AN ACT concerning

Motor Vehicle Insurance – Personal Injury Protection – ~~Optional~~ Rejection of Coverage

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

Affirmative – 134 Negative – 2 (See Roll Call No. 1185)

The Bill was then returned to the Senate.

Senate Bill 828 – Senator Conway

AN ACT concerning

Real Estate Brokers – Agency Relationships in Residential Real Estate Transactions – Disclosure and Consent Requirements

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1186)

The Bill was then returned to the Senate.

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 – 133 Negative – 4 (See Roll Call No. 1187)

The Bill was then returned to the Senate.

Senate Bill 879 – Senator Edwards

AN ACT concerning

Garrett County – Alcoholic Beverages – Various Licenses

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1188)

The Bill was then returned to the Senate.

Senate Bill 968 – Senator Astle

AN ACT concerning

Business Regulation – Home Builder Registration – Fees

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

Affirmative – 86 Negative – 51 (See Roll Call No. 1189)

The Bill was then returned to the Senate.

Senate Bill 1015 – Senator Waugh

AN ACT concerning

**St. Mary’s County – Alcoholic Beverages – Permits, Training, Prohibited Acts,
and Violations**

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

Affirmative – 137 Negative – 1 (See Roll Call No. 1190)

The Bill was then returned to the Senate.

Senate Bill 1076 – Washington County Senators

AN ACT concerning

**Washington County – Alcoholic Beverages – Population Ratio Quota – Classes of
Licenses**

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1191)

The Bill was then returned to the Senate.

CONCURRENCE CALENDAR #11

AMENDED IN THE SENATE

House Bill 870 – Delegate Parrott

AN ACT concerning

**Natural Resources – Black Fly Management and Control – ~~Washington County~~
Study**

Delegate Barve moved that the House concur in the Senate amendments.

HB0870/614233/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 870

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Study” and substitute “Washington County”; strike beginning with “requiring” in line 11 down through “date;” in line 19 and substitute “requiring the Department of Natural Resources to establish a program to control the spread of black flies in the State; requiring that the program be implemented initially on certain property in Washington County; authorizing the Department, in conjunction with the University of Maryland’s Department of Entomology, to conduct the program in a certain manner; authorizing the Department of Natural Resources to accept, use, or expend certain funding to implement this Act; requiring the Department to adopt certain regulations; stating a certain finding and the intent of the General Assembly;”.

On page 2, after line 2, insert:

“BY adding to

Article – Natural Resources

Section 8–2201 through 8–2205 to be under the new subtitle “Subtitle 22. Black Fly Management and Control”

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)”;

and in line 4, after “That” insert “the Laws of Maryland read as follows”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 18 through 32, inclusive, and substitute:

“Article – Natural Resources

SUBTITLE 22. BLACK FLY MANAGEMENT AND CONTROL.

8-2201.

(A) THE GENERAL ASSEMBLY FINDS THAT THE PROLIFERATION OF CERTAIN SPECIES OF THE GROUP SIMULIUM JENNINGSI, COMMONLY KNOWN AS BLACK FLIES, ARE A PUBLIC AND COMMON NUISANCE ON LAND AND WATERS USED FOR RECREATION, EMPLOYMENT, AND TOURISM.

(B) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE DEPARTMENT, IN CONJUNCTION WITH THE UNIVERSITY OF MARYLAND'S DEPARTMENT OF ENTOMOLOGY, SIGNIFICANTLY REDUCE THE POPULATION OF BLACK FLIES IN THE STATE.

8-2202.

THE DEPARTMENT SHALL IMPLEMENT A PROGRAM TO CONTROL THE SPREAD OF BLACK FLIES IN THE STATE.

8-2203.

(A) THE PROGRAM SHALL BE IMPLEMENTED INITIALLY IN WASHINGTON COUNTY ON:

(1) STATE-OWNED PROPERTY;

(2) PROPERTY OWNED BY A LOCAL GOVERNMENT WITH CONSENT OF THE LOCAL GOVERNMENT; AND

(3) PRIVATE PROPERTY WITH CONSENT OF THE PROPERTY OWNER.

(B) THE DEPARTMENT, IN CONJUNCTION WITH THE UNIVERSITY OF MARYLAND'S DEPARTMENT OF ENTOMOLOGY, MAY:

(1) TREAT THE PROPERTY WITH AN AERIAL SPRAYING OR BACKPACK SPRAYING OF BACILLUS THURINGIENSIS ISRAELENIS;

(2) CONDUCT FIELD STUDIES TO DETERMINE THE NEED FOR, LOCATION, AND TIMING OF SPRAYING;

(3) SCHEDULE SPRAYING WHEN THE CONDITIONS ARE OPTIMAL FOR INGESTION BY THE BLACK FLIES;

(4) NOTIFY APPROPRIATE PERSONS OF THE DATE AND LOCATION OF AN UPCOMING SPRAYING;

(5) REVIEW THE EFFECTIVENESS OF THE SPRAYING; AND

(6) CONDUCT BIOMONITORING OF AQUATIC MACROINVERTEBRATES AND FISH IN SELECTED STREAMS TO ENSURE THERE IS NO IMPACT ON THE ENVIRONMENT.

8-2204.

THE DEPARTMENT MAY ACCEPT, USE, OR EXPEND ANY AID, GIFT, OR GRANT MADE AVAILABLE FROM ANY PRIVATE OR PUBLIC SOURCE TO IMPLEMENT THE PROVISIONS OF THIS SUBTITLE.

8-2205.

THE DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT THE PROVISIONS OF THIS SUBTITLE.”

On page 4, in line 2, strike “June” and substitute “October”.

The preceding 2 amendments were read and concurred in.

HB0870/123622/1

BY: Senator Conway

AMENDMENTS TO HOUSE BILL 870, AS AMENDED

AMENDMENT NO. 1

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments (HB0870/614233/1), in lines 3 and 8 of Amendment No. 1, in each instance, strike “requiring” and substitute “authorizing”; in line 3, after “Resources” insert “, in conjunction with the Department of Agriculture,”; in line 4, after “State” insert “under certain circumstances”; in line 5, after “Department” insert “of Natural Resources”; in line 6, after “with” insert “the Department of Agriculture and”; in line 7, after “Resources” insert “and the Department of Agriculture”; and in line 8, after “Department” insert “of Natural Resources, in conjunction with the Department of Agriculture,”.

AMENDMENT NO. 2

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments, in line 7 of Amendment No. 2, after “WITH” insert “THE DEPARTMENT OF AGRICULTURE AND”; in line 11, strike “THE” and substitute “SUBJECT TO FUNDING MADE AVAILABLE TO THE DEPARTMENT AND THE DEPARTMENT OF AGRICULTURE TO IMPLEMENT THE PROVISIONS OF THIS SUBTITLE, THE”; and in the same line, strike “SHALL” and substitute “MAY, IN CONJUNCTION WITH THE DEPARTMENT OF AGRICULTURE,”.

On page 3 of the Education, Health, and Environmental Affairs Committee Amendments, in line 3 of Amendment No. 2, after “WITH” insert “THE DEPARTMENT OF AGRICULTURE AND”; and in line 18, after “DEPARTMENT” insert “AND THE DEPARTMENT OF AGRICULTURE”.

On page 4 of the Education, Health, and Environmental Affairs Committee Amendments, in line 2 of Amendment No. 2, strike “SHALL” and substitute “MAY, IN CONJUNCTION WITH THE DEPARTMENT OF AGRICULTURE,”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 1192)

AMENDED IN THE SENATE

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

Delegate Hammen moved that the House concur in the Senate amendments.

HB0497/734738/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 497

(Third Reading File Bill)

On page 11, in line 10, strike “**2026**” and substitute “**2023**”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 1193)

AMENDED IN THE SENATE

House Bill 507 – Delegates Kramer, Sydnor, Barve, Frush, Hill, Jalisi, Kaiser, Lam, Lisanti, Luedtke, Mautz, McCray, and Platt

AN ACT concerning

Maryland Fiduciary Access to Digital Assets Act

Delegate Hammen moved that the House concur in the Senate amendments.

HB0507/888976/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 507

(Third Reading File Bill)

On page 10, in line 15, strike “**CONTENT**” and substitute “**CATALOGUE**”.

On page 14, in line 8, strike “**CUSTODIAN**” and substitute “**GUARDIAN**”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 1194)

AMENDED IN THE SENATE

House Bill 724 – Delegates Oaks, West, Reznik, ~~Oaks~~, Pena-Melnyk, ~~and Rose~~
Rose, and Krebs

AN ACT concerning

Public Health – Copies of Medical Records – Fees

Delegate Hammen moved that the House concur in the Senate amendments.

HB0724/437272/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 724

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “altering a certain provision of law to authorize health care providers to require certain persons to pay a cost-based fee for providing certain information, rather than the reasonable cost;”; and in line 7, after “persons” insert “, subject to certain limitations”.

AMENDMENT NO. 2

On page 2, in line 5, after “pay” insert “**FOR**”; in line 8, strike “the” and substitute “**A**”; in the same line, strike “cost of” and substitute “**COST-BASED FEE FOR**”; in line 17, strike “A” and substitute “**SUBJECT TO THE FEE LIMITATIONS THAT APPLY TO PERSONS IN INTEREST UNDER 45 C.F.R. 164.524 AND ANY GUIDANCE ON THOSE LIMITATIONS ISSUED BY THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, A**”; in line 21, strike “IF” and substitute “**SUBJECT TO THE FEE LIMITATIONS THAT APPLY TO PERSONS IN INTEREST UNDER 45 C.F.R. 164.524 AND ANY GUIDANCE ON THOSE LIMITATIONS ISSUED BY THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES,**”; in the same line, after “PROVIDER” insert “**THAT**”; in line 22,

after “MAINTAINS” insert “THE REQUESTED”; in the same line, strike the comma and substitute “MAY CHARGE”; and strike beginning with the comma in line 24 down through “CHARGE” in line 25.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 1195)

AMENDED IN THE SENATE

House Bill 1181 – Delegates Morgan, Cullison, Hammen, Kipke, McMillan, ~~and Pena-Melnyk~~ Pena-Melnyk, Angel, Barron, Bromwell, Hayes, Hill, Kelly, Krebs, McDonough, Miele, Morhaim, Oaks, Pendergrass, Rose, Saab, Sample-Hughes, West, and K. Young

AN ACT concerning

**Maryland Medical Assistance Program – Nursing Homes – ~~Advance Payments~~
Partial Payment for Services Provided**

Delegate Hammen moved that the House concur in the Senate amendments.

HB1181/457679/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1181

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Nursing” in line 2 down through “Provided” in line 3 and substitute “Determinations of Eligibility for Long-Term Care Services – Reports and Meetings”; strike beginning with “to” in line 4 down through “term” in line 9 and substitute “. in consultation with the Department of Human Resources, to submit a report on the State’s progress in determining the eligibility of certain applicants within a certain time period to certain committees of the General Assembly on or before a certain date and quarterly thereafter; requiring that the report include certain information; requiring the Department of Health and Mental Hygiene, in collaboration with the Department of Human Resources, to conduct certain meetings to discuss certain reports and develop”

certain strategies; providing for the termination of this Act"; and strike beginning with "advance" in line 10 down through "homes" in line 11 and substitute "determinations of eligibility for long-term care services".

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

AMENDMENT NO. 2

On page 2, in line 3, strike "the Laws of Maryland read as follows"; strike in their entirety lines 4 through 26, inclusive, and substitute:

"(a) On or before October 1, 2016, and quarterly thereafter, the Department of Health and Mental Hygiene, in consultation with the Department of Human Resources, shall submit a report to the Senate Finance Committee, the Senate Budget and Taxation Committee, the House Health and Government Operations Committee, and the House Appropriations Committee, in accordance with § 2-1246 of the State Government Article, on the State's progress in determining the eligibility of applicants for long-term care services under the Maryland Medical Assistance Program within 30 days after the filing of the applications as required under State law.

(b) The reports required under subsection (a) of this section shall include:

(1) (i) the number of new applications filed each month with each local department of social services and the Bureau of Long-Term Care Eligibility; and

(ii) information on pending eligibility cases, including, to the extent available, detailed information on the length of time beyond 30 days it is taking for the State to complete eligibility determinations, with a breakdown of the information presented in 15-day increments;

(2) (i) steps being taken by the State to achieve compliance with the requirement in State law that eligibility determinations be completed within 30 days after the filing of an application; and

(ii) a timeline for achieving compliance with the 30-day requirement; and

(3) information on:

(i) improvements made to the technology systems used to determine eligibility; and

(ii) any planned improvements to the technology systems, including the implementation of an asset verification system, with a time frame for implementation of the planned improvements.

(c) The Department of Health and Mental Hygiene, in collaboration with the Department of Human Resources, shall conduct quarterly meetings with interested stakeholders to:

(1) discuss the report submitted under subsection (a) of this section; and

(2) develop strategies to resolve ongoing issues with and delays in eligibility determinations for long-term care services under the Maryland Medical Assistance Program.”;

and in line 28, after the period, insert “It shall remain effective for a period of 2 years and 6 months and, at the end of December 31, 2018, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 1196)

AMENDED IN THE SENATE

House Bill 1318 – Delegates Kelly, Angel, Cullison, Hill, Pena–Melnyk, Sample–Hughes, ~~and West~~ West, Hammen, Barron, Bromwell, Hayes, Kipke, Krebs, McDonough, McMillan, Miele, Morgan, Morhaim, Oaks, Pendergrass, Rose, Saab, and K. Young

AN ACT concerning

Health Benefit Plans – Network Access Standards and Provider Network Directories

Delegate Hammen moved that the House concur in the Senate amendments.

HB1318/867371/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1318

(Third Reading File Bill)

AMENDMENT NO. 1

On page 3, in line 20, strike “15–112(n)” and substitute “15–112(b)(1)(i), (n),”; and in lines 33 and 34, strike “(E) THROUGH (L), (Q), (R), AND (T)” and substitute “(F) THROUGH (M), (R), (S), AND (U) THROUGH (W)”.

AMENDMENT NO. 2

On pages 3 and 4, strike in their entirety the lines beginning with line 36 on page 3 through line 25 on page 4, inclusive, and substitute:

“Article – Insurance”.

On page 7, strike in their entirety lines 1 through 4, inclusive; after line 12, insert:

“(i) 1. if the carrier is an insurer, nonprofit health service plan, or dental plan organization, maintain standards in accordance with regulations adopted by the Commissioner for availability of health care providers to meet the health care needs of enrollees;

2. if the carrier is a health maintenance organization, adhere to the standards for accessibility of covered services in accordance with regulations adopted under § 19–705.1(b)(1)(i)2 of the Health – General Article; and

3. if the carrier is an insurer or nonprofit health service plan that offers a preferred provider insurance policy that conditions the payment of benefits on the use of preferred providers, adhere to the standards for accessibility of covered services in accordance with regulations adopted under § 19–705.1(b)(1)(i)2 of the Health – General Article and as enforced by the Secretary of Health and Mental Hygiene; and”;

and in line 29, strike “(M)” and substitute “(N)”.

On page 10, in line 13, strike “PREDOMINATELY” and substitute “PREDOMINANTLY”.

On page 11, in line 27, strike “SERVICES” and substitute “SERVICES”.

On page 28, in line 7, after “REMAIN” insert “ON”.

On page 33, after line 22, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Health – General

19–705.1.

(a) The Secretary shall adopt regulations that set out reasonable standards of quality of care that a health maintenance organization shall provide to its members.

(b) (1) The standards of quality of care shall include:

(i) [1.] A requirement that a health maintenance organization shall provide for regular hours during which a member may receive services, including providing for services to a member in a timely manner that takes into account the immediacy of need for services; [and

2. Provisions for assuring that all covered services, including any services for which the health maintenance organization has contracted, are accessible to the enrollee with reasonable safeguards with respect to geographic locations;]

Article – Insurance

14–205.1.

(a) The Commissioner may authorize an insurer or nonprofit health service plan to offer a preferred provider insurance policy that conditions the payment of benefits on the use of preferred providers if the insurer or nonprofit health service plan[:

(1) has demonstrated to the Secretary of Health and Mental Hygiene that the provider panel of the insurer or nonprofit health service plan complies with the regulations adopted under § 19–705.1(b)(1)(i)2 of the Health – General Article; and

(2)] does not restrict payment for covered services provided by nonpreferred providers:

[(i)] (1) for emergency services, as defined in § 19–701 of the Health – General Article;

[(ii)] (2) for an unforeseen illness, injury, or condition requiring immediate care; or

[(iii)] (3) as required under § 15–830 of this article.

15–112.

(b) (1) Subject to paragraph (3) of this subsection, a carrier that uses a provider panel shall:

(i) [1.] if the carrier is an insurer, nonprofit health service plan, HEALTH MAINTENANCE ORGANIZATION, or dental plan organization, maintain standards in accordance with regulations adopted by the Commissioner for availability of health care providers to meet the health care needs of enrollees; AND

[2. if the carrier is a health maintenance organization, adhere to the standards for accessibility of covered services in accordance with regulations adopted under § 19–705.1(b)(1)(i)2 of the Health – General Article; and

3. if the carrier is an insurer or nonprofit health service plan that offers a preferred provider insurance policy that conditions the payment of benefits on the use of preferred providers, adhere to the standards for accessibility of covered services in accordance with regulations adopted under § 19–705.1(b)(1)(i)2 of the Health – General Article and as enforced by the Secretary of Health and Mental Hygiene; and]

AMENDMENT NO. 3

On page 33, in lines 25 and 27, strike “3.” and “4.”, respectively, and substitute “4.” and “6.”, respectively; after line 26, insert:

“SECTION 5. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take effect January 1, 2018.”;

and in line 28, strike "Section 3" and substitute "Sections 4 and 5".

The preceding 3 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 137 Negative – 0 (See Roll Call No. 1197)

MESSAGE FROM THE SENATE

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **HB0190**
SPONSOR: Delegate Lierman, et al
SUBJECT: Civil Penalties for Shoplifting and Employee Theft – Repeal

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Smith, Chairman
Delegate Morales
Delegate Sanchez.

The Senate appoints:

Senator Ramirez, Chair
Senator Brochin
Senator Norman

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE FROM THE SENATE

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **HB0641**
SPONSOR: Delegate Sophocleus, et al
SUBJECT: Evidence – Admissibility of DNA Profile – Definition and Validation of DNA Profile

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Conaway, Chairman
Delegate Queen
Delegate Rey.

The Senate appoints:

Senator Cassilly, Chair
Senator Muse
Senator Ramirez

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE FROM THE SENATE

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **HB0192**
SPONSOR: Chair, Judiciary Committee
SUBJECT: Juv Causes – Permanency Plans – Age Rstrctns on Use of Another Planned Perm Living Arrangement

The Senate recedes from its position on HB0192.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE FROM THE SENATE

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB0794**
SPONSOR: Senator Jennings, et al
SUBJECT: Education – Prekindergarten and Kindergarten Assessments –
Administration

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Pinsky, Chair
Senator Waugh
Senator Conway

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB0794**
SPONSOR: Senator Jennings, et al
SUBJECT: Education – Prekindergarten and Kindergarten Assessments –
Administration

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Pinsky, Chairman
Senator Waugh
Senator Conway.

The House appoints:

Delegate Kaiser, Chair
Delegate Hornberger
Delegate A. Washington

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 220 – Delegates Barron, Carter, and Anderson

AN ACT concerning

Criminal Procedure – Partial Expungement

Delegate Vallario moved that the House not concur in the Senate amendments.

HB0220/978577/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 220

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Partial”; strike beginning with “authorizing” in line 3 down through “records” in line 12 and substitute “authorizing a person to file a petition for expungement of certain misdemeanor convictions; specifying certain convictions that are”

eligible for expungement; requiring a person to file a petition for expungement in a certain court; providing that a petition for expungement of certain misdemeanor convictions may not be filed earlier than a certain time; providing that a person is not eligible for expungement under certain circumstances; requiring the court to serve a copy of a petition on the State's Attorney and provide notice of the petition to certain victims; requiring the court to order the expungement of certain records under certain circumstances; requiring the court to hold a hearing on the petition under certain circumstances; authorizing the court to order the expungement of certain records after a hearing if the court makes certain findings on the record; requiring the court to deny a certain petition under certain circumstances; requiring certain custodians of certain records to destroy the records within a certain time after an order granting a petition; providing that the State's Attorney is a party to a certain proceeding; providing that a party to the proceeding is entitled to appellate review; and generally relating to expungement"; in line 13, strike "repealing and reenacting, with amendments," and substitute "adding to"; in line 15, strike "10-105" and substitute "10-110"; and strike in their entirety lines 18 through 22, inclusive.

AMENDMENT NO. 2

On pages 2 through 6, strike in their entirety the lines beginning with line 4 on page 2 through line 33 on page 6, inclusive, and substitute:

"10-110.

(A) A PERSON MAY FILE A PETITION LISTING RELEVANT FACTS FOR EXPUNGEMENT OF A POLICE RECORD, COURT RECORD, OR OTHER RECORD MAINTAINED BY THE STATE OR A POLITICAL SUBDIVISION OF THE STATE IF THE PERSON IS CONVICTED OF A MISDEMEANOR THAT IS A VIOLATION OF:

(1) § 6-320 OF THE ALCOHOLIC BEVERAGES ARTICLE;

(2) AN OFFENSE LISTED IN § 17-613(A) OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE;

(3) § 5-712, § 19-304, § 19-308, OR TITLE 5, SUBTITLE 6 OR SUBTITLE 9 OF THE BUSINESS REGULATION ARTICLE;

(4) § 3-1508 OR § 10-402 OF THE COURTS ARTICLE;

(5) § 14–1915, § 14–2902, OR § 14–2903 OF THE COMMERCIAL LAW ARTICLE;

(6) § 5–211 OF THE CRIMINAL PROCEDURE ARTICLE;

(7) § 3–203 OR § 3–808 OF THE CRIMINAL LAW ARTICLE;

(8) § 5–601, § 5–618, § 5–619, § 5–620, § 5–703, § 5–708, OR § 5–902 OF THE CRIMINAL LAW ARTICLE;

(9) § 6–105, § 6–108, § 6–206, § 6–303, § 6–306, § 6–307, § 6–402, OR § 6–503 OF THE CRIMINAL LAW ARTICLE;

(10) § 7–104, § 7–203, § 7–205, § 7–304, § 7–308, OR § 7–309 OF THE CRIMINAL LAW ARTICLE;

(11) § 8–103, § 8–206, § 8–401, § 8–402, § 8–404, § 8–406, § 8–408, § 8–503, § 8–521, § 8–523, OR § 8–904 OF THE CRIMINAL LAW ARTICLE;

(12) § 9–204, § 9–205, § 9–503, OR § 9–506 OF THE CRIMINAL LAW ARTICLE;

(13) § 10–110, § 10–201, § 10–402, § 10–404, OR § 10–502 OF THE CRIMINAL LAW ARTICLE;

(14) § 11–306(A) OF THE CRIMINAL LAW ARTICLE;

(15) § 12–102, § 12–103, § 12–104, § 12–105, § 12–109, § 12–203, § 12–204, § 12–205, OR § 12–302 OF THE CRIMINAL LAW ARTICLE;

(16) § 13–401, § 13–602, OR § 16–201 OF THE ELECTION LAW ARTICLE;

(17) § 4–509 OF THE FAMILY LAW ARTICLE;

(18) § 18–215 OF THE HEALTH – GENERAL ARTICLE;

(19) § 4-411 OR § 4-2005 OF THE HUMAN SERVICES ARTICLE;

(20) § 27-403, § 27-404, § 27-405, § 27-406, § 27-406.1, § 27-407, § 27-407.1, OR § 27-407.2 OF THE INSURANCE ARTICLE;

(21) § 5-307, § 5-308, § 6-602, § 7-402, OR § 14-114 OF THE PUBLIC SAFETY ARTICLE;

(22) § 7-318.1, § 7-509, OR § 10-507 OF THE REAL PROPERTY ARTICLE;

(23) § 9-124 OF THE STATE GOVERNMENT ARTICLE;

(24) § 13-1001, § 13-1004, § 13-1007, OR § 13-1024 OF THE TAX - GENERAL ARTICLE;

(25) THE COMMON LAW OFFENSES OF AFFRAY, RIOTING, CRIMINAL CONTEMPT, OR HINDERING; OR

(26) AN ATTEMPT, CONSPIRACY, OR SOLICITATION OF ANY OFFENSE LISTED IN ITEMS (1) THROUGH (25) OF THIS SUBSECTION.

(B) (1) EXCEPT AS PROVIDED IN PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, A PERSON SHALL FILE A PETITION FOR EXPUNGEMENT IN THE COURT IN WHICH THE PROCEEDING BEGAN.

(2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, IF THE PROCEEDING BEGAN IN ONE COURT AND WAS TRANSFERRED TO ANOTHER COURT, THE PERSON SHALL FILE THE PETITION IN THE COURT TO WHICH THE PROCEEDING WAS TRANSFERRED.

(II) IF THE PROCEEDING BEGAN IN ONE COURT AND WAS TRANSFERRED TO THE JUVENILE COURT UNDER § 4-202 OR § 4-202.2 OF THIS ARTICLE, THE PERSON SHALL FILE THE PETITION IN THE COURT OF ORIGINAL JURISDICTION FROM WHICH THE ORDER OF TRANSFER WAS ENTERED.

(3) (I) IF THE PROCEEDING IN A COURT OF ORIGINAL JURISDICTION WAS APPEALED TO A COURT EXERCISING APPELLATE JURISDICTION, THE PERSON SHALL FILE THE PETITION IN THE APPELLATE COURT.

(II) THE APPELLATE COURT MAY REMAND THE MATTER TO THE COURT OF ORIGINAL JURISDICTION.

(C) A PETITION FOR EXPUNGEMENT UNDER THIS SECTION MAY NOT BE FILED EARLIER THAN 10 YEARS AFTER THE PERSON SATISFIES THE SENTENCE OR SENTENCES IMPOSED FOR ALL CONVICTIONS FOR WHICH EXPUNGEMENT IS REQUESTED, INCLUDING PAROLE, PROBATION, OR MANDATORY SUPERVISION.

(D) (1) IF THE PERSON IS CONVICTED OF A NEW CRIME DURING THE APPLICABLE TIME PERIOD SET FORTH IN SUBSECTION (C) OF THIS SECTION, THE ORIGINAL CONVICTION OR CONVICTIONS ARE NOT ELIGIBLE FOR EXPUNGEMENT UNLESS THE NEW CONVICTION BECOMES ELIGIBLE FOR EXPUNGEMENT.

(2) A PERSON IS NOT ELIGIBLE FOR EXPUNGEMENT IF THE PERSON IS A DEFENDANT IN A PENDING CRIMINAL PROCEEDING.

(3) IF A PERSON IS NOT ELIGIBLE FOR EXPUNGEMENT OF ONE CONVICTION IN A UNIT, THE PERSON IS NOT ELIGIBLE FOR EXPUNGEMENT OF ANY OTHER CONVICTION IN THE UNIT.

(E) (1) THE COURT SHALL HAVE A COPY OF A PETITION FOR EXPUNGEMENT SERVED ON THE STATE'S ATTORNEY.

(2) THE COURT SHALL SEND WRITTEN NOTICE OF THE EXPUNGEMENT REQUEST TO ALL LISTED VICTIMS IN THE CASE IN WHICH THE PETITIONER IS SEEKING EXPUNGEMENT AT THE ADDRESS LISTED IN THE COURT FILE, ADVISING THE VICTIM OR VICTIMS OF THE RIGHT TO OFFER ADDITIONAL INFORMATION RELEVANT TO THE EXPUNGEMENT PETITION TO THE COURT.

(3) UNLESS THE STATE'S ATTORNEY OR A VICTIM FILES AN OBJECTION TO THE PETITION FOR EXPUNGEMENT WITHIN 30 DAYS AFTER THE PETITION IS SERVED, THE COURT SHALL PASS AN ORDER REQUIRING THE

EXPUNGEMENT OF ALL POLICE RECORDS AND COURT RECORDS ABOUT THE CHARGE.

(F) (1) IF THE STATE'S ATTORNEY OR A VICTIM FILES A TIMELY OBJECTION TO THE PETITION, THE COURT SHALL HOLD A HEARING.

(2) THE COURT SHALL ORDER THE EXPUNGEMENT OF ALL POLICE RECORDS AND COURT RECORDS ABOUT THE CHARGE AFTER A HEARING, IF THE COURT FINDS AND STATES ON THE RECORD:

(I) THAT THE CONVICTION IS ELIGIBLE FOR EXPUNGEMENT UNDER SUBSECTION (A) OF THIS SECTION;

(II) THAT THE PERSON IS ELIGIBLE FOR EXPUNGEMENT UNDER SUBSECTION (D) OF THIS SECTION;

(III) THAT GIVING DUE REGARD TO THE NATURE OF THE CRIME, THE HISTORY AND CHARACTER OF THE PERSON, AND THE PERSON'S SUCCESS AT REHABILITATION, THE PERSON IS NOT A RISK TO PUBLIC SAFETY; AND

(IV) THAT AN EXPUNGEMENT WOULD BE IN THE INTEREST OF JUSTICE.

(G) IF AT A HEARING THE COURT FINDS THAT A PERSON IS NOT ENTITLED TO EXPUNGEMENT, THE COURT SHALL DENY THE PETITION.

(H) UNLESS AN ORDER IS STAYED PENDING APPEAL, WITHIN 60 DAYS AFTER ENTRY OF ORDER, EVERY CUSTODIAN OF THE POLICE RECORDS AND COURT RECORDS THAT ARE SUBJECT TO THE ORDER OF EXPUNGEMENT SHALL ADVISE IN WRITING THE COURT AND THE PERSON WHO IS SEEKING EXPUNGEMENT OF COMPLIANCE WITH THE ORDER.

(I) (1) THE STATE'S ATTORNEY IS A PARTY TO THE PROCEEDING.

(2) A PARTY AGGRIEVED BY THE DECISION OF THE COURT IS ENTITLED TO THE APPELLATE REVIEW AS PROVIDED IN THE COURTS ARTICLE."

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB0220**
SPONSOR: Delegate Barron, et al
SUBJECT: Criminal Procedure – Partial Expungement

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Smith, Chair
Delegate Conaway
Delegate Rosenberg

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

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

Delegate Vallario moved that the House not concur in the Senate amendments.

HB0636/708979/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 636

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “– Exception”; strike beginning with “providing” in line 3 down through “Act” in line 5 and substitute “requiring a court to entertain an action under the Maryland Tort Claims Act even if a claimant fails to submit a certain written claim, under certain circumstances”; in line 6, strike “repealing a certain requirement for certain claims” and substitute “claim requirements”; and strike in their entirety lines 13 through 17, inclusive.

AMENDMENT NO. 2

On page 2, in line 11, strike “(1)”; in line 12, strike “and for good cause shown”; and in line 13, strike “may” and substitute “SHALL”.

AMENDMENT NO. 3

On pages 2 and 3, strike in their entirety the lines beginning with line 15 on page 2 through line 18 on page 3, inclusive.

The preceding 3 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB0636**
SPONSOR: Delegate Smith, et al
SUBJECT: Maryland Tort Claims Act – Certain Claim Requirement –
Exception

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Sydnor, Chair
Delegate Queen
Delegate Rey

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 1198)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #54

Senate Bill 485 – Senators Pugh, Benson, Conway, Currie, Feldman, Ferguson, Guzzone, Kagan, King, Lee, Madaleno, Manno, McFadden, Middleton, Muse, Peters, Ramirez, Raskin, Rosapepe, and Young

AN ACT concerning

~~Labor and Employment~~ **Task Force to Study Family and Medical Leave Insurance Program Establishment**

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

Affirmative – 94 Negative – 39 (See Roll Call No. 1199)

The Bill was then returned to the Senate.

Senate Bill 630 – Senator Hershey

AN ACT concerning

Comptroller – Distillery Off-Site Permit and Liquor Festival Permit

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

Affirmative – 133 Negative – 0 (See Roll Call No. 1200)

The Bill was then returned to the Senate.

Senate Bill 679 – Senators Astle, Benson, Hershey, Jennings, and Klausmeier

AN ACT concerning

Unemployment Insurance – Exemption From Covered Employment – Nail Technicians

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

Affirmative – 106 Negative – 28 (See Roll Call No. 1201)

The Bill was then returned to the Senate.

Senate Bill 839 – ~~Senator Feldman~~ Senators Feldman, Middleton, Astle, Benson, Hershey, Jennings, Kelley, Klausmeier, Mathias, and Reilly

AN ACT concerning

Insurance – Rate Filings – Trade Secrets

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

Affirmative – 133 Negative – 0 (See Roll Call No. 1202)

The Bill was then returned to the Senate.

Senate Bill 882 – ~~Senator Jennings~~ Senators Jennings, Middleton, Astle, Benson, 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 – 137 Negative – 0 (See Roll Call No. 1203)

The Bill was then returned to the Senate.

Senate Bill 958 – Cecil County Senators

AN ACT concerning

Cecil County – Alcoholic Beverages – ~~Class 9 Limited Distillery Licenses and Class 7 Micro-Brewery Licenses~~

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1204)

The Bill was then returned to the Senate.

Senate Bill 1057 – Senator King

AN ACT concerning

Maryland Technology Development Corporation – Maryland Innovation Initiative – Financing Authority

Delegate Fisher moved to make the Bill a Special Order for Saturday.

The motion was adopted.

Senate Bill 1078 – Washington County Senators

AN ACT concerning

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

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

Affirmative – 131 Negative – 6 (See Roll Call No. 1205)

The Bill was then returned to the Senate.

Senate Bill 1135 – Washington County Senators

AN ACT concerning

Washington County – Business Licenses – Repeal of Zoning Certification Requirement

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1206)

The Bill was then returned to the Senate.

Senate Bill 1140 – Senators Mathias and Eckardt

AN ACT concerning

Wicomico County – Alcoholic Beverages – Youth and Civic Center License

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1207)

The Bill was then returned to the Senate.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #27

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

House Bill 1644 – Delegates West, Aumann, Hettleman, Morhaim, and Stein

AN ACT concerning

Baltimore County – Alcoholic Beverages – Racetrack License

HB1644/273393/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 1644

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “repealing” in line 3 down through “county;” in line 4 and substitute “authorizing the Board of License Commissioners for Baltimore County to transfer a Class B or Class D beer, wine, and liquor (on-sale) retail alcoholic beverages license in existence in Election District 15 to a certain location; prohibiting certain licenses from being transferred; requiring that the transferred license be converted into a certain other license; providing for certain restrictions, qualifications, and conditions with respect to the transferred license; prohibiting a license issued under this Act from being transferred to a location outside a certain area or converted into another class of license; requiring that the location for the license comply with all applicable zoning regulations;”; in line 11, strike

“repealing and reenacting, with amendments,” and substitute “adding to”; and in line 13, strike “13–1001” and substitute “13–1709”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 21 on page 1 through line 19 on page 2, inclusive, and substitute:

“13–1709.

(A) (1) NOTWITHSTANDING ANY LICENSE QUOTA LIMITATION ESTABLISHED BY THE BOARD AND IN ADDITION TO THE LICENSES AUTHORIZED FOR ISSUANCE IN THE COUNTY, THE BOARD MAY AUTHORIZE THE TRANSFER OF ONE CLASS B OR CLASS D BEER, WINE, AND LIQUOR LICENSE IN EXISTENCE IN ELECTION DISTRICT 15 ON JANUARY 15, 2016, AND VALID ON THE DATE OF TRANSFER, TO A LOCATION THAT IS:

(I) AT 2200 YORK ROAD AND SURROUNDING GROUNDS IN ELECTION DISTRICT 8; AND

(II) OWNED BY THE MARYLAND STATE FAIR AND AGRICULTURAL SOCIETY, INC.

(2) A LICENSE TRANSFERRED UNDER THIS SECTION:

(I) MAY NOT BE A LICENSE THAT IS PROHIBITED FROM BEING TRANSFERRED BY LAW OR BOARD REGULATION, OTHER THAN A PROHIBITION AGAINST CROSSING DISTRICT LINES;

(II) FOR DETERMINING THE TOTAL NUMBER OF LICENSES AVAILABLE IN ELECTION DISTRICT 8, SHALL BE CONSIDERED TO BE A REGULAR LICENSE AND NOT AN EXCEPTION TO THE POPULATION AND NUMERICAL LIMITATIONS SPECIFIED IN “RULE 19 – POPULATION AND NUMERICAL LIMITATIONS” OF THE RULES AND REGULATIONS OF THE BOARD;

(III) SHALL BE CONVERTED INTO A CLASS B (MSF)(ON-SALE) BEER, WINE, AND LIQUOR LICENSE; AND

(IV) AS OF THE DATE OF TRANSFER, MAY NOT BE COUNTED TOWARD ANY POPULATION LIMIT EXISTING IN ELECTION DISTRICT 15.

(B) THE ISSUANCE AND RENEWAL REQUIREMENTS, MINIMUM SQUARE FOOT AREA REQUIREMENT FOR FOOD AND BEVERAGE PREPARATION AND CONSUMPTION, AND HOURS AND DAYS OF SALE FOR THE CLASS B (MSF) LICENSE ARE THE SAME AS THOSE PROVIDED FOR A CLASS B BEER, WINE, AND LIQUOR (ON-SALE) HOTEL AND RESTAURANT LICENSE.

(C) (1) THE CLASS B (MSF) LICENSE MAY NOT BE:

(I) TRANSFERRED TO A LOCATION OUTSIDE THE AREA FOR WHICH THE LICENSE WAS ISSUED; OR

(II) CONVERTED INTO ANOTHER CLASS OF LICENSE.

