

Journal *of* Proceedings

of the

Senate

of

Maryland

2016 Regular Session

Volume III

Compiled and edited by:

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Journal Clerk

...

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

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Annapolis, Maryland
Thursday, March 17, 2016
10:00 A.M. Session

The Senate met at 10:06 A.M.

Prayer by Reverend Dennis Kim, Global Mission Church, guest of Senator Raskin.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 562)

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

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

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 485 – Senator Catherine E. Pugh:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
The Maryland Chapter of Delta Sigma Theta Sorority, Inc.
in recognition of
103 years of service and Delta Day in Annapolis. Your service continues to impact the
community and transform lives.

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

Read and adopted by a roll call vote as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 563)

Senate Resolution No. 432 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
SSgt. Danielle Davis
175th Medical Group
in recognition of
your selection as the Maryland Air National Guard
“Airman of the Year” and your dedication to
professionalism and excellence.
The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 17th day of March 2016.

Senate Resolution No. 433 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
SSgt. Derek White
175th Civil Engineering Squadron
in recognition of
your selection as the Maryland Air National Guard “Noncommissioned Officer of the
Year” and your dedication to professionalism and excellence.
The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 17th day of March 2016.

Senate Resolution No. 434 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
MSgt. Luis Bautista–Galindo
175th Aircraft Maintenance Squadron
in recognition of
your selection as the Maryland Air National Guard “Senior Noncommissioned Officer of
the Year” and your dedication to professionalism and excellence.
The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 17th day of March 2016.

Senate Resolution No. 435 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
MSgt. Anthony Matos

175th Aircraft Maintenance Squadron
in recognition of
your selection as the Maryland Air National Guard “First Sergeant of the Year” and your
dedication to professionalism and excellence.
The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 17th day of March 2016.

Senate Resolution No. 436 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
SrA Daniel Generette
175th Maintenance Squadron
in recognition of
your selection as the Maryland Air National Guard “Honor Guardsman of the Year” and
your dedication to professionalism and excellence.
The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 17th day of March 2016.

Senate Resolution No. 437 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
SSG Matthew Markle
Maryland Defense Force
in recognition of
your selection as the Maryland Defense Force
“Noncommissioned Officer of the Year” and your
dedication to professionalism and excellence.
The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 17th day of March 2016.

Senate Resolution No. 438 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
SGT Mark Pedersen
Maryland Defense Force
in recognition of
your selection as the Maryland Defense Force “Soldier of the Year” and your dedication to
professionalism and excellence.

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

Senate Resolution No. 476 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
CPT Alexi Franklin
32nd Civil Support Team
in recognition of
your selection as the Maryland Army National Guard “Officer of the Year” and your dedication to professionalism and excellence.

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

Senate Resolution No. 487 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
SSG Andrew Cullum
in recognition of
your selection as the Maryland Army National Guard “NCO of the Year” and your dedication to professionalism and excellence.

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

Senate Resolution No. 488 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
SPC Christopher Hoffman
in recognition of
your selection as the Maryland Army National Guard “Soldier of the Year” and your dedication to professionalism and excellence.

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

The preceding 10 resolutions were read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 564)

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 102 – ~~Delegates B. Barnes and Kipke~~ Anne Arundel County Delegation

AN ACT concerning

Anne Arundel County – Solicitation of Money or Donations From Occupants of Vehicles – Prohibitions and Permit Program

FOR the purpose of altering a prohibition, in Anne Arundel County, on a person standing in a certain highway to solicit money or donations to prohibit a person from standing, or causing, encouraging, allowing, or petitioning another to stand, in a roadway, a median divider, or an intersection to solicit money or donations from the occupant of a vehicle, subject to a certain exception; authorizing the governing body of the county or of a municipal corporation in the county to enact a certain permit program to allow individuals who are at least a certain age and representatives of certain organizations who are at least a certain age to solicit money or donations from the occupant of a vehicle by standing in a roadway, a median divider, or an intersection in the county or municipal corporation; requiring an applicant for a certain permit to submit proof of a certain plan that includes a requirement that a certain individual has received traffic safety training; providing that a certain permit be effective only for a certain period of time; providing that an individual or a certain organization may obtain only a certain number of a certain permit per calendar year; and generally relating to the solicitation and collection of money or donations from occupants of vehicles in Anne Arundel County.

BY repealing

Article – Transportation

Section 21–507(e)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 21–507(f)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY renumbering

Article – Transportation

Section 21–507(g) through (j), respectively

to be Section 21–507(f) through (i), respectively

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

House Bill 212 – Delegates Turner, Atterbeary, Barkley, Brooks, Ebersole, Hill, Hixson, Jalisi, Lam, Pendergrass, Sophocleus, and B. Wilson

AN ACT concerning

Vehicle Laws – Use of Handheld Telephone While Driving – ~~Increased~~ Penalties

FOR the purpose of ~~increasing~~ altering the maximum fines for ~~an initial violation and subsequent violations~~ a violation of certain prohibitions against using a handheld telephone while driving a motor vehicle; and generally relating to the prohibition against using a handheld telephone while driving a motor vehicle.

BY repealing and reenacting, ~~without~~ with amendments,
 Article – Transportation
 Section ~~21-1124.2(e) and (d)~~ 21-1124.2
 Annotated Code of Maryland
 (2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, ~~with~~ without amendments,
 Article – Transportation
 Section ~~21-1124.2(e)(1)~~ 27-101(a) and (b)
 Annotated Code of Maryland
 (2012 Replacement Volume and 2015 Supplement)

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

House Bill 262 – Delegates M. Washington, Cullison, Hettleman, and C. Howard

AN ACT concerning

**Senior Citizen Activities Center Operating Fund – ~~Funding and Distribution~~
Distributions – Alteration**

FOR the purpose of increasing the amount of funding required to be included in the annual State budget for the Senior Citizen Activities Center Operating Fund; ~~altering the distribution of the Fund;~~ requiring a certain percentage amount of the Fund to be distributed based on each county's share of the statewide senior citizen population; ~~requiring a certain percentage of the Fund to be distributed based on each county's share of the population of senior citizens with income below a certain percentage of the federal poverty level;~~ that each county receive a minimum amount of funding; defining a certain term; altering the qualification criteria for certain need-based distributions from the Senior Citizen Activities Center Operating Fund to certain

counties; and generally relating to the administration of the Senior Citizen Activities Center Operating Fund.

BY repealing and reenacting, without amendments,

Article – Human Services
Section 10–513 and 10–514
Annotated Code of Maryland
(2007 Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Human Services
Section 10–516
Annotated Code of Maryland
(2007 Volume and 2015 Supplement)

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

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

FOR the purpose of establishing the ~~Study Group to Investigate Discriminatory Practices Against Minority Franchisees~~ Task Force to Investigate the Challenges of and Opportunities for Minorities in Business; providing for the composition, chair, and staffing of the ~~Study Group~~ Task Force; prohibiting a member of the ~~Study Group~~ Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the ~~Study Group~~ Task Force to study and make recommendations regarding certain matters; requiring the ~~Study Group~~ 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 ~~Study Group to Investigate Discriminatory Practices Against Minority Franchisees~~ Task Force to Investigate the Challenges of and Opportunities for Minorities in Business.