(2) THE LOCATION FOR THE CLASS B (MSF) LICENSE SHALL COMPLY WITH ALL APPLICABLE ZONING REGULATIONS.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 88 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Commissioner of Financial Regulation – Consolidation of Nondepository Special Funds

SB0088/383791/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 88

(Third Reading File Bill)

On page 7, in line 30, strike “and under Subtitle 10 of this title”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1009 – Senators Benson, Manno, Kelley, Middleton, and Pugh

AN ACT concerning

Procurement – Prevailing Wage – Liquidated Damages

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #28

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

Senate Bill 95 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Division of Workforce Development and Adult Learning – Adult Education and Literacy Services – Revisions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1173 – Senators Pugh, Conway, McFadden, Ferguson, and Nathan-Pulliam

AN ACT concerning

~~Department of Labor, Licensing and Regulation – Adult Education – Adult High Schools~~
Task Force to Study the Adult High School Concept

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #19

CONSENT CALENDAR #14

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Health and Government Operations:

House Bill 1561 – Delegate Sample–Hughes

AN ACT concerning

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

The Bill was re-referred to the Committee on Health and Government Operations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Health and Government Operations:

Senate Bill 297 – ~~Senator Madaleno~~ Senators Madaleno, Benson, Feldman, Hershey, Kelley, Klausmeier, Middleton, Pugh, and Reilly

AN ACT concerning

Health Insurance – Habilitative Services – Period of Time for Coverage

The Bill was re-referred to the Committee on Health and Government Operations.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means and the Committee on Appropriations:

Senate Bill 376 – The President (By Request – Administration) and Senators Bates, Cassilly, Eckardt, Edwards, Hershey, Jennings, Mathias, Muse, Norman, Ready, Reilly, Rosapepe, Salling, Serafini, Simonaire, and Waugh

AN ACT concerning

**Pathways in Technology Early College High (P-TECH)
Schools Act of 2016**

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

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means and the Committee on Appropriations:

**Senate Bill 389 – The President (By Request – Administration) and Senators
Bates, Brochin, Cassilly, Eckardt, Edwards, Hershey, Hough, Jennings,
Norman, Ready, Reilly, Salling, Serafini, Simonaire, and Waugh**

AN ACT concerning

~~**Fee, Surcharge, and Tax**~~ **Birth and Death Certificates – Fee Reduction Act of
2016**

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

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

Senate Bill 515 – Senator DeGrange

AN ACT concerning

**County Boards of Education – Procurements for Construction or Repair of
School Projects**

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

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

Senate Bill 545 – Senators Pugh, Ferguson, and Rosapepe

AN ACT concerning

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

The Bill was re-referred to the Committee on Economic Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Environment and Transportation:

Senate Bill 579 – Senator Ramirez

AN ACT concerning

Vehicle Laws – Application – Park Model Recreational Vehicles – Definition

The Bill was re-referred to the Committee on Environment and Transportation.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

Senate Bill 757 – Senator Madaleno

AN ACT concerning

Alcoholic Beverage Taxes – Electronic Filing of Returns

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

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 Ways and Means.

THE COMMITTEE ON JUDICIARY REPORT #17

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 683 – Delegates Moon, Anderson, Atterbeary, Bromwell, Carter, Conaway, Gutierrez, Hettleman, Jalisi, Lierman, Luedtke, Morales, Sanchez, Smith, and P. Young

AN ACT concerning

**Guardianship and Child in Need of Assistance Proceedings – Jurisdiction and
Authority of Juvenile Court**

HB0683/292815/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 683

(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 “to a certain child”; strike beginning with “or” in line 7 down through “welfare” in line 8 and substitute “to a certain child”; in line 11, strike “shall retain” and substitute “retains”; and in the same line, strike “over the child”.

AMENDMENT NO. 2

On page 3, strike beginning with “or” in line 1 down through “disability” in line 3.

On page 4, strike beginning with “**DIRECT**” in line 27 down through “**INCLUDING**” in line 29 and substitute “**FOR A CHILD WITH A DEVELOPMENTAL DISABILITY, DIRECT THE PROVISION OF**”.

On page 5, in line 2, after “**EFFECTIVE**” insert “UNTIL”; 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 “**(1)**” 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 DEVELOPMENTAL 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 “**(1)**” 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; and in line 26, strike “disability” and substitute “DEVELOPMENTAL DISABILITY, AS DEFINED IN § 3-801 OF THE COURTS ARTICLE”.

On pages 7 and 8, strike beginning with “OR” in line 27 on page 7 down through “AND” in line 3 on page 8.

On page 8, in line 31, strike “DISABILITY” and substitute “DEVELOPMENTAL DISABILITY, AS DEFINED IN § 3-801 OF THE COURTS ARTICLE,”; and in the same line, strike “(B)(II)(2)7B” and substitute “(B)(1)(II)7B”.

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”.

AMENDMENT NO. 4

On page 4, in lines 7 and 8, strike “§ 3-819(C)(3) OR”; in line 8, strike “SHALL RETAIN” and substitute “RETAINS”; strike beginning with “OVER” in line 9 down through “RULING” in line 11 and substitute “TO RULE”; and in line 12, after “ORDER” insert “, FOR AS LONG AS THE ORDER IS EFFECTIVE”.

On page 9, in line 24, strike “§ 5-324(B)(II)(2)7B” and substitute “§ 5-324(B)(1)(II)7B”; in the same line, strike “SHALL RETAIN” and substitute “RETAINS”; strike beginning with “OVER” in line 25 down through “RULING” in line 27 and substitute “TO RULE”; and in line 28, after “ORDER” insert “, FOR AS LONG AS THE ORDER IS EFFECTIVE”.

AMENDMENT NO. 5

On page 5 in line 6, and on page 6 in line 22, in each instance, strike “THE DEPARTMENT OR A LOCAL DEPARTMENT” and substitute “THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE”.

On page 5 in line 9, on page 6 in line 25, and on page 9 in lines 1 and 4, in each instance, strike “**THE DEPARTMENT OR A LOCAL DEPARTMENT**” and substitute “**THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE**”.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

Senate Bill 31 – ~~Senator DeGrange~~ Senators DeGrange and Ready

AN ACT concerning

**Family Law – Child Abuse and Neglect – Expungement of Reports and Records –
Time Period**

SB0031/702218/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 31

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 4 down through “time;” in line 6; in line 6, strike “after” and substitute “within”; in the same line, after “department” insert “of social services”; and in line 7, after “neglect;” insert “authorizing a local department to immediately expunge certain reports and records of suspected child abuse and neglect under certain circumstances;”.

AMENDMENT NO. 2

On page 2, in lines 7, 9, and 14, in each instance, strike the brackets; strike beginning with “**UNLESS**” in line 7 down through “**THE**” in line 9; in line 9, strike “**MAINTAIN**”; strike beginning with “**FOR**” in line 10 down through “**IF**” in line 11; in line 12, strike the second set of brackets; in line 14, strike “**OR**”; in line 15, before the second “the” insert “**SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, WITHIN 2 YEARS AFTER THE DATE OF REFERRAL IF**”; in line 16, strike “**5 YEARS**” and substitute “**2 YEARS**”; and strike beginning with “**THE**” in line 17 down through “**SUBSECTION**” in line 20 and substitute

“IF A REPORT IS RULED OUT, THE LOCAL DEPARTMENT MAY, ON GOOD CAUSE SHOWN, IMMEDIATELY EXPUNGE THE REPORT AND ALL ASSESSMENTS AND INVESTIGATIVE FINDINGS”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

Senate Bill 160 – ~~Senator Cassilly~~ Senators Cassilly, Brochin, Hough, Lee, Muse, Norman, Ramirez, Raskin, Ready, and Zirkin

AN ACT concerning

Death or Life-Threatening Injury by Motor Vehicle or Vessel – Subsequent Offenders – Penalties

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

Senate Bill 283 – Senators Lee, Gladden, Guzzone, Hershey, Madaleno, Manno, Raskin, Ready, and Young

AN ACT concerning

Criminal Law – Cruelty to Animals – Implement of Dogfighting

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

Senate Bill 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**

SB0448/732818/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 448

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, strike “shall retain” and substitute “retains”; and in the same line, strike “over the child”.

On page 2, strike in their entirety lines 11 through 15, inclusive; and in line 18, after “Section” insert “5-324(b) and”.

AMENDMENT NO. 2

On page 4, in lines 18 and 19, strike “**§ 3-819(C)(3) OR**”; in line 19, strike “**SHALL RETAIN**” and substitute “**RETAINS**”; strike beginning with “**OVER**” in line 20 down through “**RULING**” in line 22 and substitute “**TO RULE**”; and in line 23, after “**ORDER**” insert “**, FOR AS LONG AS THE ORDER IS EFFECTIVE**”.

On page 10, in line 5, strike “**§ 5-324(B)(II)(2)7B**” and substitute “**§ 5-324(B)(1)(II)7B**”; in line 5, strike “**SHALL RETAIN**” and substitute “**RETAINS**”; strike beginning with “**OVER**” in line 6 down through “**RULING**” in line 8 and substitute “**TO RULE**”; and in line 9, after “**ORDER**” insert “**, FOR AS LONG AS THE ORDER IS EFFECTIVE**”.

AMENDMENT NO. 3

On page 5 in line 8, and on page 6 in line 23, in each instance, after the second “**A**” insert “**DEVELOPMENTAL**”.

On page 8, in line 10, strike “disability” and substitute “**DEVELOPMENTAL DISABILITY, AS DEFINED IN § 3-801 OF THE COURTS ARTICLE**”.

On page 9, in line 9, strike “DISABILITY” and substitute “DEVELOPMENTAL DISABILITY, AS DEFINED IN § 3-801 OF THE COURTS ARTICLE.”; and in the same line, strike “(B)(II)(2)7B” and substitute “(B)(1)(II)7B”.

AMENDMENT NO. 4

On page 5 in line 17, and on page 7 in line 4, in each instance, strike “THE DEPARTMENT OR A LOCAL DEPARTMENT” and substitute “THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE”.

On page 5 in lines 20 and 21, on page 7 in lines 7 and 8, and on page 9 in lines 13 and 16, in each instance, strike “THE DEPARTMENT OR A LOCAL DEPARTMENT” and substitute “THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

Senate Bill 734 – The President (By Request – Office of the Attorney General) and Senators Raskin, Brochin, Feldman, Gladden, Kagan, Lee, Muse, Pugh, and Ramirez

AN ACT concerning

**Courts and Judicial Proceedings – Structured Settlements – Transfers and
Registration of Structured Settlement Transferees**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

Senate Bill 771 – The President (By Request – Office of the Attorney General)

AN ACT concerning

**Courts and Judicial Proceedings – Consumer Debt Collection
Actions – Restrictions**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIARY REPORT #18

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 1126 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Pretrial Release Program PG 307–16

HB1126/822317/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1126

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “County – Pretrial Release Program” and substitute “County Pretrial Release, Work Release, and Diversion Programs Task Force”; strike beginning with “requiring” in line 4 down through “County” in line 21 and substitute “establishing the Prince George’s County Pretrial Release, Work Release, and Diversion Programs Task Force; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor, members of the Prince George’s County delegation to the General Assembly, and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Prince George’s County Pretrial Release, Work Release, and Diversion Programs Task Force”; and strike in their entirety lines 22 through 28, inclusive.

On page 2, strike in their entirety lines 1 through 3, inclusive; and in line 5, strike “the Laws of Maryland read as follows”.

AMENDMENT NO. 2

On pages 1 through 4, strike in their entirety the lines beginning with line 6 on page 2 through line 7 on page 4 and substitute:

“(a) There is a Prince George’s County Pretrial Release, Work Release, and Diversion Programs Task Force.

(b) The Task Force consists of the following members:

(1) one member of the Senate of Maryland from Prince George’s County, appointed by the President of the Senate;

(2) one member of the House of Delegates from Prince George’s County, appointed by the Speaker of the House;

(3) the State’s Attorney for Prince George’s County, or the State’s Attorney’s designee;

(4) the Prince George’s County Health Officer, or the Health Officer’s designee;

(5) the Executive Director of the Governor’s Office of Crime Control and Prevention, or the Executive Director’s designee;

(6) a representative of Prince George’s County Department of Corrections appointed by the Prince George’s County Executive; and

(7) a representative of the Office of the Public Defender in Prince George’s County.

(c) The Senate and House members shall serve as cochairs of the Task Force.

(d) The Prince George’s County Department of Corrections shall provide staff for the Task Force.

(e) A member of the Task Force:

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

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

(f) The Task Force shall:

(1) study:

(i) how pretrial release programs, work release programs, and diversion programs in other jurisdictions that offer alternatives to detention are organized and operate;

(ii) whether the programs would benefit the criminal justice process in Prince George's County;

(iii) what type of offenders should be eligible for the programs; and

(iv) what would be required to establish the programs in Prince George's County; and

(2) make recommendations regarding the establishment of a pretrial release program, work release program, and diversion program in Prince George's County.

(g) On or before December 1, 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 members of the Prince George's County Delegation to the General Assembly and the General Assembly.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2016. It shall remain effective for a period of 1 year and, at the end of June 30, 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.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

**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**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

AMENDED IN THE SENATE

House Bill 36 – ~~Delegate Haynes~~ Baltimore City Delegation

AN ACT concerning

Rebuilding Baltimore City Communities Act of 2016

Delegate Hixson moved that the House not concur in the Senate amendments.

HB0036/129736/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 36

(Third Reading File Bill)

On page 1, in the sponsor line, strike “Baltimore City Delegation” and substitute “Delegate Haynes”.

The preceding amendment was read and not concurred in.

MESSAGE TO THE SENATE

BILL: HB0036
SPONSOR: Baltimore City Delegation
SUBJECT: Rebuilding Baltimore City Communities Act of 2016

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Walker, Chair
Delegate Platt
Delegate Reilly

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 360 – Delegates Jalisi, Afzali, Brooks, Carey, Ebersole, Glass, Hornberger, McComas, McMillan, Metzgar, Moon, Platt, B. Robinson, Rosenberg, Shoemaker, Tarlau, A. Washington, M. Washington, ~~and C. Wilson~~ C. Wilson, and Jackson

AN ACT concerning

Maryland Loan Assistance Repayment Program for ~~Orphans and~~ Foster Care Recipients

Delegate Hixson moved that the House not concur in the Senate amendments.

HB0360/614938/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 360

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2, 5, 11, and 15, in each instance, before “Foster” insert “Orphans and”; in line 6, after the second “the” insert “funding”; and in line 9, strike “make” and substitute “submit”.

AMENDMENT NO. 2

On page 2, in lines 2, 24, and 26, in each instance, after “FOR” insert “ORPHANS AND”; in line 10, after “UNDERGRADUATE” insert “, PROFESSIONAL, OR GRADUATE”; after line 17, insert:

“(D) ‘ORPHAN’ MEANS A CHILD WHO HAS BEEN LEGALLY DETERMINED NOT TO HAVE PARENTS BECAUSE OF THE PARENTS’:

(1) DEATH OR DISAPPEARANCE;

(2) ABANDONMENT OR DESERTION OF THE CHILD; OR

(3) SEPARATION FROM THE CHILD.’;

in line 23, strike “(D)” and substitute “(E)”; and in line 29, after “BY” insert “AN ORPHAN OR”.

On page 3, in line 3, strike “AN” and substitute “A GRADUATE, PROFESSIONAL, OR”; in line 4, strike “A PUBLIC” and substitute “AN”; in line 9, after the second “FOR” insert “GRADUATE, PROFESSIONAL, OR”; in line 15, strike “THE” and substitute “(A) SUBJECT TO THE AVAILABILITY OF FUNDS APPROPRIATED UNDER SUBSECTION (B) OF THIS SECTION, THE”; after line 17, insert:

“(B) THE GOVERNOR ANNUALLY SHALL INCLUDE AN APPROPRIATION OF \$100,000 IN THE STATE BUDGET FOR THE COMMISSION TO DISBURSE ASSISTANCE UNDER THIS SUBTITLE.’;

and in line 24, strike “OR A COUNTY OR MUNICIPALITY OF THE STATE”.

On page 4, after line 3, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That on or before September 1, 2020, the Maryland Higher Education Commission shall report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly regarding:

(1) how many individuals receive assistance annually under Title 18, Subtitle 31 of the Education Article, as enacted by Section 1 of this Act;

(2) the amount of each award; and

(3) how many individuals, if any, are placed on a waiting list or denied assistance under Title 18, Subtitle 31 of the Education Article, as enacted by Section 1 of this Act.”;

in line 4, strike “2.” and substitute “3.”; in line 7, after “for” insert “Orphans and”; and strike in their entirety lines 9 through 14, inclusive.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB0360**
SPONSOR: Delegate Jalisi, et al
SUBJECT: Maryland Loan Assistance Repayment Program for Foster Care
Recipients

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate M. Washington, Chair
Delegate Tarlau
Delegate Metzgar

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 422 – Delegates Fraser–Hidalgo, Brooks, Barve, Beidle, Kelly, Kramer, Luedtke, Reznik, S. Robinson, Turner, and Walker

AN ACT concerning

Interest Rate on Tax Deficiencies and Refunds

Delegate Hixson moved that the House not concur in the Senate amendments.

HB0422/839339/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 422

(Third Reading File Bill)

On page 2, in lines 11, 12, 13, and 14, strike “12%”, “11%”, “10%”, and “9%”, respectively, and substitute “12.5%”, “12%”, “11.5%”, and “11%”, respectively; in line 13, strike “AND”; and in line 14, after “2020” insert “;

(VI) 10.5% FOR 2021; AND

(VII) 10% FOR 2022”.

The preceding amendment was read and not concurred in.

MESSAGE TO THE SENATE

BILL: HB0422
SPONSOR: Delegate Fraser–Hidalgo, et al
SUBJECT: Interest Rate on Tax Deficiencies and Refunds

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Walker, Chair
Delegate Platt

Delegate Simonaire

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

AMENDED IN THE SENATE

House Bill 657 – Delegates Shoemaker, Buckel, Ebersole, Hornberger, Luedtke, Platt, Reilly, Rose, Simonaire, Tarlau, ~~and M. Washington~~ M. Washington, Afzali, and Metzgar

AN ACT concerning

Education – Prekindergarten and Kindergarten Assessments – Administration

Delegate Hixson moved that the House not concur in the Senate amendments.

HB0657/584137/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 657

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “random” and substitute “representative”; in line 5, after “State” insert a comma; in lines 8 and 9, strike “certain standardized tests” and substitute “a statewide kindergarten assessment”; in line 9, after “students” insert a comma; and in line 11, after “regulations;” insert “declaring the intent of the General Assembly;”.

AMENDMENT NO. 2

On page 2, in line 5, strike “RANDOM SAMPLE” and substitute “REPRESENTATIVE SAMPLE, AS”; strike beginning with “IN” in line 14 down through the first “A” in line 16 and substitute “A”; in line 17, after “AGREEMENT” insert a comma; in the same line, after “BOARD” insert a comma; in lines 20 and 21, strike “OCTOBER 1 AFTER”; in line 22, after “DAYS” insert “AFTER ADMINISTRATION OF THE ASSESSMENT”; in line 24, strike “STANDARDIZED TEST” and substitute “STATEWIDE KINDERGARTEN ASSESSMENT”;

and in line 26, strike “STANDARDIZED TEST” and substitute “STATEWIDE KINDERGARTEN ASSESSMENT”.

AMENDMENT NO. 3

On page 3, after line 2, 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 3, strike “2.” and substitute “3.”.

The preceding 3 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB0657**
SPONSOR: Delegate Shoemaker, et al
SUBJECT: Education – Prekindergarten and Kindergarten Assessments – Administration

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Kaiser, Chair
Delegate Hornberger
Delegate A. Washington

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

MESSAGE FROM THE SENATE

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: SB0508
SPONSOR: Senator Ramirez, et al
SUBJECT: Civil Penalties for Shoplifting and Employee Theft

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Ramirez, Chair
Senator Brochin
Senator Norman

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: SB0508
SPONSOR: Senator Ramirez, et al
SUBJECT: Civil Penalties for Shoplifting and Employee Theft

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Ramirez, Chairman

Senator Brochin
Senator Norman.

The House appoints:

Delegate Smith, Chair
Delegate Morales
Delegate Sanchez

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

MESSAGE FROM THE SENATE

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB0945**
SPONSOR: Senator Raskin, et al
SUBJECT: Drunk Driving Reduction Act of 2016 (Noah's Law)

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Zirkin, Chair
Senator Raskin
Senator Norman

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: SB0945
SPONSOR: Senator Raskin, et al
SUBJECT: Drunk Driving Reduction Act of 2016 (Noah's Law)

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Zirkin, Chairman
Senator Raskin
Senator Norman.

The House appoints:

Delegate Dumais, Chair
Delegate Anderson
Delegate Proctor

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

MESSAGE FROM THE SENATE

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: HB0274
SPONSOR: Delegate Dumais
SUBJECT: Family Law – Divorce – Corroboration of Testimony

The Senate recedes from its position on HB0274.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

CONFERENCE COMMITTEE REPORT

BILL NO.: HB 378 SPONSOR: Delegate Tarlau

SUBJECT: Homeowners' Property Tax Credit Program – Eligibility Awareness Campaign

THIRD READING CALENDAR HOUSE NO. 20 SENATE NO. 10

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the attached Budget and Taxation Committee Amendments (HB0378/709235/1) be adopted.

(2) That the attached Conference Committee Amendments (HB0378/103021/1) be adopted.

HB0378/709235/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 378

(Third 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 “3. AND”; and in the same line, strike “ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND” and substitute “FURTHER ENACTED”.

On page 2, in line 2, strike “(W)” and substitute “(E)”; and in line 20, strike “2.” and substitute “4.”.

HB0378/103021/1

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 378

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “individuals;” insert “requiring the Comptroller to cooperate with and assist the Department in auditing credit applications and to provide certain information to the Department under certain circumstances;”.

AMENDMENT NO. 2

On page 2, after line 14, insert:

“(3) (I) FOR INCOME VERIFICATION, THE COMPTROLLER SHALL:

1. COOPERATE WITH THE DEPARTMENT IN ADOPTING A PROCEDURE TO AUDIT THE APPLICATION FORMS; AND

2. NOTWITHSTANDING § 13-202 OF THE TAX –GENERAL ARTICLE, SUPPLY THE DEPARTMENT WITH ADDITIONAL INFORMATION.

(II) THE COMPTROLLER SHALL ASSIST THE DEPARTMENT IN A POSTAUDIT OF EACH APPLICATION.”;

and in line 15, strike “(3)” and substitute “(4)”.

Senate Members:

House Members:

Chair, **James E. DeGrange, Sr.**

Chair, **Alonzo T. Washington**

Bill Ferguson

Darryl Barnes

George C. Edwards

Meagan C. Simonaire

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 134 Negative – 5 (See Roll Call No. 1208)

The Bill was then sent to the Senate.

CONCURRENCE CALENDAR #12

AMENDED IN THE SENATE

House Bill 1236 – Delegates Valentino–Smith, Clippinger, Glenn, B. Robinson, Rosenberg, and Waldstreicher

AN ACT concerning

Vehicle Equipment – Counterfeit and Nonfunctional Airbags – Prohibitions

Delegate Barve moved that the House concur in the Senate amendments.

HB1236/768775/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 1236

(Third Reading File Bill)

On page 2, strike beginning with the comma in line 27 down through “POSSESS” in line 28 and substitute “KNOWINGLY”.

On page 3, strike in their entirety lines 16 and 17.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 132 Negative – 0 (See Roll Call No. 1209)

AMENDED IN THE SENATE

House Bill 535 – The Speaker (By Request – Office of the Attorney General) and ~~Delegate Rosenberg~~ Delegates Rosenberg, Haynes, and Angel

AN ACT concerning

Courts and Judicial Proceedings – Structured Settlements – Transfers and Registration of Structured Settlement Transferees

Delegate Vallario moved that the House concur in the Senate amendments.

HB0535/208876/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 535

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 9 in its entirety.

AMENDMENT NO. 2

On page 7, strike lines 23 and 24 in their entirety.

On page 9, in line 3, strike “\$1,000” and substitute “\$1,500”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 1210)

AMENDED IN THE SENATE

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~~

Delegate Hixson moved that the House concur in the Senate amendments.

HB0112/844236/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 112

(Third Reading File Bill)

On page 1, in line 2, strike “Activity” and substitute “Expenditures Made and the Attribution of Contributions Received”; in line 13, before “and” insert “altering the reporting requirements for certain contributions by certain business entities whose subsidiaries do not have a contract doing public business; defining a certain term;”; in line 17, strike “13–220(d)” and substitute “13–220(d), 14–101(a), and 14–105(e)”; and in line 22, strike “and 13–248” and substitute “, 13–248, and 14–101(l)”.

On page 4, before line 1, insert:

“14–101.

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

(L) (1) “SUBSIDIARY” MEANS A BUSINESS ENTITY THAT IS 30% OR MORE OWNED OR CONTROLLED BY ANOTHER BUSINESS ENTITY.

(2) “SUBSIDIARY” DOES NOT INCLUDE A BUSINESS ENTITY THAT DOES NOT HAVE A CONTRACT DOING PUBLIC BUSINESS AND IS DIRECTLY OR INDIRECTLY OWNED OR CONTROLLED BY ANOTHER BUSINESS ENTITY:

(I) THE SECURITIES OF WHICH ARE TRADED ON A NATIONAL EXCHANGE;

(II) FOR WHICH NO INDIVIDUAL OWNS OR CONTROLS MORE THAN 10% OF THE BUSINESS ENTITY; AND

(III) THAT IS DEFINED UNDER 12 U.S.C. § 184(A).

14–105.

(e) (1) Business done with a governmental entity 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].

(2) Applicable contributions made by or attributed to a subsidiary [described in paragraph (1) of this subsection] shall be attributed to the business entity.”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 131 Negative – 5 (See Roll Call No. 1211)

AMENDED IN THE SENATE

House Bill 551 – Delegates Kaiser, Brooks, Buckel, Carr, Chang, Ebersole, Frick, Frush, Haynes, Hettleman, Hixson, Jalisi, Jones, Kelly, Kramer, Krimm, Lafferty, Lam, Lierman, Luedtke, McComas, McMillan, Morales, Morhaim, O’Donnell, Pena–Melnyk, Pendergrass, Sample–Hughes, Sophocleus,

Tarlau, Turner, Valderrama, Valentino-Smith, K. Young, P. Young, and Zucker

AN ACT concerning

**Education – Children With Disabilities – Individualized Education Program
Mediation**

Delegate Hixson moved that the House concur in the Senate amendments.

HB0551/154632/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 551

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “representation” insert “and certain other legal and related services”; in line 8, after “times;” insert “authorizing certain parents to request the translation of certain information under certain circumstances; requiring certain individualized education program teams to provide certain parents with a certain translation of certain information within a certain time frame;”; in line 10, after “processes;” insert “requiring the Department and county boards of education to submit certain reports on or before certain dates;”; and in line 14, after “8-405(b)(3)” insert “and (4)”.

AMENDMENT NO. 2

On page 2, in line 15, after “**REPRESENTATION**” insert “**AND OTHER FREE OR LOW-COST LEGAL AND RELATED SERVICES AVAILABLE IN THE AREA**”; after line 18, insert:

“(4) (I) IF THE NATIVE LANGUAGE SPOKEN BY A PARENT WHO REQUESTS INFORMATION UNDER PARAGRAPH (3) OF THIS SUBSECTION IS SPOKEN BY MORE THAN 1% OF THE STUDENT POPULATION IN THE LOCAL SCHOOL SYSTEM, THE PARENT MAY REQUEST THAT THE INFORMATION BE TRANSLATED INTO THE PARENT’S NATIVE LANGUAGE.

(II) IF A PARENT MAKES A REQUEST UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE INDIVIDUALIZED EDUCATION PROGRAM TEAM SHALL

PROVIDE THE PARENT WITH THE TRANSLATED DOCUMENT WITHIN 30 DAYS AFTER THE DATE OF THE REQUEST.”;

after line 21, 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(b)(4)(i) of the Education Article, as enacted by Section 1 of this Act, the cost of satisfying these requests, whether it would be feasible to have the number of requests 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.”;

and in line 22, strike “2.” and substitute “4.”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 1212)

AMENDED IN THE SENATE

House Bill 963 – Delegates Luedtke, Hixson, A. Washington, and M. Washington

AN ACT concerning

Campaign Finance – Ballot Issue Committees – Prospective Questions

Delegate Hixson moved that the House concur in the Senate amendments.

HB0963/904635/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 963

(Third Reading File Bill)

On page 4, in line 31, after “OR” insert “UNDER”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 98 Negative – 38 (See Roll Call No. 1213)

AMENDED IN THE SENATE

House Bill 1008 – Delegates Turner, Atterbeary, B. Barnes, Branch, Brooks, Busch, Clippinger, Ebersole, Fennell, Frush, Gutierrez, Haynes, Hettleman, Hill, Hixson, Holmes, C. Howard, Jackson, Jalisi, Jones, Kaiser, Krimm, Lam, Lisanti, Luedtke, A. Miller, Moon, Morhaim, Platt, Reznik, B. Robinson, Sample–Hughes, Sanchez, Smith, Stein, Tarlau, Valderrama, Vallario, Waldstreicher, ~~and M. Washington~~ M. Washington, and Patterson

AN ACT concerning

Election Law – Early Voting Centers

Delegate Hixson moved that the House concur in the Senate amendments.

HB1008/874937/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1008

(Third Reading File Bill)

On page 2, in line 11, strike “300,000” and substitute “200,000”; in the same line, strike the brackets; in the same line, strike “FOUR”; after line 12, insert:

“(4) A COUNTY WITH MORE THAN 200,000 REGISTERED VOTERS BUT FEWER THAN 300,000 REGISTERED VOTERS SHALL HAVE FOUR EARLY VOTING CENTERS ESTABLISHED IN THE COUNTY.”;

in line 13, strike “(4)” and substitute “(5)”; in line 16, strike “(5)” and substitute “(6)”; in line 18, strike “(6)” and substitute “(7)”; and in line 19, strike “125,000” and substitute “200,000”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 89 Negative – 49 (See Roll Call No. 1214)

AMENDED IN THE SENATE

House Bill 1147 – ~~Delegate Shoemaker~~ Carroll County Delegation

AN ACT concerning

Carroll County – Board of Education Members – Term Limitation and Referendum

Delegate Hixson moved that the House concur in the Senate amendments.

HB1147/154038/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1147

(Third Reading File Bill)

On page 3, in line 31, strike “2018” and substitute “2016”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 139 Negative – 0 (See Roll Call No. 1215)

CONCURRENCE CALENDAR #13

AMENDED IN THE SENATE

House Bill 420 – Delegates Waldstreicher, Aumann, D. Barnes, Barve, Beidle, Bromwell, Brooks, Carey, Carr, Clippinger, Cullison, Davis, Ebersole, Fraser-Hidalgo, Frick, Frush, Gilchrist, Hammen, Hixson, Holmes, Impallaria, Lierman, Luedtke, McKay, A. Miller, Morales, Patterson, Pendergrass, Platt, Sanchez, Simonaire, Smith, Vaughn, M. Washington, West, C. Wilson, Wivell, ~~and Zucker~~ Zucker, Barkley, Branch, Glenn, Jameson, Lisanti, Queen, and Valderrama

AN ACT concerning

~~**Labor and Employment – Minimum Wage – Individuals With Disabilities
(Ken Capone Equal Employment Act)**~~
Individuals With Disabilities – Minimum Wage and Community Integration

Delegate Davis moved that the House concur in the Senate amendments.

HB0420/537872/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 420

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, after line 4, insert “(Ken Capone Equal Employment Act)”.

AMENDMENT NO. 2

On page 8, in line 11, strike “PLAN OF HABILITATION” and substitute “SUPPLEMENTAL PLAN”; and in the same line, strike “§ 7-1006” and substitute “§ 7-1013”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 109 Negative – 29 (See Roll Call No. 1216)

AMENDED IN THE SENATE

House Bill 958 – Delegate Jameson

AN ACT concerning

Insurance – Rate Filings – Trade Secrets

Delegate Davis moved that the House concur in the Senate amendments.

HB0958/987376/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 958

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, after “manner;” insert “requiring the People’s Insurance Counsel Division to maintain the confidentiality of certain proprietary rate-related information; allowing the Division to disclose certain proprietary rate-related information to a certain consultant under certain circumstances;”.

AMENDMENT NO. 2

On page 4, in line 10, strike “OR”; in line 23, after “CAPACITY” insert “; OR

3. IF THE PROPRIETARY RATE-RELATED INFORMATION IS PART OF A HOMEOWNER’S INSURANCE RATE FILING, TO THE PEOPLE’S INSURANCE COUNSEL DIVISION ACTING UNDER § 6-306 OF THE STATE GOVERNMENT ARTICLE.

(IV) 1. EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, THE PEOPLE’S INSURANCE COUNSEL DIVISION SHALL MAINTAIN THE CONFIDENTIALITY OF PROPRIETARY RATE-RELATED INFORMATION DISCLOSED TO THE DIVISION UNDER SUBPARAGRAPH (III)3 OF THIS PARAGRAPH.

2. THE PEOPLE’S INSURANCE COUNSEL DIVISION MAY DISCLOSE PROPRIETARY RATE-RELATED INFORMATION TO AN OUTSIDE CONSULTANT THAT THE DIVISION ENGAGES TO ASSIST THE DIVISION IN REVIEWING A HOMEOWNER’S INSURANCE RATE FILING, PROVIDED THAT THE OUTSIDE CONSULTANT ENTERS INTO A WRITTEN AGREEMENT TO MAINTAIN THE CONFIDENTIALITY OF THE PROPRIETARY RATE-RELATED INFORMATION;

and in lines 24, 28, and 33, strike “(IV)”, “(V)”, and “(VI)”, respectively, and substitute “(V)”, “(VI)”, and “(VII)”, respectively.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 1217)

MESSAGE FROM THE SENATE

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB0864**
SPONSOR: Senator Lee, et al
SUBJECT: Public Safety – Internet Crimes Against Children Task Force
 Fund – Establishment (Alicia’s Law)

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Lee, Chair
Senator Muse
Senator Ready

Said Bill is returned herewith.

By Order,
William B. C. Addison, Jr.

Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: SB0864
SPONSOR: Senator Lee, et al
SUBJECT: Public Safety – Internet Crimes Against Children Task Force
Fund – Establishment (Alicia’s Law)

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Lee, Chairman
Senator Muse
Senator Ready.

The House appoints:

Delegate Lierman, Chair
Delegate Haynes
Delegate McKay

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

QUORUM CALL

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

(See Roll Call No. 1218)

**CLERK'S OFFICE RECEIPT AND MESSAGES TO THE GOVERNOR FOR 2016 OVERRIDDEN VETOED
BILLS DELIVERED TO THE GOVERNOR**

(See Exhibit U of Appendix II)

ADJOURNMENT

At 3:01 P.M. on motion of Delegate Kaiser the House adjourned until 10:30 A.M. on Legislative Day April 3, 2016, Calendar Day Saturday, April 9, 2016.

NOTE: After session today, the Chief Clerk's Office delivered House Bills 172 and 1013 to the Governor's Office. (2016 Vetoed Bills Overridden)

Annapolis, Maryland
Legislative Day: April 3, 2016
Calendar Day: Saturday, April 9, 2016

The House met at 10:49 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Terri L. Hill of Baltimore and Howard counties.

QUORUM CALL

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

(See Roll Call No. 1219)

EXCUSES:

Del. Carter – personal

Del. C. Howard – business

Del. O'Donnell – personal

The Journal of April 2, 2016 was read and approved.

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR	CONTENT
HB 192	Chair, Judiciary Committee	Juv Causes – Permanency Plans – Age Rstrctns on Use of Another Planned Perm Living Arrangement
HB 274	Del. Dumais	Family Law – Divorce – Corroboration of Testimony

By Order, Sylvia Siegert, Chief Clerk

Read and ordered journalized.

AMENDED IN THE SENATE

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

Delegate Vallario moved that the House not concur in the Senate amendments.

HB0637/488177/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 637

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “– Exception”; strike beginning with “providing” in line 3 down through “Act” in line 5 and substitute “requiring a court to entertain a certain action against a local government or its employee even though a certain notice was not given, under certain circumstances”; and strike in their entirety lines 12 through 16, inclusive.

AMENDMENT NO. 2

On page 2, in line 25, strike “and for good cause shown”; and in the same line, strike “may” and substitute “SHALL”.

AMENDMENT NO. 3

On pages 2 and 3, strike in their entirety the lines beginning with line 27 on page 2 through line 29 on page 3, inclusive.

The preceding 3 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: HB0637
SPONSOR: Delegate Smith, et al
SUBJECT: Local Government Tort Claims Act – Notice Requirement – Exception

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Sydnor, Chair
Delegate Queen
Delegate Rey

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

MESSAGE FROM THE SENATE

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **HB1299**
SPONSOR: Delegate Washington, A.
SUBJECT: Property Tax – Crane Located on State Property – Exemption

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate M. Washington, Chairman
Delegate Fennell
Delegate Metzgar.