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

House Bill 346 – Delegates Carter, Dumais, Glass, Valentino–Smith, and B. Wilson

AN ACT concerning

Criminal Law – Synthetic Cannabinoids – Prohibition

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

BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 5–101(a) and (e)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law

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

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY adding to

Article – Criminal Law

Section 5–101(ff)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.**House Bill 387 – Delegate Barkley**

AN ACT concerning

**Clean Energy Loan Program – Residential Property – ~~Repayment of Loans~~
Through Surcharge Study**

FOR the purpose of ~~authorizing a county or municipality to collect certain loan payments for a loan to certain owners of residential property under the Clean Energy Loan Program, and certain costs, through a surcharge on the property owner's property~~

~~tax bill; authorizing a private lender to provide capital for a loan provided to a residential property owner under the program; requiring that certain unpaid surcharges be a lien on the real property on which they are imposed; requiring that certain provisions relating to liens apply to the liens created under this Act; defining a certain term requiring the Maryland Clean Energy Center to conduct a study to determine certain design and implementation strategies for a residential clean energy loan program; requiring the study to include consideration of certain matters; requiring the Center to consult with certain persons in conducting the study; requiring the Center to report certain findings and recommendations to the General Assembly on or before a certain date; and generally relating to the collection of loan payments for residential property improved through loans~~ loans for improvements to residential property under the Clean Energy Loan Program.

~~BY repealing and reenacting, with amendments,
Article — Local Government
Section 1-1101, 1-1103, and 1-1105
Annotated Code of Maryland
(2013 Volume and 2015 Supplement)~~

~~BY repealing and reenacting, without amendments,
Article — Local Government
Section 1-1102 and 1-1104
Annotated Code of Maryland
(2013 Volume and 2015 Supplement)~~

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

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

FOR the purpose of increasing a certain statutory minimum grant to Baltimore City, payable from the State's share of the proceeds of Program Open Space, for certain purposes related to Program Open Space; specifying that certain funds be used only for certain capital projects; requiring certain appropriations from the General Fund to the Program Open Space special fund to repay certain appropriations or transfers from the special fund to the General Fund; requiring that certain appropriations to the special fund be distributed and used for certain purposes; requiring a certain

appropriation to the ~~Agricultural Land Preservation Fund~~ Maryland Agricultural and Resource-Based Industry Development Corporation for a certain purpose; declaring the intent of the General Assembly; requiring that certain funds be allocated as a certain grant; reducing certain transfers from a certain special fund to the General Fund of the State for certain fiscal years; requiring in certain fiscal years the distribution of certain amounts from a certain special fund for certain purposes; providing that certain distributions may not be utilized or considered for certain purposes; and generally relating to ~~the distribution of State transfer tax revenue~~ Program Open Space.

~~BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 13-209(f) and (g)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5-903(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 5-903(b)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section ~~13-209(h)~~ 13-209
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

House Bill 494 – Delegates Miele, Hettleman, Aumann, Bromwell, Buckel, Carr, Cassilly, Cluster, Flanagan, Frick, Frush, Jacobs, Kramer, Lierman, Luedtke, McComas, McKay, Metzgar, Morgan, Morhaim, Rose, Stein, Turner, West, and K. Young

AN ACT concerning

**Agriculture – Animal Shelters – Uniform Standards of Operation and Care
(Animal Shelters Standards Act of 2016)**

FOR the purpose of requiring an animal shelter to ~~develop and make reasonable efforts to adhere to~~ establish a certain written veterinary care protocol on or before a certain date; establishing certain requirements for the written veterinary protocol; ~~requiring an animal shelter to meet certain veterinary care requirements; requiring an animal shelter to maintain certain holding periods for certain stray animals; requiring an animal shelter to take certain steps to determine the identity of an animal in its custody; requiring an animal shelter to make certain efforts to accommodate a person intending to adopt, foster, reclaim, or transfer sheltered animals; specifying certain euthanasia requirements and protocol for an animal shelter; prohibiting an animal shelter from knowingly loaning a humane animal capture trap to the public for a lethal purpose; requiring an animal shelter to obtain certain information from an individual borrowing a humane animal capture trap; requiring an animal shelter to take certain actions for animals reported as lost;~~ authorizing an animal shelter to disregard a certain written veterinary care protocol under certain circumstances; requiring an animal shelter to make a certain written veterinary care protocol available to the public and the Department of Agriculture on request; requiring an animal shelter to establish and make available to the public in a certain manner a certain written protocol for reclaiming lost animals and an annual summary of certain intake and disposition data on or before a certain date; requiring an animal shelter to establish, maintain, and report to the Department of Agriculture in a certain manner a certain list of certain organizations that accept animals for adoption or foster care; requiring an animal shelter to maintain and submit to the Department certain records in a certain manner; requiring an animal shelter to make the records maintained under this Act available to the public in a certain manner; requiring the Department to annually report to the Governor and the General Assembly; making a person who violates certain provisions of this Act guilty of a misdemeanor and subject to a certain fine; authorizing a person to bring a certain civil action; requiring the court to issue a permanent injunction if the court makes a certain finding; providing immunity for an animal shelter under certain circumstances; awarding court costs and attorney's fees to a person who brings a successful action; stating that the circuit court of the county where the violation occurred has jurisdiction to enforce the provisions of this Act; stating that, notwithstanding certain provisions of law, the Department is not required to enforce the requirements of this Act; making a person who violates this Act subject to a certain civil penalty; specifying that certain criminal penalties do not apply to this Act; defining a certain ~~terms~~ term; stating the intent and findings of the General Assembly; and generally relating to animal shelters.

BY adding to

Article – Agriculture

Section 2-1701 through ~~2-1712~~ 2-1705 to be under the new subtitle “Subtitle 17.
Animal Shelters”

Annotated Code of Maryland

(2007 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Agriculture

Section 12–101 through 12–103
Annotated Code of Maryland
(2007 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 12–104
Annotated Code of Maryland
(2007 Replacement Volume and 2015 Supplement)

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

House Bill 521 – Delegates Smith, Carter, Anderson, Atterbeary, Conaway, Dumais, Moon, Morales, Proctor, Sanchez, and Sydnor

AN ACT concerning

Public Safety – SWAT Teams – Reporting and Limitations

FOR the purpose of requiring the Police Training Commission to adopt a certain set of standards for the training and deployment of SWAT teams in the State; requiring each law enforcement agency to follow a certain set of standards; requiring, at certain intervals, a law enforcement agency that maintains a SWAT team to report certain information to the Governor’s Office of Crime Control and Prevention using a certain format; requiring the Police Training Commission, in consultation with the Governor’s Office of Crime Control and Prevention, to develop a standardized format that certain law enforcement agencies shall use in reporting to the Governor’s Office of Crime Control and Prevention certain data relating to the deployment of SWAT teams; requiring the Governor’s Office of Crime Control and Prevention to analyze and summarize certain reports of law enforcement agencies and to submit a certain report of the analyses and summaries to the Governor, the General Assembly, and each law enforcement agency before a certain date each year; providing that, if a law enforcement agency fails to comply with the reporting provisions of this Act, the Governor’s Office of Crime Control and Prevention shall report the noncompliance to the Commission; requiring the Commission to contact a certain law enforcement agency and request that the agency comply with this Act under certain circumstances; providing that, if a certain law enforcement agency fails to comply with certain reporting provisions within a certain period after being contacted by the Commission, the Governor’s Office of Crime Control and Prevention and the Commission jointly shall make a certain report to the Governor and the Legislative Policy Committee of the General Assembly; defining certain terms; and generally relating to the deployment of SWAT teams.