The Senate appoints:

Senator Peters, Chair
Senator Manno
Senator Eckardt

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE FROM THE SENATE

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB0587**
SPONSOR: Senator Madaleno, et al
SUBJECT: Alcoholic Beverages – Sale of Powdered Alcohol – Prohibition

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Young, Chair
Senator Simonaire
Senator Rosapepe

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB0587**
SPONSOR: Senator Madaleno, et al
SUBJECT: Alcoholic Beverages – Sale of Powdered Alcohol – Prohibition

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments.

The House respectfully requests the Senate to reconsider and concur.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 1220)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #20

Senate Bill 75 – Chair, Finance Committee (By Request – Departmental – Maryland Insurance Administration)

AN ACT concerning

Insurance – Public Adjusters – Licensing

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1221)

The Bill was then returned to the Senate.

Senate Bill 162 – ~~Senator Astle~~ Senators Astle and Middleton

AN ACT concerning

Gas Companies – Infrastructure Replacement Projects – Amendment to a Plan

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1222)

The Bill was then returned to the Senate.

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 – 133 Negative – 0 (See Roll Call No. 1223)

The Bill was then returned to the Senate.

Delegate Kaiser moved to make the rest of the Calendar a Special Order for Monday.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 1224)

RECESS

At 11:01 A.M. on motion of Delegate Kaiser the House recessed until 11:30 A.M. on Legislative Day April 3, 2016, Calendar Day Saturday, April 9, 2016.

AFTER RECESS
Annapolis, Maryland
Legislative Day: April 3, 2016
Calendar Day: Saturday, April 9, 2016

At 11:40 A.M. the House resumed its session and pledged Allegiance to the Flag.

Prayer by Delegate Johnny Mautz of Caroline, Dorchester, Talbot and Wicomico counties.

QUORUM CALL

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

(See Roll Call No. 1225)

EXCUSES:

Del. Carter – personal

Del. C. Howard – business

Del. O'Donnell – personal

The Journal of April 2, 2016 was read and approved.

THE COMMITTEE ON WAYS AND MEANS REPORT #23

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

**Senate Bill 840 – The President (By Request – Maryland Economic Development
and Business Climate Commission)**

AN ACT concerning

**Income Tax – Rates, Personal Exemptions, and Earned Income Tax Credit –
~~Refundability~~**

SB0840/195660/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 840
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute “Income Tax Reform and Relief Act of 2016”; strike beginning with “altering” in line 7 down through “years;” in line 8; in line 12, strike “an” and substitute “certain”; in line 13, strike “individual” and substitute “individuals 21 years of age and older”; in the same line, strike “without regard to a certain age limitation”; in line 14, after “year;” insert “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; altering the formula used to apportion certain income to the State for corporations that carry on a trade or business in and out of the State; repealing obsolete provisions;”; strike beginning with “declaring” in line 14 down through “Assembly;” in line 15; in line 15, after “of” insert “certain provisions of”; strike beginning with the second “providing” in line 15 down through “Act;” in line 16; and in line 17, after “individual” insert “and corporate”.

On page 2, in line 8, strike “10–211(a)(1)” and substitute “10–209, 10–402”; and strike in their entirety lines 17 through 34, inclusive.

AMENDMENT NO. 2

On page 3, in lines 8, 10, 12, 14, 24, 26, and 28, in each instance, strike the brackets; and in the same lines, strike “4.975%”, “5.20%”, “5.45%”, “5.725%”, “4.975%”, “5.20%”, and “5.45%”, respectively.

On page 4, in line 1, strike the brackets; and in the same line, strike “5.725%”.

AMENDMENT NO. 3

On page 4, strike in their entirety lines 3 through 22, inclusive.

AMENDMENT NO. 4

On page 5, in line 19, strike “THE” and substitute “FOR A TAXABLE YEAR BEGINNING AFTER DECEMBER 31, 2016, THE”; and strike beginning with “A.” in line 22 down through “2016,” in line 27.

On page 6, in line 8, strike “2016” and substitute “2017”; and in lines 23 and 24, strike “WITHOUT REGARD TO” and substitute “BY SUBSTITUTING AGE 21 FOR”.

AMENDMENT NO. 5

On page 7, after line 21, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Tax – General

10–209.

(a) In this section:

(1) “employee retirement system” means a plan:

(i) established and maintained by an employer for the benefit of its employees; and

(ii) qualified under § 401(a), § 403, or § 457(b) of the Internal Revenue Code; and

(2) “employee retirement system” does not include:

(i) an individual retirement account or annuity under § 408 of the Internal Revenue Code;

(ii) a Roth individual retirement account under § 408A of the Internal Revenue Code;

(iii) a rollover individual retirement account;

(iv) a simplified employee pension under Internal Revenue Code § 408(k); or

(v) an ineligible deferred compensation plan under § 457(f) of the Internal Revenue Code.

(b) Subject to [subsection (d)] SUBSECTIONS (D) AND (E) of this section, to determine Maryland adjusted gross income, if, on the last day of the taxable year, a resident is at least 65 years old or is totally disabled or the resident’s spouse is totally disabled, OR THE RESIDENT IS AT LEAST 55 YEARS OLD AND IS A RETIRED LAW ENFORCEMENT OFFICER OR FIRE, RESCUE, OR EMERGENCY SERVICES PERSONNEL OF THE UNITED

STATES, THE STATE, OR A POLITICAL SUBDIVISION OF THE STATE, an amount is subtracted from federal adjusted gross income equal to the lesser of:

(1) the cumulative or total annuity, pension, or endowment income from an employee retirement system included in federal adjusted gross income; or

(2) the maximum annual benefit under the Social Security Act computed under subsection (c) of this section, less any payment received as old age, survivors, or disability benefits under the Social Security Act, the Railroad Retirement Act, or both.

(c) For purposes of subsection (b)(2) of this section, the Comptroller:

(1) shall determine the maximum annual benefit under the Social Security Act allowed for an individual who retired at age 65 for the prior calendar year; and

(2) may allow the subtraction to the nearest \$100.

(d) Military retirement income that is included in the subtraction under § 10-207(q) of this subtitle may not be taken into account for purposes of the subtraction under this section.

(E) IN THE CASE OF A RETIRED LAW ENFORCEMENT OFFICER OR FIRE, RESCUE, OR EMERGENCY SERVICES PERSONNEL OF THE UNITED STATES, THE STATE, OR A POLITICAL SUBDIVISION OF THE STATE, THE AMOUNT INCLUDED UNDER SUBSECTION (B)(1) OF THIS SECTION IS LIMITED TO THE FIRST \$15,000 OF RETIREMENT INCOME THAT IS ATTRIBUTABLE TO THE RESIDENT'S EMPLOYMENT AS A LAW ENFORCEMENT OFFICER OR FIRE, RESCUE, OR EMERGENCY SERVICES PERSONNEL OF THE UNITED STATES, THE STATE, OR A POLITICAL SUBDIVISION OF THE STATE UNLESS:

(1) THE RESIDENT IS AT LEAST 65 YEARS OLD OR IS TOTALLY DISABLED; OR

(2) THE RESIDENT'S SPOUSE IS TOTALLY DISABLED.”;

and in line 22, strike “2.” and substitute “3.”.

On page 7, strike beginning with “but” in line 26 down through the second comma in line 27.

On page 7 in line 32 and on page 8 in line 16, strike “4.75%” and substitute “4.65%”.

On page 8, strike in their entirety lines 1 through 8, inclusive, and substitute:

“(v) 5% of Maryland taxable income of \$100,001 through \$125,000;

(vi) 5.25% of Maryland taxable income of \$125,001 through \$150,000;

(vii) 5.5% of Maryland taxable income of \$150,001 through \$250,000;

and

(viii) 5.75% of Maryland taxable income in excess of \$250,000.”;

strike beginning with “but” in line 9 down through the second comma in line 10; and strike in their entirety lines 17 through 24, inclusive, and substitute:

“(v) 5% of Maryland taxable income of \$150,001 through \$175,000;

(vi) 5.25% of Maryland taxable income of \$175,001 through \$225,000;

(vii) 5.5% of Maryland taxable income of \$225,001 through \$300,000;

and

(viii) 5.75% of Maryland taxable income in excess of \$300,000.”.

AMENDMENT NO. 7

On page 8, after line 24, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Tax – General

(a) In computing Maryland taxable income, a corporation shall allocate Maryland modified income derived from or reasonably attributable to its trade or business in this State in the following manner:

(1) if a corporation carries on its trade or business wholly within the State, the corporation shall allocate to the State all of the Maryland modified income of the corporation; and

(2) if a corporation carries on its trade or business in and out of the State, the corporation shall allocate to the State the part of the corporation's Maryland modified income that is derived from or reasonably attributable to the part of its trade or business carried on in the State, in the manner required in subsection (b), (c), or (d) of this section.

(b) (1) Except as provided in subsection (c) or (d) of this section, the part of the corporation's Maryland modified income derived from or reasonably attributable to trade or business carried on in the State may be determined by separate accounting if practicable.

(2) If in any taxable year a corporation is permitted or required to use the separate accounting method in determining all or a portion of its Maryland taxable income, the portion that is separately accounted for to Maryland shall be taxable whether or not the Maryland modified income of the corporation for the taxable year is zero or less.

(c) [(1) Except as provided in paragraph (2) of this subsection, if the trade or business is a unitary business, the part of the corporation's Maryland modified income derived from or reasonably attributable to trade or business carried on in the State shall be determined using a 3-factor apportionment fraction:

(i) the numerator of which is the sum of the property factor, the payroll factor, and twice the sales factor; and

(ii) the denominator of which is 4.

(2) (i) In this paragraph:

1. "manufacturing corporation" means a domestic or foreign corporation which is primarily engaged in activities that, in accordance with the North American Industrial Classification System (NAICS), United States Manual, United States Office of Management and Budget, 1997 Edition, would be included in Sector 11, 31, 32, or 33; and

2. “manufacturing corporation” does not include a refiner, as defined in § 10–101 of the Business Regulation Article.

(ii) If a manufacturing corporation carries on its trade or business in and out of the State and the trade or business is a unitary business, the part of the corporation’s Maryland modified income derived from or reasonably attributable to trade or business carried on in the State shall be determined using a single sales factor apportionment formula, by multiplying its Maryland modified income by 100% of the sales factor.]

(1) IF THE TRADE OR BUSINESS IS A UNITARY BUSINESS, THE PART OF THE CORPORATION’S MARYLAND MODIFIED INCOME DERIVED FROM OR REASONABLY ATTRIBUTABLE TO TRADE OR BUSINESS CARRIED ON IN THE STATE SHALL BE DETERMINED USING A SINGLE SALES FACTOR APPORTIONMENT FORMULA, BY MULTIPLYING ITS MARYLAND MODIFIED INCOME BY 100% OF THE SALES FACTOR.

[(iii) In filing its tax return for each year, a manufacturing corporation shall certify that the NAICS Code reported on its Maryland return is consistent with that reported to other government agencies.]

(iv) If the Comptroller determines that a corporation has submitted information that incorrectly classifies the corporation as a manufacturing corporation under subparagraph (i) of this paragraph, the Comptroller shall reclassify the corporation in an appropriate manner.]

[(v)] (2) The Comptroller, in consultation with the Department of Economic Competitiveness and Commerce, shall adopt regulations necessary to carry out the provisions of this subsection.

[(vi) As part of its tax return for a taxable year beginning after December 31, 2005, but before January 1, 2011, each manufacturing corporation that has more than 25 employees and apportions its income under this paragraph shall submit a report, in the form that the Comptroller requires by regulation, that describes for each taxable year as of the last day of the taxable year the following:

1. the difference in tax owed as a result of using the single sales factor apportionment method under this paragraph as compared to the tax owed using the 3-factor double weighted sales factor apportionment method in effect for the last taxable year beginning on or before December 31, 2000;

2. volume of sales in the State and worldwide;

3. taxable income in the State and worldwide; and

4. book value of plant, land, and equipment in the State and worldwide.

(vii) On or before March 1, 2009, and March 1 of each year thereafter until March 1, 2013, and notwithstanding any confidentiality requirements, the Comptroller shall prepare and submit to the Governor and, subject to § 2-1246 of the State Government Article, to the General Assembly, a comprehensive report on the use of single sales factor apportionment by manufacturing corporations that provides, at a minimum:

1. the number of corporations filing tax returns for the taxable year that ended during the second preceding calendar year that use single sales factor apportionment and the number of such corporations having a Maryland income tax liability for that taxable year;

2. the number of corporations paying less in Maryland income tax for that taxable year as a result of using single sales factor apportionment and the aggregate amount of Maryland income tax savings for all such corporations for that taxable year as a result of using single sales factor apportionment; and

3. the number of corporations paying more in Maryland income tax for the taxable year as a result of using single sales factor apportionment and the aggregate amount of additional Maryland income tax owed by those corporations for the taxable year as a result of using single sales factor apportionment.

(3) The property factor under paragraph (1) of this subsection shall include:

(i) rented and owned real property; and

(ii) tangible personal property located in the State and used in the trade or business.]

(d) To reflect clearly the income allocable to Maryland, the Comptroller may alter, if circumstances warrant, the methods under subsections (b) and (c) of this section, including:

(1) the use of the separate accounting method;

(2) [the use of the 3-factor double weighted sales factor formula method or the single sales factor formula method;

(3) the weight of any factor in the 3-factor formula;

(4) the valuation of rented property included in the property factor; and

[(5)] (3) the determination of the extent to which tangible personal property is located in the State.”.

AMENDMENT NO. 8

On pages 8 through 12, strike beginning with line 25 on page 8 through line 22 on page 12, inclusive.

AMENDMENT NO. 9

On page 12, after line 22, insert:

“SECTION 5. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall be applicable to all taxable years beginning after December 31, 2015.

SECTION 6. AND BE IT FURTHER ENACTED, That Section 4 of this Act shall be applicable to all taxable years beginning after December 31, 2016.”;

and strike in their entirety lines 23 through 31, inclusive.

On page 13, in line 1, strike “11.” and substitute “7.”; and in lines 1 and 2, strike “, except as provided in Sections 7, 8, 9, and 10 of this Act.”.

The preceding 9 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0840/643427/1

BY: Delegate Kipke

AMENDMENTS TO SENATE BILL 840, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 15, before the first “providing” insert “requiring the Office of the Comptroller and the Department of Legislative Services to report on certain matters to the budget committees of the General Assembly on or before a certain date; providing for a delayed effective date for certain provisions of this Act;”.

AMENDMENT NO. 2

On page 10 of the Committee on Ways and Means Amendments (SB0840/195660/1), in line 2 of Amendment No. 9, before “SECTION” insert:

“SECTION 5. AND BE IT FURTHER ENACTED, That, on or before December 31, 2016, the Office of the Comptroller and the Department of Legislative Services shall report to the Senate Budget and Taxation Committee and the House Committee on Ways and Means, in accordance with § 2–1246 of the State Government Article, on the impact of single sales factor apportionment on businesses in the State and what, if any, changes should be made to the single sales factor provisions of this Act.”.

AMENDMENT NO. 3

On page 10 of the Committee on Ways and Means Amendments, in line 2 of Amendment No. 9, strike “5.” and substitute “6.”.

On page 11 of the Committee on Ways and Means Amendments, in line 1 of Amendment No. 9, strike “6.” and substitute “7.”; in the same line, after “shall” insert “take effect July 1, 2017 and shall”; in line 2, strike “2016” and substitute “2017”; and in line 4, strike “7.” and substitute “8.”.

On page 13 of the bill, in line 2, before “this” insert “, except as provided in Section 7 of this Act.”.

The preceding 3 amendments were read and rejected by a roll call vote as follows:

Affirmative – 51 Negative – 84 (See Roll Call No. 1226)

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser moved to put **Senate Bill 840** on Third Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 126 Negative – 12 (See Roll Call No. 1227)

Two-thirds of the Delegates elected having voted in the affirmative, **Senate Bill 840** was placed on Third Reading.

Senate Bill 840 – The President (By Request – Maryland Economic Development and Business Climate Commission)

AN ACT concerning

**Income Tax – Rates, Personal Exemptions, and Earned Income Tax Credit =
~~Refundability~~**

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1228)

The Bill was then returned to the Senate.

THE COMMITTEE ON APPROPRIATIONS REPORT #21

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

House Bill 1556 – Delegate Folden

AN ACT concerning

Frederick County Sheriff – Collective Bargaining

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1572 – Delegate Otto

EMERGENCY BILL

AN ACT concerning

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

HB1572/134465/1

BY: Appropriations Committee

AMENDMENT TO HOUSE BILL 1572

(First Reading File Bill)

On page 1, in line 2, strike “Loan of 2015” and substitute “Loans of 2015 and 2016”; strike beginning with “– Worcester” in line 2 down through “Museum” in line 3; in line 5, after “grants;” insert “amending the Maryland Consolidated Capital Bond Loan of 2016 to repeal the matching fund requirement for a certain grant;”; in the same line, after “measure;” insert “providing for the effective date of certain provisions of this Act;”; in line 6, strike “Loan” and substitute “Loans”; in line 7, strike “2015” and substitute “2015 and 2016”; and after line 10, insert:

“BY repealing and reenacting, with amendments,
Chapter 27 of the Acts of the General Assembly of 2016
Section 1(3) Item ZA00(AE)”.

On page 2, after line 15, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
as follows:

Chapter 27 of the Acts of 2016

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
MARYLAND, That:

(3) ZA00 MISCELLANEOUS GRANT PROGRAMS

(AE) Maryland Hall for the Creative Arts. Provide a grant to the
Board of Directors of the Maryland Hall for the Creative Arts,

Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Maryland Hall for the Creative Arts, located in Anne Arundel County[, subject to the requirement that the grantee provide an equal and matching fund for this purpose] (Anne Arundel County)..... 750,000

SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect June 1, 2016.”;

in line 16, strike “2.” and substitute “4.”; and in line 19, after “and” insert “, except as provided in Section 3 of this Act.”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1128 – Senators Young and Hough

AN ACT concerning

Frederick County Sheriff – Collective Bargaining

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 1229)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #62

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 – 137 Negative – 0 (See Roll Call No. 1230)

The Bill was then returned to the Senate.

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 – 137 Negative – 0 (See Roll Call No. 1231)

The Bill was then returned to the Senate.

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 yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 1232)

The Bill was then returned to the Senate.

Senate Bill 502 – Senators Miller, ~~Bates~~, Benson, Conway, Currie, DeGrange, ~~Eckardt~~, ~~Edwards~~, Guzzone, ~~Jennings~~, Kagan, King, Klausmeier, Lee, Madaleno, Manno, Mathias, Middleton, ~~Norman~~, Peters, Pinsky, Pugh, Ramirez, ~~Salling~~, ~~Serafini~~, ~~Waugh~~, and Zirkin

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Judges – Mandatory Retirement Age

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

The motion was adopted.

Senate Bill 631 – Senator Hershey

AN ACT concerning

Local Facility Closure Reserve Funds – Investments and Reinvestments

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

Affirmative – 137 Negative – 0 (See Roll Call No. 1233)

The Bill was then returned to the Senate.

Senate Bill 943 – Senators Raskin, Benson, Feldman, Guzzone, Kelley, King, Lee, Madaleno, Manno, Muse, Peters, Rosapepe, Waugh, and Young

AN ACT concerning

Criminal Procedure – Firearms – Transfer

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

Affirmative – 88 Negative – 49 (See Roll Call No. 1234)

The Bill was then returned to the Senate.

Senate Bill 1097 – Senators Mathias, Eckardt, Edwards, Hershey, and Middleton

AN ACT concerning

Local Government Tort Claims Act – Regional Development Councils

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

Affirmative – 138 Negative – 0 (See Roll Call No. 1235)

The Bill was then returned to the Senate.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #20

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Health and Government Operations:

Senate Bill 707 – ~~Senator Middleton~~ Senators Middleton, Hershey, and Mathias

AN ACT concerning

Freestanding Medical Facilities – Certificate of Need, Rates, and Definition

The Bill was re-referred to the Committee on Health and Government Operations.

THE COMMITTEE ON WAYS AND MEANS REPORT #22

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

House Bill 778 – Delegates M. Washington and Luedtke

AN ACT concerning

Education – Students With Disabilities – Parental Consent for Individualized Education Program Content

HB0778/565960/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 778

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 2 and 3, inclusive; after line 3, insert:

“Education – Students With Disabilities – Study of Parental Consent in the Individualized Education Program Process”;

strike beginning with “certain” in line 4 down through “content” in line 10 and substitute “the State Department of Education to convene a certain workgroup in consultation with certain stakeholders to review certain statutes and regulations, make certain determinations, discuss certain issues, and make certain recommendations on or before a certain date; and generally relating to a study of parental consent in the individualized education program process”; and strike in their entirety lines 11 through 26, inclusive.

AMENDMENT NO. 2

On page 2, strike beginning with “Section(s)” in line 2 down through “follows” in line 5; after line 5, insert:

“(a) The State Department of Education shall convene a workgroup that consults with stakeholders that include special education directors and teachers from local school systems, the Maryland Association of Boards of Education, related service provider organizations, the Maryland Disability Law Center, the Education Advocacy Coalition, parents from parent–run disability advocacy organizations, the Maryland State Education Association, the Public School Superintendents Association of Maryland, and parents of students with disabilities.

(b) On or before November 15, 2016, the workgroup established under subsection (a) of this section shall:

(1) review and make recommendations regarding parental consent and parental participation provisions of special education statutes and regulations in place in other states, including data and information regarding the effectiveness of these provisions;

(2) determine the definition of “parental consent” in this context and how it should be effectuated;

(3) discuss the legal and policy ramifications for obtaining written parental consent before an individualized education program (IEP) team may:

(i) enroll a student in an alternative education program that does not issue or provide credits toward a Maryland high school diploma;

(ii) identify a student for the alternate assessment aligned to the State’s alternative curriculum;

(iii) include restraint or seclusion in an IEP to address a student’s behavior other than when the student poses an imminent likelihood of serious physical harm to self or others;

(iv) reduce or terminate instructional or related services; and

(v) initiate a change in placement;

(4) review and make recommendations regarding the feasibility of authorizing a student with disabilities to attend a public school other than the public school to which the student is assigned, including a school in another local school system; and

(5) report the results of the activities of the workgroup, including recommendations for legislative changes, in accordance with § 2-1246 of the State Government Article, to the Senate Education, Health, and Environmental Affairs Committee and the House Committee on Ways and Means.”.

On pages 2 and 3, strike in their entirety the lines beginning with line 6 on page 2 through line 25 on page 3.

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

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1410 – Delegate M. Washington

AN ACT concerning

Teacher Induction, Retention, and Advancement Act of 2016

HB1410/255668/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1410

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “roles;” insert “requiring certain teachers who teach in certain public middle and high schools in Anne Arundel County to receive a certain stipend from the State under certain circumstances for certain academic years;”; in line 7, after “Advancement” insert “Pilot”; in the same line, after “Program;” insert “authorizing each

county board of education to choose to participate in the Pilot Program; requiring a county board to select certain teachers to participate in the Pilot Program; requiring a certain teacher to meet certain qualifications to participate in the Pilot Program;”; in line 12, after “requiring” insert “a”; in the same line, strike “boards of education” and substitute “board”; in line 13, strike “be provided to”; in line 19, strike “defining certain terms;”; and in line 21, after “Act;” insert “defining certain terms;”.

On page 2, in line 2, after “(5)” insert “, (c), (d), and (e)”; and in line 7, after “6–306(b)(5)” insert “and (c)”.

AMENDMENT NO. 2

On page 3, in line 16, strike “**\$5,000**” and substitute “**\$4,000**

On page 4, after line 3, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Education

6–306.

(C) (1) THIS SUBSECTION APPLIES ONLY IN ANNE ARUNDEL COUNTY.

(2) IN THIS SUBSECTION, “COUNTY GRANT FOR TEACHING IN AN ECONOMICALLY DISADVANTAGED SCHOOL” MEANS AN ANNUAL GRANT DISTRIBUTED TO A TEACHER WHO TEACHES IN AN ECONOMICALLY DISADVANTAGED SCHOOL ESTABLISHED:

(I) OUTSIDE OF THE COLLECTIVE BARGAINING PROCESS; OR

(II) AS PART OF A COLLECTIVE BARGAINING AGREEMENT WITH THE LOCAL EMPLOYEE REPRESENTATIVE.

(3) FOR FISCAL YEARS 2017 THROUGH 2019, THE GOVERNOR SHALL INCLUDE IN THE STATE OPERATING BUDGET FUNDING FOR THE STIPENDS PROVIDED IN THIS SUBSECTION.

(4) FOR ACADEMIC YEARS 2016–2017 AND 2017–2018, A CLASSROOM TEACHER SHALL RECEIVE A STIPEND FROM THE STATE IN AN AMOUNT EQUAL TO THE COUNTY GRANT FOR TEACHING IN AN ECONOMICALLY DISADVANTAGED SCHOOL, UP TO A MAXIMUM OF \$1,500 IF THE TEACHER:

(I) TEACHES IN A PUBLIC MIDDLE OR HIGH SCHOOL IN WHICH AT LEAST 30% OF THE STUDENTS AS A PERCENTAGE OF FULL–TIME EQUIVALENT STUDENTS AS DEFINED IN § 5–202 OF THIS ARTICLE QUALIFY FOR FREE AND REDUCED–PRICE MEALS UNDER THE NATIONAL SCHOOL LUNCH PROGRAM;

(II) HOLDS A STANDARD OR ADVANCED PROFESSIONAL CERTIFICATE; AND

(III) IS EMPLOYED BY THE COUNTY BOARD.

[(c)] (D) An individual who receives a stipend or bonus under subsection (b) OR (C) of this section may not be deemed an employee of the State.

[(d)] (E) The employer of an individual who receives a stipend or bonus under subsection (b) OR (C) of this section shall pay the increase in fringe benefit costs associated with the stipend or bonus.

[(e)] (F) The Department shall act as fiscal agent for funds disbursed under this section.”.

AMENDMENT NO. 3

On page 4, in line 4, strike “2.” and substitute “3.”; in lines 13 and 14, in each instance, after “ADVANCEMENT” insert “PILOT”; in line 14, after “(B)” insert “(1)”; after line 15, insert:

“(2) (I) EACH COUNTY BOARD MAY CHOOSE TO PARTICIPATE IN THE PILOT PROGRAM.

(II) A COUNTY BOARD SHALL SELECT THE FIRST YEAR TEACHERS TO PARTICIPATE IN THE PILOT PROGRAM.

(III) A COUNTY BOARD IS ENCOURAGED TO GIVE PRIORITY TO TEACHERS THAT TEACH IN SCHOOLS THAT ARE A PART OF A CLUSTER OF SCHOOLS IN WHICH THE MAJORITY OF THE ELEMENTARY AND MIDDLE SCHOOLS THAT FEED INTO ONE HIGH SCHOOL ARE TITLE I SCHOOLS.

(3) TO PARTICIPATE IN THE PILOT PROGRAM, A TEACHER MUST TEACH IN A TITLE I SCHOOL OR A SCHOOL THAT HAS BEEN IDENTIFIED BY THE COUNTY BOARD AND APPROVED BY THE DEPARTMENT AS A SCHOOL WITH A CRITICAL MASS OF ECONOMICALLY DISADVANTAGED STUDENTS.”;

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 PILOT PROGRAM FROM THAT COUNTY**”.

On page 4 in line 16, and on page 5 in lines 3, 10, 14, and 20, in each instance, after “**THE**” insert “**PILOT**”.

On page 5, in line 6, strike “**\$7,000,000**” and substitute “**\$5,000,000**”; and in the same line, after the third “**THE**” insert “**PILOT**”.

On page 5, in line 21, strike “on” and substitute “:

(a) **On**”;

in line 25, after “Advancement” insert “**Pilot**”; in the same line, after “Program.” insert:

“(b)”;

in the same line, after “shall” insert “:

(1)”;

in lines 26 and 28, in each instance, after “the” insert “**Pilot**”; in line 28, after “later” insert “;**and**

(2) **make recommendations on whether to continue, modify, or eliminate the Pilot Program**”;

in lines 21 and 29, strike “3.” and “4.”, respectively, and substitute “4.” and “5.”, respectively; in line 32, after the first “to” insert “:

(1)”;

in the same line, strike the second “to”; and after line 32, insert:

“(i) to recruit, retain, and promote quality teachers at all levels of education in the State;”.

AMENDMENT NO. 4

On page 6, in lines 1, 4, 7, and 8, strike “(1)”, “(2)”, “(3)”, and “(4)”, respectively, and substitute “(ii) to”, “(iii) to”, “(iv) to”, and “(v) to”, respectively; in line 9, after “certificates” insert “; and

(vi) existing state laws and regulations impact teacher recruitment, retention, and promotion for each of the following areas:

1. individual and team competency;
2. performance measurement and management;
3. reward and recognition for excellent work; and
4. discipline in the classroom; and

(2) evaluate whether the stipend created under § 6–306(c) of the Education Article, as enacted by Section 2 of this Act, was effective in retaining effective teachers in schools with a critical mass of economically disadvantaged students”;

in lines 7 and 12, in each instance, strike “and”; in line 17, after “Maryland” insert “;

(3) a coordinated statewide strategy for recruiting, retaining, and promoting quality teachers at all levels of education by the State Department of Education, the Maryland Higher Education Commission, the University System of Maryland, and other education stakeholders; and

(4) the best methods of incentivizing effective teachers to choose to teach in low-performing schools and schools with a critical mass of economically disadvantaged

students in light of federal regulations that require the equitable distribution of effective teachers”;

in line 18, after “(c)” insert “(1)”; in the same line, strike “September” and substitute “November”; in the same line, strike “a” and substitute “an interim”; after line 21, insert:

“(2) On or before November 1, 2017, the Department shall submit a final report regarding the recommendations of the workgroup established under this section to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.”;

in line 22, strike “5.” and substitute “6.”; in line 23, after “2016.” insert “Section 2 of this Act shall remain effective for a period of 3 years and, at the end of June 30, 2018, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.”; and in lines 23 and 24, in each instance, strike “Section 2” and substitute “Section 3”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate McMillan moved to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

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

House Bill 1615 – Delegate Hixson

AN ACT concerning

Linking Youth to New Experiences (LYNX) High School – Pilot Program

HB1615/605668/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1615

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “Linking” insert “Frederick County –”; in the same line, strike “– Pilot Program”; in lines 4, 5, 7 and 8, 12, 19, 21, 24, and 26, in each instance, strike “pilot program”; in line 9, strike “State Board of Education for review” and substitute “county board of education for approval”; in line 10, after “items;” insert “requiring the county board to approve the plan on or before a certain date; requiring the County Superintendent to submit a certain plan to the State Board of Education for review;”; in the same line, strike “State Board” and substitute “county board”; in line 11, after “received” insert “to ensure that the plan meets certain requirements”; in line 13, after “regulation” insert “subject to certain exceptions”; strike beginning with “exempting” in line 14 down through “assessments” in line 15 and substitute “prohibiting the State Board from granting certain waivers; requiring certain elements of certain waivers to be subject to certain provisions of law”; in line 25, after “notice;” insert “requiring the county superintendent to submit a certain plan and a certain report to certain committees of the General Assembly on or before certain dates;”; in line 15, after “of” insert “a”; in the same line, strike “waivers” and substitute “waiver”; strike line 17 in its entirety; in line 18, strike “certain items” and substitute “the development and implementation of apprenticeship experiences for certain students”; and in line 30, strike “Pilot Program”.

AMENDMENT NO. 2

On page 2, in line 6, strike “**PILOT PROGRAM**”; and in lines 15, 17, and 20, in each instance, strike “**PILOT PROGRAM**”.

On page 3, in line 8, after “**DEVELOP**” insert “, IN CONSULTATION AND COLLABORATION WITH TEACHERS, ADMINISTRATORS, AND NONCERTIFICATED PERSONNEL IN THE SCHOOL AND THE EXCLUSIVE REPRESENTATIVES FOR TEACHERS, PRINCIPALS, AND NONCERTIFICATED PERSONNEL,”; in the same line, strike “**STATE BOARD**” and substitute “COUNTY BOARD”; in line 9, strike “**REVIEW**” and substitute “APPROVAL”; in lines 12 and 25, in each instance, strike “**PILOT PROGRAM**”; strike in their entirety lines 26 through 28, inclusive; and in line 29, strike “**(VII)**” and substitute “**(VI)**”.

On page 4, in line 1, strike “**(VIII)**” and substitute “**(VII)**”; after line 2, insert:

“(3) ON OR BEFORE DECEMBER 1, 2016, THE COUNTY BOARD SHALL APPROVE THE PLAN SUBMITTED UNDER PARAGRAPH (1) OF THIS SUBSECTION.”

(4) AFTER THE COUNTY BOARD HAS APPROVED THE PLAN SUBMITTED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COUNTY SUPERINTENDENT SHALL SUBMIT THE PLAN TO THE STATE BOARD FOR REVIEW.”;

in line 4, strike “STATE BOARD” and substitute “COUNTY BOARD”; in line 5, strike “IN” and substitute “:

(1) IN”;

and in line 6, strike “PILOT PROGRAM” and substitute “;AND

(2) AS IT RELATES TO WORKING CONDITIONS, COMPLIANT WITH COLLECTIVE BARGAINING AGREEMENTS AND ANY REQUIREMENTS OF SUBTITLES 4 AND 5 OF TITLE 6 OF THIS ARTICLE”.

AMENDMENT NO. 3

On page 4, in line 7, strike “WITHIN” and substitute “(1) EXCEPT AS PROVIDED IN PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, WITHIN”; in line 8, strike “(A)” and substitute “(A)(4)”; in lines 9 and 10, strike “AND REGULATION”; in lines 11 and 12, strike “PILOT PROGRAM”; strike beginning with “THE” in line 12 down through “OTHER” in line 25 and substitute “ANY”; in line 26, strike “STATE BOARD” and substitute “COUNTY BOARD”; after line 26, insert:

“(2) A WAIVER REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY NOT BE GRANTED RELATED TO:

(I) PERSONNEL REQUIREMENTS IN COMAR 13A.12.01 OR 13A.12.02;

(II) MANDATORY SCHOOL DAYS AND SCHOOL YEAR REQUIREMENTS IN COMAR 13A.03.02.12; OR

(III) ASSESSMENT REQUIREMENTS IN COMAR 13A.03.02.06.

(3) A WAIVER GRANTED UNDER PARAGRAPH (1) OF THIS SUBSECTION THAT RELATES TO WORKING CONDITIONS SHALL BE SUBJECT TO SUBTITLES 4 AND 5 OF TITLE 6 OF THIS ARTICLE.”;

strike in their entirety lines 27 through 29, inclusive; and in line 30, strike “(E)” and substitute “(D)”.

AMENDMENT NO. 4

On page 5, in lines 4 and 5, 8, 13, 18, 20 and 21, 24, and 26, in each instance, strike “PILOT PROGRAM”; in line 22, strike “SCHOOL PILOT PROGRAM’S” and substitute “SCHOOL’S”; after line 27, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That on or before September 30, 2016, the Frederick County Superintendent of Schools shall submit the plan required under this Act, in accordance with § 2–1246 of the State Government Article, to the Senate Education, Health, and Environmental Affairs Committee and the House Committee on Ways and Means.

SECTION 3. AND BE IT FURTHER ENACTED, That on or before June 30, 2019, the Frederick County Superintendent of Schools shall submit, in accordance with § 2–1246 of the State Government Article, to the Senate Education, Health, and Environmental Affairs Committee and the House Committee on Ways and Means a report that includes:

(1) the academic and career progress of each student enrolled in the LYNX High School as compared to other students in Frederick County including assessment results;

(2) the level of satisfaction of the students, teachers, parents or guardians, and advocates with the LYNX High School; and

(3) the LYNX High School’s fiscal year financial report for each of the preceding years.”;

and in line 28, strike “2.” and substitute “4.”.

AMENDMENT NO. 5

On page 4, in line 30, strike “THE”; and in the same line, strike “OF WAIVERS” and substitute “A WAIVER”.

On pages 4 and 5, strike beginning with “THE” in line 32 on page 4 down through “WITHIN” in line 1 on page 5.

On page 5, strike beginning with the colon in line 2 down through “**THE**” in line 3 and substitute “**THE**”; and strike beginning with the semicolon in line 5 down through “**09.12.43**” in line 6.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

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

AN ACT concerning

Public and Nonpublic Schools – Student Diabetes Management Program

SB0071/395262/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 71

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “and Nonpublic”; in the same line, strike “Student Diabetes Management Program” and substitute “Provision of Diabetes Care Services to Students – Requirements”; in line 4, strike “, in consultation with certain other organizations,” and substitute “jointly”; and strike beginning with “the” in line 5 down through “providers” in line 6 and substitute “public schools regarding the provision of health care services to students with diabetes, provide certain technical assistance, and develop a certain process; requiring that the guidelines be informed by best practices in school diabetes management”.

On pages 1 and 2, strike beginning with “requiring” line 6 on page 1 down through “schools” in line 4 on page 2 and substitute “providing that a certain individual is not civilly liable for certain acts or omissions; providing that a certain provision of this Act does not affect, and may not be construed to affect, certain immunities and defenses; requiring the State Department of Education and the Department of Health and Mental Hygiene, in consultation with the State Board of Nursing, local school systems, local health”.

departments, and certain stakeholders, to establish a certain plan; requiring the State Department of Education and the Department of Health and Mental Hygiene jointly to report to certain committees of the General Assembly on or before a certain date; defining a certain term; and generally relating to the provision of diabetic care services in public schools in the State”.

On page 2, in line 7, strike “7-438 and 7-439” and substitute “7-426.4”.

AMENDMENT NO. 2

On pages 2 through 11, strike in their entirety the lines beginning with line 13 on page 2 through line 2 on page 11, inclusive, and substitute:

“7-426.4.

(A) IN THIS SECTION, “DIABETES MEDICAL MANAGEMENT PLAN” MEANS A SET OF INSTRUCTIONS AND MEDICATION ORDERS PROVIDED BY A STUDENT’S HEALTH CARE PROVIDER THAT INDICATES THE HEALTH CARE SERVICES NEEDED BY THE STUDENT FOR THE TREATMENT OF THE STUDENT’S DIABETES WHILE THE STUDENT IS AT SCHOOL.

(B) (1) THE DEPARTMENT AND THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE JOINTLY SHALL ESTABLISH GUIDELINES FOR PUBLIC SCHOOLS REGARDING THE PROVISION OF HEALTH CARE SERVICES TO STUDENTS WITH DIABETES.

(2) THE GUIDELINES SHALL BE INFORMED BY BEST PRACTICES IN SCHOOL DIABETES MANAGEMENT.

(C) THE GUIDELINES SHALL INCLUDE:

(1) PROCEDURES FOR TREATING A STUDENT’S DIABETIC SYMPTOMS, INCLUDING ADMINISTERING MEDICATION SUCH AS INSULIN AND OTHER MEDICATIONS AS ORDERED BY THE STUDENT’S HEALTH CARE PROVIDER AND INDICATED IN THE STUDENT’S DIABETES MEDICAL MANAGEMENT PLAN;

(2) PROCEDURES FOR MONITORING BLOOD GLUCOSE AND KETONE LEVELS;

(3) A DESCRIPTION OF A PARENT’S OR CAREGIVER’S RESPONSIBILITIES IN RELATION TO THE CARE OF A STUDENT WITH DIABETES WHILE THE STUDENT IS AT SCHOOL, INCLUDING:

(I) NOTIFYING THE SCHOOL OF THE STUDENT’S DIABETES DIAGNOSIS;

(II) PROVIDING APPROPRIATE MEDICATION, DELIVERY DEVICES, AND MEDICAL CONDITION INDICATION DEVICES, INCLUDING MEDIC ALERT BRACELETS OR NECKLACES, TO THE SCHOOL OR THE STUDENT, AS APPROPRIATE;

(III) PROVIDING PARENTAL OR CAREGIVER CONSENT FOR THE ADMINISTRATION OF MEDICATIONS BY SCHOOL PERSONNEL WHILE THE STUDENT IS AT SCHOOL OR AT SCHOOL-SPONSORED EVENTS OR ACTIVITIES; AND

(IV) PROVIDING THE SCHOOL WITH AN EMERGENCY CARD FOR MEDICAL EMERGENCIES WITH UP-TO-DATE CONTACT NAMES AND TELEPHONE NUMBERS;

(4) A DESCRIPTION OF A SCHOOL’S RESPONSIBILITIES IN RELATION TO THE CARE OF A STUDENT WITH DIABETES, INCLUDING:

(I) PROVIDING INSTRUCTION BY THE SCHOOL NURSE TO SCHOOL HEALTH SERVICES PERSONNEL, TEACHERS, COACHES, TRANSPORTATION PERSONNEL, AND OTHER APPROPRIATE SCHOOL PERSONNEL, AS DETERMINED BY THE SCHOOL NURSE, INCLUDING INSTRUCTION ON:

1. RECOGNIZING THE SYMPTOMS OF HYPOGLYCEMIA AND HYPERGLYCEMIA AND THE APPROPRIATE ACTIONS TO TAKE TO CONTROL THE SYMPTOMS;

2. ADMINISTERING GLUCAGON IN AN EMERGENCY IN ACCORDANCE WITH HEALTH CARE PROVIDER ORDERS, IF THE SCHOOL PERSONNEL

HAS RECEIVED INSTRUCTION BY THE SCHOOL NURSE ON ADMINISTERING GLUCAGON; AND

3. IMPLEMENTING A STUDENT'S DIABETES MEDICAL MANAGEMENT PLAN AND A STUDENT'S 504 PLAN OR OTHER WRITTEN EDUCATION PLAN;

(II) PROVIDING AND DISTRIBUTING THE REQUIRED DOCUMENTS FOR NOTIFICATION, CONSENT FOR THE ADMINISTRATION OF MEDICATIONS, MEDICAL EMERGENCY CONTACT INFORMATION, AND ANY OTHER APPROPRIATE DOCUMENTS; AND

(III) ENSURING THAT APPROPRIATE SCHOOL PERSONNEL, AS DETERMINED BY THE SCHOOL NURSE, ARE AVAILABLE TO MEET STUDENTS' HEALTH CARE NEEDS DURING THE SCHOOL DAY AND DURING SCHOOL-SPONSORED EVENTS AND ACTIVITIES;

(5) A DESCRIPTION OF A STUDENT'S RESPONSIBILITIES IN RELATION TO THE STUDENT'S DIABETES CARE WHILE THE STUDENT IS AT SCHOOL THAT ARE AGE AND CLINICALLY APPROPRIATE;

(6) THE ESTABLISHMENT BY THE SCHOOL OF PROCEDURES, AS DETERMINED BY THE SCHOOL NURSE AND IN ACCORDANCE WITH A STUDENT DIABETES MANAGEMENT PLAN, FOR STUDENTS WHO ARE CAPABLE OF AND RESPONSIBLE FOR SELF-MANAGEMENT OF THEIR DIABETES IN ACCORDANCE WITH HEALTH CARE PROVIDER ORDERS AND WITH ANY NECESSARY SUPPORTS FROM SCHOOL PERSONNEL WHO HAVE RECEIVED INSTRUCTION FROM THE SCHOOL NURSE; AND

(7) ANY OTHER PROCEDURES, DESCRIPTIONS, OR OTHER ITEMS THAT ARE RELEVANT TO THE PROVISION OF DIABETES CARE SERVICES TO STUDENTS.

(D) THE DEPARTMENT AND THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE JOINTLY SHALL:

(1) PROVIDE TECHNICAL ASSISTANCE TO PUBLIC SCHOOLS TO AID THE SCHOOLS IN:

(I) IMPLEMENTING THE GUIDELINES ESTABLISHED UNDER SUBSECTION (B)(1) OF THIS SECTION; AND

(II) INSTRUCTING SCHOOL PERSONNEL AT THE LOCAL LEVEL;
AND

(2) DEVELOP A PROCESS TO MONITOR THE IMPLEMENTATION OF THE GUIDELINES ESTABLISHED UNDER SUBSECTION (B)(1) OF THIS SECTION.

(E) (1) AN INDIVIDUAL WHO HAS RECEIVED INSTRUCTION TO PROVIDE DIABETES CARE SERVICES TO STUDENTS IN ACCORDANCE WITH THE GUIDELINES ESTABLISHED UNDER SUBSECTION (B)(1) OF THIS SECTION IS NOT CIVILLY LIABLE FOR ANY ACT OR OMISSION IN THE COURSE OF PROVIDING DIABETES CARE SERVICES TO A STUDENT WHILE THE STUDENT IS AT SCHOOL IF:

(I) THE INDIVIDUAL IS ACTING IN GOOD FAITH WHILE PROVIDING DIABETES CARE SERVICES TO A STUDENT WHO IS IN NEED OF, OR WHO THE INDIVIDUAL IN GOOD FAITH BELIEVES TO BE IN NEED OF, DIABETES CARE SERVICES;

(II) THE DIABETES CARE SERVICES ARE PROVIDED IN A REASONABLY PRUDENT MANNER; AND

(III) THE DIABETES CARE SERVICES ARE PROVIDED TO THE STUDENT WITHOUT FEE OR OTHER COMPENSATION.

(2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT AFFECT, AND MAY NOT BE CONSTRUED TO AFFECT, ANY IMMUNITIES FROM CIVIL LIABILITY OR DEFENSES ESTABLISHED BY ANY OTHER PROVISION OF LAW TO WHICH AN INDIVIDUAL MAY BE ENTITLED.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The State Department of Education and the Department of Health and Mental Hygiene, in consultation with the State Board of Nursing, local school systems, local health departments, and other interested stakeholders, shall establish a plan for all public school health services programs in the State to provide diabetes care services through the implementation of policies and programs so students with diabetes may:

(1) remain safe in school;

(2) be supported for optimal academic achievement; and

(3) fully participate in all aspects of school programming, including after-school activities and other school-sponsored events.

(b) On or before December 1, 2016, the State Department of Education and the Department of Health and Mental Hygiene jointly shall report to the Senate Education, Health, and Environmental Affairs Committee and the House Committee on Ways and Means, in accordance with § 2-1246 of the State Government Article, on the progress of establishing the plan required under subsection (a) of this section.”.

On page 11, in line 3, strike “2.” and substitute “3.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

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~~

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 493 – Senators Pinsky, Conway, King, ~~and Madaleno~~ Madaleno, and Middleton

AN ACT concerning

Teacher Induction, Retention, and Advancement Act of 2016

SB0493/545060/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 493

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “roles;” insert “requiring certain teachers who teach in certain public middle and high schools in Anne Arundel County to receive a certain stipend from the State under certain circumstances for certain academic years;”; in line 7, after “Advancement” insert “Pilot”; in lines 8 and 9, in each instance, after “the” insert “Pilot”; in line 11, after “the” insert “Pilot”; strike beginning with “defining” in line 21 down through “terms;” in line 22; and in line 24, after “Act;” insert “defining certain terms;”.

On page 2, in line 8, after “(5)” insert “, (c), (d), and (e)”; and in line 13, after “6–306(b)(5)” insert “and (c)”.

AMENDMENT NO. 2

On page 3, in line 22, strike “**\$5,000**” and substitute “**\$4,000**”.

On page 4, after line 9, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Education

6–306.

(C) (1) THIS SUBSECTION APPLIES ONLY IN ANNE ARUNDEL COUNTY.

(2) IN THIS SUBSECTION, “COUNTY GRANT FOR TEACHING IN AN ECONOMICALLY DISADVANTAGED SCHOOL” MEANS AN ANNUAL GRANT

DISTRIBUTED TO A TEACHER WHO TEACHES IN AN ECONOMICALLY DISADVANTAGED SCHOOL ESTABLISHED:

(I) OUTSIDE OF THE COLLECTIVE BARGAINING PROCESS; OR

(II) AS PART OF A COLLECTIVE BARGAINING AGREEMENT WITH THE LOCAL EMPLOYEE REPRESENTATIVE.

(3) FOR FISCAL YEARS 2017 THROUGH 2019, THE GOVERNOR SHALL INCLUDE IN THE STATE OPERATING BUDGET FUNDING FOR THE STIPENDS PROVIDED IN THIS SUBSECTION.

(4) A CLASSROOM TEACHER SHALL RECEIVE A STIPEND FROM THE STATE IN AN AMOUNT EQUAL TO THE COUNTY GRANT FOR TEACHING IN AN ECONOMICALLY DISADVANTAGED SCHOOL, UP TO A MAXIMUM OF \$1,500 IF THE TEACHER:

(I) TEACHES IN A PUBLIC MIDDLE OR HIGH SCHOOL IN WHICH AT LEAST 30% OF THE STUDENTS AS A PERCENTAGE OF FULL-TIME EQUIVALENT STUDENTS AS DEFINED IN § 5-202 OF THIS ARTICLE QUALIFY FOR FREE AND REDUCED PRICE MEALS UNDER THE NATIONAL SCHOOL LUNCH PROGRAM;

(II) HOLDS A STANDARD OR ADVANCED PROFESSIONAL CERTIFICATE; AND

(III) IS EMPLOYED BY THE COUNTY BOARD.

[(c)] (D) An individual who receives a stipend or bonus under subsection (b) OR (C) of this section may not be deemed an employee of the State.

[(d)] (E) The employer of an individual who receives a stipend or bonus under subsection (b) OR (C) of this section shall pay the increase in fringe benefit costs associated with the stipend or bonus.

[(e)] (F) The Department shall act as fiscal agent for funds disbursed under this section.”.

AMENDMENT NO. 3

On page 4, in line 10, strike “2.” and substitute “3.”; in lines 19 and 21, in each instance, after “**ADVANCEMENT**” insert “**PILOT**”; and after line 25, insert:

“(III) A COUNTY BOARD IS ENCOURAGED TO GIVE PRIORITY TO TEACHERS WHO TEACH IN A SCHOOL THAT IS PART OF A CLUSTER OF SCHOOLS IN WHICH THE MAJORITY OF THE ELEMENTARY AND MIDDLE SCHOOLS THAT FEED INTO ONE HIGH SCHOOL ARE TITLE I SCHOOLS.”

On page 4 in line 26 and on page 5 in lines 15, 22, 26, and 32, in each instance, after “**THE**” insert “**PILOT**”.

On page 4 in lines 22 and 25 and on page 5 in line 8, in each instance, after “**THE**” insert “**PILOT**”.

On page 5, in line 18, after the third “**THE**” insert “**PILOT**”.

On page 5, in line 18, strike “**\$7,000,000**” and substitute “**\$5,000,000**”.

On page 6, in line 5, after “Advancement” insert “Pilot”; in lines 6 and 8, in each instance, after “the” insert “Pilot”.

AMENDMENT NO. 4

On page 6, in line 1, strike “on” and substitute “;”

(a) On”;

in line 5, after “Program.” insert:

“(b)”;

in the same line, after “shall” insert “;”

(1)”;

in line 8, after “later” insert “; and

(2) make recommendations on whether to continue, modify, or eliminate the Pilot Program”;

in lines 1, 9, and 34, strike “3.”, “4.”, and “5.”, respectively, and substitute “4.”, “5.”, and “6.”, respectively; in line 12, after the first “to” insert “:

(1)”;

in the same line, strike the second “to”; after line 12, insert:

“(i) to recruit, retain, and promote quality teachers at all levels of education in the State;”;

in lines 13, 16, 19, and 20, strike “(1)”, “(2)”, “(3)”, and “(4)”, respectively, and substitute “(ii) to”, “(iii) to”, “(iv) to”, and “(v) to”, respectively; in line 21, after “certificates” insert: “; and

(vi) existing state laws and regulations impact teacher recruitment, retention, and promotion for each of the following areas:

1. individual and team competency;
2. performance measurement and management;
3. reward and recognition for excellent work; and
4. discipline in the classroom; and

(2) evaluate whether the stipend created under § 6–306(c) of the Education Article, as enacted by Section 2 of this Act, was effective in retaining effective teachers in schools with a critical mass of economically disadvantaged students”;

in line 24, strike “and”; in line 29, after “Maryland” insert “;

(3) a coordinated statewide strategy for recruiting, retaining, and promoting quality teachers at all levels of education by the State Department of Education, the Maryland Higher Education Commission, the University System of Maryland, and other education stakeholders; and

(4) the best methods of incentivizing effective teachers to choose to teach in low-performing schools and schools with a critical mass of economically disadvantaged students in light of federal regulations that require the equitable distribution of effective teachers”;

in line 30, after “(c)” insert “(1)”; in the same line, strike “September” and substitute “November”; in the same line, strike “a” and substitute “an interim”; after line 33, insert:

“(2) On or before November 1, 2017, the Department shall submit a final report regarding the recommendations of the workgroup established under this section to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.”;

and in line 35, after “2016.” insert “Section 2 of this Act 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, Section 2 of this Act shall be abrogated and of no further force and effect.”.

On page 6 in line 35 and on page 7 in line 1, in each instance, strike “Section 2” and substitute “Section 3”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 676 – Senators Kasemeyer, Currie, DeGrange, Ferguson, Guzzone, King, Madaleno, Manno, ~~and Peters~~ Peters, and Brochin

AN ACT concerning

College Affordability Act of 2016

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 770 – Senators Bates and Norman

AN ACT concerning

Education – Public High Schools – Agriculture Science

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 936 – Senator Manno

AN ACT concerning

Maryland Clean Energy Incentive Act of 2016

SB0936/305365/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 936

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “certifications;” insert “altering a certain limitation on the amount of initial credit certificates that the Administration may issue; establishing the Maryland Clean Energy Incentive Tax Credit Reserve Fund; authorizing the Governor to include in the budget bill an appropriation to the Reserve Fund for certain fiscal years; requiring the Comptroller to transfer certain amounts from the Reserve Fund to the General Fund of the State under certain circumstances;”.

AMENDMENT NO. 2

On page 3, in line 15, after “subsection” insert “AND SUBSECTION (D) OF THIS SECTION”; and strike in their entirety lines 32 and 33.

On page 4, in lines 1, 3, 11, 12, 15, and 17, strike “(5)”, “(6)”, “(7)”, “(6)”, “(8)”, and “(9)”, respectively, and substitute “(4)”, “(5)”, “(6)”, “(5)”, “(7)”, and “(8)”, respectively; in line 19, after “(d)” insert “(1) IN THIS SUBSECTION, “RESERVE FUND” MEANS THE MARYLAND CLEAN ENERGY INCENTIVE TAX CREDIT RESERVE FUND ESTABLISHED UNDER PARAGRAPH (2) OF THIS SUBSECTION.”

(2) (I) THERE IS A MARYLAND CLEAN ENERGY INCENTIVE TAX CREDIT RESERVE FUND THAT IS A SPECIAL CONTINUING, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(II) THE MONEY IN THE RESERVE FUND SHALL BE INVESTED AND REINVESTED BY THE TREASURER, AND INTEREST AND EARNINGS SHALL BE CREDITED TO THE GENERAL FUND.

(3) (I) EXCEPT AS OTHERWISE PROVIDED IN THIS PARAGRAPH, FOR ANY FISCAL YEAR, THE ADMINISTRATION MAY NOT ISSUE INITIAL CREDIT CERTIFICATES FOR CREDIT AMOUNTS IN THE AGGREGATE TOTALING MORE THAN THE AMOUNT APPROPRIATED TO THE RESERVE FUND FOR THAT FISCAL YEAR IN THE STATE BUDGET AS APPROVED BY THE GENERAL ASSEMBLY.

(II) IF THE AGGREGATE CREDIT AMOUNTS UNDER INITIAL CREDIT CERTIFICATES ISSUED IN A FISCAL YEAR TOTAL LESS THAN THE AMOUNT APPROPRIATED TO THE RESERVE FUND FOR THAT FISCAL YEAR, ANY EXCESS AMOUNT SHALL REMAIN IN THE RESERVE FUND AND MAY BE ISSUED UNDER INITIAL CREDIT CERTIFICATES FOR THE NEXT FISCAL YEAR.

(III) FOR ANY FISCAL YEAR, IF FUNDS ARE TRANSFERRED FROM THE RESERVE FUND UNDER THE AUTHORITY OF ANY PROVISION OF LAW OTHER THAN UNDER PARAGRAPH (6) OF THIS SUBSECTION, THE MAXIMUM CREDIT AMOUNTS IN THE AGGREGATE FOR WHICH THE ADMINISTRATION MAY ISSUE INITIAL CREDIT CERTIFICATES SHALL BE REDUCED BY THE AMOUNT TRANSFERRED.

(4) FOR EACH OF FISCAL YEARS 2018 AND 2019, THE GOVERNOR MAY INCLUDE IN THE BUDGET BILL AN APPROPRIATION TO THE RESERVE FUND.

(5) NOTWITHSTANDING THE PROVISIONS OF § 7-213 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, THE GOVERNOR MAY NOT REDUCE AN APPROPRIATION TO THE RESERVE FUND IN THE STATE BUDGET AS APPROVED BY THE GENERAL ASSEMBLY.

(6) (I) EXCEPT AS PROVIDED IN THIS PARAGRAPH, MONEY APPROPRIATED TO THE RESERVE FUND SHALL REMAIN IN THE FUND.

(II) 1. WITHIN 15 DAYS AFTER THE END OF EACH CALENDAR QUARTER, THE ADMINISTRATION SHALL NOTIFY THE COMPTROLLER AS TO EACH FINAL CREDIT CERTIFICATE ISSUED DURING THE QUARTER:

A. THE MAXIMUM CREDIT AMOUNT STATED IN THE INITIAL TAX CREDIT CERTIFICATE FOR THE PRODUCER OF ELECTRICITY FROM QUALIFIED ENERGY RESOURCES AT A QUALIFIED MARYLAND FACILITY; AND

B. THE FINAL CERTIFIED CREDIT AMOUNT FOR THE ELECTRICITY PRODUCER.

2. ON NOTIFICATION THAT A FINAL CREDIT AMOUNT HAS BEEN CERTIFIED, THE COMPTROLLER SHALL TRANSFER AN AMOUNT EQUAL TO THE CREDIT AMOUNT STATED IN THE INITIAL CREDIT CERTIFICATE FOR THE ELECTRICITY PRODUCER FROM THE RESERVE FUND TO THE GENERAL FUND.

(E)”;

and in line 22, strike “(e)” and substitute “(F)”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1062 – Senators Guzzone and Salling

AN ACT concerning

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

SB1062/615462/1

BY: Committee on Ways and Means

AMENDMENT NO. 1

On page 1, strike in their entirety lines 2 and 3 and substitute “Baltimore County – Sales and Use Tax Exemption – Redevelopment Areas”; in line 14, strike “a certain qualified project located in”; in line 15, after “area” insert “in Baltimore County”; strike beginning with “authorizing” in line 15 down through “penalty;” in line 21 and substitute “requiring a buyer claiming the exemption to provide certain evidence to a vendor;”; and in line 23, strike “enterprise zones and”.

On page 2, in line 13, strike “and 13-1032”.

AMENDMENT NO. 2

On pages 3 and 4, strike in their entirety the lines beginning with line 28 on page 3 through line 2 on page 4, inclusive.

On page 4, in lines 3 and 13, strike “**(4)**” and “**(5)**”, respectively, and substitute “**(3)**” and “**(4)**”, respectively; strike beginning with “**ANY**” in line 5 down through “**COUNTY;**” in line 7 and substitute “**ANY REAL PROPERTY OWNED OR LEASED BY A PERSON IN BALTIMORE COUNTY THAT:**”

(I) WAS PREVIOUSLY OWNED AT ANY TIME BY BETHLEHEM STEEL CORPORATION, OR ANY OF ITS SUBSIDIARIES; AND;

strike beginning with the semicolon in line 10 down through the second “**USE**” in line 12; in line 18, after “**PURCHASED**” insert “**BY A PERSON SOLELY**”; in line 19, strike “**QUALIFIED PROJECT**” and substitute “**TARGET REDEVELOPMENT AREA**”; in line 20, strike “**PURCHASER**” and substitute “**BUYER**”; and strike beginning with “**A**” in line 20 down through “**SECTION**” in line 22 and substitute “**WITH EVIDENCE OF ELIGIBILITY FOR THE EXEMPTION ISSUED BY THE COMPTROLLER**”.

On pages 4 and 5, strike in their entirety the lines beginning with line 23 on page 4 through line 13 on page 5, inclusive.

On page 5, in line 15, strike “**October**” and substitute “**July**”; in the same line, strike “**5**” and substitute “**10**”; and in lines 15 and 16, strike “**September 30, 2021**” and substitute “**June 30, 2026**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1126 – Senators Pugh and Young

AN ACT concerning

**Frederick County – Linking Youth to New Experiences (LYNX) High School –
~~Pilot Program~~**

SB1126/935669/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 1126

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 22, after “of” insert “a”; in the same line, strike “waivers” and substitute “waiver”; and strike beginning with “Apprenticeship” in line 23 down through the second “the” in line 24.

On page 2, in line 1, strike “certain items” and substitute “the development and implementation of apprenticeship experiences for certain students”.

AMENDMENT NO. 2

On page 5, in line 28, strike “**THE**”; and in the same line, strike “**OF WAIVERS**” and substitute “**A WAIVER**”.

On pages 5 and 6, strike beginning with “**THE**” in line 30 on page 5 down through “**WITHIN**” in line 1 on page 6.

On page 6, strike beginning with the colon in line 2 down through “**THE**” in line 3 and substitute “**THE**”; and strike beginning with the semicolon in line 5 down through “**09.12.43**” in line 6.

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 WAYS AND MEANS REPORT #21

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

House Bill 390 – Delegates Reilly, Adams, Afzali, Anderton, Arentz, Aumann, Buckel, Carozza, Cassilly, Ciliberti, Cluster, Flanagan, Ghrist, Hornberger, S. Howard, Impallaria, Jacobs, Kipke, Kittleman, Krebs, Lisanti, Long, Malone, Mautz, McComas, McConkey, McDonough, McKay, McMillan, Metzgar, W. Miller, Morgan, Otto, Parrott, Rey, Rose, Saab, Shoemaker, Simonaire, Szeliga, Vogt, B. Wilson, and Wivell

AN ACT concerning

Maryland Income Tax Refunds – Warrant Intercept Program – Statewide

HB0390/475466/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 390

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “participate” insert “, for a certain period of time,”; in line 6, after “date” insert “; repealing certain provisions of law that prohibit the program from applying to certain individuals; requiring the Governor’s Office of Crime Control and Prevention to conduct a certain annual study and to provide a certain annual report”; and in line 7, after “Act” insert “; providing for the termination of this Act”.

AMENDMENT NO. 2

On page 1, after line 19, insert:

“BY adding to

Article – Tax – General

Section 13–941

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)".

AMENDMENT NO. 3

On page 2, in line 26, strike "(a) (1)"; and in line 27, strike the first set of brackets.

On page 3, strike in their entirety lines 11 through 14, inclusive.

AMENDMENT NO. 4

On page 4, after line 13, insert:

"13-941.

(A) THE GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION, IN CONSULTATION WITH THE COMPTROLLER, SHALL:

(1) STUDY:

(I) THE TOTAL NUMBER OF TAX REFUNDS WITHHELD BY THE COMPTROLLER UNDER TITLE 13, SUBTITLE 9, PART VII OF THE TAX – GENERAL ARTICLE;

(II) THE AVERAGE AMOUNT OF THE TAX REFUNDS WITHHELD BY THE COMPTROLLER;

(III) THE POTENTIAL DIFFERENCES IN THE SERVICE OF WARRANTS OR REQUESTS BY WARRANT OFFICIALS TO THE COMPTROLLER TO WITHHOLD TAX REFUNDS UNDER THE PROGRAM BASED ON RACE;

(IV) THE TYPES OF WARRANTS AND SPECIFIC CHARGES THAT PROMPTED THE REQUESTS BY WARRANT OFFICIALS TO THE COMPTROLLER TO WITHHOLD REFUNDS, INCLUDING WARRANTS RELATED TO CRIMINAL VIOLATIONS, CIVIL MATTERS, MOTOR VEHICLE VIOLATIONS, AND FAILURES TO APPEAR;

(V) THE EFFECTIVENESS OF WITHHOLDING REFUNDS ON RESOLVING OUTSTANDING WARRANTS IN EACH JURISDICTION OF THE STATE; AND

(VI) WHETHER ANY WITHHELD REFUNDS WERE CONTESTED;
AND

(2) MAKE RECOMMENDATIONS REGARDING CONTINUED
IMPLEMENTATION OF THE PROGRAM IN A MANNER THAT ENSURES THAT THE
PROGRAM DOES NOT DISPARATELY IMPACT INDIVIDUALS ON RACIAL GROUNDS.

(B) ON OR BEFORE DECEMBER 31 OF EACH YEAR, THE GOVERNOR'S
OFFICE OF CRIME CONTROL AND PREVENTION SHALL REPORT ITS FINDINGS AND
RECOMMENDATIONS TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF
THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.”.

AMENDMENT NO. 5

On page 5, in line 13, after the period insert “It shall remain effective for a period of
3 years and, at the end of September 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 5 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0390/683528/1

BY: Delegate Moon

AMENDMENTS TO HOUSE BILL 390

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “county” insert “, on certain approval of the governing body
of the county.”.

AMENDMENT NO. 2

On page 3, in line 5, after “COUNTY” insert “, ON APPROVAL OF A MAJORITY OF
THE GOVERNING BODY OF THE COUNTY.”.

The preceding 2 amendments were read only.

Delegate Walker moved to make the Bill and Amendments a Special Order for next session.

The motion was adopted.

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

Senate Bill 425 – Senator Reilly

AN ACT concerning

Maryland Income Tax Refunds – Warrant Intercept Program – Statewide

SB0425/415668/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 425

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “participate” insert “, for a certain period of time,”; in line 6, after “date” insert “; repealing certain provisions of law that prohibit the program from applying to certain individuals; requiring the Governor’s Office of Crime Control and Prevention to conduct a certain annual study and to provide a certain annual report”; and in line 7, after “Act” insert “; providing for the termination of this Act”.

AMENDMENT NO. 2

On page 1, after line 19, insert:

“BY adding to

Article – Tax – General

Section 13–941

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)”.

AMENDMENT NO. 3

On page 2, in line 27, strike “(a) **(1)**”; and in line 28, strike the first set of brackets.

On page 3, strike in their entirety lines 11 through 14, inclusive.

AMENDMENT NO. 4

On page 4, after line 15, insert:

“13-941.

(A) THE GOVERNOR’S OFFICE OF CRIME CONTROL AND PREVENTION, IN CONSULTATION WITH THE COMPTROLLER, SHALL:

(1) STUDY:

(I) THE TOTAL NUMBER OF TAX REFUNDS WITHHELD BY THE COMPTROLLER UNDER TITLE 13, SUBTITLE 9, PART VII OF THE TAX – GENERAL ARTICLE;

(II) THE AVERAGE AMOUNT OF THE TAX REFUNDS WITHHELD BY THE COMPTROLLER;

(III) THE POTENTIAL DIFFERENCES IN THE SERVICE OF WARRANTS OR REQUESTS BY WARRANT OFFICIALS TO THE COMPTROLLER TO WITHHOLD TAX REFUNDS UNDER THE PROGRAM BASED ON RACE;

(IV) THE TYPES OF WARRANTS AND SPECIFIC CHARGES THAT PROMPTED THE REQUESTS BY WARRANT OFFICIALS TO THE COMPTROLLER TO WITHHOLD REFUNDS, INCLUDING WARRANTS RELATED TO CRIMINAL VIOLATIONS, CIVIL MATTERS, MOTOR VEHICLE VIOLATIONS, AND FAILURES TO APPEAR;

(V) THE EFFECTIVENESS OF WITHHOLDING REFUNDS ON RESOLVING OUTSTANDING WARRANTS IN EACH JURISDICTION OF THE STATE; AND

(VI) WHETHER ANY WITHHELD REFUNDS WERE CONTESTED; AND

(2) MAKE RECOMMENDATIONS REGARDING CONTINUED IMPLEMENTATION OF THE PROGRAM IN A MANNER THAT ENSURES THAT THE PROGRAM DOES NOT DISPARATELY IMPACT INDIVIDUALS ON RACIAL GROUNDS.

(B) ON OR BEFORE DECEMBER 31 OF EACH YEAR, THE GOVERNOR’S OFFICE OF CRIME CONTROL AND PREVENTION SHALL REPORT ITS FINDINGS AND

RECOMMENDATIONS TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.”.

AMENDMENT NO. 5

On page 5, in line 15, after the period insert “It shall remain effective for a period of 3 years and, at the end of September 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 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIARY REPORT #20

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 1634 – Delegate Jalisi

AN ACT concerning

Juveniles – Restraint and Searches – Limitations

HB1634/322419/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1634

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Juveniles – Restraint and Searches – Limitations” and substitute “Task Force to Study the Restraint, Searches, and Needs of Children in the Juvenile Justice System”; strike beginning with “prohibiting” in line 3 down through “juvenile” in line 16 and substitute “establishing the Task Force to Study the Restraint, Searches, and Needs of Children in the Juvenile Justice System; 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, examine, determine, and make recommendations regarding certain matters; requiring the Task Force to report its findings

and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study the Restraint, Searches, and Needs of Children in the Juvenile Justice System”; and strike in their entirety lines 17 through 28, inclusive.

On page 2, strike in their entirety lines 1 through 3, inclusive.

AMENDMENT NO. 2

On page 2, in line 5, strike “the Laws of Maryland read as follows”; and after line 5, insert:

“(a) There is a Task Force to Study the Restraint, Searches, and Needs of Children in the Juvenile Justice System.

(b) The Task Force consists of the following members:

(1) three members of the Senate of Maryland, appointed by the President of the Senate;

(2) three members of the House of Delegates, appointed by the Speaker of the House;

(3) the Secretary of Juvenile Services, or the Secretary’s designee;

(4) the Director of the Maryland Juvenile Justice Monitoring Unit, or the Director’s designee;

(5) the Public Defender of Maryland, or the Public Defender’s designee;

(6) the Executive Director of the Governor’s Office for Children, or the Executive Director’s designee;

(7) the Executive Director of Advocates for Children and Youth, or the Executive Director’s designee;

(8) the President of the Maryland Chapter of the National Association for the Advancement of Colored People (NAACP), or the President’s designee;

(9) the Executive Director of AFSCME Maryland, or the Executive Director's designee;

(10) the Chairman of the Community Public Awareness Council, or the Chairman's designee;

(11) the Executive Director of the Maryland Sheriff's Association, or the Executive Director's designee;

(12) one licensed mental health expert, appointed by the Governor; and

(13) the following three members appointed by the Secretary of Juvenile Services:

(i) one expert in juvenile restraint;

(ii) one expert in juvenile searches; and

(iii) one expert in the transport of juvenile detainees.

(c) The Governor shall designate the chair of the Task Force.

(d) The Maryland Juvenile Justice Monitoring Unit and the Office of the Public Defender shall provide staff for the Task Force.

(e) A member of the Task Force:

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

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

(f) The Task Force shall:

(1) review the policies and practices of the Department of Juvenile Services regarding shackling and strip searches of children within the juvenile justice system;

(2) examine when, by whom, and for what purposes a child in the custody of the Department of Juvenile Services is strip-searched or shackled;

(3) determine the capital expenditures that are necessary to address issues regarding the restraint and searches of children within the juvenile justice system; and

(4) make recommendations regarding changes in policies, practices, or capital expenditures that are necessary to address issues involving the restraint and searches of children within the juvenile justice system.

(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 General Assembly.”.

On pages 2 through 5, strike in their entirety the lines beginning with line 6 on page 2 through line 10 on page 5, inclusive.

On page 5, in line 12, strike “October” and substitute “June”; and in the same line, after “2016.” insert “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.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #29

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

Senate Bill 481 – Senators Lee, Raskin, Astle, Benson, Conway, Currie, DeGrange, Feldman, Ferguson, Gladden, Guzzone, Kagan, Kasemeyer, Kelley, King, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Muse, Nathan–Pulliam, Peters, Pinsky, Pugh, Ramirez, Rosapepe, Young, and Zirkin

AN ACT concerning

Labor and Employment – Equal Pay for Equal Work

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 545 – Senators Pugh, Ferguson, and Rosapepe

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

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**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 649 – Senator Astle

AN ACT concerning

**City of Annapolis – Alcoholic Beverages – Refillable Container Permit for Draft
Beer**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 852 – Senator Astle

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Beer and Wine Festivals

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 1236)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #86

House Bill 683 – Delegates Moon, Anderson, Atterbeary, Bromwell, Carter, Conaway, Gutierrez, Hettleman, Jalisi, Lierman, Luedtke, Morales, Sanchez, Smith, and P. Young

AN ACT concerning

Guardianship and Child in Need of Assistance Proceedings – Jurisdiction and Authority of Juvenile Court

Delegate Buckel moved to make the Bill a Special Order for next session.

The motion was adopted.

House Bill 1126 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – ~~Pretrial Release Program~~ County Pretrial Release, Work Release, and Diversion Programs Task Force
PG 307-16

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

Affirmative – 135 Negative – 1 (See Roll Call No. 1237)

The Bill was then sent to the Senate.

House Bill 1624 – Delegates Reilly, Adams, Afzali, Anderson, Anderton, Angel, Arentz, Atterbeary, Aumann, Barkley, B. Barnes, D. Barnes, Barron, Barve, Beidle, Beitzel, Branch, Bromwell, Brooks, Buckel, Busch, Carey, Carozza, Carr, Carter, Cassilly, Chang, Ciliberti, Clippinger, Cluster, Conaway, Cullison, Davis, Dumais, Ebersole, Fennell, Fisher, Flanagan, Folden, Fraser–Hidalgo, Frick, Frush, Gaines, Ghrist, Gilchrist, Glass, Glenn, Grammer, Gutierrez, Hammen, Hayes, Haynes, Healey, Hettleman, Hill, Hixson, Holmes, Hornberger, C. Howard, S. Howard, Impallaria, Jackson, Jacobs, Jalisi, Jameson, Jones, Kaiser, Kelly, Kipke, Kittleman, Knotts, Korman, Kramer, Krebs, Krimm, Lafferty, Lam, Lierman, Lisanti, Long, Luedtke, Malone, Mautz, McComas, McConkey, McCray, McDonough, McIntosh, McKay, McMillan, Metzgar, Miele, A. Miller, W. Miller, Moon, Morales, Morgan, Morhaim, O’Donnell, Oaks, Otto, Parrott, Patterson, Pena–Melnyk, Pendergrass, Platt, Proctor, Queen, Rey, Reznik, B. Robinson, S. Robinson, Rose, Rosenberg, Saab, Sample–Hughes, Sanchez, Shoemaker, Simonaire, Smith, Sophocleus, Stein, Sydnor, Szeliga, Tarlau, Turner, Valderrama, Valentino–Smith, Vallario, Vaughn, Vogt, Waldstreicher, Walker, A. Washington, M. Washington, West, B. Wilson, C. Wilson, Wivell, K. Young, and P. Young

EMERGENCY BILL

AN ACT concerning

Transportation – Highways – Heroes Highway

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

Affirmative – 135 Negative – 0 (See Roll Call No. 1238)

The Bill was then sent to the Senate.