BY adding to
Article – Public Safety
Section 3–801 through 3–803 to be under the new subtitle “Subtitle 8. SWAT Teams”

Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

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

House Bill 523 – Delegate Stein

AN ACT concerning

E-ZPass Accounts – Transponder Theft – ~~Notice~~ Reporting and Unauthorized Charges

FOR the purpose of ~~requiring~~ authorizing the holder of an E-ZPass account to report the theft of a certain transponder to the Maryland Transportation Authority and a local law enforcement agency and to report certain charges assessed to the Authority; ~~requiring the Authority to review certain records following the reported theft of a transponder and provide copies of certain records to the account holder under certain circumstances;~~ providing that an account holder is not responsible for certain tolls under certain circumstances; ~~requiring the Authority to provide certain notice to an account holder under certain circumstances;~~ defining certain terms; and generally relating to the theft of transponders associated with E-ZPass accounts.

BY adding to

Article – Transportation
Section 21-1416
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

House Bill 538 – Delegate Holmes

AN ACT concerning

Real Property – ~~Notice of~~ Notices of Foreclosure Sale and Postponement or Cancellation of Foreclosure Sale

FOR the purpose of requiring the person authorized to make a foreclosure sale to give written notice of the proposed sale to a certain condominium or homeowners association at a certain time and in a certain manner; requiring the trustee, within a certain time after the postponement or cancellation of a foreclosure sale, to send a notice that the sale was postponed or canceled to the record owner of the property and a certain condominium or homeowners association in a certain manner; providing for the application of this Act; and generally relating to notice of a foreclosure sale.

BY repealing and reenacting, with amendments,

Article – Real Property
Section 7–105.2
Annotated Code of Maryland
(2015 Replacement Volume)

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

House Bill 545 – Delegate Lafferty

AN ACT concerning

Landlord and Tenant – Water and Wastewater Charges – ~~Prohibition on Ratio~~ Utility Billing Systems

FOR the purpose of ~~prohibiting a landlord on or after a certain date from using a ratio utility billing system to charge a tenant for the cost of certain water and wastewater utilities under certain circumstances; imposing certain limits on charges for certain water and wastewater utilities if a landlord charges a tenant separately for utilities; providing that a landlord that violates this Act is liable for certain damages and attorney's fees~~ requiring a landlord to disclose to a prospective tenant the method used to charge tenants for the cost of certain utilities under certain circumstances; requiring a landlord to provide a tenant with information to document a bill for certain utilities under certain circumstances; authorizing a landlord to recover payment of an arrearage due for certain utilities as rent; providing for the application of this Act; defining certain terms; and generally relating to charging tenants for water and wastewater.

BY adding to

Article – Real Property
Section 8–212.4
Annotated Code of Maryland
(2015 Replacement Volume)

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

House Bill 565 – Delegates Dumais and Vallario

AN ACT concerning

Criminal Law – Possession of Less Than 10 Grams of Marijuana – Code Violation

FOR the purpose of specifying that a person who violates a certain provision of law involving the use or possession of marijuana in the amount of 10 grams or more is guilty of the misdemeanor of possession of marijuana; altering a certain provision of law so as to provide that a finding of guilt, rather than a violation, of a certain provision of law is a civil offense punishable by a certain fine; requiring that a certain citation contain the date of birth of the person charged; providing that prepayment

of a certain fine shall be considered a plea of guilty to a Code violation; prohibiting a certain person from prepaying a certain fine; authorizing a certain person to request a certain trial in a certain manner at a certain time; authorizing the court to impose a certain fine and costs against a certain person and find the person is guilty of a Code violation for a certain purpose under certain circumstances; establishing certain procedures for a certain Code violation proceeding; providing that a certain defendant is liable for certain costs; authorizing the State's Attorney to prosecute a certain violation in a certain manner; establishing that a certain provision of law providing that a certain citation and a certain record of a court are not subject to public inspection and may not be included on a certain Web site only applies under certain circumstances; and generally relating to possession of marijuana.

BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 5–601(a) and (c)(1)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 5–601(c)(2) and 5–601.1

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

House Bill 583 – Delegates Lam, Smith, Atterbeary, Barkley, B. Barnes, Barve, Beidle, Cullison, Ebersole, Fraser–Hidalgo, Frick, Frush, Hixson, S. Howard, Jalisi, Lisanti, Long, Luedtke, Malone, McComas, Miele, Moon, Morhaim, Pena–Melnik, Platt, Reznik, S. Robinson, Rose, Rosenberg, Sanchez, Shoemaker, Stein, Turner, Valderrama, Vallario, Waldstreicher, West, B. Wilson, and K. Young

AN ACT concerning

Criminal Law – Cruelty to Animals – Implement of Dogfighting

FOR the purpose of prohibiting a person from possessing, with the intent to unlawfully use, a certain implement of dogfighting; ~~establishing certain factors that a court may consider to determine whether an object is an implement of dogfighting;~~ establishing penalties for a violation of this Act; authorizing a court to order a certain defendant to participate in and pay for psychological counseling as a condition of sentencing; providing that each implement of dogfighting possessed in violation of this Act is a separate offense; defining a certain term; and generally relating to cruelty to animals.

BY adding to

Article – Criminal Law

Section 10–607.1

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

House Bill 605 – Frederick County Delegation

AN ACT concerning

Frederick County – Development Rights and Responsibilities Agreements – Administrative Appeals

FOR the purpose of authorizing, in Frederick County, a person aggrieved by a development rights and responsibilities agreement to file an administrative appeal; authorizing, in Frederick County, certain persons to file a request for judicial review of a decision of the county board of zoning appeals by the circuit court of the county; authorizing, in Frederick County, a certain party to a proceeding in the circuit court of the county to appeal to the Court of Special Appeals; providing that if an agreement was entered into before a certain date, a person aggrieved by an amendment to the agreement may not file an administrative appeal and may seek direct judicial review under certain circumstances; providing that a certain party may appeal to the Court of Special Appeals and thereafter may petition the Court of Appeals for a writ of certiorari under certain circumstances; and generally relating to development rights and responsibilities agreements in Frederick County.

BY repealing and reenacting, with amendments,

Article – Land Use

Section 7–307

Annotated Code of Maryland

(2012 Volume and 2015 Supplement)

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

House Bill 689 – Delegate Frick

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 Judicial Proceedings.

House Bill 758 – Delegates O’Donnell, Arentz, Bromwell, Frush, Holmes, Impallaria, Jacobs, Mautz, and Otto

AN ACT concerning

Natural Resources – County Oyster Committees

FOR the purpose of altering the structure, membership, and duties of county oyster committees in the State; repealing provisions of law providing for the membership of a statewide advisory committee on oyster propagation; repealing certain statewide advisory committees on the propagation of oysters in certain areas of the State; repealing certain selection processes for county oyster committees and establishing an election process for county oyster committees; altering the process for filling a vacancy on a county oyster committee; altering the information that the Department of Natural Resources is required to report annually to each county oyster committee; requiring the Department to make certain information available on its Web site; authorizing the Department to open ~~any natural oyster bar~~ certain natural oyster bars on the request of a county oyster committee; requiring the Department to adopt certain regulations; and generally relating to county oyster committees.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–1106
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

House Bill 782 – Delegates Waldstreicher, Barkley, Carr, Clippinger, Glenn, Hill, Kramer, Lisanti, McCray, A. Miller, Rosenberg, Sanchez, Stein, Sydnor, Valderrama, Vaughn, and C. Wilson

AN ACT concerning

**Consumer Protection – Credit Report Security Freezes – Prohibition on Fees
and Required Notices**

FOR the purpose of prohibiting a consumer reporting agency from charging a consumer a fee for placing a security freeze, temporarily lifting a security freeze a certain number of times, or removing a security freeze if the consumer has received a certain notice of a breach of the security of a system under certain provisions of State law or from or on behalf of a federal agency and provides a copy of the notice to the consumer reporting agency; altering the contents of a certain notice that must be included with a certain summary of rights provided to a consumer; requiring that certain notices relating to the breach of the security of a system include certain information about limitations on the fees that may be charged by a consumer reporting agency for placing, temporarily lifting, or removing a security freeze; and generally relating to fees charged by consumer reporting agencies for services relating to a security freeze and notices about the fees.

BY repealing and reenacting, without amendments,
Article – Commercial Law
Section 14–1212.1(a)(1) and (3) and 14–3504(a) and (b)(1) and (2)
Annotated Code of Maryland
(2013 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 14–1212.1(i) and (j) and 14–3504(g)
Annotated Code of Maryland
(2013 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 10–1305(a) and (b)(1) and (2)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 10–1305(g)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

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

House Bill 799 – Delegate O’Donnell

AN ACT concerning

Aquaculture – Liability for Trespass

FOR the purpose of establishing that certain persons who enter in a certain manner an area leased to another person for aquaculture purposes and cause certain harm are liable to certain other persons for certain civil damages in the same manner that the persons would be liable to the leaseholder of the lease for certain civil damages; and generally relating to aquaculture and liability for trespass.

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 4–11A–16(a)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–11A–16.1
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

House Bill 805 – Delegates Beidle, Fraser–Hidalgo, and Szeliga

AN ACT concerning

Motor Vehicles – Autocycles – Standards and Requirements

FOR the purpose of establishing that an autocycle is considered to be a motorcycle for the purposes of the Maryland Vehicle Law; defining the term “autocycle”; establishing certain driver’s licensing requirements for an operator of an autocycle; prohibiting certain persons from towing certain vehicles when driving an autocycle; prohibiting an applicant for a certain driver skills examination from using an autocycle for the examination; restricting the course of instruction for certain motorcycle safety courses to the use and operation of certain motorcycles; requiring that the form for certain written accident reports distinguish autocycles from motorcycles; restricting the requirement that a person ride on a motorcycle in a certain manner to persons riding certain motorcycles; requiring the Motor Vehicle Administration and the Department of State Police to adopt certain regulations establishing equipment standards for autocycles; making certain conforming changes; making a certain stylistic change; and generally relating to the application of the Maryland Vehicle Law to autocycles.

BY adding to
Article – Transportation
Section 11–103.3
Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 11–136, 16–104.1, 16–110(e), 16–601, 20–113, 21–1302(d) and (e), 22–412,
and 23–104

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

House Bill 832 – Cecil County Delegation

AN ACT concerning

Cecil County – Marriage Licenses – Applications

FOR the purpose of repealing the requirement that, in Cecil County, both parties to be married appear together before the clerk to apply for a marriage license; and generally relating to applications for marriage licenses in Cecil County.

BY repealing and reenacting, with amendments,

Article – Family Law

Section 2–402

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

House Bill 871 – Delegate Parrott

AN ACT concerning

Agreements to Defend or Pay the Cost of Defense – Void

FOR the purpose of providing that certain agreements to defend or pay the costs of defending certain promisees or indemnitees against liability for certain damages are against public policy and are void and unenforceable under certain circumstances; providing for the application of this Act; and generally relating to certain agreements to defend or pay the costs of defending certain promisees or indemnitees.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 5–401(a)

Annotated Code of Maryland

(2013 Replacement Volume and 2015 Supplement)

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

House Bill 918 – Delegates Jacobs, Carozza, Cassilly, Hornberger, S. Howard, Malone, Mautz, Otto, and Reilly

AN ACT concerning

Oyster Poaching – Administrative Penalties – Gear Violations

FOR the purpose of repealing the offense of taking oysters with certain gear in certain areas that is subject to certain enhanced administrative penalties; establishing the offense of taking oysters with a power dredge or other dredge gear in certain areas that is subject to certain enhanced administrative penalties; and generally relating to administrative penalties for oyster poaching gear violations.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–1210
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

House Bill 919 – Delegate Jameson

AN ACT concerning

Portable Electronics Insurance – Compensation of Vendor Employees – Repeal of Sunset and Reporting Requirement

FOR the purpose of repealing the termination of a certain provision of law authorizing the employees of a vendor or authorized representative of a vendor of portable electronics insurance to be compensated in a certain manner; repealing a requirement that the Maryland Insurance Administration keep track of certain complaints, make a certain determination, and, on or before a certain date, make a certain report to certain committees of the General Assembly; and generally relating to vendor employee compensation and portable electronics insurance.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 10–703(e)(2)
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

BY repealing
Chapter 525 of the Acts of the General Assembly of 2013

Section 4

BY repealing and reenacting, with amendments,
Chapter 525 of the Acts of the General Assembly of 2013
Section 5

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

House Bill 920 – Delegates O’Donnell and Dumais

AN ACT concerning

Real Property – Actions to Quiet Title

FOR the purpose of authorizing a certain action to be brought to establish title against adverse claims to property; establishing that the court is deemed to have possession and control for the purpose of an action under this Act; providing for the venue and the application of certain rules in an action under this Act; establishing requirements for a complaint, an answer to a complaint, naming of defendants, joinder of parties, and service of process in an action under this Act; authorizing the court to take certain actions in an action under this Act; authorizing the recording of a certain judgment; providing for the effect of a judgment in an action under this Act; providing for the construction of this Act; making stylistic changes; defining certain terms; and generally relating to actions to quiet title.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 14–108
Annotated Code of Maryland
(2015 Replacement Volume)

BY adding to
Article – Real Property
Section 14–601 through 14–621 to be under the new subtitle “Subtitle 6. Actions to Quiet Title”
Annotated Code of Maryland
(2015 Replacement Volume)

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

House Bill 922 – Delegates Beidle, D. Barnes, Barve, Frush, McCray, Sophocleus, and Stein

AN ACT concerning

Vehicle Laws – Application – Park Model Recreational Vehicles – Definition

FOR the purpose of establishing that a park model recreational vehicle is considered to be a travel trailer for the purposes of the Maryland Vehicle Law; defining the term “park model recreational vehicle”; making certain conforming changes; and generally relating to the application of the Maryland Vehicle Law to park model recreational vehicles.