House Bill 1644 – Delegates West, Aumann, Hettleman, Morhaim, and Stein

AN ACT concerning

Baltimore County – Alcoholic Beverages – Racetrack License

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1239)

The Bill was then sent to the Senate.

THE COMMITTEE ON ENVIRONMENT AND TRANSPORTATION REPORT #24

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

Senate Bill 395 – Senator Conway

AN ACT concerning

Ethics – Local Government – Conflict of Interest and Financial Disclosure

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 579 – Senator Ramirez

AN ACT concerning

Vehicle Laws – Application – Park Model Recreational Vehicles – Definition

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

MESSAGE FROM THE SENATE

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **HB0306**
SPONSOR: Delegate Smith, et al
SUBJECT: Labor and Employment – Hiring and Promotion Preferences –
Veterans and Their Spouses

The Senate does not recede in the Senate amendments, and respectfully requests the House reconsider and concur.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Astle, Chair
Senator Klausmeier

Senator Reilly

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **HB0306**
SPONSOR: Delegate Smith, et al
SUBJECT: Labor and Employment – Hiring and Promotion Preferences –
Veterans and Their Spouses

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates still does not concur in the Senate amendments to the House Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Astle, Chairman
Senator Klausmeier
Senator Reilly.

The House appoints:

Delegate C. Wilson, Chair
Delegate Brooks
Delegate S. Howard

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

MESSAGE FROM THE SENATE

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **HB0915**
SPONSOR: Delegate Jacobs, et al
SUBJECT: Tidal Fish License – Catching Crabs Using Trotline Gear –
Holidays

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate O'Donnell, Chairman
Delegate Stein
Delegate Gilchrist.

The Senate appoints:

Senator Waugh, Chair
Senator Zucker
Senator Bates

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE FROM THE SENATE

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **HB0360**
SPONSOR: Delegate Jalisi, et al
SUBJECT: Maryland Loan Assistance Repayment Program for Foster Care
Recipients

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate M. Washington, Chairman
Delegate Tarlau
Delegate Metzgar.

The Senate appoints:

Senator Young, Chair
Senator Kagan
Senator Salling

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

CONCURRENCE CALENDAR #14

AMENDED IN THE SENATE

House Bill 1288 – Delegates P. Young and M. Washington

AN ACT concerning

**Higher Education – Tuition Waivers for Foster Care Recipients and
Unaccompanied Homeless Youth**

Delegate McIntosh moved that the House concur in the Senate amendments.

HB1288/274534/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1288

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “definition;” insert “altering a certain requirement that certain foster care recipients and certain unaccompanied homeless youth apply for certain financial aid by a certain time;”.

AMENDMENT NO. 2

On page 2, strike beginning with the second “in” in line 13 down through “(GED)” in line 15 and substitute “ON THE INDIVIDUAL’S 18TH BIRTHDAY”; and in line 16, strike “in the State”.

On page 3, in line 11, strike “by March 1 each year”.a

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 1240)

CONCURRENCE CALENDAR #15

AMENDED IN THE SENATE

House Bill 840 – Frederick County Delegation

AN ACT concerning

Frederick County – Alcoholic Beverages – Theater License

Delegate Davis moved that the House concur in the Senate amendments.

HB0840/794937/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 840

(Third Reading File Bill)

AMENDMENT NO. 1

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, after line 5, insert:

“20-1008.

(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) malt beverages that are brewed in the license holder’s 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. rides and games such as bowling lanes, billiard tables, and go-carts; and

2. 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 concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 135 Negative – 1 (See Roll Call No. 1241)

AMENDED IN THE SENATE

House Bill 1003 – Delegates Valderrama, Davis, K. Young, Anderson, Angel, Atterbeary, Aumann, Barkley, B. Barnes, D. Barnes, Barron, Barve, Beidle, Branch, Bromwell, Brooks, Busch, Carey, Carr, Carter, Chang, Clippinger, Conaway, Cullison, Dumais, Ebersole, Fennell, Fraser–Hidalgo, Frick, Frush, Gaines, Gilchrist, Glenn, Gutierrez, Hammen, Hayes, Haynes, Healey, Hettleman, Hill, Hixson, Holmes, C. Howard, Jackson, Jalisi, Jameson, Jones, Kaiser, Kelly, Knotts, Korman, Krimm, Lafferty, Lam, Lierman, Lisanti, Luedtke, McCray, McIntosh, A. Miller, Moon, Morales, Morhaim, Oaks, Patterson, Pena–Melnik, Pendergrass, Platt, Proctor, Reznik, B. Robinson, S. Robinson, Rosenberg, Sample–Hughes, Sanchez, Simonaire, Smith, Sophocleus, Stein, Sydnor, Tarlau, Turner, Vallario, Vaughn, Waldstreicher, Walker, A. Washington, M. Washington, C. Wilson, and P. Young

AN ACT concerning

Labor and Employment – Equal Pay for Equal Work

Delegate Davis moved that the House concur in the Senate amendments.

HB1003/407776/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1003
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 15, after “work” insert “against an employer who knew or reasonably should have known that the employer’s action violates a certain provision of law”; in line 16, after “employer” insert “who knew or reasonably should have known that the employer’s action violates a certain provision of law”; and in line 21, strike “discovery of a certain act” and substitute “employee receives from the employer the wages paid on the termination of employment under a certain provision of law”.

AMENDMENT NO. 2

On page 8, in line 4, after “employer” insert “KNEW OR REASONABLY SHOULD HAVE KNOWN THAT THE EMPLOYER’S ACTION”; in line 10, after “EMPLOYER” insert “KNEW OR REASONABLY SHOULD HAVE KNOWN THAT THE EMPLOYER’S ACTION”; and in line 32, strike “DISCOVERY OF THE act on which the action is based” and substitute “EMPLOYEE RECEIVES FROM THE EMPLOYER THE WAGES PAID ON THE TERMINATION OF EMPLOYMENT UNDER § 3-505(A) OF THIS TITLE”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 103 Negative – 33 (See Roll Call No. 1242)

THE COMMITTEE ON APPROPRIATIONS REPORT #20

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

**Senate Bill 108 – Chair, Education, Health, and Environmental Affairs Committee
(By Request – Departmental – Higher Education Commission)**

AN ACT concerning

Nurse Support Program Assistance Fund – Revisions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 540 – Senator Conway

AN ACT concerning

Morgan State University – Student Housing

SB0540/124863/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 540

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 9, strike “**THE**” and substitute “**;**”

(I) THE;

in line 10, after “**APPROVES**” insert “**;**AND”

(II) THE DEVELOPER EXECUTES A MEMORANDUM OF UNDERSTANDING WITH THE HILLEN ROAD IMPROVEMENT ASSOCIATION AND THE ORIGINAL NORTHWOOD COMMUNITY ASSOCIATION REGARDING DEVELOPMENT OF THE NORTHWOOD SHOPPING CENTER;

strike in their entirety lines 13 through 18, inclusive; after line 18, insert:

“(I) TWO STORIES ABOVE ANY RETAIL DEVELOPMENT THAT IS LOCATED ON THE NORTH SIDE OF THE 1500 OR 1600 BLOCKS OF HAVENWOOD ROAD; AND”;

and in lines 19 and 20, strike “**(IV)**” and “**1600**”, respectively, and substitute “**(II)**” and “**1500**”, respectively.

AMENDMENT NO. 2

On page 3, in line 5, strike “**AND**”; and in line 6, after “**STUDENTS**” insert “**;**”

(IV) SOPHOMORE UNDERGRADUATE STUDENTS; AND

(V) FRESHMAN UNDERGRADUATE STUDENTS".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0540/213227/1

BY: Delegate McConkey

AMENDMENTS TO SENATE BILL 540

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, strike "and employ certain individuals".

AMENDMENT NO. 2

On page 3, strike beginning with the colon in line 12 down through "**FULFILL**" in line 13 and substitute "**FULFILL**"; and strike beginning with the semicolon in line 13 down through "**DISTRICT**" in line 15.

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

Affirmative – 46 Negative – 86 (See Roll Call No. 1243)

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON ENVIRONMENT AND TRANSPORTATION REPORT #23

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

Senate Bill 509 – Senator Waugh

AN ACT concerning

Real Property – Actions to Quiet Title

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 969 – Senator Brochin

AN ACT concerning

Vehicle Equipment – Counterfeit and Nonfunctional Airbags – Prohibitions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS REPORT
#15**

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

House Bill 468 – Delegates Lam, Anderson, Carr, Ebersole, Fraser–Hidalgo, Glenn, Haynes, Hettleman, Hill, Jalisi, A. Miller, Moon, Morales, Morhaim, Oaks, Platt, Reznik, B. Robinson, Smith, Tarlau, M. Washington, and K. Young

AN ACT concerning

Public Health – Opioid–Associated Disease Prevention and Outreach Programs

HB0468/166687/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 468

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “entities;” insert “authorizing a county to cooperate with another county to establish a Program; requiring a local health department or a certain community–based organization to apply to the Department of Health and Mental Hygiene and a local health officer for authorization to operate a Program; authorizing a local health department or a certain community–based organization to apply at any time for authorization to operate a Program; requiring the Department and a local health officer to”

jointly issue a certain determination; requiring the Department and a local health officer to approve or deny an application for authorization to operate a Program within a certain time period and to provide a certain explanation; authorizing a local health department or a certain community-based organization to appeal a certain decision to the Deputy Secretary for Public Health Services; requiring the Deputy Secretary to grant or deny a certain appeal within a certain time period and to provide a written explanation of a certain decision;”; in line 6, strike “used”; in lines 8 and 9, 26, and 28, in each instance, strike “of Health and Mental Hygiene”; in line 10, strike “exchange” and substitute “Program”; in line 12, strike “exchange used” and substitute “obtain and retain”; in the same line, strike “exchange” and substitute “Program”; in line 16, strike “drug counseling and treatment” and substitute “certain additional”; strike beginning with “individuals” in line 16 down through “drugs” in line 17 and substitute “participants”; strike beginning with “through” in line 17 down through “behaviors” in line 18; in line 18, after the semicolon insert “requiring a Program to provide overdose prevention education and access to naloxone or a certain referral;”; in line 21, after “regulations;” insert “authorizing a Program to provide certain additional services;”; in line 23, strike “advice” and substitute “technical assistance”; strike beginning with “on” in line 23 down through “by” in line 24 and substitute “after receiving technical assistance from”; in line 25, strike the third “certain”; in line 26, strike “or disapproval”; and in line 27, strike “advice” and substitute “technical assistance”.

On page 2, in line 1, after “card;” insert “requiring a Program to collect and report, at certain intervals, certain data to the Department;”; in line 3, after “member” insert “, Program volunteer;”; strike beginning with “found” in line 3 down through “laws” in line 4 and substitute “arrested, charged, or prosecuted for certain violations”; in line 4, after “circumstances;” insert “providing for the application of this Act;”; and in line 15, strike “24-908” and substitute “24-909”.

AMENDMENT NO. 2

On page 2, in line 20, strike “, hepatitis B, and hepatitis C” and substitute “and viral hepatitis”; in lines 23, 27, 30, 33, and 36, in each instance, strike “exchange” and substitute “services”; and in lines 28 and 31, in each instance, strike “hepatitis C” and substitute “viral hepatitis”.

On page 3, in lines 1, 3, 6, 8, 11, and 14, in each instance, strike “exchange” and substitute “services”.

AMENDMENT NO. 3

On page 3, in line 28, strike “**COMMUNITY–BASED ORGANIZATION**” and substitute “**COMMUNITY–BASED ORGANIZATION**”; in the same line, strike “**AN**” and substitute “**A PUBLIC OR PRIVATE**”; and strike line 32 in its entirety.

On page 4, in lines 1, 4, 8, 10, 12, and 15, strike “**(D)**”, “**(F)**”, “**(H)**”, “**(I)**”, “**(J)**”, and “**(K)**”, respectively, and substitute “**(C)**”, “**(D)**”, “**(E)**”, “**(F)**”, “**(G)**”, and “**(H)**”, respectively; strike in their entirety lines 2 and 3; strike in their entirety lines 6 and 7; in line 12, strike “**DRIED**”; after line 16, insert:

“(I) “VIRAL HEPATITIS” MEANS INFLAMMATION OF THE LIVER CAUSED BY THE HEPATITIS A, B, C, D, AND E VIRUSES.”;

in line 21, after “**(2)**” insert “**(I) A COUNTY MAY COOPERATE WITH ANOTHER COUNTY TO ESTABLISH A PROGRAM.**

(II)”;

after line 22, insert:

“(3) THIS SUBTITLE DOES NOT APPLY TO THE AIDS PREVENTION STERILE NEEDLE AND SYRINGE EXCHANGE PILOT PROGRAM ESTABLISHED UNDER SUBTITLE 8 OF THIS TITLE.

(B) (1) (I) A LOCAL HEALTH DEPARTMENT OR COMMUNITY–BASED ORGANIZATION SHALL APPLY TO THE DEPARTMENT AND A LOCAL HEALTH OFFICER FOR AUTHORIZATION TO OPERATE A PROGRAM.

(II) A LOCAL HEALTH DEPARTMENT OR COMMUNITY–BASED ORGANIZATION MAY APPLY AT ANY TIME FOR AUTHORIZATION TO OPERATE A PROGRAM UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.

(2) THE DEPARTMENT AND A LOCAL HEALTH OFFICER JOINTLY SHALL ISSUE AN AUTHORIZATION DETERMINATION BASED ON THE ABILITY OF A PROGRAM TO MEET THE REQUIREMENTS OF THIS SUBTITLE.

(3) THE DEPARTMENT AND A LOCAL HEALTH OFFICER SHALL:

(I) APPROVE OR DENY AN APPLICATION FOR AUTHORIZATION TO OPERATE A PROGRAM WITHIN 60 DAYS AFTER RECEIVING A COMPLETE APPLICATION; AND

(II) PROVIDE TO THE APPLICANT A WRITTEN EXPLANATION OF THE DECISION OF THE DEPARTMENT AND LOCAL HEALTH OFFICER.

(4) (I) A LOCAL HEALTH DEPARTMENT OR COMMUNITY-BASED ORGANIZATION MAY APPEAL AN ADVERSE DECISION BY THE DEPARTMENT AND A LOCAL HEALTH OFFICER TO THE DEPUTY SECRETARY FOR PUBLIC HEALTH SERVICES.

(II) THE DEPUTY SECRETARY SHALL:

1. GRANT OR DENY AN APPEAL WITHIN 60 DAYS AFTER RECEIVING AN APPEAL; AND

2. PROVIDE A WRITTEN EXPLANATION OF THE DEPUTY SECRETARY'S DECISION TO THE LOCAL HEALTH DEPARTMENT OR COMMUNITY-BASED ORGANIZATION.”;

in line 23, strike “(B)” and substitute “(C)”; and strike beginning with “SERVICES,” in line 26 down through “STERILE” in line 27 and substitute “SERVICES TO PARTICIPANTS, INCLUDING DISTRIBUTION AND COLLECTION OF”.

On page 5, in line 1, strike “ADVICE” and substitute “TECHNICAL ASSISTANCE”; in lines 10 and 13, in each instance, strike “EXCHANGE” and substitute “PROGRAM”; in line 12, strike “EXCHANGE USED” and substitute “OBTAIN AND RETURN”; in line 20, strike “THE HEPATITIS C VIRUS” and substitute “VIRAL HEPATITIS”; strike beginning with “SUBSTANCE-RELATED” in line 21 down through “SERVICES;” in line 22 and substitute “ADDITIONAL SERVICES, INCLUDING:

(I) SUBSTANCE-RELATED DISORDER COUNSELING, TREATMENT, AND RECOVERY SERVICES;

(II) TESTING FOR HIV, VIRAL HEPATITIS, AND SEXUALLY TRANSMITTED DISEASES;

(III) REPRODUCTIVE HEALTH EDUCATION AND SERVICES;

(IV) WOUND CARE; AND

(V) THE SERVICES OF AN OVERDOSE RESPONSE PROGRAM UNDER TITLE 13, SUBTITLE 31 OF THIS ARTICLE;

in line 23, strike “INDIVIDUALS WHO INJECT DRUGS” and substitute “PARTICIPANTS”; strike beginning with “**HIV,**” in line 24 down through “**BEHAVIORS**” in line 25 and substitute “HIV AND VIRAL HEPATITIS”; after line 25, insert:

“(8) PROVIDE OVERDOSE PREVENTION EDUCATION AND ACCESS TO NALOXONE, OR A REFERRAL FOR A PARTICIPANT TO OBTAIN NALOXONE;”;

and in line 26, strike “**(8)**” and substitute “(9)”.

On page 6, in lines 1 and 4, strike “**(9)**” and “**(10)**”, respectively, and substitute “(10)” and “(11)”, respectively; in line 2, after “**MEMBERS**” insert “AND PROGRAM VOLUNTEERS”; after line 5, insert:

“(B) A PROGRAM MAY OFFER ADDITIONAL SERVICES, INCLUDING:

(1) SUBSTANCE-RELATED DISORDER COUNSELING, TREATMENT, AND RECOVERY SERVICES;

(2) TESTING FOR HIV, VIRAL HEPATITIS, AND SEXUALLY TRANSMITTED DISEASES;

(3) REPRODUCTIVE HEALTH EDUCATION AND SERVICES;

(4) WOUND CARE; AND

(5) THE SERVICES OF AN OVERDOSE RESPONSE PROGRAM UNDER TITLE 13, SUBTITLE 31 THIS ARTICLE.”;

in lines 6 and 14, strike “(B)” and “(C)”, respectively, and substitute “(C)” and “(D)”, respectively; in line 6, strike “ADVICE” and substitute “TECHNICAL ASSISTANCE”; strike beginning with “FURNISHING” in line 8 down through “EXCHANGE” in line 9 and substitute “DISTRIBUTION, COLLECTION, AND SAFE DISPOSAL”; strike beginning with “TO” in line 9 down through “DRUGS” in line 10; in line 14, strike “ON THE RECOMMENDATION OF” and substitute “AFTER RECEIVING TECHNICAL ASSISTANCE FROM”; in line 18, strike “(B)” and substitute “(C)”; and strike beginning with “OR” in line 18 down through “IMPLEMENTATION” in line 19.

AMENDMENT NO. 4

On page 6, in line 30, after “ISSUES” insert “RELATED TO SUBSTANCE-RELATED DISORDERS OR INFECTIOUS DISEASES”.

On page 7, in line 5, strike “THE HEPATITIS C VIRUS” and substitute “VIRAL HEPATITIS”; in line 6, strike “SUBSTANCE-RELATED DISORDER COUNSELOR” and substitute “HEALTH CARE PRACTITIONER WITH EXPERIENCE PROVIDING SERVICES TO INDIVIDUALS WHO INJECT DRUGS”; in line 7, strike “IN RECOVERY WHO INJECTED DRUGS” and substitute “WITH SUBSTANCE USE EXPERIENCE”; after line 7, insert:

“(7) ONE FAMILY MEMBER OF AN INDIVIDUAL WHO INJECTS OR HAS INJECTED DRUGS;”;

in lines 8, 9, 10, 11, and 13, strike “(7)”, “(8)”, “(9)”, “(10)”, and “(11)”, respectively, and substitute “(8)”, “(9)”, “(10)”, “(11)”, and “(12)”, respectively; in line 11, strike “EXCHANGE” and substitute “SERVICES”; in line 18, strike “ADVISE” and substitute “PROVIDE TECHNICAL ASSISTANCE TO”; strike beginning with “THE” in line 19 down through “EXCHANGE” in line 20 and substitute “COLLECTION AND DISTRIBUTION”; strike beginning with “TO” in line 20 down through “DRUGS” in line 21; and in line 24, after “SERVICES;” insert “AND”.

On pages 7 and 8, strike in their entirety the lines beginning with line 25 on page 7 through line 5 on page 8, inclusive.

On page 8, in line 6, strike “(3)” and substitute “(2)”; strike beginning with “INCLUDE” in line 17 down through “EVALUATION.” in line 18 and substitute “ESTABLISH:”

(1) PROCEDURES FOR ENSURING THE SECURITY OF PROGRAM LOCATIONS AND EQUIPMENT;

(2) AN APPEALS PROCESS FOR APPEALS AUTHORIZED BY § 29-902(B)(4) OF THIS SUBTITLE, INCLUDING THE STANDARD OF REVIEW THAT THE DEPUTY SECRETARY FOR PUBLIC HEALTH SERVICES MUST APPLY WHEN REVIEWING A DECISION OF THE DEPARTMENT AND A LOCAL HEALTH OFFICER; AND

(3) PROCEDURES FOR DATA COLLECTION AND PROGRAM EVALUATION.”;

in lines 20 and 21, in each instance, strike “AN” and substitute “A UNIQUE”; in line 22, after “**THE**” insert “UNIQUE”; in the same line, strike “**SHALL**” and substitute “MAY NOT”; and strike beginning with “A” in line 22 down through “**PERTINENT**” in line 23 and substitute “ANY PERSONAL IDENTIFYING”.

On page 9, strike beginning with “**PARTICIPATING**” in line 4 down through “**PROGRAM**” in line 5 and substitute “FOR PURPOSES OF LINKING TO SERVICES UNDER § 24-903(A)(6) OF THIS SUBTITLE”.

AMENDMENT NO. 5

On page 9, after line 16, insert:

“24-907.

A PROGRAM SHALL COLLECT AND REPORT AT LEAST ANNUALLY THE FOLLOWING DATA TO THE DEPARTMENT:

(1) THE NUMBER OF PARTICIPANTS SERVED BY THE PROGRAM;

(2) THE NUMBER OF NEW PARTICIPANTS REGISTERED BY THE PROGRAM DURING THE REPORTING PERIOD;

(3) DEMOGRAPHIC PROFILES OF PARTICIPANTS SERVED BY THE PROGRAM, INCLUDING:

- (I) AGE;
- (II) GENDER;
- (III) RACE;
- (IV) ZIP CODE; AND
- (V) TYPES OF DRUGS USED;

(4) THE NUMBER OF HYPODERMIC NEEDLES AND SYRINGES DISTRIBUTED AND COLLECTED;

(5) EACH LOCATION AT WHICH HYPODERMIC NEEDLES AND SYRINGES WERE DISTRIBUTED; AND

(6) THE NUMBER OF LINKAGES PROVIDED TO PARTICIPANTS UNDER § 24-903(A)(6) OF THIS SUBTITLE.”;

in lines 17 and 34, strike “24-907.” and “24-908.”, respectively, and substitute “24-908.” and “24-909.”, respectively; in line 18, strike “**NO**” and substitute “A”; in the same line, after “**MEMBER**” insert “, PROGRAM VOLUNTEER.”; in the same line, after “**MAY**” insert “**NOT**”; in line 19, strike “**FOUND GUILTY OF**” and substitute “ARRESTED, CHARGED, OR PROSECUTED FOR”; in the same line, strike “§ 5-902, OR § 5-904” and substitute “OR § 5-902(C) OR (D)”; in line 23, after “**EMPLOYEE’S**” insert “, VOLUNTEER’S.”; in line 26, after “**MEMBER**” insert “, PROGRAM VOLUNTEER.”; strike beginning with the colon in line 27 down through “**ANY**” in line 28 and substitute “ANY”; in line 28, strike “**PROGRAM;**” and substitute “PROGRAM.”; and strike in their entirety lines 29 through 33, inclusive.

On page 10, in line 4, after “**MEMBER**” insert “, PROGRAM VOLUNTEER.”.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 537 – ~~Senator Klausmeier~~ Senators Klausmeier, Astle, Benson, Feldman, Hershey, Jennings, Kelley, Mathias, Middleton, Pugh, and Reilly

AN ACT concerning

Department of Health and Mental Hygiene – Prescription Drug Monitoring Program – Modifications

SB0537/406283/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 537

(Third Reading File Bill)

AMENDMENT NO. 1

On page 3, after line 26, insert:

“BY repealing and reenacting, with amendments,

Article – Health – General

Section 21–2A–09(b)(3)

Annotated Code of Maryland

(2015 Replacement Volume)

(As enacted by Section 4 of this Act)”.

AMENDMENT NO. 2

On page 13, after line 16, insert:

“21-2A-09.

(b) (3) A prescriber or pharmacist who violates § 21-2A-04.1 OR § 21-2A-04.2 of this subtitle shall be subject to disciplinary action by the appropriate licensing entity.”.

On page 20, in lines 12 and 13, strike “OR § 21-2A-04.2”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations 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.

Delegate Carozza moved to make the Bill a Special Order for next session.

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

Affirmative – 46 Negative – 83 (See Roll Call No. 1244)

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

Senate Bill 605 – Senators Bates and Kagan

AN ACT concerning

~~Health Occupations –~~ **Athletic Trainers – Evaluation and Treatment Protocols – Approval**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 620 – Senators Middleton, Astle, Benson, Conway, Edwards, Feldman, Gladden, Guzzone, Hough, King, Lee, Madaleno, Manno, Mathias, McFadden, Miller, Muse, Peters, Pugh, Ramirez, Raskin, Ready, Salling, Serafini, Waugh, Young, and Zucker

AN ACT concerning

Commemorative Weeks – Chesapeake Bay Awareness Week

SB0620/406981/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 620

(Third Reading File Bill)

On page 2, in line 26, strike “AND”; and in the same line, strike “FOUNDATION” and substitute “COALITION, AND THE CHESAPEAKE BAY COMMERCIAL FISHERMEN’S ASSOCIATION”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

Senate Bill 806 – Senator Pugh

AN ACT concerning

State Board of Physicians – Naturopathic Doctors – Establishment of Naturopathic Doctors Formulary Council and Naturopathic Formulary

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

Senate Bill 926 – ~~Senator Young~~ Senators Young, Astle, Benson, Feldman, Hershey, Jennings, Kelley, Klausmeier, Mathias, Middleton, Pugh, and Reilly

AN ACT concerning

Lyme Disease – Laboratory Test – Required Notice

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

Senate Bill 1081 – ~~Senator Eckardt~~ Senators Eckardt, Astle, Benson, Feldman, Hershey, Jennings, Kelley, Klausmeier, Mathias, Middleton, Pugh, and Reilly

EMERGENCY BILL

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

Senate Bill 1094 – Senator Astle

AN ACT concerning

Health – Recovery Residences – Certification

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIARY REPORT #19

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 976 – Delegate Rosenberg

AN ACT concerning

CINA, Guardianship, Adoption, Custody, and Visitation – Blindness of Parent, Guardian, Custodian, or Party

HB0976/122914/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 976

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Blindness” and substitute “Disability”; strike beginning with “establishing” in line 4 down through “regulations;” in line 23; in lines 24, 26, 28, and 30, in each instance, strike “blindness” and substitute “disability”; in line 25, strike “clear and convincing”; in line 29, strike “defining a certain term;”; in the same line, strike “a certain” and substitute “the”; and in the same line, after “definition” insert “of “disability” in certain provisions of law; providing for the construction of “disability” in certain provisions of law”.

On page 2, in line 3, strike “and (g)”; after line 5, insert:

“BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings

Section 3–819.2(g)

Annotated Code of Maryland

(2013 Replacement Volume and 2015 Supplement)”;

in line 8, strike “(d), and (j),”; and in line 14, after “5–3A–35(a)” insert “and 5–525(d) and (j)”.

AMENDMENT NO. 2

On page 2, in line 21, strike the brackets; and strike beginning with “THE” in line 21 down through the period in line 22.

On page 3, strike line 8 in its entirety; after line 16, insert:

“2. “DISABILITY” SHALL BE CONSTRUED IN ACCORDANCE WITH THE ADA AMENDMENTS ACT OF 2008, P.L. 110–325.”;

and strike in their entirety lines 17 through 21, inclusive.

On page 4, in line 22, strike the brackets; and strike beginning with “THE” in line 22 down through the period in line 23.

On page 5, strike line 11 in its entirety; after line 19, insert:

“(2) “DISABILITY” SHALL BE CONSTRUED IN ACCORDANCE WITH THE ADA AMENDMENTS ACT OF 2008, P.L. 110–325.”;

and strike in their entirety lines 20 through 24, inclusive.

On page 6, in line 24, strike the brackets; and strike beginning with “THE” in line 24 down through the period in line 25.

On page 7, strike line 13 in its entirety; after line 21, insert:

“(II) “DISABILITY” SHALL BE CONSTRUED IN ACCORDANCE WITH THE ADA AMENDMENTS ACT OF 2008, P.L. 110–325.”;

and strike in their entirety lines 22 through 26, inclusive.

On page 8, in line 19, strike the brackets; and strike beginning with “THE” in line 19 down through the period in line 20.

On page 9, strike line 9 in its entirety; after line 17, insert:

“(II) “DISABILITY” SHALL BE CONSTRUED IN ACCORDANCE WITH THE ADA AMENDMENTS ACT OF 2008, P.L. 110–325.”;

and strike in their entirety lines 18 through 22, inclusive.

On page 10, in line 14, strike the brackets; and strike beginning with “THE” in line 14 down through the period in line 15.

On page 11, strike line 6 in its entirety; after line 14, insert:

“(II) “DISABILITY” SHALL BE CONSTRUED IN ACCORDANCE WITH THE ADA AMENDMENTS ACT OF 2008, P.L. 110–325.”;

and strike in their entirety lines 15 through 19, inclusive.

On page 12, in line 11, strike the brackets; and strike beginning with “THE” in line 11 down through the period in line 12.

On pages 12 and 13, strike in their entirety the lines beginning with line 13 on page 12 through line 1 on page 13, inclusive.

On page 13, after line 9, insert:

“(II) “DISABILITY” SHALL BE CONSTRUED IN ACCORDANCE WITH THE ADA AMENDMENTS ACT OF 2008, P.L. 110–325.”;

and strike in their entirety lines 10 through 14, inclusive.

On page 14, in line 1, strike the brackets; strike beginning with “THE” in line 1 down through the period in line 2; strike line 20 in its entirety; and after line 28, insert:

“(2) “DISABILITY” SHALL BE CONSTRUED IN ACCORDANCE WITH THE ADA AMENDMENTS ACT OF 2008, P.L. 110–325.”.

On page 15, strike in their entirety lines 1 through 5, inclusive.

On page 17, in line 24, after “(2)” insert “(I)”; and in lines 25 and 27, strike “(I)” and “(II)”, respectively, and substitute “1.” and “2.”, respectively.

On page 18, in line 1, strike “(III)” and substitute “3.”; and after line 3, insert:

“(II) “DISABILITY” SHALL BE CONSTRUED IN ACCORDANCE WITH THE ADA AMENDMENTS ACT OF 2008, P.L. 110-325.”.

AMENDMENT NO. 3

On page 3, in line 22, strike the brackets; and strike beginning with “**SUBJECT**” in line 22 down through “**IN**” in line 23.

On pages 3 and 4, strike in their entirety the lines beginning with line 28 on page 3 through line 20 on page 4, inclusive.

On page 5, in line 25, strike “**(1)**”; in the same line, strike the brackets; and strike beginning with “**SUBJECT**” in line 25 down through “**IN**” in line 26.

On pages 5 and 6, strike in their entirety the lines beginning with line 30 on page 5 through line 21 on page 6, inclusive.

On page 7, in line 27, strike “**(I)**”; in line 29, strike the brackets; and in the same line, strike “**1.**”.

On page 8, in line 1, strike the brackets; in the same line, strike “**2.**”; and strike in their entirety lines 2 through 12, inclusive.

On page 9, in line 23, strike “**(I)**”; in lines 24 and 26, in each instance, strike the brackets; and in the same lines, strike “**1.**” and “**2.**”, respectively.

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

On page 11, in line 20, strike “**(I)**”; in lines 22 and 24, in each instance, strike the brackets; and in the same lines, strike “**1.**” and “**2.**”, respectively.

On pages 11 and 12, strike in their entirety the lines beginning with line 25 on page 11 through line 4 on page 12, inclusive.

On page 13, in line 15, strike “**(I)**”; in lines 17 and 18, in each instance, strike the brackets; in the same lines, strike “**1.**” and “**2.**”, respectively; and strike in their entirety lines 19 through 29, inclusive.

On page 15, strike in their entirety lines 18 through 32, inclusive.

On page 16, in line 4, strike “(I)”; and strike beginning with “AND” in line 8 down through the semicolon in line 19.

AMENDMENT NO. 4

On page 18, in line 5, strike “A BLIND INDIVIDUAL” and substitute “AN INDIVIDUAL WITH A DISABILITY”; in the same line, strike “NONVISUAL”; in line 6, strike “OTHER ALTERNATIVE”; in line 8, strike “IS NOT BLIND” and substitute “DOES NOT HAVE A DISABILITY, INCLUDING NONVISUAL TECHNIQUES FOR INDIVIDUALS WHO ARE BLIND”; strike beginning with the opening bracket in line 9 down through “(II)” in line 14; in lines 15, 18, 20, 24, and 26, in each instance, strike “BLINDNESS” and substitute “DISABILITY”; in line 16, strike “CLEAR AND CONVINCING”; in line 20, strike “BY CLEAR AND CONVINCING EVIDENCE”; in line 22, strike “BLIND”; in the same line, after “PARTY” insert “WHO HAS A DISABILITY”; and in lines 18, 22, 26, 29, and 30, strike “(III)”, “(IV)”, “(V)”, “1.”, and “2.”, respectively, and substitute “(2)”, “(3)”, “(4)”, “(I)”, and “(II)”, respectively.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

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

SB0356/282710/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 356

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, strike “within” and substitute “not later than”.

AMENDMENT NO. 2

On page 2, in line 27, after “ACTION” insert “FOR PERSONAL INJURY OR OTHER LOSS CAUSED BY THE INGESTION OF LEAD”; and in line 29, strike “WITHIN” and substitute “NOT LATER THAN”.

AMENDMENT NO. 3

On page 3, in line 17, after “ACTION” insert “FOR PERSONAL INJURY OR OTHER LOSS CAUSED BY THE INGESTION OF LEAD”; and in line 19, strike “WITHIN” and substitute “NOT LATER THAN”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

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.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

Senate Bill 765 – Senators Raskin, Benson, Ferguson, Guzzone, ~~Hough~~, King, Lee, Muse, Ramirez, Ready, Rosapepe, ~~and Young~~ Young, and Zirkin

AN ACT concerning

CINA, Guardianship, Adoption, Custody, and Visitation – ~~Blindness~~ Disability of Parent, Guardian, Custodian, or Party

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #21**CONSENT CALENDAR #15**

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

Senate Bill 371 – Senators Peters, Middleton, ~~and Miller~~ Miller, Mathias, and Muse

AN ACT concerning

Income Tax – Subtraction Modification – Perpetual Conservation Easements

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Economic Matters:

Senate Bill 726 – Senators Mathias, Benson, Feldman, Guzzone, Klausmeier, Madaleno, Middleton, and Peters

EMERGENCY BILL

AN ACT concerning

Maryland Clean Energy Center – ~~Clean Energy Technology Funding~~ Task Force

The Bill was re-referred to the Committee on Economic Matters.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

Senate Bill 728 – Senators Mathias ~~and Edwards~~, Edwards, Eckardt, and Serafini

AN ACT concerning

Income Tax Credit – New Dwellings – Automatic Fire Sprinkler Systems

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Appropriations:

Senate Bill 797 – ~~Senator Pugh~~ Senators Pugh and Muse

AN ACT concerning

**Housing and Community Development – Shelter and Transitional Housing
Facilities Grant Program – Mandated Funding**

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

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

**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~~ Physical and Digital Infrastructure in the
Public Schools – Assessment**

The Bill was re-referred to the Committee on Ways and Means.

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

**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 Ways and Means.

SPECIAL ORDERS

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

House Bill 1410 – Delegate M. Washington

AN ACT concerning

Teacher Induction, Retention, and Advancement Act of 2016

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

FLOOR AMENDMENT

HB1410/653628/1

BY: Delegate Kaiser

AMENDMENT TO HOUSE BILL 1410, AS AMENDED

On page 6 of the Committee on Ways and Means Amendments (HB1410/255668/1), in line 17 of Amendment No. 4, strike “2018” and substitute “2019”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 1245)

ADJOURNMENT

At 1:18 P.M. on motion of Delegate Kaiser the House adjourned until 3:00 P.M. on Legislative Day April 4, 2016, Calendar Day Saturday, April 9, 2016.

Annapolis, Maryland
Legislative Day: April 4, 2016
Calendar Day: Saturday, April 9, 2016

The House met at 3:48 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Mary Beth Carozza of Wicomico and Worcester counties.

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 1246)

EXCUSES:

Del. Carter – personal

Del. Gutierrez – personal

Del. C. Howard – business

Del. O'Donnell – personal

Del. Proctor – personal

The Journal of April 3, 2016 was read and approved.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 570 – Senator Lee

AN ACT concerning

Maryland Trust Act – Representation

FOR the purpose of providing that, if a minor, an incapacitated, unborn, or unknown individual, or an individual whose location is unknown and not reasonably ascertainable is not otherwise represented under a certain provision of law relating to certain trusts, a grandparent or more remote ancestor may represent and bind that individual in certain circumstances; authorizing a minor, an incapacitated or unborn individual, or an individual whose identity or location is unknown and not reasonably ascertainable to be represented by and bound by another having a substantially identical interest with respect to a particular question or dispute that

arises under a certain provision of law relating to certain trusts in certain circumstances; and generally relating to trusts.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 14.5–303
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

BY adding to
Article – Estates and Trusts
Section 14.5–304
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

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

Senate Bill 571 – Senator Lee

AN ACT concerning

Maryland Trust Act – Nonjudicial Settlement Agreements

FOR the purpose of authorizing, on or after a certain date, certain interested persons to enter into a certain nonjudicial settlement agreement with respect to a matter involving a trust; providing that the nonjudicial settlement agreement is valid only to a certain extent; authorizing an interested person to request a court to make certain determinations with respect to the agreement; defining a certain term; and generally relating to the Maryland Trust Act and certain nonjudicial settlement agreements.