BY renumbering

Article – Transportation

Section 11–144.1

to be Section 11–144.2

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 12–1003(c)(2)(i)3. and 14–2301(f)(1)

Annotated Code of Maryland

(2013 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 11–104(c)(1)

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)

BY adding to

Article – Transportation

Section 11–144.1

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 11–170

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

House Bill 970 – Delegate Reznik

AN ACT concerning

Tax Sales – Condominium Assessments and Homeowners Association Fees

FOR the purpose of requiring a certain notice of an action to foreclose the right of redemption to be sent to a homeowners association or a condominium association

under certain circumstances; requiring a plaintiff in a certain action to foreclose the right of redemption on property to be liable for the payment of certain assessments or fees incurred after the date of judgment foreclosing the right of redemption; authorizing a certain action to be filed to collect certain assessments or fees; prohibiting a certain defense from being raised in a certain action to collect certain assessments or fees; and generally relating to tax sales of property.

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 14–836(b)(1), (2), and (3)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 14–836(b)(4)(i) and 14–844
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

House Bill 1107 – Delegate Anderson (By Request – Baltimore City Administration)

AN ACT concerning

Baltimore City – Police Officers – Warrantless Arrests

FOR the purpose of authorizing a Baltimore City police officer without a warrant to arrest a person suspected of committing battery against a certain Baltimore City special enforcement officer, special parking enforcement officer, or special traffic enforcement officer under certain circumstances; requiring a certain police officer to consider whether a person acted in self–defense if mutual battery is suspected; and generally relating to warrantless arrests in Baltimore City.

BY repealing and reenacting, with amendments,
The Public Local Laws of Baltimore City
Section 16–3
Article 4 – Public Local Laws of Maryland
(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)

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

House Bill 1113 – Delegates Kramer, Arentz, Aumann, Barkley, Barve, Beidle, Bromwell, Brooks, Carr, Cullison, Dumais, Ebersole, Frick, Frush, Gilchrist, Gutierrez, Haynes, Hill, Hixson, Kaiser, Kelly, Kipke, Korman, Krimm, Lam, Luedtke, Mautz, McComas, McDonough, A. Miller, Moon,

Morales, Morhaim, Platt, Reznik, S. Robinson, Smith, Valderrama, Waldstreicher, A. Washington, and West

AN ACT concerning

**Commercial Sale of Dogs and Cats – Prohibited Acts
(Companion Animal Welfare Act)**

FOR the purpose of prohibiting the sale, transfer, offer to sell or transfer, barter, trade, or auction of dogs and cats at certain locations; authorizing certain animal control officers and certain officers of certain societies or associations to enforce certain provisions of this Act; providing that a retail pet store may only offer for sale a dog or cat obtained from certain persons; requiring a retail pet store to ensure that certain persons meet certain requirements; altering the number of years that a retail pet store is required to maintain certain records; requiring a retail pet store that sells dogs to post on each dog's cage certain information and maintain a certain record that includes certain information about a dealer, if applicable; requiring a retail pet store to make certain records available to an animal control unit; making certain violations of certain provisions of this Act an unfair and deceptive trade practice subject to certain enforcement and civil penalty provisions; providing for the application ~~and construction~~ of certain provisions of this Act; defining certain terms; and generally relating to prohibited acts relating to the commercial sale of dogs and cats.

BY adding to

Article – Business Regulation
Section 19–104 and 19–702.1
Annotated Code of Maryland
(2015 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Regulation
Section 19–701, 19–702, 19–703, and 19–706, ~~and 19–707~~
Annotated Code of Maryland
(2015 Replacement Volume and 2015 Supplement)

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

House Bill 1179 – Delegates McMillan, Anderton, Beidle, Carr, Fraser-Hidalgo, Frush, Ghrist, Gilchrist, Holmes, Jacobs, Kipke, McCray, Miele, Moon, Oaks, Otto, Pena-Melnyk, S. Robinson, Stein, and Szeliga

AN ACT concerning

Vehicle Laws – HOV Lanes – Plug-In Electric Drive and Hybrid Vehicles

FOR the purpose of authorizing certain hybrid vehicles to use a certain high occupancy vehicle (HOV) ~~lanes~~ lane regardless of the number of passengers under certain circumstances; making certain requirements regarding the use of HOV lanes by plug-in electric drive vehicles applicable to qualified hybrid vehicles; extending the termination date for the exemption allowing the use of HOV lanes by plug-in electric drive vehicles; providing for the termination of certain provisions of this Act; making certain conforming changes; and generally relating to the use of HOV lanes by plug-in electric drive and hybrid vehicles.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–314 and 25–108
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 23–202(b)(3)(i)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Chapter 491 of the Acts of the General Assembly of 2010, as amended by Chapters
64 and 65 of the Acts of the General Assembly of 2013
Section 2

BY repealing and reenacting, with amendments,
Chapter 492 of the Acts of the General Assembly of 2010, as amended by Chapters
64 and 65 of the Acts of the General Assembly of 2013
Section 2

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

House Bill 1365 – Delegates Folden, Adams, Anderton, Aumann, Barkley, Beitzel, Bromwell, Buckel, Carr, Cassilly, Hornberger, C. Howard, S. Howard, Long, Mautz, McKay, Metzgar, Pena–Melnyk, Reilly, Rose, Saab, Shoemaker, Simonaire, Smith, Szeliga, Vogt, ~~and C. Wilson~~ C. Wilson, Beidle, Healey, Holmes, Jalisi, Knotts, Lam, McCray, and Wivell

AN ACT concerning

Landlord and Tenant – Military Personnel – Limitation on Liability for Rent

FOR the purpose of altering the circumstances under which the liability, for rent under a lease, of a person on active duty with the United States military is limited; limiting the liability for rent of the spouse of a person on active duty with the United States

military under certain circumstances; defining a certain term; and generally relating to the liability for rent of certain military personnel and spouses.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 8–212.1
Annotated Code of Maryland
(2015 Replacement Volume)

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

House Bill 1398 – Delegate Jameson

AN ACT concerning

**Homeowner’s Insurance – Discrimination Based on Driving History of Applicant
or Insured**

FOR the purpose of prohibiting an insurer, with respect to homeowner’s insurance, from refusing to underwrite, canceling, or refusing to renew a risk, rating a risk, or requiring a particular payment plan based, in whole or in part, on the driving history of an applicant or insured; providing for the application of this Act; and generally relating to prohibitions on discrimination with respect to homeowner’s insurance.

BY adding to
Article – Insurance
Section 27–501(s)
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

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

House Bill 1440 – Delegates Carr and Hornberger

AN ACT concerning

Labor and Employment – Noncompete and Conflict of Interest Clauses

FOR the purpose of providing that certain noncompete and conflict of interest provisions are null and void as being against the public policy of the State; providing for the application of this Act; and generally relating to noncompete and conflict of interest clauses in employment.