BY adding to
Article – Estates and Trusts
Section 14.5–111
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

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

Senate Bill 788 – Senator Ferguson

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 and provide a completed application and any other document that the Board requires 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~~; requiring the Board to take a certain action within a certain time period; 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~~ penalties; defining certain terms; 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. 724) 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. 724) 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. 724) of the Acts of the General Assembly of 2016)

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

Senate Bill 816 – Senator Muse

AN ACT concerning

Real Property – Condominiums and Homeowners Associations – Resales – Disclosures and Fees

FOR the purpose of altering the contents of a certain certificate that a unit owner is required to furnish to a purchaser on resale of a condominium unit under certain circumstances; specifying a certain maximum fee that a council of unit owners may charge for furnishing a certificate to a unit owner under certain circumstances; authorizing a council of unit owners to charge certain maximum fees for the inspection of a unit and delivery of a certificate under certain circumstances;

requiring the Department of Housing and Community Development to adjust in a certain manner the maximum fee that a council of unit owners may charge for furnishing a certificate to a unit owner under certain circumstances; requiring the Department to maintain on its Web site a list of certain maximum fees that may be charged by a council of unit owners or homeowners association; requiring a homeowners association to provide certain information to a lot owner on resale of a lot within a certain time period after receipt of a written request and a certain fee; authorizing a homeowners association to charge certain fees for the delivery of information under certain circumstances; requiring the Department to adjust in a certain manner the maximum fee that a homeowners association may charge for furnishing information to a lot owner under certain circumstances; and generally relating to resales in condominiums and homeowners associations.

BY repealing and reenacting, without amendments,
 Article – Real Property
 Section 11–135(b)
 Annotated Code of Maryland
 (2015 Replacement Volume)

BY repealing and reenacting, with amendments,
 Article – Real Property
 Section 11–135(a) and (c) and 11B–106
 Annotated Code of Maryland
 (2015 Replacement Volume)

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

Senate Bill 1145 – ~~Senator Middleton~~ Senators Middleton and Kelley

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 and Executive Nominations.

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; requiring a commissioner to determine the indigence of a certain individual at a certain proceeding under certain circumstances; providing a presumption that a certain individual qualified as indigent by a commissioner at a certain proceeding qualifies for services of the Office of the Public Defender; and generally relating to eligibility for the services of the Office of the Public Defender.~~

BY repealing and reenacting, with amendments,

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 and Executive Nominations.

SPECIAL ORDERS

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

House Bill 390 – Delegates Reilly, Adams, Afzali, Anderton, Arentz, Aumann, Buckel, Carozza, Cassilly, Ciliberti, Cluster, Flanagan, Ghrist, Hornberger, S. Howard, Impallaria, Jacobs, Kipke, Kittleman, Krebs, Lisanti, Long, Malone, Mautz, McComas, McConkey, McDonough, McKay, McMillan, Metzgar, W. Miller, Morgan, Otto, Parrott, Rey, Rose, Saab, Shoemaker, Simonaire, Szeliga, Vogt, B. Wilson, and Wivell

AN ACT concerning

Maryland Income Tax Refunds – Warrant Intercept Program – Statewide

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

FLOOR AMENDMENT

HB0390/683528/1

BY: Delegate Moon

AMENDMENTS TO HOUSE BILL 390

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “county” insert “, on certain approval of the governing body of the county,”.

AMENDMENT NO. 2

On page 3, in line 5, after “COUNTY” insert “, ON APPROVAL OF A MAJORITY OF THE GOVERNING BODY OF THE COUNTY,”.

The preceding 2 amendments were read and rejected.

FLOOR AMENDMENT

HB0390/293025/1

BY: Delegate Reilly

AMENDMENTS TO HOUSE BILL 390, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Committee on Ways and Means Amendments (HB0390/475466/1), in line 2 of Amendment No. 1, strike “certain provisions of law that prohibit” and substitute “a certain provision of law that prohibits”; and in line 3, strike “individuals” and substitute “members of the armed forces”.

AMENDMENT NO. 2

In the Committee on Ways and Means Amendments, strike Amendment No. 3 in its entirety.

On page 3 of the bill, strike beginning with the colon in line 11 down through “(2)” in line 14.

The preceding 2 amendments were read and adopted.

Delegate Walker moved to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

House Bill 683 – Delegates Moon, Anderson, Atterbeary, Bromwell, Carter, Conaway, Gutierrez, Hettleman, Jalisi, Lierman, Luedtke, Morales, Sanchez, Smith, and P. Young

AN ACT concerning

Guardianship and Child in Need of Assistance Proceedings – Jurisdiction and Authority of Juvenile Court

STATUS OF BILL: BILL ON 3RD READING.

Delegate Dumais moved to make the Bill a Special Order for Monday.

The motion was adopted.

Senate Bill 1057 – Senator King

AN ACT concerning

Maryland Technology Development Corporation – Maryland Innovation Initiative – Financing Authority

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 114 Negative – 22 (See Roll Call No. 1247)

The Bill was then returned to the Senate.

QUORUM CALL

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

(See Roll Call No. 1248)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #87

House Bill 778 – Delegates M. Washington and Luedtke

AN ACT concerning

~~**Education – Students With Disabilities – Parental Consent for Individualized Education Program Content**~~

Education – Students With Disabilities – Study of Parental Consent in the Individualized Education Program Process

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1249)

The Bill was then sent to the Senate.

House Bill 1556 – Delegate Folden

AN ACT concerning

Frederick County Sheriff – Collective Bargaining

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

Affirmative – 126 Negative – 10 (See Roll Call No. 1250)

The Bill was then sent to the Senate.

House Bill 1615 – Delegate Hixson

AN ACT concerning

**Frederick County – Linking Youth to New Experiences (LYNX) High School –
Pilot Program**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1251)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #88

House Bill 468 – Delegates Lam, Anderson, Carr, Ebersole, Fraser–Hidalgo, Glenn, Haynes, Hettleman, Hill, Jalisi, A. Miller, Moon, Morales, Morhaim, Oaks, Platt, Reznik, B. Robinson, Smith, Tarlau, M. Washington, and K. Young

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 – 92 Negative – 43 (See Roll Call No. 1252)

The Bill was then sent to the Senate.

House Bill 976 – Delegate Rosenberg

AN ACT concerning

**CINA, Guardianship, Adoption, Custody, and Visitation – ~~Blindness~~ Disability of
Parent, Guardian, Custodian, or Party**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 1253)

The Bill was then sent to the Senate.

House Bill 1410 – Delegate M. Washington

AN ACT concerning

Teacher Induction, Retention, and Advancement Act of 2016

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

Affirmative – 91 Negative – 45 (See Roll Call No. 1254)

The Bill was then sent to the Senate.

House Bill 1572 – Delegate Otto

EMERGENCY BILL

AN ACT concerning

**Maryland Consolidated Capital Bond ~~Loan of 2015~~ Loans of 2015 and 2016 –
~~Worcester County – Delmarva Discovery Center and Museum~~**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1255)

The Bill was then sent to the Senate.

House Bill 1634 – Delegate Jalisi

AN ACT concerning

~~Juveniles – Restraint and Searches – Limitations~~
Task Force to Study the Restraint, Searches, and Needs of Children in the
Juvenile Justice System

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

Affirmative – 135 Negative – 1 (See Roll Call No. 1256)

The Bill was then sent to the Senate.

SPECIAL ORDERS

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

House Bill 390 – Delegates Reilly, Adams, Afzali, Anderton, Arentz, Aumann, Buckel, Carozza, Cassilly, Ciliberti, Cluster, Flanagan, Ghrist, Hornberger, S. Howard, Impallaria, Jacobs, Kipke, Kittleman, Krebs, Lisanti, Long, Malone, Mautz, McComas, McConkey, McDonough, McKay, McMillan, Metzgar, W. Miller, Morgan, Otto, Parrott, Rey, Rose, Saab, Shoemaker, Simonaire, Szeliga, Vogt, B. Wilson, and Wivell

AN ACT concerning

Maryland Income Tax Refunds – Warrant Intercept Program – Statewide

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

FLOOR AMENDMENT

HB0390/553726/1

BY: Delegate Walker

AMENDMENT TO HOUSE BILL 390, AS AMENDED
(First Reading File Bill)

On page 2, in line 6, strike “13–936(a)” and substitute “13–936”.

On page 2, in line 26, before “This” insert “(a)”; in line 27, strike “(I)”.

On page 3, in lines 1, 4, and 8, strike “(II)”, “(2)”, and “(3)”, respectively, and substitute “(2)”, “(B)”, and “(C)”, respectively.

On page 4, in line 29, strike “(1)”; and in line 30, strike “(i)” and substitute “(1)”.

On page 5, in lines 1, 4, and 7, strike “(ii)”, “(2)”, and “(3)”, respectively, and substitute “(2)”, “(b)”, and “(c)”, respectively.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 1257)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #65

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 yeas and nays as follows:

Affirmative – 135 Negative – 0 (See Roll Call No. 1258)

The Bill was then returned to the Senate.

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 – 134 Negative – 2 (See Roll Call No. 1259)

The Bill was then returned to the Senate.

Senate Bill 493 – ~~Senators Pinsky, Conway, King, and Madaleno~~ Madaleno, and Middleton

AN ACT concerning

Teacher Induction, Retention, and Advancement Act of 2016

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

Affirmative – 90 Negative – 45 (See Roll Call No. 1260)

The Bill was then returned to the Senate.

Senate Bill 676 – Senators Kasemeyer, Currie, DeGrange, Ferguson, Guzzone, King, Madaleno, Manno, ~~and Peters~~ Peters, and Brochin

AN ACT concerning

College Affordability Act of 2016

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

Affirmative – 90 Negative – 46 (See Roll Call No. 1261)

The Bill was then returned to the Senate.

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 – 135 Negative – 1 (See Roll Call No. 1262)

The Bill was then returned to the Senate.

Senate Bill 936 – Senator Manno

AN ACT concerning

Maryland Clean Energy Incentive Act of 2016

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

Affirmative – 92 Negative – 42 (See Roll Call No. 1263)

The Bill was then returned to the Senate.

Senate Bill 1062 – Senators Guzzone and Salling

AN ACT concerning

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

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

Affirmative – 135 Negative – 0 (See Roll Call No. 1264)

The Bill was then returned to the Senate.

Senate Bill 1126 – Senators Pugh and Young

AN ACT concerning

Frederick County – Linking Youth to New Experiences (LYNX) High School - Pilot Program

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

Affirmative – 135 Negative – 0 (See Roll Call No. 1265)

The Bill was then returned to the Senate.

Senate Bill 1128 – Senators Young and Hough

AN ACT concerning

Frederick County Sheriff – Collective Bargaining

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

Affirmative – 124 Negative – 11 (See Roll Call No. 1266)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #61

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 – 134 Negative – 0 (See Roll Call No. 1267)

The Bill was then returned to the Senate.

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 – 133 Negative – 0 (See Roll Call No. 1268)

The Bill was then returned to the Senate.

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 nays as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 1269)

The Bill was then returned to the Senate.

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 – 136 Negative – 0 (See Roll Call No. 1270)

The Bill was then returned to the Senate.

Senate Bill 1007 – ~~Senator Peters~~ Senators Peters, Astle, Benson, Currie, Feldman, Guzzone, Kasemeyer, Kelley, King, Klausmeier, Madaleno, Manno, McFadden, Middleton, Pugh, and Rosapepe

AN ACT concerning

Maryland Small Business Retirement Savings Program and Trust

FLOOR AMENDMENT

SB1007/143892/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 1007

(Third Reading File Bill)

On page 4, in line 7, strike “**TITLE 12, SUBTITLE 1**” and substitute “**TITLE 12**”.

The preceding amendment was read and adopted.

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

Affirmative – 92 Negative – 44 (See Roll Call No. 1271)

The Bill was then returned to the Senate.

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**

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1272)

The Bill was then returned to the Senate.

Senate Bill 1130 – Senator Rosapepe

AN ACT concerning

~~Maryland Center for~~ **Construction Education and Innovation – Codification
Establishment of Fund**

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

Affirmative – 101 Negative – 32 (See Roll Call No. 1273)

The Bill was then returned to the Senate.

**THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS REPORT
#16**

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

Senate Bill 707 – ~~Senator Middleton~~ Senators Middleton, Hershey, and Mathias

AN ACT concerning

Freestanding Medical Facilities – Certificate of Need, Rates, and Definition

SB0707/706987/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 707

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 11, after “date;” insert “stating the intent of the General Assembly; providing for the construction of a certain provision of this Act;”.

AMENDMENT NO. 2

On page 8, in line 16, strike “**45**” and substitute “**60**”.

AMENDMENT NO. 3

On page 13, after line 24, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) It is the intent of the General Assembly that, due to unique circumstances and a desire for prompt consideration by the Maryland Health Care Commission of the certificate of need for the Prince George’s Regional Medical Center, the memorandum of understanding, which sets forth the process for community engagement regarding the

modernization and transformation plan for Laurel Regional Hospital entered into by the University of Maryland Medical System and representatives of local government, shall supplement the process for community engagement regarding the modernization and transformation plan for the Laurel Regional Hospital.

(b) Subsection (a) of this section may not be construed to affect the processes established under Section 1 of this Act.”;

and in line 25, strike “3.” and substitute “4.”.

On page 14, in line 3, strike “4.” and substitute “5.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Delegate Hornberger moved to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #30

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

Senate Bill 696 – Senators Young and Hough

AN ACT concerning

Frederick County and St. Mary’s County – Alcoholic Beverages – Art Gallery Beer and Wine License

SB0696/743794/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 696

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “and St. Mary’s County”; in line 5, strike “and the Board of License Commissioners for St. Mary’s County”; in line 13, strike “and St. Mary’s County”;

in line 16, strike “and 28–1001, respectively”; in line 17, strike “and 28–1001.1, respectively”; and in line 23, strike “and 28–1001”.

On page 2, in line 5, strike “and 28–1001, respectively,”; and in lines 6 and 7, strike “and 28–1001.1, respectively”.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 26 on page 2 through line 9 on page 3, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 921 – Senators Pugh, Feldman, Benson, Madaleno, Mathias, ~~and Middleton~~ Middleton, Pinsky, ~~and Raskin~~ Raskin, and Muse

AN ACT concerning

Clean Energy Jobs – Renewable Energy Portfolio Standard Revisions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #22

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Ways and Means:

Senate Bill 922 – Senators Rosapepe, Bates, Benson, Conway, Currie, Feldman, Ferguson, Guzzone, Kagan, Kelley, Klausmeier, Madaleno, Manno, Mathias, McFadden, Muse, Nathan–Pulliam, Peters, Raskin, Salling, Simonaire, Waugh, Young, ~~and Zucker~~ Zucker, Astle, Hershey, Middleton, Pugh, and Reilly

AN ACT concerning

Career Apprenticeship Opportunity Act of 2016

The Bill was re-referred to the Committee on Ways and Means.

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 1274)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #66

**Senate Bill 108 – Chair, Education, Health, and Environmental Affairs Committee
(By Request – Departmental – Higher Education Commission)**

AN ACT concerning

Nurse Support Program Assistance Fund – Revisions

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

Affirmative – 134 Negative – 0 (See Roll Call No. 1275)

The Bill was then returned to the Senate.

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 – 134 Negative – 0 (See Roll Call No. 1276)

The Bill was then returned to the Senate.

Senate Bill 425 – Senator Reilly

AN ACT concerning

Maryland Income Tax Refunds – Warrant Intercept Program – Statewide

FLOOR AMENDMENT

SB0425/603325/1

BY: Delegate Walker

AMENDMENT TO SENATE BILL 425, AS AMENDED

(Third Reading File Bill)

On page 2, in line 7, strike “13–936(a)” and substitute “13–936”.

On page 2, in line 27, before “This” insert “(a)”; and in line 28, strike “(I)”.

On page 3, in lines 1, 4, and 8, strike “(II)”, “(2)”, and “(3)”, respectively, and substitute “(2)”, “(B)”, and “(C)”, respectively.

On page 4, in line 31, strike “(1)”.

On page 5, in lines 1, 3, 6, and 9, strike “(i)”, “(ii)”, “(2)”, and “(3)”, respectively, and substitute “(1)”, “(2)”, “(b)”, and “(c)”, respectively.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

SB0425/283020/1

BY: Delegate Reilly

AMENDMENTS TO SENATE BILL 425, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Committee on Ways and Means Amendments (SB0425/415668/1), in line 2 of Amendment No. 1, strike “certain provisions of law that prohibit” and substitute “a certain provision of law that prohibits”; and in line 3, strike “individuals” and substitute “members of the armed forces of the United States”.

AMENDMENT NO. 2

In the Committee on Ways and Means Amendments, strike Amendment No. 3 in its entirety.

On page 3 of the bill, strike beginning with the colon in line 11 down through “(2)” in line 14.

The preceding 2 amendments were read and adopted.

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

Affirmative – 123 Negative – 10 (See Roll Call No. 1277)

The Bill was then returned to the Senate.

Senate Bill 481 – Senators Lee, Raskin, Astle, Benson, Conway, Currie, DeGrange, Feldman, Ferguson, Gladden, Guzzone, Kagan, Kasemeyer, Kelley, King, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Muse, Nathan–Pulliam, Peters, Pinsky, Pugh, Ramirez, Rosapepe, Young, and Zirkin

AN ACT concerning

Labor and Employment – Equal Pay for Equal Work

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

Affirmative – 106 Negative – 29 (See Roll Call No. 1278)

The Bill was then returned to the Senate.

Senate Bill 509 – Senator Waugh

AN ACT concerning

Real Property – Actions to Quiet Title

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

Affirmative – 135 Negative – 0 (See Roll Call No. 1279)

The Bill was then returned to the Senate.

Senate Bill 540 – Senator Conway

AN ACT concerning

Morgan State University – Student Housing

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

Affirmative – 113 Negative – 22 (See Roll Call No. 1280)

The Bill was then returned to the Senate.

Senate Bill 545 – Senators Pugh, Ferguson, and Rosapepe

AN ACT concerning

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

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

Affirmative – 102 Negative – 32 (See Roll Call No. 1281)

The Bill was then returned to the Senate.

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 – 135 Negative – 0 (See Roll Call No. 1282)

The Bill was then returned to the Senate.

Senate Bill 579 – Senator Ramirez

AN ACT concerning

Vehicle Laws – Application – Park Model Recreational Vehicles – Definition

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1283)

The Bill was then returned to the Senate.

Senate Bill 649 – Senator Astle

AN ACT concerning

City of Annapolis – Alcoholic Beverages – Refillable Container Permit for Draft Beer

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

Affirmative – 135 Negative – 0 (See Roll Call No. 1284)

The Bill was then returned to the Senate.

Senate Bill 852 – Senator Astle

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Beer and Wine Festivals

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

Affirmative – 134 Negative – 0 (See Roll Call No. 1285)

The Bill was then returned to the Senate.

Senate Bill 969 – Senator Brochin

AN ACT concerning

Vehicle Equipment – Counterfeit and Nonfunctional Airbags – Prohibitions

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1286)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #67

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

FLOOR AMENDMENT

SB0097/723123/1

BY: Delegate B. Wilson

AMENDMENTS TO SENATE BILL 97

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “entities;” insert “prohibiting a Program from being established in a county without the approval of the local governing body of the county;”.

AMENDMENT NO. 2

On page 5, after line 11, insert:

“(2) A PROGRAM MAY NOT BE ESTABLISHED IN A COUNTY WITHOUT THE APPROVAL OF THE LOCAL GOVERNING BODY OF THE COUNTY.”;

and in lines 12 and 16, strike “(2)” and “(3)”, respectively, and substitute “(3)” and “(4)”, respectively.

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

Affirmative – 49 Negative – 84 (See Roll Call No. 1287)

FLOOR AMENDMENT

SB0097/923326/1

BY: Delegate B. Wilson

AMENDMENTS TO SENATE BILL 97

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 19, after “of” insert “used”.

On page 2, in line 2, strike “obtain and retain” and substitute “exchange used”.

AMENDMENT NO. 2

On page 6, in line 18, strike “DISTRIBUTION AND” and substitute “THE EXCHANGE BY PARTICIPANTS OF USED HYPODERMIC NEEDLES AND SYRINGES FOR STERILE HYPODERMIC NEEDLES AND SYRINGES AND THE”.

On page 7, in line 5, strike “OBTAIN AND RETURN” and substitute “EXCHANGE USED”.

On page 8, in line 22, strike “DISTRIBUTION” and substitute “FURNISHING, EXCHANGE”.

On page 10, in line 12, after “FOR” insert “THE FURNISHING, EXCHANGE, AND”; and in line 13, strike “AND DISTRIBUTION”.

On page 12, in line 30, strike “DISTRIBUTED AND COLLECTED” and substitute “EXCHANGED”.

On page 13, in line 2, strike “DISTRIBUTED” and substitute “EXCHANGED”.

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

Affirmative – 56 Negative – 77 (See Roll Call No. 1288)

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

Affirmative – 96 Negative – 40 (See Roll Call No. 1289)

The Bill was then returned to the Senate.

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

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

Affirmative – 97 Negative – 38 (See Roll Call No. 1290)

The Bill was then returned to the Senate.

Senate Bill 537 – ~~Senator Klausmeier~~ Senators Klausmeier, Astle, Benson, Feldman, Hershey, Jennings, Kelley, Mathias, Middleton, Pugh, and Reilly

AN ACT concerning

Department of Health and Mental Hygiene – Prescription Drug Monitoring Program – Modifications

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

Affirmative – 135 Negative – 1 (See Roll Call No. 1291)

The Bill was then returned to the Senate.

Senate Bill 575 – Senator Ramirez

AN ACT concerning

County Boards of Education – Limit on Liability

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

Affirmative – 102 Negative – 31 (See Roll Call No. 1292)

The Bill was then returned to the Senate.

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 – 132 Negative – 2 (See Roll Call No. 1293)

The Bill was then returned to the Senate.

Senate Bill 605 – Senators Bates and Kagan

AN ACT concerning

~~Health Occupations –~~ **Athletic Trainers – Evaluation and Treatment Protocols – Approval**

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

Affirmative – 135 Negative – 0 (See Roll Call No. 1294)

The Bill was then returned to the Senate.

Senate Bill 620 – Senators Middleton, Astle, Benson, Conway, Edwards, Feldman, Gladden, Guzzone, Hough, King, Lee, Madaleno, Manno, Mathias, McFadden, Miller, Muse, Peters, Pugh, Ramirez, Raskin, Ready, Salling, Serafini, Waugh, Young, and Zucker

AN ACT concerning

Commemorative Weeks – Chesapeake Bay Awareness Week

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

Affirmative – 133 Negative – 3 (See Roll Call No. 1295)

The Bill was then returned to the Senate.

Senate Bill 765 – Senators Raskin, Benson, Ferguson, Guzzone, ~~Hough~~, King, Lee, Muse, Ramirez, Ready, Rosapepe, and Young, and Zirkin

AN ACT concerning

CINA, Guardianship, Adoption, Custody, and Visitation – ~~Blindness~~ Disability of Parent, Guardian, Custodian, or Party

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

Affirmative – 135 Negative – 0 (See Roll Call No. 1296)

The Bill was then returned to the Senate.

Senate Bill 806 – Senator Pugh

AN ACT concerning

State Board of Physicians – Naturopathic Doctors – Establishment of Naturopathic Doctors Formulary Council and Naturopathic Formulary

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

Affirmative – 135 Negative – 0 (See Roll Call No. 1297)

The Bill was then returned to the Senate.

Senate Bill 926 – ~~Senator Young~~ Senators Young, Astle, Benson, Feldman, Hershey, Jennings, Kelley, Klausmeier, Mathias, Middleton, Pugh, and Reilly

AN ACT concerning

Lyme Disease – Laboratory Test – Required Notice

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

Affirmative – 135 Negative – 0 (See Roll Call No. 1298)

The Bill was then returned to the Senate.

Senate Bill 1081 – ~~Senator Eckardt~~ Senators Eckardt, Astle, Benson, Feldman, Hershey, Jennings, Kelley, Klausmeier, Mathias, Middleton, Pugh, and Reilly

EMERGENCY BILL

AN ACT concerning

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

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

Affirmative – 135 Negative – 0 (See Roll Call No. 1299)

The Bill was then returned to the Senate.

Senate Bill 1094 – Senator Astle

AN ACT concerning

Health – Recovery Residences – Certification

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

Affirmative – 136 Negative – 0 (See Roll Call No. 1300)

The Bill was then returned to the Senate.

THE COMMITTEE ON WAYS AND MEANS REPORT #24

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

House Bill 708 – Delegates Gutierrez, Angel, B. Barnes, Barve, Branch, Carr, Carter, Chang, Clippinger, Cullison, Davis, Fraser-Hidalgo, Frick, Gilchrist, Hammen, Hill, Hornberger, C. Howard, Jones, Kelly, Korman, Kramer, Krebs, Lierman, Luedtke, McIntosh, A. Miller, Moon, Morales,

Pena–Melnyk, Pendergrass, Platt, Proctor, Reznik, B. Robinson, S. Robinson, Rosenberg, Smith, Tarlau, Turner, Valderrama, Valentino–Smith, Waldstreicher, Walker, A. Washington, M. Washington, and K. Young

AN ACT concerning

Education – Maryland Seal of Biliteracy Act – Establishment

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 376 – The President (By Request – Administration) and Senators Bates, Cassilly, Eckardt, Edwards, Hershey, Jennings, Mathias, Muse, Norman, Ready, Reilly, Rosapepe, Salling, Serafini, Simonaire, and Waugh

AN ACT concerning

**Pathways in Technology Early College High (P–TECH)
Schools Act of 2016**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Kaiser moved to put **Senate Bill 376** on Third Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 134 Negative – 0 (See Roll Call No. 1301)

Two-thirds of the Delegates elected having voted in the affirmative, **Senate Bill 376** was placed on Third Reading.

Senate Bill 376 – The President (By Request – Administration) and Senators Bates, Cassilly, Eckardt, Edwards, Hershey, Jennings, Mathias, Muse, Norman, Ready, Reilly, Rosapepe, Salling, Serafini, Simonaire, and Waugh

AN ACT concerning

**Pathways in Technology Early College High (P–TECH)
Schools Act of 2016**

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 133 Negative – 1 (See Roll Call No. 1302)

The Bill was then returned to the Senate.

Delegate Hixson, Chair, for the Committee on Ways and Means 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.

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 1303)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #63

Senate Bill 459 – Senator Conway

AN ACT concerning

Campaign Finance – Ballot Issue Committees – Prospective Questions

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

Affirmative – 91 Negative – 43 (See Roll Call No. 1304)

The Bill was then returned to the Senate.

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 – 134 Negative – 0 (See Roll Call No. 1305)

The Bill was then returned to the Senate.

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 – 134 Negative – 0 (See Roll Call No. 1306)

The Bill was then returned to the Senate.

Senate Bill 950 – Senator Conway

AN ACT concerning

~~Education – Students With Disabilities – Parental Consent for Individualized Education Program Content~~

Education – Students With Disabilities – Study of Parental Consent in the Individualized Education Program Process

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

Affirmative – 134 Negative – 0 (See Roll Call No. 1307)

The Bill was then returned to the Senate.

Senate Bill 1080 – Senator Edwards

AN ACT concerning

Garrett County – Property Tax Exemption – Garrett College Business Incubator

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

Affirmative – 133 Negative – 0 (See Roll Call No. 1308)

The Bill was then returned to the Senate.

Senate Bill 1125 – ~~Senator Ferguson~~ Senators Ferguson, McFadden, Pugh, Nathan-Pulliam, and Conway

AN ACT concerning

**Education – ~~Maryland Extended Day and Summer Enhancement Programs~~
Public School Opportunities Enhancement Act**

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

Affirmative – 87 Negative – 47 (See Roll Call No. 1309)

The Bill was then returned to the Senate.

Senate Bill 1170 – Senators Conway, Pugh, McFadden, Ferguson, and Nathan-Pulliam

AN ACT concerning

~~Next Generation~~ Next Generation Scholars of Maryland

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

Affirmative – 90 Negative – 43 (See Roll Call No. 1310)

The Bill was then returned to the Senate.

Senate Bill 1171 – Senators Pugh, Conway, McFadden, Ferguson, and Nathan-Pulliam

AN ACT concerning

Enoch Pratt Free Library – Hours of Operation – Funding

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

Affirmative – 88 Negative – 45 (See Roll Call No. 1311)

The Bill was then returned to the Senate.

CONCURRENCE CALENDAR #16**AMENDED IN THE SENATE****House Bill 842 – Frederick County Delegation**

AN ACT concerning

Frederick County – Alcoholic Beverages – Art Gallery Beer and Wine License

Delegate Davis moved that the House concur in the Senate amendments.

HB0842/484830/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 842

(Third Reading File Bill)

On page 1, in line 5, after “artwork” insert “or certain copies of original artwork”.

On page 2, in line 10, after “ARTWORK” insert “, OR COPIES OF ORIGINAL ARTWORK THAT ARE REPRODUCED NO MORE THAN 300 TIMES,”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 133 Negative – 0 (See Roll Call No. 1312)

AMENDED IN THE SENATE**House Bill 1016 – The Speaker (By Request – Workgroup on Public Safety and Policing) and Delegates Anderson, Atterbeary, Clippinger, Folden, Hayes, Jackson, Oaks, Pena–Melnyk, B. Wilson, and C. Wilson**

AN ACT concerning

Public Safety and Policing Workgroup – Recommendations

Delegate Vallario moved that the House not concur in the Senate amendments.

HB1016/938871/2

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1016

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “adding” in line 3 down through “officer;” in line 4 and substitute “prohibiting certain retaliatory action against a law enforcement officer who discloses certain information; prohibiting a law enforcement officer with knowledge of certain disclosures to undertake an independent investigation;”; in line 10, after “circumstances;” insert “authorizing the appointment to a certain hearing board a member of the public who has received certain training”; strike beginning with “altering” in line 13 down through “member;” in line 15; and in line 16, strike “, with a certain exception” and substitute “except under certain circumstances”.

On page 1 in line 20, and on page 2 in line 1, in each instance, before “Commission” insert “Maryland Police Training and Standards”.

On page 1 in line 23, on page 2 in lines 2, 3, 5, 7, 8, 11, 13, 14, and 29, and on page 3 in line 30, in each instance, before “Commission” insert “Maryland Police Training and Standards”.

On page 2, in line 1, after “Commission” insert “and the Correctional Training Commission”; in lines 9, 10, and 26, in each instance, strike “local”; strike beginning with “on” in line 15 down through “judges” in line 17 and substitute “on the Law Enforcement Officers’ Bill of Rights for certain citizens”; in line 21, strike “ensure that a certain incident report is filed by or on behalf of” and substitute “require”; in line 22, before “at” insert “to file a certain incident report”; in line 24, after “sites;” insert “authorizing a chief to prohibit certain posting of certain information under certain circumstances;”; in line 32, strike “Law Enforcement”; in lines 40 and 41, strike “a local law enforcement” and substitute “an”; and in lines 43 and 44, in each instance, strike “local law enforcement”.

On page 3, in line 1, strike “law enforcement”; strike beginning with “requiring” in line 1 down through “Fund;” in line 3; strike beginning with “prohibiting” in line 5 down through “actions;” in line 25 and substitute “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 Maryland Police Training and Standards Commission on certain dates to certify to the Comptroller the political”.

subdivisions in which the crime rate exceeds the State’s crime rate;”; and strike beginning with “providing” in line 30 down through “report;” in line 33 and substitute “declaring the intent of the General Assembly;”.

AMENDMENT NO. 2

On page 3, in line 37, after “2–201” insert “and 8–206(a)”; after line 39, insert:

“BY repealing and reenacting, without amendments,

Article – Correctional Services

Section 8–201(a) and (c)

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)”;

and in line 42, strike “3–104(b), (c),” and substitute “3–103(d), 3–104(c)”.

On page 4, in lines 8 and 9, strike beginning with “3–801” in line 8 down through the semicolon in line 9; in line 9, strike “4–604” and substitute “4–603”; in line 10, strike “Law Enforcement”; and after line 28, insert:

“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)”.

AMENDMENT NO. 3

On page 5, after line 13, insert:

“8–201.

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

(c) “Commission” means the Correctional Training Commission.

8-206.

- (a) (1) With the approval of the [Secretary] GOVERNOR, the Commission shall appoint an Executive Director.
- (2) The Executive Director shall perform general administrative functions.
- (3) The Executive Director serves at the pleasure of the Commission.”.

AMENDMENT NO. 4

On page 5, after line 14, insert:

“3-103.

(d) (1) A law enforcement officer may not be discharged, disciplined, demoted, or denied promotion, transfer, or reassignment, or otherwise discriminated against in regard to the law enforcement officer’s employment or be threatened with that treatment because the law enforcement officer:

[(1)] (I) has exercised or demanded the rights granted by this subtitle;
[or]

[(2)] (II) has lawfully exercised constitutional rights; OR

(III) HAS DISCLOSED INFORMATION THAT EVIDENCES:

1. GROSS MISMANAGEMENT;
2. A GROSS WASTE OF GOVERNMENT RESOURCES;
3. A SUBSTANTIAL AND SPECIFIC DANGER TO PUBLIC HEALTH OR SAFETY; OR
4. A VIOLATION OF LAW COMMITTED BY ANOTHER LAW ENFORCEMENT OFFICER.

(2) A LAW ENFORCEMENT OFFICER MAY NOT UNDERTAKE AN INDEPENDENT INVESTIGATION BASED ON KNOWLEDGE OF DISCLOSURES DESCRIBED IN PARAGRAPH (1)(III) OF THIS SUBSECTION.”;

and strike in their entirety lines 16 through 24, inclusive.

On page 6, in line 8, strike “AN UNALTERED” and substitute “A”; and in line 9, after “INCIDENT” insert “THAT, TO THE BEST OF THE INDIVIDUAL’S KNOWLEDGE, IS UNALTERED”.

On pages 7 through 9, strike in their entirety the lines beginning with line 13 on page 7 through line 23 on page 9, inclusive.

On page 9, after line 31, insert:

“(c) (1) Except as provided in paragraph [(4)] (5) of this subsection and in § 3–111 of this subtitle, the hearing board authorized under this section shall consist of at least three VOTING members who:

(i) are appointed by the chief and chosen from law enforcement officers within that law enforcement agency, or from law enforcement officers of another law enforcement agency with the approval of the chief of the other agency; and

(ii) have had no part in the investigation or interrogation of the law enforcement officer.

(2) At least one member of the hearing board shall be of the same rank as the law enforcement officer against whom the complaint is filed.

(3) **(I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, A CHIEF MAY APPOINT, AS A NONVOTING MEMBER OF THE HEARING BOARD, ONE MEMBER OF THE PUBLIC WHO HAS RECEIVED TRAINING ADMINISTERED BY THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION ON THE LAW ENFORCEMENT OFFICERS’ BILL OF RIGHTS AND MATTERS RELATING TO POLICE PROCEDURES.**

(II) IF AUTHORIZED BY LOCAL LAW, A HEARING BOARD FORMED UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY INCLUDE UP TO TWO VOTING OR

NONVOTING MEMBERS OF THE PUBLIC WHO HAVE RECEIVED TRAINING ADMINISTERED BY THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION ON THE LAW ENFORCEMENT OFFICERS' BILL OF RIGHTS AND MATTERS RELATING TO POLICE PROCEDURES.

(4) (i) If the chief is the law enforcement officer under investigation, the chief of another law enforcement agency in the State shall function as the law enforcement officer of the same rank on the hearing board.

(ii) If the chief of a State law enforcement agency is under investigation, the Governor shall appoint the chief of another law enforcement agency to function as the law enforcement officer of the same rank on the hearing board.

(iii) If the chief of a law enforcement agency of a county or municipal corporation is under investigation, the official authorized to appoint the chief's successor shall appoint the chief of another law enforcement agency to function as the law enforcement officer of the same rank on the hearing board.

(iv) If the chief of a State law enforcement agency or the chief of a law enforcement agency of a county or municipal corporation is under investigation, the official authorized to appoint the chief's successor, or that official's designee, shall function as the chief for purposes of this subtitle.

[(4)] (5) (i) 1. A law enforcement agency or the agency's superior governmental authority that has recognized and certified an exclusive collective bargaining representative may negotiate with the representative an alternative method of forming a hearing board.

2. A HEARING BOARD FORMED UNDER THIS PARAGRAPH MAY INCLUDE UP TO TWO VOTING OR NONVOTING MEMBERS OF THE PUBLIC, APPOINTED BY THE CHIEF, WHO HAVE RECEIVED TRAINING ADMINISTERED BY THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION ON THE LAW ENFORCEMENT OFFICERS' BILL OF RIGHTS AND MATTERS RELATING TO POLICE PROCEDURES.

(ii) A law enforcement officer may elect the alternative method of forming a hearing board if:

1. the law enforcement officer works in a law enforcement agency described in subparagraph (i) of this paragraph; and

2. the law enforcement officer is included in the collective bargaining unit.