BY adding to
Article – Labor and Employment
Section 3–714
Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)

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

House Bill 1461 – Delegates Folden, Anderton, Cassilly, Grammer, S. Howard, Krebs, Long, McKay, Parrott, Rose, Simonaire, Szeliga, and C. Wilson

AN ACT concerning

**Commercial Drivers’ Licenses – Cancellations and Downgrades
(Driving Privilege Preservation Act of 2016)**

FOR the purpose of requiring the Motor Vehicle Administration to cancel the commercial driver’s license of an individual who fails to submit to the Administration a certain certificate of physical examination; authorizing the Administration to issue a noncommercial driver’s license of an appropriate class to an individual whose commercial driver’s license is canceled, under certain circumstances; authorizing the Administration to immediately reinstate and, subject to certain conditions, issue a noncommercial driver’s license of an appropriate class to an individual whose commercial driver’s license is canceled as a result of the failure to submit a certain certificate of physical examination, under certain circumstances; and generally relating to commercial drivers’ license cancellations and downgrades.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–812(k) and (o)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

House Bill 1503 – Delegates Simonaire, D. Barnes, Buckel, Fennell, Folden, Glass, McKay, Metzgar, A. Washington, and M. Washington

AN ACT concerning

Adult Education – GED Testing Fees – Exemption for Homeless Youth

FOR the purpose of exempting certain homeless youth from certain GED testing fees under certain circumstances; requiring the Department of Labor, Licensing, and Regulation to verify a certain individual’s status as a homeless youth; authorizing the Department to use certain individuals to verify a certain individual’s status as a homeless youth; requiring the Department to adopt certain regulations; defining a certain term; and generally relating to GED testing fees for homeless youth.

BY adding to
Article – Labor and Employment

Section 11–809
Annotated Code of Maryland
(2008 Replacement Volume and 2015 Supplement)

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

LETTERS OF REASSIGNMENT

ANNOUNCEMENT BY THE PRESIDENT

House Bill 1144 – Delegate W. Miller

AN ACT concerning

**Gas and Electric Companies – Retail Choice Customer Education and
Protection Fund**

Reassigned to the Committee on Finance under Rule 33(d).

Read and ordered journalized.

SPECIAL ORDERS

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

Senate Bill 764 – Senators Raskin and Rosapepe

AN ACT concerning

Education – Student Journalists – Freedom of Speech and Freedom of the Press

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

Favorable report adopted.

FLOOR AMENDMENT

SB0764/573427/1

BY: Senator Hershey

AMENDMENTS TO SENATE BILL 764

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “Act;” insert “prohibiting certain student media advisors from using their position to influence a student journalist to promote certain positions;”.

AMENDMENT NO. 2

On page 3, after line 12, insert:

“(E) A STUDENT MEDIA ADVISOR MAY NOT USE THE ADVISOR’S POSITION TO INFLUENCE A STUDENT JOURNALIST TO PROMOTE AN OFFICIAL POSITION OF A COUNTY BOARD OR A PUBLIC SCHOOL.”;

in lines 13, 18, and 21, strike “(E)”, “(F)”, and “(G)”, respectively, and substitute “(F)”, “(G)”, and “(H)”, respectively; and in line 20, strike “(E)(2)” and substitute “(F)(2)”.

On page 4, in line 1, strike “(H)” and substitute “(I)”.

AMENDMENT NO. 3

On page 5, after line 27, insert:

“(E) A STUDENT MEDIA ADVISOR MAY NOT USE THE ADVISOR’S POSITION TO INFLUENCE A STUDENT JOURNALIST TO PROMOTE AN OFFICIAL POSITION OF A PUBLIC INSTITUTION OF HIGHER EDUCATION.”;

and in line 28, strike “(E)” and substitute “(F)”.

On page 6, in line 10, strike “(F)” and substitute “(G)”.

The preceding 3 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 794 – Senators Jennings, Kagan, Klausmeier, Waugh, Young, and Zucker

AN ACT concerning

Education – Prekindergarten and Kindergarten Assessments – Administration

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

Senator Ferguson moved, duly seconded, to make the Bill a Special Order for the end of today's business.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 565)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #48

Senate Bill 414 – Senator Brochin

AN ACT concerning

Vehicle Laws – Mechanical Repair Contracts

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

Affirmative – 46 Negative – 0 (See Roll Call No. 566)

The Bill was then sent to the House of Delegates.

Senate Bill 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 – 46 Negative – 0 (See Roll Call No. 567)

The Bill was then sent to the House of Delegates.

Senate Bill 663 – Senators Benson, Feldman, Jennings, Lee, Madaleno, Pugh, Raskin, ~~and Salling~~ Salling, Middleton, Astle, Kelley, Klausmeier, Reilly, Mathias, and Hershey

AN ACT concerning

**Commercial Sale of Dogs and Cats – Prohibited Acts
(Companion Animal Welfare Act)**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 568)

The Bill was then sent to the House of Delegates.

Senate Bill 684 – Senator Astle

AN ACT concerning

**Energy Efficiency Programs – Heating, Ventilation, Air Conditioning, and
Refrigeration Services**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 569)

The Bill was then sent to the House of Delegates.

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 – 41 Negative – 5 (See Roll Call No. 570)

The Bill was then sent to the House of Delegates.

Senate Bill 824 – Senator Conway

AN ACT concerning

Real Estate Licensees – Verification of Service Provider Licensing Status

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

Affirmative – 46 Negative – 0 (See Roll Call No. 571)

The Bill was then sent to the House of Delegates.

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 – 46 Negative – 0 (See Roll Call No. 572)

The Bill was then sent to the House of Delegates.

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 – 46 Negative – 0 (See Roll Call No. 573)

The Bill was then sent to the House of Delegates.

**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 – 46 Negative – 0 (See Roll Call No. 574)

The Bill was then sent to the House of Delegates.

Senate Bill 880 – Senator Jennings

AN ACT concerning

~~Family Investment Administration – Electronic Benefits Transfer
Card – Photograph~~

Task Force to Study Welfare Reform in Maryland

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

Affirmative – 45 Negative – 0 (See Roll Call No. 575)

The Bill was then sent to the House of Delegates.

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 – 43 Negative – 0 (See Roll Call No. 576)

The Bill was then sent to the House of Delegates.

Senate Bill 923 – Senator Rosapepe

AN ACT concerning

**Occupational Licenses – Denial for Criminal Conviction – Notice of Prohibition
and Task Force**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 577)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #49

CONSENT CALENDAR #3

BILL NO.	SPONSOR	CONTENT	COMMITTEE
SB 630	Sen. Hershey	Comptroller – Distillery Off–Site Permit and Liquor Festival Permit	EHE
SB 877	Washington County Senators	Washington County – Alcoholic Beverages – Class CT (Cinema/Theater) License	EHE
SB 879	Sen. Edwards	Garrett County – Alcoholic Beverages – Various Licenses	EHE
SB 958	Cecil County Senators	Cecil County – Alcoholic Beverages – Licenses	EHE
SB 967	Sen. Mathias	Worcester County – Alcoholic Beverages – Class A Beer, Wine, and Liquor License	EHE

By Order,
William B. C. Addison, Jr., Secretary

All of the above listed bills on the Third Reading Consent Calendar No. 3 were read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 578)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #50

Senate Bill 49 – ~~Senator Young~~ Senators Young, Kelley, and Kagan

AN ACT concerning

Maryland State Song – ~~Replacement~~ Revision

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

Affirmative – 38 Negative – 8 (See Roll Call No. 579)

The Bill was then sent to the House of Delegates.