(iii) The law enforcement agency shall notify the law enforcement officer in writing before a hearing board is formed that the law enforcement officer may elect an alternative method of forming a hearing board if one has been negotiated under this paragraph.

(iv) If the law enforcement officer elects the alternative method, that method shall be used to form the hearing board.

(v) An agency or exclusive collective bargaining representative may not require a law enforcement officer to elect an alternative method of forming a hearing board.

(vi) If the law enforcement officer has been offered summary punishment, an alternative method of forming a hearing board may not be used.

(vii) If authorized by local law, this paragraph is subject to binding arbitration.”.

On page 10, strike in their entirety lines 20 through 23, inclusive, and substitute:

“(e) (1) The hearing shall be:

(I) conducted by a hearing board; AND

(II) OPEN TO THE PUBLIC, UNLESS THE CHIEF FINDS A HEARING MUST BE CLOSED FOR GOOD CAUSE, INCLUDING TO PROTECT A CONFIDENTIAL INFORMANT, AN UNDERCOVER OFFICER, OR A CHILD WITNESS.”.

AMENDMENT NO. 5

On page 16, in lines 27 and 28, strike “**EXECUTIVE DIRECTOR OF THE MARYLAND MUNICIPAL LEAGUE**” and substitute “**PRESIDENT OF MARYLAND LAW ENFORCEMENT OFFICERS, INC.**”.

On page 17, strike in their entirety lines 1 through 3, inclusive, and substitute:

“(10) THE POLICE COMMISSIONER OF BALTIMORE CITY;

(11) THE PRESIDENT OF THE POLICE CHIEFS’ ASSOCIATION OF PRINCE GEORGE’S COUNTY;

(12) A REPRESENTATIVE FROM THE WOR-WIC PROGRAM ADVISORY COMMITTEE – CRIMINAL JUSTICE;”;

in lines 4, 6, and 8, strike **“(12)”**, **“(13)”**, and **“(14)”**, respectively, and substitute **“(13)”**, **“(14)”**, and **“(15)”**, respectively; in line 10, strike **“FIVE”** and substitute **“THREE”**; and in lines 11 and 12, strike **“RACIAL, GENDER, GEOGRAPHIC, AND OTHER FORMS OF DIVERSITY”** and substitute **“DIFFERENT GEOGRAPHIC AREAS OF THE STATE”**.

On page 18, in line 10, strike **“VOTING”**.

On page 21, strike beginning with **“REVIEW”** in line 24 down through **“REGULATION,”** in line 25 and substitute **“ADOPT AND RECOMMEND”**; in line 29, strike **“MEDIA”**; and in line 32, strike the colon.

On page 22, in line 1, strike **“(I)”**; in line 2, strike **“HAS BEEN”** and substitute **“WAS ACTIVELY”**; in the same line, strike **“A TRAUMATIC”** and substitute **“AN”**; in the same line, after **“INCIDENT”** insert **“WHEN ANOTHER PERSON WAS SERIOUSLY INJURED OR KILLED AS A RESULT OF AN ACCIDENT OR A SHOOTING”**; strike in their entirety lines 4 through 6, inclusive; in lines 12 and 13, strike **“INCLUDING INCIDENTS IN WHICH AN OFFICER IS THE VICTIM,”**; in line 17, after **“SUMMARY”** insert **“, EXCLUDING THE NAMES OF OFFICERS AND OTHER INVOLVED PARTIES,”**; and strike beginning with the comma in line 29 down through the comma in line 30.

On page 23, in line 18, after **“(II)”** insert **“REQUIRE A COMPLAINANT TO PROVIDE IDENTIFICATION, INCLUDING A TELEPHONE NUMBER OR E-MAIL ADDRESS, TO AN EXTENT SUFFICIENT FOR THE LAW ENFORCEMENT AGENCY IN QUESTION TO CONTACT THE COMPLAINANT TO VERIFY THE LEGITIMACY OF THE COMPLAINT;”**; in line 21, before **“REQUIRE”** insert **“(III)”**; in the same line, strike **“, IF THE COMPLAINANT IS IDENTIFIED,”**; in the same line, strike **“THE”** and substitute **“A”**; in line 23, after

“COMPLAINT” insert “AND ANY DISCIPLINE IMPOSED AS A RESULT”; in line 24, strike “(III)” and substitute “(IV)”; in line 27, before “MATTERS” insert “THE LAW ENFORCEMENT OFFICERS’ BILL OF RIGHTS AND”; in lines 28 and 29, strike “AND ADMINISTRATIVE LAW JUDGES”; and in line 29, before “QUALIFY” insert “INTEND TO”.

On page 23 in line 7, and on page 25 in lines 22, 25, 26, and 29, in each instance, strike “LOCAL”.

On page 24, in line 14, strike “LICENSED”; strike beginning with “ENSURE” in line 27 down through “OF” in line 28 and substitute “REQUIRE”; and in line 30, before “BY” insert “TO FILE AN INCIDENT REPORT REGARDING THE USE OF FORCE”.

On page 25, in line 2, strike “EACH” and substitute “(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, EACH”; after line 8, insert:

“(B) A CHIEF MAY PROHIBIT THE POSTING UNDER THIS SECTION OF ADMINISTRATIVE OR OPERATIONAL POLICIES THAT IF DISCLOSED WOULD JEOPARDIZE OPERATIONS OR CREATE A RISK TO PUBLIC OR OFFICER SAFETY, INCLUDING POLICIES RELATED TO HIGH-RISK PRISONER TRANSPORT SECURITY MEASURES, OPERATIONAL RESPONSE TO ACTIVE SHOOTERS, OR THE USE OF CONFIDENTIAL INFORMANTS.”;

strike beginning with “IN” in line 17 down through “(B)” in line 22; and in line 25, strike “(C)” and substitute “(B)”.

On page 26, in lines 7 and 8, strike “, INCLUDING INCIDENTS IN WHICH AN OFFICER IS THE VICTIM”.

AMENDMENT NO. 6

On page 26, in line 23, after “MEANS” insert “:

(1)”;

in lines 25, 27, and 29, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “(I)”, “(II)”, and “(III)”, respectively; and in line 29, after “COMMUNITY” insert “; OR

(2) A VIOLENCE INTERVENTION PROGRAM ESTABLISHED AND SUPPORTED BY A LOCAL LAW ENFORCEMENT AGENCY OR ANOTHER AGENCY OF A LOCAL GOVERNMENT".

On page 26 in line 19, and on page 27 in lines 3 and 8, in each instance, strike "**LAW ENFORCEMENT**".

On page 26 in line 23, and on page 27 in line 10, in each instance, strike "**LAW ENFORCEMENT**".

On page 27, in line 9, after "**ASSIST**" insert ":

(1)";

and in line 10, after "**PROGRAMS**" insert "**; AND**

(2) AGENCIES OF A LOCAL GOVERNMENT IN ESTABLISHING VIOLENCE INTERVENTION PROGRAMS".

On page 28, in lines 7 and 24, in each instance, strike "**LOCAL LAW ENFORCEMENT**"; in line 8, strike "**A LOCAL LAW ENFORCEMENT**" and substitute "**AN**"; in lines 11, 13, 14 and 15, 22, 26, and 28 and 29, in each instance, strike "**LAW ENFORCEMENT**"; in line 19, after the first "**TO**" insert ":

(I)";

in the same line, strike the second "**LAW**"; in line 20, strike "**ENFORCEMENT**"; and in the same line, after "**PROGRAMS**" insert "**; AND**

(II) AGENCIES OF A LOCAL GOVERNMENT TO SUPPORT VIOLENCE INTERVENTION PROGRAMS".

On page 29, in lines 3 and 6, in each instance, strike "**LAW ENFORCEMENT**"; strike in their entirety lines 7 through 11, inclusive; and in line 25, strike "**LAW ENFORCEMENT**".

On page 29, after line 28, insert:

“Article – Tax – General

10–207.

(a) To the extent included in federal adjusted gross income, the amounts under this section are subtracted from the federal adjusted gross income of a resident to determine Maryland adjusted gross income.

(CC) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(II) “LAW ENFORCEMENT AGENCY” HAS THE MEANING STATED IN § 3–201 OF THE PUBLIC SAFETY ARTICLE.

(III) “LAW ENFORCEMENT OFFICER” MEANS AN INDIVIDUAL WHO:

1. IN AN OFFICIAL CAPACITY IS AUTHORIZED BY LAW TO MAKE ARRESTS; AND

2. IS A MEMBER OF A LAW ENFORCEMENT AGENCY, INCLUDING A LAW ENFORCEMENT OFFICER WHO SERVES IN A PROBATIONARY STATUS OR AT THE PLEASURE OF THE APPOINTING AUTHORITY OF A COUNTY OR MUNICIPAL CORPORATION.

(IV) “MARYLAND POLICE TRAINING AND STANDARDS COMMISSION” MEANS THE UNIT ESTABLISHED UNDER § 3–202 OF THE PUBLIC SAFETY ARTICLE.

(2) THE SUBTRACTION UNDER SUBSECTION (A) OF THIS SECTION INCLUDES THE FIRST \$5,000 OF INCOME EARNED BY A LAW ENFORCEMENT OFFICER IF:

(I) THE LAW ENFORCEMENT OFFICER RESIDES IN THE POLITICAL SUBDIVISION IN WHICH THE LAW ENFORCEMENT OFFICER IS EMPLOYED; AND

(II) THE CRIME RATE IN THE POLITICAL SUBDIVISION EXCEEDS THE STATE'S CRIME RATE.

(3) ON OR BEFORE SEPTEMBER 1, 2016, AND EVERY 3 YEARS THEREAFTER, THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION SHALL CERTIFY TO THE COMPTROLLER THE POLITICAL SUBDIVISIONS IN WHICH THE CRIME RATE EXCEEDS THE STATE'S CRIME RATE."

On pages 29 through 34, strike in their entirety the lines beginning with line 29 on page 29 through line 1 on page 34, inclusive.

AMENDMENT NO. 8

On page 34, strike beginning with "Section" in line 23 down through "Act" in line 25 and substitute "it is the intent of the General Assembly that, to the extent possible, the Maryland Police Training and Standards Commission and the Correctional Training Commission shall continue to share training and support staff"; strike beginning with "the" in line 26 down through "2018" in line 30 and substitute "Section 2 of this Act shall be applicable to all taxable years beginning after December 31, 2015"; in line 31, after "That" insert "Section 1 of"; and after line 32, insert:

"SECTION 10. AND BE IT FURTHER ENACTED, That, except as provided in Section 9 of this Act, this Act shall take effect July 1, 2016."

The preceding 8 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: HB1016
SPONSOR: Speaker, et al
SUBJECT: Public Safety and Policing Workgroup – Recommendations

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Anderson, Chair
Delegate Atterbeary
Delegate Vallario

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

MESSAGE FROM THE SENATE

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **HB0140**
SPONSOR: Speaker
SUBJECT: Security Systems Technicians and Agencies – Sunset Extension
 and Program Evaluation

The Senate does not recede in the Senate amendments.

The Senate respectfully requests the House reconsider and concur.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

AMENDED IN THE SENATE

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

Delegate Davis moved that the House not concur in the Senate amendments.

HB0140/244331/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 140

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “Sunset” insert “Fees and Repeal of”; in the same line, strike “Extension” and substitute “Provision”; in line 4, after “of” insert “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;”; in line 12, strike “continuing” and substitute “making permanent”; strike beginning with “in” in line 14 down through “year” in line 19 and substitute “; repealing a certain termination provision; repealing a requirement that the Department of Legislative Services conduct a certain evaluation”; in line 23, strike “18-701” and substitute “18-303”.

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

“BY repealing

Article – Business Occupations and Professions

Section 18-701

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)”;

in line 7, strike “and reenacting, with amendments,”; and after line 11, insert:

“BY renumbering

Article – State Government

Section 8-403(b)(53) through (57), respectively

to be Section 8-403(b)(52) through (56), respectively

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 14, insert:

“18–303.

(a) An applicant for a license shall:

(1) submit to the Secretary an application on the form that the Secretary provides;

(2) submit the documents required by this section; and

(3) pay to the Secretary:

(I) an application fee of [\$150 which shall include the cost of the Maryland and national criminal records check] \$100;

(II) THE FEE AUTHORIZED UNDER § 10–221(B)(7) OF THE CRIMINAL PROCEDURE ARTICLE FOR ACCESS TO MARYLAND CRIMINAL HISTORY RECORDS; AND

(III) THE MANDATORY PROCESSING FEE REQUIRED BY THE FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY RECORDS CHECK.

(b) The application form provided by the Secretary shall contain a statement advising the applicant that willfully making a false statement on an application is a misdemeanor, subject to a fine or imprisonment or both, as provided under § 18–504 of this title.

(c) If the applicant is a firm, the representative member shall complete the application form and otherwise be responsible for the firm’s compliance with this section.

(d) (1) The application shall be accompanied by at least two written recommendations for the applicant.

(2) Each recommendation shall be signed, under oath, by a reputable citizen of the State.

(e) (1) An applicant for a license shall submit with the application a set of legible fingerprints of the applicant on a form approved by the Criminal Justice Information System Central Repository and the Director of the Federal Bureau of Investigation.

(2) If the applicant is a firm, the applicant shall pay the cost of the fingerprint card records check for each firm member.

(f) An applicant for a license shall submit with the application a copy of a bond or proof of insurance in accordance with the requirements of § 18-401 of this title.

(g) The Secretary may waive the requirements of subsections (a)(2) and (3), (d), and (e) of this section and issue a license to an applicant who:

(1) provides adequate evidence that the applicant:

(i) is licensed to engage in the business of providing security systems services in another state; and

(ii) became licensed in the other state:

1. after meeting qualifications that are at least equivalent to those required in this State; and

2. after submitting to a State and national criminal records check; and

(2) pays to the Secretary a processing fee of [~~\$150~~] **\$100.**"

AMENDMENT NO. 3

On page 8, strike in their entirety lines 22 through 25, inclusive; and strike in their entirety lines 28 through 32, inclusive.

On page 9, strike in their entirety lines 4 and 5 and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 8–403(b)(53) through (57), respectively, of Article – State Government of the Annotated Code of Maryland be renumbered to be Section(s) 8–403(b)(52) through (56), respectively.”;

and in line 6, strike “2.” and substitute “3.”.

The preceding 3 amendments were read and not concurred in.

MESSAGE TO THE SENATE

BILL: **HB0140**
SPONSOR: Speaker
SUBJECT: Security Systems Technicians and Agencies – Sunset Extension
and Program Evaluation

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Jameson, Chair
Delegate Davis
Delegate W. Miller

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

MESSAGE FROM THE SENATE

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB0206**
SPONSOR: President

SUBJECT: ScrtY Sstms Technicians and Agencies – Fees and Rpl of Sunset
Prvsn and Program Evaluation

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB0206**
SPONSOR: President
SUBJECT: ScrtY Sstms Technicians and Agencies – Fees and Rpl of Sunset
Prvsn and Program Evaluation

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments and respectfully requests the Senate to reconsider and concur.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Jameson, Chair
Delegate Davis
Delegate W. Miller

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

MESSAGE FROM THE SENATE

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB0245**
SPONSOR: Senator Manno, et al
SUBJECT: Labor and Employment – Hiring and Promotion Preferences –
Veterans and Spouses

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Astle, Chair
Senator Klausmeier
Senator Reilly

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB0245**
SPONSOR: Senator Manno, et al
SUBJECT: Labor and Employment – Hiring and Promotion Preferences –
Veterans and Spouses

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Astle, Chairman
Senator Klausmeier
Senator Reilly.

The House appoints:

Delegate C. Wilson, Chair
Delegate Brooks
Delegate S. Howard

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

MESSAGE FROM THE SENATE

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **SB0182**
SPONSOR: Senator Mathias, et al
SUBJECT: Public Safety – Rental Dwelling Units – Carbon Monoxide Alarms

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Waugh, Chair
Senator Kagan
Senator Salling

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB0182**
SPONSOR: Senator Mathias, et al
SUBJECT: Public Safety – Rental Dwelling Units – Carbon Monoxide Alarms

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Waugh, Chairman
Senator Kagan
Senator Salling.

The House appoints:

Delegate Holmes, Chair
Delegate Anderton
Delegate McCray

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 641** SPONSOR: **Delegate Sophocleus**

SUBJECT: **Evidence – Admissibility of DNA Profile –
Definition and Validation of DNA Profile**

THIRD READING CALENDAR HOUSE NO. **39** SENATE NO. **17**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Judicial Proceedings Committee Amendments (HB0641/218279/1) be rejected.

(2) That the attached Conference Committee Amendments (HB0641/133628/1) be adopted.

HB0641/133628/1

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 641

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after the first “that” insert “a DNA profile is admissible for certain purposes if accompanied by”; and strike beginning with the comma in line 8 down through “law” in line 11.

AMENDMENT NO. 2

On page 2, in lines 5, 8, 9, 13, and 14, in each instance, strike the bracket; in line 7, strike “or”; in line 9, before “**INVESTIGATION’S**” insert “;

(III) THE FEDERAL BUREAU OF;

in line 10, after “**LABORATORIES**” insert a semicolon; in the same line, after “**OR**” insert:

“(IV) THE FEDERAL BUREAU OF INVESTIGATION’S;

in line 12, after “A” insert “**DNA PROFILE IS ADMISSIBLE UNDER THIS SECTION IF IT IS ACCOMPANIED BY A**”; in line 13, strike “standards” and substitute “;

(I) STANDARDS;

in the same line, strike “or the” and substitute “;

(II) STANDARDS ESTABLISHED BY THE;

in line 14, strike “**ACCORDING TO THE**” and substitute “**OF THE FEDERAL BUREAU OF INVESTIGATION**;

(III) THE;

in line 15, after “**LABORATORIES**” insert a semicolon; in line 16, after “**OR**” insert:

“(IV) THE FEDERAL BUREAU OF INVESTIGATION’S;

and strike beginning with “is” in line 16 down through “section” in line 17.

Senate Members:

House Members:

Chair, **Robert Cassilly**

Chair, **Frank M. Conaway, Jr.**

C. Anthony Muse

Pam Queen

Victor R. Ramirez

Deborah C. Rey

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 133 Negative – 0 (See Roll Call No. 1313)

The Bill was then sent to the Senate.

SPECIAL ORDERS

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

Senate Bill 707 – ~~Senator Middleton~~ Senators Middleton, Hershey, and Mathias

AN ACT concerning

Freestanding Medical Facilities – Certificate of Need, Rates, and Definition

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

FLOOR AMENDMENT

SB0707/773529/1

BY: Delegate Hornberger

AMENDMENTS TO SENATE BILL 707

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 21, after “date;” insert “prohibiting a certain hospital from closing before a certain date;”.

AMENDMENT NO. 2

On page 9, after line 14, insert:

“(IV) NOTWITHSTANDING SUBPARAGRAPH (I) OF THIS PARAGRAPH, A LICENSED GENERAL HOSPITAL IN HARFORD COUNTY MAY NOT CLOSE BEFORE JULY 1, 2019.”.

On page 12, after line 15, insert:

“(5) the Chief Executive Officer of Union Hospital, or the Chief Executive Officer’s designee;”;

and in lines 16 and 18, strike “(5)” and “(6)”, respectively, and substitute “(6)” and “(7)”, respectively.

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

Affirmative – 39 Negative – 87 (See Roll Call No. 1314)

Read the second time and ordered prepared for Third Reading.

Delegate Pendergrass moved to put **Senate Bill 707** on Third Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 117 Negative – 11 (See Roll Call No. 1315)

Two-thirds of the Delegates elected having voted in the affirmative, **Senate Bill 707** was placed on Third Reading.

Senate Bill 707 – ~~Senator Middleton~~ Senators Middleton, Hershey, and Mathias

AN ACT concerning

Freestanding Medical Facilities – Certificate of Need, Rates, and Definition

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 131 Negative – 0 (See Roll Call No. 1316)

The Bill was then returned to the Senate.

MESSAGE FROM THE SENATE

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **SB0840**
SPONSOR: President
SUBJECT: Income Tax – Rates, Personal Exemptions, and Earned Income
 Tax Credit

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Kasemeyer, Chair
Senator Serafini
Senator DeGrange

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB0840**
SPONSOR: President

SUBJECT: Income Tax – Rates, Personal Exemptions, and Earned Income
Tax Credit

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Kasemeyer, Chairman
Senator Serafini
Senator DeGrange.

The House appoints:

Delegate Walker, Chair
Delegate Kaiser
Delegate D. Barnes

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 1317)

ADJOURNMENT

At 5:57 P.M. on motion of Delegate Kaiser the House adjourned until 11:00 A.M. on Legislative Day April 5, 2016, Calendar Day Monday, April 11, 2016.

Annapolis, Maryland
Legislative Day: April 5, 2016
Calendar Day: Monday, April 11, 2016

The House met at 11:12 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Anne Healey of Prince George's County.

QUORUM CALL

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

(See Roll Call No. 1318)

The Journal of April 4, 2016 was read and approved.

CONFERENCE COMMITTEE REPORT

BILL NO.: HB 1299 SPONSOR: Delegate Washington, A.

**SUBJECT: Property Tax – Crane Located on State Property
– Exemption**

THIRD READING CALENDAR HOUSE NO. 66 SENATE NO. 35

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

That the Budget and Taxation Committee Amendments (HB1299/289734/1) be rejected.

Senate Members:

House Members:

Chair, **Douglas J. J. Peters**

Chair, **Mary L. Washington**

Roger P. Manno

Diana M. Fennell

Adelaide C. Eckardt

Ric Metzgar

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 122 Negative – 18 (See Roll Call No. 1319)

The Bill was then sent to the Senate.

CONFERENCE COMMITTEE REPORT

BILL NO.: SB 864 SPONSOR: Senator Lee

**SUBJECT: Public Safety – Internet Crimes Against
Children Task Force Fund – Establishment (Alicia’s Law)**

THIRD READING CALENDAR HOUSE NO. 27 SENATE NO. 60

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

That the attached Appropriations Committee Amendments (SB0864/514866/1) be adopted.

SB0864/514866/1

BY: Appropriations Committee

AMENDMENT TO SENATE BILL 864
(Third Reading File Bill)

On page 1, in line 15, after “appropriation” insert “of not less than a certain amount”.

On page 4, in line 21, after “APPROPRIATION” insert “OF NOT LESS THAN \$2,000,000”.

Senate Members:

House Members:

Chair, **Susan C. Lee**

Chair, **Brooke E. Lierman**

C. Anthony Muse

Keith E. Haynes

Justin Ready

Mike McKay

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 140 Negative – 0 (See Roll Call No. 1320)

The Bill was then returned to the Senate.

MESSAGE FROM THE SENATE

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **SB0352**
SPONSOR: Senator Hershey
SUBJECT: Maryland Health Care Commission – Certificate of Need Review
 – Interested Party

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Hershey, Chair
Senator Benson
Senator Reilly

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB0352**
SPONSOR: Senator Hershey
SUBJECT: Maryland Health Care Commission – Certificate of Need Review
– Interested Party

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Hershey, Chairman
Senator Benson
Senator Reilly.

The House appoints:

Delegate Sample–Hughes, Chair
Delegate K. Young
Delegate Rose

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

MESSAGE FROM THE SENATE

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **HB0220**
SPONSOR: Delegate Barron, et al
SUBJECT: Criminal Procedure – Partial Expungement

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Smith, Chairman
Delegate Conaway
Delegate Rosenberg.

The Senate appoints:

Senator Zirkin, Chair
Senator Hough
Senator McFadden

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE FROM THE SENATE

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **HB0636**
SPONSOR: Delegate Smith, et al
SUBJECT: Maryland Tort Claims Act – Certain Claim Requirement –
Exception

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Sydnor, Chairman
Delegate Queen
Delegate Rey.

The Senate appoints:

Senator Zirkin, Chair
Senator Raskin
Senator Norman

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE FROM THE SENATE

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **HB0637**
SPONSOR: Delegate Smith, et al
SUBJECT: Local Government Tort Claims Act – Notice Requirement –
 Exception

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Sydnor, Chairman
Delegate Queen
Delegate Rey.

The Senate appoints:

Senator Zirkin, Chair
Senator Raskin
Senator Norman

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE FROM THE SENATE

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **HB0657**
SPONSOR: Delegate Shoemaker, et al
SUBJECT: Education – Prekindergarten and Kindergarten Assessments – Administration

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Kaiser, Chairman
Delegate Hornberger
Delegate A. Washington.

The Senate appoints:

Senator Pinsky, Chair
Senator Waugh
Senator Conway

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE FROM THE SENATE

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB0161**
SPONSOR: Senator Hough, et al
SUBJECT: Criminal Procedure – Seizure and Forfeiture

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Hough, Chair
Senator Muse
Senator Raskin

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: SB0161
SPONSOR: Senator Hough, et al
SUBJECT: Criminal Procedure – Seizure and Forfeiture

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Hough, Chairman
Senator Muse
Senator Raskin.

The House appoints:

Delegate Vallario, Chair
Delegate Sydnor
Delegate Moon

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

QUORUM CALL

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

(See Roll Call No. 1321)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #89

House Bill 390 – Delegates Reilly, Adams, Afzali, Anderton, Arentz, Aumann, Buckel, Carozza, Cassilly, Ciliberti, Cluster, Flanagan, Ghrist, Hornberger, S. Howard, Impallaria, Jacobs, Kipke, Kittleman, Krebs, Lisanti, Long, Malone, Mautz, McComas, McConkey, McDonough, McKay, McMillan, Metzgar, W. Miller, Morgan, Otto, Parrott, Rey, Rose, Saab, Shoemaker, Simonaire, Szeliga, Vogt, B. Wilson, and Wivell

AN ACT concerning

Maryland Income Tax Refunds – Warrant Intercept Program – Statewide

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

Affirmative – 127 Negative – 12 (See Roll Call No. 1322)

The Bill was then sent to the Senate.

House Bill 708 – Delegates Gutierrez, Angel, B. Barnes, Barve, Branch, Carr, Carter, Chang, Clippinger, Cullison, Davis, Fraser-Hidalgo, Frick, Gilchrist, Hammen, Hill, Hornberger, C. Howard, Jones, Kelly, Korman, Kramer, Krebs, Lierman, Luedtke, McIntosh, A. Miller, Moon, Morales, Pena-Melnyk, Pendergrass, Platt, Proctor, Reznik, B. Robinson, S. Robinson, Rosenberg, Smith, Tarlau, Turner, Valderrama, Valentino-Smith, Waldstreicher, Walker, A. Washington, M. Washington, and K. Young

AN ACT concerning

Education – Maryland Seal of Biliteracy Act – Establishment

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

Affirmative – 135 Negative – 5 (See Roll Call No. 1323)

The Bill was then sent to the Senate.

THE COMMITTEE ON ENVIRONMENT AND TRANSPORTATION REPORT #25

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

House Bill 1409 – Delegates Otto and Beitzel

AN ACT concerning

Payment in Lieu of Taxes – State Forests, State Parks, and Wildlife Management Areas

HB1409/480214/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1409

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the first “State” in line 2 down through “Areas” in line 3 and substitute “State Forest and State Park Land”; strike beginning with “prohibiting” in line 4 down through “terms;” in line 25 and substitute “requiring the State to make certain payments to counties as a payment in lieu of taxes for State forest and State park land located in the county for certain fiscal years; requiring the Governor to include certain amounts to be paid to each county in the annual budget bill; requiring the State Department of Assessments and Taxation to complete an update of a certain study and submit the updated study to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act;”; strike beginning with “forests” in line 26 down through “within” in line 27 and substitute “forest and State park land located in”; and in line 30, strike “5–101(a) and (e) and 10–801” and substitute “5–212 and 5–212.1”.

On page 2, strike in their entirety lines 3 through 7, inclusive; in line 10, strike “6–102,”; in the same line, strike the second comma; in the same line, strike “7–211(c), and 7–501(a) and (b)”; in line 15, strike “through 6.5–301”; in lines 15 and 16, strike “Open Space Incentive Program” and substitute “Payment in Lieu of Taxes for State Forest and State Park Land”; and strike in their entirety lines 22 through 29, inclusive.

AMENDMENT NO. 2

On page 3, in lines 15 and 23, in each instance, strike the bracket; in the same lines, in each instance, strike “PARAGRAPHS”; and in the same lines, in each instance, strike “AND (4)”.

On page 4, strike in their entirety lines 13 through 16, inclusive.

On page 5, in line 26, in each instance, strike the bracket; in the same line, strike “SUBPARAGRAPHS”; and in the same line, strike “AND (III)”.

On page 6, strike in their entirety lines 9 through 12, inclusive; strike in their entirety lines 22 through 32, inclusive; and strike line 34 in its entirety.

AMENDMENT NO. 3

On page 7, strike in their entirety lines 1 through 26, inclusive; in line 27, strike “OPEN SPACE INCENTIVE PROGRAM” and substitute “PAYMENT IN LIEU OF TAXES FOR STATE FOREST AND STATE PARK LAND”; strike line 28 in its entirety; and after line 29, insert:

“(A) FOR FISCAL YEAR 2018 AND FISCAL YEAR 2019, THE STATE SHALL PAY TO EACH COUNTY AS A PAYMENT IN LIEU OF TAXES FOR STATE FOREST AND STATE PARK LAND LOCATED IN THE COUNTY AN AMOUNT EQUIVALENT TO THE PAYMENTS RECEIVED BY THE COUNTY UNDER §§ 5-212(G)(1)(II) AND 5-212.1 (G)(2)(I) OF THE NATURAL RESOURCES ARTICLE.

“(B) THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL THE TOTAL AMOUNT TO BE PAID TO EACH COUNTY AS PROVIDED UNDER SUBSECTION (A) OF THIS SECTION.”

On pages 7 through 11, strike beginning with line 30 on page 7 through line 2 on page 11, inclusive.

On pages 11 and 12, strike beginning with line 17 on page 11 through line 2 on page 12, inclusive.

AMENDMENT NO. 4

On page 12, after line 2, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The State Department of Assessments and Taxation shall complete an update of the study of the impact of real property tax exemptions on county revenue that was completed by the Department of Legislative Services in January 2014. The updated study shall include:

(1) the total value of tax-exempt property statewide and in each county, including as a percentage of the county’s assessable base;

(2) the total value of tax-exempt property statewide and in each county, categorized by type of exemption, including at a minimum:

(i) federal government property;

(ii) State government property;

(iii) local government property;

(iv) educational property;

(v) religious property; and

(vi) charitable and fraternal property;

(3) the total revenue foregone due to tax-exempt property statewide and in each county and the property tax rate equivalent of the foregone revenue;

(4) the revenue foregone due to tax-exempt property statewide and in each county categorized by type of exemption and the property tax rate equivalent of the foregone revenue;

(5) the five tax-exempt properties with the highest assessed value in each county; and

(6) the number of payment in lieu of taxes agreements with tax-exempt entities and the amount of revenue raised through payment in lieu of taxes agreements statewide and in each county.

(b) On or before July 1, 2017, the State Department of Assessments and Taxation shall submit the updated study to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly.”;

in line 3, strike “2.” and substitute “3.”; and in line 4, after the period, insert “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 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

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

SB0263/170716/2

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 263

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “State” in line 2 down through “Areas” in line 3 and substitute “State Forest and State Park Land”.

On pages 1 and 2, strike beginning with “prohibiting” in line 4 on page 1 down through “terms;” in line 3 on page 2 and substitute “requiring the State to make certain payments to counties as a payment in lieu of taxes for State forest and State park land located in the county for certain fiscal years; requiring the Governor to include certain”.

amounts to be paid to each county in the annual budget bill; requiring the State Department of Assessments and Taxation to complete an update of a certain study and submit the updated study to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act;; and strike beginning with “forests” in line 4 down through “within” in line 5 and substitute “forest and State park land located in”.

On page 2, in line 8, strike “5–101(a) and (e) and 10–801” and substitute “5–212 and 5–212.1”; strike in their entirety lines 11 through 15, inclusive; in line 18, strike “6–102,”; in the same line, strike the second comma; in the same line, strike “7–211(c), and 7–501(a) and (b)”; in line 23, strike “through 6.5–301”; and in lines 23 and 24, strike “Open Space Incentive Program” and substitute “Payment in Lieu of Taxes for State Forest and State Park Land”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 30 through 37, inclusive.

On page 3, in lines 20 and 28, in each instance, strike the bracket; in the same lines, in each instance, strike “PARAGRAPHS”; and in the same lines, in each instance, strike “AND (4)”.

On page 4, strike in their entirety lines 21 through 24, inclusive.

On page 6, in line 6, in each instance, strike the bracket; in the same line, strike “SUBPARAGRAPHS”; in the same line, strike “AND (III)”; and strike in their entirety lines 17 through 20, inclusive.

On pages 6 and 7, strike beginning with line 30 on page 6 through line 6 on page 7, inclusive.

On page 7, strike in their entirety lines 8 through 34, inclusive.

AMENDMENT NO. 3

On page 8, in line 1, strike “OPEN SPACE INCENTIVE PROGRAM” and substitute “PAYMENT IN LIEU OF TAXES FOR STATE FOREST AND STATE PARK LAND”; strike line 2 in its entirety; and after line 3, insert:

“(A) FOR FISCAL YEAR 2018 AND FISCAL YEAR 2019, THE STATE SHALL PAY TO EACH COUNTY AS A PAYMENT IN LIEU OF TAXES FOR STATE FOREST AND STATE PARK LAND LOCATED IN THE COUNTY AN AMOUNT EQUIVALENT TO THE PAYMENTS

RECEIVED BY THE COUNTY UNDER §§ 5-212(G)(1)(II) AND 5-212.1(G)(2)(I) OF THE NATURAL RESOURCES ARTICLE.

(B) THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL THE TOTAL AMOUNT TO BE PAID TO EACH COUNTY AS PROVIDED UNDER SUBSECTION (A) OF THIS SECTION.”.

On pages 8 through 11, strike beginning with line 4 on page 8 through line 9 on page 11, inclusive.

On pages 11 and 12, strike beginning with line 24 on page 11 through line 11 on page 12, inclusive.

AMENDMENT NO. 4

On page 12, after line 11, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The State Department of Assessments and Taxation shall complete an update of the study of the impact of real property tax exemptions on county revenue that was completed by the Department of Legislative Services in January 2014. The updated study shall include:

(1) the total value of tax-exempt property statewide and in each county, including as a percentage of the county’s assessable base;

(2) the total value of tax-exempt property statewide and in each county, categorized by type of exemption, including at a minimum:

(i) federal government property;

(ii) State government property;

(iii) local government property;

(iv) educational property;

(v) religious property; and

(vi) charitable and fraternal property;

(3) the total revenue foregone due to tax-exempt property statewide and in each county and the property tax rate equivalent of the foregone revenue;

(4) the revenue foregone due to tax-exempt property statewide and in each county categorized by type of exemption and the property tax rate equivalent of the foregone revenue;

(5) the five tax-exempt properties with the highest assessed value in each county; and

(6) the number of payment in lieu of taxes agreements with tax-exempt entities and the amount of revenue raised through payment in lieu of taxes agreements statewide and in each county.

(b) On or before July 1, 2017, the State Department of Assessments and Taxation shall submit the updated study to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.”;

in line 12, strike “2.” and substitute “3.”; and in line 13, after the period insert “It shall remain effective for a period of 3 years and, at the end of June 30, 2019, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON WAYS AND MEANS REPORT #25

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

House Bill 833 – Delegates Ebersole, Hixson, and Turner

AN ACT concerning

Agricultural Land Transfer Tax – Calculation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1399 – Delegates Hayes, Conaway, Lierman, Moon, Smith, and Tarlau

AN ACT concerning

Maryland Education Development Collaborative – Established

HB1399/275368/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1399

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “a body politic and corporate and is”; in line 6, after “a” insert “Governing”; in the same line, strike “of Directors”; in lines 8 and 13, in each instance, after the first “the” insert “Governing”; in line 16, after “its” insert “Governing”; strike beginning with the second “or” in line 19 down through “Collaborative” in line 20; and in line 26, after “terms;” insert “providing for the termination of this Act.”.

On page 2, in line 1, strike “9.5–114” and substitute “9.5–113”.

AMENDMENT NO. 2

On page 2, strike in its entirety line 26; in line 27, strike “(C)” and substitute “(B)”; and after line 28, insert:

“(C) “GOVERNING BOARD” MEANS THE GOVERNING BOARD OF THE COLLABORATIVE.”.

On page 3, in line 1, strike “A BODY POLITIC AND CORPORATE AND IS”; in line 4, strike “BOARD”; in line 5, strike the first “AND” and substitute “BOARD,”; in the same line, after “ASSEMBLY” insert “, AND LOCAL SCHOOL SYSTEMS”; in line 6, strike “ENHANCES” and substitute “:”.

(I) ENHANCES;

in line 7, strike “STATE;” and substitute “STATE’S PUBLIC SCHOOLS; AND”

(II) REDUCES THE ACHIEVEMENT GAP BETWEEN SOCIOECONOMIC AND DEMOGRAPHIC GROUPS ACROSS THE STATE’S PUBLIC SCHOOLS;

in line 8, after “POLICIES” insert “OR PROGRAMS”; in line 11, after “ALL” insert “PUBLIC”; in lines 14 and 30, in each instance, strike “SCHOOL” and substitute “PUBLIC SCHOOL PROGRAMS AND”; in line 23, after “PARTNERSHIPS” insert “AMONG PUBLIC SCHOOLS”; in line 25, after “MODERN” insert “PUBLIC”; in line 27, after “IN” insert “PUBLIC”; in line 30, after “TO” insert “PUBLIC”; in line 33, after “GRANTS” insert “THROUGH PILOT PROGRAMS AND INITIATIVES”; and in the same line, strike “SCHOOL DESIGNS, MODERN” and substitute “PUBLIC SCHOOL PROGRAMS, MODERN PUBLIC”.