Senate Bill 190 – The President (By Request – Administration)**Budget Bill****(Fiscal Year 2017)**Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 580)

The Bill was then sent to the House of Delegates.**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 RequirementsRead the third time and passed by yeas and nays as follows:

Affirmative – 41 Negative – 5 (See Roll Call No. 581)

The Bill was then sent to the House of Delegates.**Senate Bill 361 – Senators Raskin and Zirkin**

AN ACT concerning

Civil Actions – Hydraulic Fracturing Liability ActRead the third time and passed by yeas and nays as follows:

Affirmative – 41 Negative – 5 (See Roll Call No. 582)

The Bill was then sent to the House of Delegates.**Senate Bill 417 – Senators Kelley, Astle, Benson, Guzzone, Jennings, Klausmeier, Peters, Pugh, Reilly, ~~and Young~~ 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 – 45 Negative – 1 (See Roll Call No. 583)

The Bill was then sent to the House of Delegates.

Senate Bill 420 – Senator Simonaire

AN ACT concerning

Election Law – Ballot Issues – Contributions or Donations by Foreign Nationals

The President moved, duly seconded, to make the Bill a Special Order for the end of today's business.

The motion was adopted.

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 – 44 Negative – 1 (See Roll Call No. 584)

The Bill was then sent to the House of Delegates.

Senate Bill 459 – Senator Conway

AN ACT concerning

Campaign Finance – Ballot Issue Committees – Prospective Questions

The President moved, duly seconded, to make the Bill a Special Order for the end of today's business.

The motion was adopted.

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 – 46 Negative – 0 (See Roll Call No. 585)

The Bill was then sent to the House of Delegates.

Senate Bill 717 – Senator Young

AN ACT concerning

Environment – Radiation Machines – Registration Fees ~~and Inspections~~

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

Affirmative – 38 Negative – 8 (See Roll Call No. 586)

The Bill was then sent to the House of Delegates.

Senate Bill 1159 – Senators Conway ~~and Nathan Pulliam~~, Nathan Pulliam, Ferguson, Gladden, McFadden, and Pugh

EMERGENCY BILL

AN ACT concerning

Baltimore City Board of License Commissioners – Members – Terms and Appointment

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

Affirmative – 43 Negative – 2 (See Roll Call No. 587)

The Bill was then sent to the House of Delegates.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #30

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs 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.

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

Senate Bill 1015 – Senator Waugh

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 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.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs 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.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs 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.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs 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 EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #31**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs 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.

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

Senate Bill 512 – Senator Waugh

AN ACT concerning

Task Force to Study the Recruitment, Retention, and Promotion of Teachers in Maryland

SB0512/774435/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 512

(First Reading File Bill)

On page 2, in line 3, strike “two” and substitute “six”; in the same line, strike “or retired”; in line 4, strike “or taught”; and in the same line, after “State” insert “, at least three of whom are selected from a list of nominees provided to the Governor by the Baltimore Teachers Union and the Maryland State Education Association”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 606 – Senator Waugh

AN ACT concerning

Maryland College Collaboration for Student Veterans Commission

SB0606/214533/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 606

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 18, strike “AND”; after line 18, insert:

“(3) THE CHANCELLOR OF THE UNIVERSITY SYSTEM OF MARYLAND, OR THE CHANCELLOR’S DESIGNEE;

(4) THE PRESIDENT OF THE MARYLAND INDEPENDENT COLLEGE AND UNIVERSITY ASSOCIATION, OR THE PRESIDENT’S DESIGNEE;

(5) THE EXECUTIVE DIRECTOR OF THE MARYLAND ASSOCIATION OF COMMUNITY COLLEGES, OR THE EXECUTIVE DIRECTOR’S DESIGNEE; AND”;

in line 19, strike “(3)” and substitute “(6)”; and in line 22, after “EDUCATION” insert **“DESCRIBED IN SUBSECTION (A)(6) OF THIS SECTION”**.

AMENDMENT NO. 2

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 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 909 – Senators Ferguson, Benson, Feldman, Guzzone, Young, and Zucker

AN ACT concerning

Service, Stipends, and Scholarships – Maryland Corps Program – Established

SB0909/464731/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 909

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 23 down through “appropriations” in line 24 and substitute “providing that funds for the Program will be as provided”.

AMENDMENT NO. 2

On page 6, in line 24, strike “AND”; after line 24, insert:

“(11) IDENTIFYING WHAT STATE SUPPORT WILL BE NECESSARY AND WHAT PUBLIC AND PRIVATE GRANT OPPORTUNITIES ARE AVAILABLE TO SUSTAIN AND INCREASE THE SIZE OF THE PROGRAM; AND”;

and in line 25, strike “(11)” and substitute “**(12)**”.

AMENDMENT NO. 3

On page 9, strike beginning with “THE” in line 20 down through “FUND” in line 21 and substitute “**FUNDS FOR THE PROGRAM SHALL BE AS PROVIDED IN THE STATE BUDGET**”; strike beginning with “THE” in line 24 down through “FUND” in line 25 and substitute “**FUNDS FOR THE PROGRAM SHALL BE AS PROVIDED IN THE STATE BUDGET**”; and strike beginning with “THE” in line 30 down through “FUND” in line 32 and substitute “**FUNDS FOR THE PROGRAM SHALL BE AS PROVIDED IN THE STATE BUDGET**”.

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 FINANCE REPORT #20

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

Senate Bill 805 – Senator Pugh

AN ACT concerning

Senior Citizen Activities Center Operating Fund – Funding and Distribution**SB0805/907479/1**

BY: Finance Committee

AMENDMENTS TO SENATE BILL 805

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Pugh” and substitute “Senators Pugh, Benson, Kelley, and Mathias”; in line 2, strike “Funding and Distribution” and substitute “Distributions – Alteration”; strike beginning with “altering” in line 4 down through “Fund;” in line 5; in line 5, strike “percentage” and substitute “amount”; in line 6, after “the” insert “statewide”; strike beginning with “a” in line 6 down through “level;” in line 9 and substitute “that each county receive a minimum amount of funding; defining a certain term; altering the qualification criteria for certain need-based distributions from the Senior Citizen Activities Center Operating Fund to certain counties;”; in line 9, after “to” insert “the administration of”; and after line 10, insert:

“BY repealing and reenacting, without amendments,

Article – Human Services

Section 10–513 and 10–514

Annotated Code of Maryland

(2007 Volume and 2015 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 18, insert:

“10–513.

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

(b) “Fund” means the Senior Citizen Activities Center Operating Fund.

(c) “Senior citizen activities center” means a community or neighborhood facility in which a broad spectrum of services are organized and provided to seniors and their spouses, including health, social, nutritional, educational, and recreational services.

10-514.

(a) There is a Senior Citizen Activities Center Operating Fund.

(b) The Fund shall be used to supplement, but may not be used to supplant, any existing funding for senior citizen activities centers in the State budget.”;

after line 19, insert:

“(A) IN THIS SECTION, “DISTRESSED COUNTY” MEANS A COUNTY:

(1) WITH AN AVERAGE RATE OF UNEMPLOYMENT FOR THE MOST RECENT 24-MONTH PERIOD FOR WHICH DATA ARE AVAILABLE THAT EXCEEDS:

(I) 150% OF THE AVERAGE RATE OF UNEMPLOYMENT FOR THE STATE DURING THAT PERIOD; OR

(II) THE AVERAGE RATE OF UNEMPLOYMENT FOR THE STATE DURING THAT PERIOD BY AT LEAST 2 PERCENTAGE POINTS;

(2) WITH AN AVERAGE PER CAPITA PERSONAL INCOME FOR THE MOST RECENT 24-MONTH PERIOD FOR WHICH DATA ARE AVAILABLE THAT IS EQUAL TO OR LESS THAN 67% OF THE AVERAGE PER CAPITA PERSONAL INCOME FOR THE STATE DURING THAT PERIOD; OR

(3) THAT NO LONGER MEETS EITHER CRITERION STATED IN ITEM (1) OR (2) OF THIS SUBSECTION BUT HAS MET AT LEAST ONE OF THE CRITERIA AT SOME TIME DURING THE PRECEDING 24-MONTH PERIOD.”;

and in lines 20 and 22, strike “(a)” and “(b)”, respectively, and substitute “**(B)**” and “**(C)**”, respectively.