On page 4, after line 2, insert:

(D) THE COLLABORATIVE SHALL PERFORM THE FOLLOWING FUNCTIONS AND DUTIES:

(1) COLLABORATE WITH LOCAL SCHOOL SYSTEMS IN THE STATE, STATE AND LOCAL GOVERNMENT, COMMUNITY ORGANIZATIONS, PARENTS, AND OTHER STAKEHOLDERS TO PROVIDE A RESEARCH AND DEVELOPMENT APPROACH TO 21ST CENTURY LEARNING OPPORTUNITIES THAT ENHANCE SOCIOECONOMIC DIVERSITY IN THE STATE’S PUBLIC SCHOOLS;

(2) IN PARTNERSHIP WITH STAKEHOLDERS:

(I) DISSEMINATE INFORMATION ON BEST PRACTICES, PROGRAMS, AND RESOURCES;

(II) PROVIDE TECHNICAL ASSISTANCE AND TRAINING;

(III) COLLABORATE ON COLLECTION, ANALYSIS, AND INTEGRATION OF STATEWIDE, LOCAL SCHOOL SYSTEM, OR SCHOOL LEVEL DATA REGARDING 21ST CENTURY LEARNING AND SOCIOECONOMIC DIVERSITY; AND

(IV) PROMOTE INTERAGENCY EFFORTS THAT SUPPORT 21ST CENTURY LEARNING OR ENHANCE SOCIOECONOMIC DIVERSITY;

(3) ASSIST LOCAL SCHOOL SYSTEMS OR COHORTS OF PUBLIC SCHOOLS TO ASSESS OPPORTUNITIES TO ENHANCE 21ST CENTURY LEARNING THAT ENHANCES SOCIOECONOMIC DIVERSITY; AND

(4) DEVELOP A DATABASE OF EVIDENCE-BASED PROGRAMS AND INITIATIVES EXISTING IN THE STATE'S PUBLIC SCHOOLS THAT ENHANCE 21ST CENTURY LEARNING AND SOCIOECONOMIC DIVERSITY.

AMENDMENT NO. 3

On page 4, in line 4, strike “**BOARD OF DIRECTORS**” and substitute “**GOVERNING BOARD**”; in line 5, strike “**CORPORATE**” and substitute “**ORGANIZATIONAL**”; in line 6, after “**THE**” insert “**GOVERNING**”; in the same line, strike “**15**” and substitute “**18**”; after line 14, insert:

“(5) A REPRESENTATIVE OF THE MARYLAND ASSOCIATION OF BOARDS OF EDUCATION, APPOINTED BY THE ASSOCIATION;

(6) A REPRESENTATIVE OF THE BALTIMORE TEACHERS UNION, APPOINTED BY THE UNION;

(7) A REPRESENTATIVE OF THE MARYLAND STATE EDUCATION ASSOCIATION, APPOINTED BY THE ASSOCIATION;

(8) A REPRESENTATIVE OF THE MARYLAND PARENT TEACHER ASSOCIATION, APPOINTED BY THE ASSOCIATION;

(9) A REPRESENTATIVE WITH EXPERIENCE IN EDUCATION TECHNOLOGY, APPOINTED BY THE MARYLAND TECH COUNCIL;

(10) A MARYLAND PUBLIC SCHOOL EDUCATOR, APPOINTED BY THE STATE SUPERINTENDENT OR THE STATE BOARD OF EDUCATION;

(11) A REPRESENTATIVE OF THE PUBLIC SCHOOL SUPERINTENDENTS ASSOCIATION OF MARYLAND, APPOINTED BY THE ASSOCIATION;

(12) A REPRESENTATIVE OF A PUBLIC INSTITUTION OF HIGHER EDUCATION IN THE STATE, APPOINTED BY THE CHANCELLOR OF THE UNIVERSITY SYSTEM OF MARYLAND; AND;

in line 15, strike “**(5)**” and substitute “**(13)**”; in the same line, strike “**11**” and substitute “**6**”; strike in their entirety lines 19 and 20; in lines 21, 24, and 26, strike “**(IV)**”, “**(VI)**”, and “**(VII)**”, respectively, and substitute “**(II)**”, “**(III)**”, and “**(IV)**”, respectively; and strike line 23 in its entirety.

On page 5, in lines 1 and 8, strike “**(VIII)**” and “**(XI)**”, respectively, and substitute “**(V)**” and “**(VI)**”, respectively; in line 3, after “**DESIGN;**” insert “**AND**”; strike in their entirety lines 4 through 7, inclusive; in line 9, after “**ARCHITECTURE,**” insert “**DESIGN,**”; after line 9, insert:

“(C) THE GOVERNOR SHALL APPOINT A REPRESENTATIVE OF A PRIVATE SCHOOL THAT HAS SUCCESSFULLY ENHANCED 21ST CENTURY LEARNING AND SOCIOECONOMIC DIVERSITY TO SERVE AS A NONVOTING, ADVISORY MEMBER TO THE GOVERNING BOARD.”;

in lines 10, 11, 15, 20, and 26, strike “**(C)**”, “**(D)**”, “**(E)**”, “**(F)**”, and “**(G)**”, respectively, and substitute “**(D)**”, “**(E)**”, “**(F)**”, “**(G)**”, and “**(H)**”, respectively; in lines 10 and 11, in each instance, after the first “**THE**” insert “**GOVERNING**”; in line 13, after “**DIVERSITY**” insert “**BASED ON SEX, GENDER IDENTITY, SEXUAL ORIENTATION, RACE, ETHNICITY, AND ECONOMIC STATUS**”; and in lines 15 and 16, in each instance, after “**THE**” insert “**GOVERNING**”.

On page 6, in lines 1 and 2, strike “**(H)**” and “**(I)**”, respectively, and substitute “**(I)**” and “**(J)**”, respectively; in lines 1 and 2, in each instance, after “**THE**” insert “**GOVERNING**”; and in line 2, strike “**EIGHT**” and substitute “**NINE GOVERNING**”.

AMENDMENT NO. 4

On page 7, in line 4, after “**ITS**” insert “**GOVERNING**”; in line 14, after “**SOURCE**” insert “**IF THE COLLABORATIVE GIVES PRIOR NOTICE TO THE STATE BOARD AND EACH LOCAL SCHOOL SYSTEM**”; and in line 16, after “**SUED;**” insert “**AND**”.

On pages 7 and 8, strike in their entirety the lines beginning with line 17 on page 7 through line 6 on page 8, inclusive.

On page 8, in line 7, strike “(12)” and substitute “(7)”; strike in their entirety lines 9 through 23, inclusive; in line 24, strike “9.5–110.” and substitute “9.5–109.”; and in line 26, strike “OR ANY SUBSIDIARY OF THE COLLABORATIVE”.

On page 9, in lines 1, 9, 11, and 16, strike “9.5–111.”, “9.5–112.”, “9.5–113.”, and “9.5–114.”, respectively, and substitute “9.5–110.”, “9.5–111.”, “9.5–112.”, and “9.5–113.”, respectively; strike beginning with “OR” in line 3 down through “COLLABORATIVE” in line 4; strike beginning with “OR” in line 5 down through “COLLABORATIVE” in line 6; in line 6, after “IN” insert “RESEARCH AND”; and strike beginning with “THAT” in line 14 down through “APPROVES” in line 15.

AMENDMENT NO. 5

On page 9, in line 24, after “2016.” insert “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 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 306 – Senators Madaleno and Middleton

AN ACT concerning

Agricultural Land Transfer Tax – Calculation

Favorable report adopted.

Delegate Walker moved to make the Bill a Special Order for next session.

The motion was adopted.

Delegate Hixson, Chair, for the Committee on Ways and Means 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

SB0411/475760/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 411

(Third Reading File Bill)

AMENDMENT NO. 1

On page 3, in lines 11 and 12, strike “**THAT IS APPROVED BY THE STATE BOARD OF PHYSICIANS**”; and in line 19, strike “**APPROVED BY THE STATE BOARD OF PHYSICIANS**” and substitute “**AUTHORIZED BY AN ACCREDITED MEDICAL SCHOOL IN THE STATE**”.

AMENDMENT NO. 2

On page 9, in line 17, after “**CERTIFICATION**” insert “**OF A NURSE PRACTITIONER**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 843 – The President (By Request – Maryland Economic Development and Business Climate Commission)

AN ACT concerning

Tax Credits – Evaluations and Sunset Provisions

SB0843/745264/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 843
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “and Sunset Provisions”.

AMENDMENT NO. 2

On page 1, strike beginning with “terminating” in line 10 down through “changes;” in line 13; strike beginning with “providing” in line 15 down through the second “Act;” in line 16; and in lines 17 and 18, strike “and the termination of certain tax credits”.

AMENDMENT NO. 3

On page 1, in line 21, strike “1–310, 10–205(b), and 10–804(j)” and substitute “and 1–310”.

On page 2, strike in their entirety lines 1 through 36, inclusive.

AMENDMENT NO. 4

On pages 5 through 11, strike beginning with line 13 on page 5 through line 2 on page 11, inclusive.

On page 11, in line 3, strike “7.” and substitute “2.”; and strike in their entirety lines 18 through 22, inclusive, and substitute:

“SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2016.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 910 – Senators Ferguson, Feldman, Guzzone, Madaleno, McFadden, Miller, Ramirez, Rosapepe, Young, and Zucker

AN ACT concerning

Maryland Education Development Collaborative – Established

SB0910/445062/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 910
(Third Reading File Bill)

AMENDMENT NO. 1On page 3, in line 13, strike “**ENHANCES**” and substitute “:

(I) ENHANCES”;

and in line 14, after “SCHOOLS” insert “; AND

(II) REDUCES THE ACHIEVEMENT GAP BETWEEN SOCIOECONOMIC AND DEMOGRAPHIC GROUPS ACROSS THE STATE’S PUBLIC SCHOOLS”.

AMENDMENT NO. 2On page 5, in line 25, strike “AND”; after line 25, insert:

“(11) A REPRESENTATIVE OF THE PUBLIC SCHOOL SUPERINTENDENTS ASSOCIATION OF MARYLAND, APPOINTED BY THE ASSOCIATION;

(12) A REPRESENTATIVE OF A PUBLIC INSTITUTION OF HIGHER EDUCATION IN THE STATE, APPOINTED BY THE CHANCELLOR OF THE UNIVERSITY SYSTEM OF MARYLAND; AND”;

in line 26, strike “**(11)**” and substitute “**(13)**”; and in the same line, strike “**7**” and substitute “**6**”.On page 6, strike beginning with “**ONE**” in line 5 down through “**(IV)**” in line 8; in lines 10, 12, and 19, strike “**(V)**”, “**(VI)**”, and “**(VII)**”, respectively, and substitute “**(IV)**”, “**(V)**”, and “**(VI)**”, respectively; after line 20, insert:

“(C) THE GOVERNOR SHALL APPOINT A REPRESENTATIVE OF A PRIVATE SCHOOL THAT HAS SUCCESSFULLY ENHANCED 21ST CENTURY LEARNING AND

SOCIOECONOMIC DIVERSITY TO SERVE AS A NONVOTING, ADVISORY MEMBER TO THE GOVERNING BOARD.”;

and in lines 21, 22, and 26, strike “(C)”, “(D)”, and “(E)”, respectively, and substitute “(D)”, “(E)”, and “(F)”, respectively.

On page 7, in lines 3, 9, 12, and 14, strike “(F)”, “(G)”, “(H)”, and “(I)”, respectively, and substitute “(G)”, “(H)”, “(I)”, and “(J)”, respectively.

AMENDMENT NO. 3

On page 6, in line 24, after “DIVERSITY” insert “**BASED ON SEX, GENDER IDENTITY, SEXUAL ORIENTATION, RACE, ETHNICITY, AND ECONOMIC STATUS**”.

On page 8, in line 23, after “SOURCE” insert “**IF THE COLLABORATIVE GIVES PRIOR NOTICE TO THE STATE BOARD AND EACH LOCAL SCHOOL SYSTEM**”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 941 – Senators Mathias and Manno

AN ACT concerning

Worcester County – Family Entertainment Centers – Amusement Gaming Licenses

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 973 – Senators Madaleno and Conway

AN ACT concerning

~~Campaign Finance – Public Officials Election Law – Departmental Secretaries –~~
Solicitation of Contributions or Donations

SB0973/945864/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 973

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 3 in its entirety and substitute “Political Activity”; and strike beginning with “prohibiting” in line 4 down through “activities” in line 20 and substitute “prohibiting a secretary of a principal department of the Executive Branch of State government from soliciting, accepting, transmitting, or depositing in a campaign account contributions or donations for the benefit of a candidate or political party; prohibiting a secretary of a principal department of the Executive Branch of State government from being a candidate for a public elective office while serving as secretary; requiring a campaign finance entity or other entity that receives a contribution or donation as a result of a violation of this Act to refund the contribution or donation to the contributor or donor; authorizing the State Board of Elections to impose a civil penalty on a campaign finance entity or other entity that knowingly receives a contribution or donation as a result of a violation of this Act; requiring a civil penalty under this Act to be distributed to the Fair Campaign Financing Fund; providing that a secretary of a principal department of the Executive Branch of State government who violates this Act shall be considered to have violated a certain provision of the Maryland Public Ethics Law; defining certain terms; and generally relating to prohibiting departmental secretaries from engaging in certain political activities”.

On page 2, after line 2, insert:

“BY repealing and reenacting, with amendments,
Article – General Provisions
Section 5–506
Annotated Code of Maryland
(2014 Volume and 2015 Supplement)”.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 13 on page 2 through line 20 on page 3, inclusive, and substitute:

“(3) “PRINCIPAL DEPARTMENT” MEANS A PRINCIPAL DEPARTMENT OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT AS ENUMERATED IN § 8–201(B) OF THE STATE GOVERNMENT ARTICLE.

(4) “SECRETARY” MEANS A SECRETARY OF A PRINCIPAL DEPARTMENT.

(5) “SOLICIT” INCLUDES:

(I) THE AUTHORIZED USE OF THE NAME, IMAGE, OR TITLE OF A SECRETARY IN CAMPAIGN MATERIAL; OR

(II) BEING A FEATURED SPEAKER AT A CAMPAIGN FUNDRAISING EVENT.

(B) A SECRETARY MAY NOT:

(1) SOLICIT, ACCEPT, TRANSMIT, OR DEPOSIT IN A CAMPAIGN ACCOUNT CONTRIBUTIONS OR DONATIONS FOR THE BENEFIT OF A CANDIDATE OR POLITICAL PARTY; OR

(2) BE A CANDIDATE FOR A PUBLIC ELECTIVE OFFICE WHILE SERVING AS SECRETARY.

(C) THIS SECTION DOES NOT PROHIBIT A SECRETARY FROM:

(1) MAKING A PERSONAL POLITICAL CONTRIBUTION;

(2) INFORMING ANY PERSON OF A POSITION TAKEN BY A CANDIDATE OR OFFICIAL; OR

(3) ENGAGING IN OTHER ACTIVITIES NOT SPECIFICALLY PROHIBITED UNDER SUBSECTION (B) OF THIS SECTION.

(D) (1) A CAMPAIGN FINANCE ENTITY OR OTHER ENTITY THAT RECEIVES A CONTRIBUTION OR DONATION AS A RESULT OF A VIOLATION OF THIS SECTION:

(I) SHALL REFUND THE CONTRIBUTION OR DONATION TO THE CONTRIBUTOR OR DONOR; AND

(II) MAY BE ASSESSED A CIVIL PENALTY AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION.

(2) THE STATE BOARD MAY IMPOSE A CIVIL PENALTY ON A CAMPAIGN FINANCE ENTITY OR OTHER ENTITY THAT KNOWINGLY RECEIVES A CONTRIBUTION OR DONATION AS A RESULT OF A VIOLATION OF THIS SECTION:

(I) IN THE MANNER SPECIFIED IN § 13-604.1 OF THIS TITLE;
AND

(II) FOR EACH VIOLATION, IN AN AMOUNT NOT EXCEEDING THE SUM OF \$1,000 PLUS THE AMOUNT OF THE CONTRIBUTION OR DONATION.

(3) A CIVIL PENALTY IMPOSED UNDER THIS SUBSECTION SHALL BE DISTRIBUTED TO THE FAIR CAMPAIGN FINANCING FUND ESTABLISHED UNDER § 15-103 OF THIS ARTICLE.

Article – General Provisions

5-506.

(a) An official or employee may not intentionally use the prestige of office or public position for that official's or employee's private gain or that of another.

(b) The performance of usual and customary constituent services, without additional compensation, is not prohibited under subsection (a) of this section.

(c) A SECRETARY OF A PRINCIPAL DEPARTMENT OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT WHO VIOLATES § 13-244 OF THE ELECTION LAW ARTICLE SHALL BE CONSIDERED TO HAVE VIOLATED SUBSECTION (A) OF THIS SECTION.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1164 – Senator Ferguson

AN ACT concerning

**Baltimore City – South Baltimore Gateway Community Benefits District and
Distribution of Local Impact Grants**

Favorable report adopted.

FLOOR AMENDMENT

SB1164/303023/1

BY: Delegate Luedtke

AMENDMENTS TO SENATE BILL 1164

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2, 6, and 7, in each instance, strike “Benefits” and substitute “Impact”; in line 5, strike “certain community benefits district management authorities to include”; in line 6, after “District” insert “and South Baltimore Gateway Community Impact District Management Authority”; strike beginning with “exempting” in line 18 down through “election;” in line 20 and substitute “requiring the City Council to consider certain views and make certain determinations in adopting an ordinance under this Act; requiring the Mayor and City Council to review and determine the effectiveness and desirability of continuing the existence of the district in a certain manner; providing that the district shall cease to exist and the Authority shall continue to exist for a certain duration under certain circumstances; prohibiting the Mayor and City Council from permitting a reduction in certain services; providing that certain unspent funds shall revert to the City’s General Fund under certain circumstances;”.

On page 2, in line 1, strike “Benefits” and substitute “Impact”; in line 3, strike “repealing and reenacting, with amendments,” and substitute “adding to”; in line 6, strike “(63)” and substitute “(69)”; and in line 16, strike “(63)(c-1)(1)(i)” and substitute “(69)(c)(1)(i)”.

AMENDMENT NO. 2

On pages 2 through 4, strike beginning with “(63)” in line 36 on page 2 down through “(B-1)” in line 29 on page 4 and substitute:

“(69)”

(A) (1) TO ESTABLISH, BY ORDINANCE, THE SOUTH BALTIMORE GATEWAY COMMUNITY IMPACT DISTRICT WITHIN THE CITY TO PROVIDE SERVICES CONSISTENT WITH PARAGRAPH (2) OF THIS SUBSECTION TO THE BUSINESS INTERESTS AND RESIDENTS OF THE PROPOSED DISTRICT.

(2) TO ESTABLISH THE SOUTH BALTIMORE GATEWAY COMMUNITY IMPACT DISTRICT MANAGEMENT AUTHORITY TO PROMOTE AND MARKET THE DISTRICT, PROVIDE SUPPLEMENTAL SECURITY AND MAINTENANCE SERVICES, PROVIDE AMENITIES IN PUBLIC AREAS, PROVIDE PARK AND RECREATIONAL PROGRAMS AND FUNCTIONS, AND AFTER THE AUTHORITY IS ESTABLISHED, OTHER SERVICES AND FUNCTIONS AS REQUESTED BY THE AUTHORITY AND APPROVED THROUGH AN ORDINANCE BY THE MAYOR AND CITY COUNCIL.

(B)”.

On page 4, in line 30, strike “BENEFITS” and substitute “IMPACT”.

On page 6, in line 31, strike “BENEFITS” and substitute “IMPACT”.

On page 7, strike in their entirety lines 7 through 27, inclusive; in line 28, strike “(C-1)” and substitute “(C)”; in the same line, strike “NOTWITHSTANDING SUBSECTION (C) OF THIS SECTION, THE” and substitute “THE”; and in line 30, strike “BENEFITS” and substitute “IMPACT”.

On page 9, strike in their entirety lines 5 through 29, inclusive; in line 30, strike “(D-1)” and substitute “(D)”; and in the same line, strike “NOTWITHSTANDING SUBSECTION (D) OF THIS SECTION, THE” and substitute “THE”.

On page 10, in line 1, strike “BENEFITS” and substitute “IMPACT”; and in line 3, strike “BENEFITS” and substitute “IMPACT”.

On page 11, strike in their entirety lines 3 through 20, inclusive; in line 21, strike “(E-1)” and substitute “(E)”; and in the same line, strike “BENEFITS” and substitute “IMPACT”.

On page 12, in line 12, strike “BENEFITS” and substitute “IMPACT”.

On pages 12 and 13, strike in their entirety the lines beginning with line 16 on page 12 through line 25 on page 13, inclusive, and substitute:

(F) IN ADOPTING AN ORDINANCE, THE CITY COUNCIL SHALL:

(1) GIVE CONSIDERATION TO THE VIEWS OF THE PROPERTY OWNERS, THE RETAIL MERCHANTS, THE PROPERTY TENANTS, AND THE OTHER MEMBERS OF THE BUSINESS AND RESIDENTIAL COMMUNITIES WITHIN THE SOUTH BALTIMORE GATEWAY COMMUNITY IMPACT DISTRICT; AND

(2) MAKE A DETERMINATION THAT THE SOUTH BALTIMORE GATEWAY COMMUNITY IMPACT DISTRICT WILL REFLECT:

(I) A DIVERSE MIX OF BUSINESS AND RESIDENTIAL PROPERTIES; AND

(II) A DIVERSE ECONOMIC, SOCIAL, AND RACIAL MIX.

(G) THE MAYOR AND CITY COUNCIL SHALL REVIEW THE EFFECTIVENESS AND DESIRABILITY OF CONTINUING THE EXISTENCE OF THE SOUTH BALTIMORE GATEWAY COMMUNITY IMPACT DISTRICT ESTABLISHED UNDER THIS SECTION EVERY 4 YEARS FROM THE ENACTMENT OF THE ORDINANCE.

(H) (1) THE MAYOR AND CITY COUNCIL SHALL REVIEW AND DETERMINE THE DESIRABILITY OF CONTINUING THE EXISTENCE OF THE SOUTH BALTIMORE GATEWAY COMMUNITY IMPACT DISTRICT ESTABLISHED UNDER THIS SECTION EVERY 4 YEARS BEGINNING 4 YEARS AFTER THE DATE OF THE ESTABLISHMENT OF THE DISTRICT.

(2) IF THE CONTINUING EXISTENCE OF THE SOUTH BALTIMORE GATEWAY COMMUNITY IMPACT DISTRICT IS NOT APPROVED:

(I) THE DISTRICT SHALL CEASE TO EXIST AT THE END OF THE CITY'S FISCAL YEAR IN WHICH APPROVAL WAS NOT GRANTED; AND

(II) THE SOUTH BALTIMORE GATEWAY COMMUNITY IMPACT DISTRICT MANAGEMENT AUTHORITY SHALL CONTINUE ITS EXISTENCE ONLY AS LONG AS NECESSARY TO TERMINATE OPERATIONS IN A REASONABLE MANNER AND TO ARRANGE FOR THE DISPOSITION OF ALL FUNDS NOT NEEDED TO SATISFY OUTSTANDING OBLIGATIONS AND RESERVES FOR UNCERTAIN OBLIGATIONS AND LIABILITIES.

(I) THE MAYOR AND CITY COUNCIL MAY NOT PERMIT A REDUCTION IN THE SERVICES PROVIDED BY THE CITY IN THE SOUTH BALTIMORE GATEWAY COMMUNITY IMPACT DISTRICT DUE TO THE ESTABLISHMENT OF THE SOUTH BALTIMORE GATEWAY COMMUNITY IMPACT DISTRICT MANAGEMENT AUTHORITY.

(J) IN THE EVENT OF A DISSOLUTION OF THE SOUTH BALTIMORE GATEWAY COMMUNITY IMPACT DISTRICT, ANY UNSPENT FUNDS SHALL REVERT BACK TO THE CITY'S GENERAL FUND."

On page 13, in line 32, strike "**BENEFITS**" and substitute "**IMPACT**".

On page 14, in line 21, strike "(63)" and substitute "(69)"; in line 22, strike "(c-1)" and substitute "(c)"; in the same line, strike "Notwithstanding subsection (c) of this section, the" and substitute "The"; and in line 23, strike "Benefits" and substitute "Impact".

On page 15, in line 6, strike "**BENEFITS**" and substitute "**IMPACT**".

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

MESSAGE FROM THE SENATE

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **SB0943**

SPONSOR: Senator Raskin, et al
SUBJECT: Criminal Procedure – Firearms – Transfer

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Raskin, Chair
Senator Lee
Senator Ready

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB0943**
SPONSOR: Senator Raskin, et al
SUBJECT: Criminal Procedure – Firearms – Transfer

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Raskin, Chairman
Senator Lee
Senator Ready.

The House appoints:

Delegate Rosenberg, Chair
Delegate Dumais
Delegate Smith

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

MESSAGE FROM THE SENATE

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: SB1097
SPONSOR: Senator Mathias, et al
SUBJECT: Local Government Tort Claims Act – Regional Development
Councils

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Brochin, Chair
Senator Cassilly
Senator Muse

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: SB1097
SPONSOR: Senator Mathias, et al
SUBJECT: Local Government Tort Claims Act – Regional Development
Councils

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Brochin, Chairman
Senator Cassilly
Senator Muse.

The House appoints:

Delegate Moon, Chair
Delegate Morales
Delegate Sanchez

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and adopted.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #23

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations reported favorably:

Senate Joint Resolution 1 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Planning)

A Senate Joint Resolution concerning

Patuxent River Watershed – Amendment of Patuxent River Policy Plan

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:

House Bill 683 – Delegates Moon, Anderson, Atterbeary, Bromwell, Carter, Conaway, Gutierrez, Hettleman, Jalisi, Lierman, Luedtke, Morales, Sanchez, Smith, and P. Young

AN ACT concerning

Guardianship and Child in Need of Assistance Proceedings – Jurisdiction and Authority of Juvenile Court

STATUS OF BILL: BILL ON 3RD READING.

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

Affirmative – 140 Negative – 0 (See Roll Call No. 1324)

The Bill was then sent to the Senate.

THE COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS REPORT #24

Delegate Healey, Chair, for the Committee on Rules and Executive Nominations recommended the following Bill be re-referred to the Committee on Judiciary:

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 Judiciary.

QUORUM CALL

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 1325)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #64**Senate Bill 31 – ~~Senator DeGrange~~ Senators DeGrange and Ready**

AN ACT concerning

**Family Law – Child Abuse and Neglect – Expungement of Reports and Records –
Time Period**

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1326)

The Bill was then returned to the Senate.

**Senate Bill 88 – Chair, Finance Committee (By Request – Departmental – Labor,
Licensing and Regulation)**

AN ACT concerning

**Commissioner of Financial Regulation – Consolidation of Nondepository
Special Funds**

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

Affirmative – 140 Negative – 0 (See Roll Call No. 1327)

The Bill was then returned to the Senate.

**Senate Bill 95 – Chair, Finance Committee (By Request – Departmental – Labor,
Licensing and Regulation)**

AN ACT concerning

**Division of Workforce Development and Adult Learning – Adult Education and
Literacy Services – Revisions**

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

Affirmative – 140 Negative – 0 (See Roll Call No. 1328)

The Bill was then returned to the Senate.

Senate Bill 160 – ~~Senator Cassilly~~ Senators Cassilly, Brochin, Hough, Lee, Muse, Norman, Ramirez, Raskin, Ready, and Zirkin

AN ACT concerning

Death or Life-Threatening Injury by Motor Vehicle or Vessel – Subsequent Offenders – Penalties

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

Affirmative – 141 Negative – 0 (See Roll Call No. 1329)

The Bill was then returned to the Senate.

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 – 141 Negative – 0 (See Roll Call No. 1330)

The Bill was then returned to the Senate.

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

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

Affirmative – 141 Negative – 0 (See Roll Call No. 1331)

The Bill was then returned to the Senate.

Senate Bill 734 – The President (By Request – Office of the Attorney General) and Senators Raskin, Brochin, Feldman, Gladden, Kagan, Lee, Muse, Pugh, and Ramirez

AN ACT concerning

**Courts and Judicial Proceedings – Structured Settlements – Transfers and
Registration of Structured Settlement Transferees**

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

Affirmative – 141 Negative – 0 (See Roll Call No. 1332)

The Bill was then returned to the Senate.

Senate Bill 771 – The President (By Request – Office of the Attorney General)

AN ACT concerning

**Courts and Judicial Proceedings – Consumer Debt Collection
Actions – Restrictions**

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

Affirmative – 91 Negative – 50 (See Roll Call No. 1333)

The Bill was then returned to the Senate.

Senate Bill 1009 – Senators Benson, Manno, Kelley, Middleton, and Pugh

AN ACT concerning

Procurement – Prevailing Wage – Liquidated Damages

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

Affirmative – 95 Negative – 46 (See Roll Call No. 1334)

The Bill was then returned to the Senate.

**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**

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

Affirmative – 141 Negative – 0 (See Roll Call No. 1335)

The Bill was then returned to the Senate.

Senate Bill 1173 – Senators Pugh, Conway, McFadden, Ferguson, and Nathan-Pulliam

AN ACT concerning

~~Department of Labor, Licensing and Regulation – Adult Education – Adult High Schools~~

Task Force to Study the Adult High School Concept

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

Affirmative – 135 Negative – 6 (See Roll Call No. 1336)

The Bill was then returned to the Senate.

THIRD READING CALENDAR (SENATE BILLS) #68

Senate Bill 696 – Senators Young and Hough

AN ACT concerning

Frederick County and St. Mary's County – Alcoholic Beverages – Art Gallery Beer and Wine License

Delegate Barkley moved to make the Bill a Special Order for next session.

The motion was adopted.

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 yeas and nays as follows:

Affirmative – 136 Negative – 5 (See Roll Call No. 1337)

The Bill was then returned to the Senate.

Senate Bill 921 – Senators Pugh, Feldman, Benson, Madaleno, Mathias, ~~and Middleton~~ Middleton, Pinsky, and Raskin ~~Raskin~~, and Muse

AN ACT concerning

Clean Energy Jobs – Renewable Energy Portfolio Standard Revisions

Delegate McConkey moved to make the Bill a Special Order for next session.

The motion was adopted.

YEAS AND NAYS

HOUSE BILLS PASSED IN THE SENATE

NUMBER	SPONSOR	CONTENT
HB 76	Chair, Judiciary Committee	Department of State Police – Investigation Authority
HB 77	Chair, Judiciary Committee	Family Law – Missing Children – Reporting Requirements and Repeal of Advisory Council
HB 91	Del. Morhaim	General Provisions – Commemorative Days – National Healthcare Decisions Day
HB 133	Charles County Delegation	Charles County – Annual Financial Report and Annual Audit Report – Filing Date
HB 318	Del. Jacobs	Kent County – Fisheries – Use of Haul Seines
HB 365	Del. Jackson	Public Schools – Bullying, Harassment, and Intimidation Policies – Update
HB 385	Del. Anderson	Baltimore City – Abandoned Property – Tax Sales – Ground Rent
HB 460	The Speaker	Housing and Community Dvlp – Community Dvlp Admin – Student and Residential Mortgage Loans
HB 557	Del. Jameson	Homeowner’s Insurance – Underwriting Standards – Deductibles

NUMBER	SPONSOR	CONTENT
HB 632	Howard County Delegation	Howard Co – Alchlc Bevs – Luxury Restaurants and Farm Breweries – Licenses Ho. Co. 14–16
HB 654	Howard County Delegation	Howard County – Alcoholic Beverages – Class D Beer, Wine, and Liquor Licenses Ho. Co. 10–16
HB 655	Howard County Delegation	Howard County – Alcoholic Beverages – Class D Licenses Ho. Co. 7–16
HB 671	Howard County Delegation	Howard County – Practice of Massage – Regulation Ho. Co. 13–16
HB 722	Del. Hixson	Cptl Grnt Prgrm for Lcl Schl Sstms Wth Significant Enrlmnt Growth or Rlctble Classrooms – Fndg
HB 816	Cecil County Delegation	Cecil County – Sheriff – Salary
HB 886	Del. West	Maryland Medical Assistance Program – Telemedicine – Modifications
HB 969	Harford County Delegation	Harford County – Alcoholic Beverages – Business Establishments Near Schools
HB 981	Del. Kelly	Maryland Medical Assistance Program – Guardianship Fees – Personal Needs Allowance
HB 1015	Del. Kaiser	Study of Student Loan Refinancing in Maryland
HB 1020	Prince George's County Delegation	PG Co – Alchlc Bevs Lnss – Class B–WPL (Waterfront Pavilion) Beer, Wine, and Lqr Lnss PG 314–16
HB 1029	Montgomery County Delegation	Montgomery County – Alcoholic Beverages – Class BD–BWL License – Hours of Sale MC 17–16
HB 1064	Montgomery County Delegation	Montgomery Co – Sale of Alchlc Bevs – Dstnc From Places of Worship, Schools, and Yth Ctrs MC 18–16

NUMBER	SPONSOR	CONTENT
HB 1069	Prince George's County Delegation	Prince George's Co – Alchlc Bevs – Entertainment Concessionaire and Facility Licenses PG 311–16
HB 1073	Montgomery County Delegation	Montgomery County – Alcoholic Beverages – License Applications – Online Notice MC 5–16
HB 1074 (Emerg)	Montgomery County Delegation	Montgomery County – Laytonsville – Alcoholic Beverages Licenses MC 22–16
HB 1076	Montgomery County Delegation	Montgomery County – Alcoholic Beverages – Sports Stadium License MC 19–16
HB 1123	Prince George's County Delegation and Montgomery County Delegation	Maryland–Washington Metropolitan District – Boundaries – City of Greenbelt PG/MC 117–16
HB 1128	Prince George's County Delegation and Montgomery County Delegation	Washington Suburban Sanitary Commission – Drinking Water – Testing PG/MC 113–16
HB 1135	Prince George's County Delegation	Prince George's County – Board of License Commissioners – Budget and Funding PG 308–16
HB 1138	Prince George's County Delegation	Prince George's County – School Facilities Surcharge – Student Housing Exemptions PG 439–16
HB 1157	Calvert County Delegation	Calvert County – Assistant Sheriff – Salary and Status

NUMBER	SPONSOR	CONTENT
HB 1247 (Emerg)	Del. Hayes	Insurance – Self-Funded Student Health Plans
HB 1268	Calvert County Delegation	Calvert County – Pretrial Release Program – Nonviolent Felon
HB 1311	Prince George’s County Delegation	Prince George’s Co – Alchlc Bevs Lcnss – Dvlp Dist Lcnss and Sunday Off-Sale Prmts PG 305–16
HB 1411	Del. McMillan	Health – Recovery Residences – Certification
HB 1476	Del. Jalisi	Housing and Cmnty Dvlp – Shelter and Transitional Housing Facs Grnt Program – Mandated Fndg

By Order, Sylvia Siegert, Chief Clerk

Read and ordered journalized.

QUORUM CALL

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 1338)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #56

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 – 136 Negative – 4 (See Roll Call No. 1339)

The Bill was then returned to the Senate.

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 – 133 Negative – 5 (See Roll Call No. 1340)

The Bill was then returned to the Senate.

Senate Bill 225 – Senator Simonaire

AN ACT concerning

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

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

Affirmative – 140 Negative – 0 (See Roll Call No. 1341)

The Bill was then returned to the Senate.

Senate Bill 266 – Senators Salling, Astle, Jennings, and Waugh

SECOND PRINTING

AN ACT concerning

~~**Natural Resources – Poaching Restitution Act of 2016**~~
Hunting – Deer – Penalties

Delegate McCray moved to make the Bill a Special Order for next session.

The motion was adopted.

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 – 140 Negative – 0 (See Roll Call No. 1342)

The Bill was then returned to the Senate.

Senate Bill 775 – ~~Senator Simonaire~~ Senators Simonaire, Rosapepe, Bates, Young, Zucker, Conway, Waugh, Nathan-Pulliam, and Pinsky

AN ACT concerning

Natural Resources – Recreational License Donation Program – Establishment

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

Affirmative – 139 Negative – 1 (See Roll Call No. 1343)

The Bill was then returned to the Senate.

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 – 139 Negative – 0 (See Roll Call No. 1344)

The Bill was then returned to the Senate.

Senate Bill 1047 – Senator Lee

AN ACT concerning

Task Force to Study Recording Deeds for Victims of Domestic Violence

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

Affirmative – 141 Negative – 0 (See Roll Call No. 1345)

The Bill was then returned to the Senate.

Senate Bill 1054 – Senator Mathias

AN ACT concerning

Commercial Northern Snakehead Bowfishing License – Establishment

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

Affirmative – 140 Negative – 1 (See Roll Call No. 1346)

The Bill was then returned to the Senate.

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

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

Affirmative – 139 Negative – 0 (See Roll Call No. 1347)

The Bill was then returned to the Senate.

QUORUM CALL

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 1348)

ADJOURNMENT

At 12:31 P.M. on motion of Delegate Kaiser the House adjourned until 3:45 P.M. on Legislative Day April 6, 2016, Calendar Day Monday, April 11, 2016.