AMENDMENT NO. 3

On page 2, in line 1, after “(2)” insert “**(I)**”; in line 2, strike “**\$1,000,000**” and substitute “**\$750,000**”; after line 2, insert:

“(II) IN ADDITION TO THE FUNDS PROVIDED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE GOVERNOR SHALL PROVIDE SUFFICIENT FUNDS TO ENSURE THAT EACH COUNTY RECEIVES AT LEAST \$5,000 UNDER SUBSECTION (D)(2) OF THIS SECTION.”;

in line 3, strike “(c)” and substitute “(D)”; strike beginning with “Subject” in line 3 down through “from” in line 4 and substitute “\$100,000 OF”; in line 6, after “(2)” insert “(I) \$400,000 OF THE FUND SHALL BE DISTRIBUTED TO COUNTIES BASED ON EACH COUNTY’S PROPORTIONAL SHARE OF THE STATEWIDE POPULATION OF SENIOR CITIZENS.”

(II) A COUNTY SHALL RECEIVE AT LEAST \$5,000 UNDER THIS PARAGRAPH.

(3)”;

in the same line, strike the bracket; in the same line, strike “50%” and substitute “\$250,000”; in line 7, strike beginning with “on” through “counties:” and substitute “TO DISTRESSED COUNTIES AS FOLLOWS:”

(I) \$150,000 SHALL BE DIVIDED EVENLY; AND

(II) \$100,000 SHALL BE DIVIDED PROPORTIONATELY BY EACH COUNTY’S SHARE OF THE TOTAL POPULATION OF SENIOR CITIZENS IN DISTRESSED COUNTIES.”.

On pages 2 and 3, strike in their entirety the lines beginning with line 8 on page 2 through line 8 on page 3, inclusive.

On page 3, in line 9, strike “(d)” and substitute “(E)”; and in line 11, strike “July” and substitute “October”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 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

SB0848/227073/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 848

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 7 down through “request;” in line 10 and substitute “establishing an exception to the prohibition against applying a copayment or coinsurance requirement for certain contraceptive drugs or devices;”; in line 12, after “a” insert “certain”; strike beginning with “except” in line 12 down through “time” in line 13 and substitute “subject to certain exceptions”; in line 14, after “fee” insert “paid”; in line 15, strike “certain individuals” and substitute “the pharmacist”; in the same line, strike “a certain” and substitute “the”; in line 17, after “drugs” insert “, subject to certain limitations”; and in line 18, strike “organizations” and substitute “organization”.

On page 2, in lines 4 and 5, strike “adherence purposes” and substitute “the member to adhere to the appropriate use of the prescription drug or device; prohibiting the Maryland Medical Assistance Program and the Maryland Children’s Health Program from applying a prior authorization requirement for certain contraceptive drugs and devices; requiring the Maryland Medical Assistance Program and the Maryland Children’s Health Program to provide coverage for a single dispensing to an enrollee of a certain supply of prescription contraceptives, subject to a certain exception”; and after line 17, insert:

“BY adding to

Article – Health – General

Section 15–148

Annotated Code of Maryland

(2015 Replacement Volume)”.

AMENDMENT NO. 2

On page 2, in line 32, after “(C)” insert “**(1)**”; in the same line, strike “**EXCEPT WITH RESPECT**” and substitute “**THIS SUBSECTION DOES NOT APPLY**”; in line 34, strike “, AN” and substitute “.

(2) **AN**”;

and after line 34, insert:

(I) **EXCEPT FOR A DRUG OR DEVICE FOR WHICH THE U.S. FOOD AND DRUG ADMINISTRATION HAS ISSUED A BLACK BOX WARNING, MAY NOT APPLY A PRIOR AUTHORIZATION REQUIREMENT FOR A CONTRACEPTIVE DRUG OR DEVICE THAT IS:**

- 1.** **A.** **AN INTRAUTERINE DEVICE; OR**
- B.** **AN IMPLANTABLE ROD;**
- 2.** **APPROVED BY THE U.S. FOOD AND DRUG ADMINISTRATION; AND**
- 3.** **OBTAINED UNDER A PRESCRIPTION WRITTEN BY AN AUTHORIZED PRESCRIBER; AND**”.

On page 3, in lines 1, 3, and 5, strike “**(1)**”, “**(I)**”, and “**(II)**”, respectively, and substitute “**(II)**”, “**1.**”, and “**2.**”, respectively; in line 1, before “MAY” insert “**EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION,**”; in lines 1 and 2, strike “**COPAYMENT, COINSURANCE, OR PRIOR AUTHORIZATION**” and substitute “**COPAYMENT OR COINSURANCE**”; in line 6, strike “; BUT” and substitute a period; and in line 7, strike “**(2)**” and substitute “**(3) AN ENTITY SUBJECT TO THIS SECTION**”.

AMENDMENT NO. 3

On page 3, strike in their entirety lines 12 through 21, inclusive.

AMENDMENT NO. 4

On page 3, in line 22, strike “(E)” and substitute “(D)”; in the same line, strike “PARAGRAPH (2)” and substitute “PARAGRAPHS (2) AND (3)”; in line 25, strike “13-MONTH” and substitute “6-MONTH”; after line 25, insert:

“(2) SUBJECT TO § 15-824 OF THIS SUBTITLE, AN ENTITY SUBJECT TO THIS SECTION MAY PROVIDE COVERAGE FOR A SUPPLY OF PRESCRIPTION CONTRACEPTIVES THAT IS FOR LESS THAN A 6-MONTH PERIOD, IF A 6-MONTH SUPPLY WOULD EXTEND BEYOND THE PLAN YEAR.”;

in line 26, strike “(2)” and substitute “(3)”; in the same line, after “(1)” insert “OF THIS SUBSECTION”; in the same line, after “THE” insert “FIRST 2-MONTH SUPPLY OF PRESCRIPTION CONTRACEPTIVES DISPENSED TO AN INSURED OR AN ENROLLEE UNDER:

(I) THE INITIAL”;

in the same line, strike “FIRST”; in the same line, after “PRESCRIPTION” insert “FOR THE CONTRACEPTIVES; OR

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

in line 27, strike “OR CHANGE IN A PRESCRIPTION FOR CONTRACEPTIVES FOR”;

in line 29, strike “(3)” and substitute “(4)”; in line 31, strike “13-MONTH” and substitute “6-MONTH”; in line 32, after “FEE” insert “PAID”; and in lines 32 and 33, strike “OR OTHER INDIVIDUAL AUTHORIZED BY LAW TO DISPENSE PRESCRIPTION CONTRACEPTIVES”.

AMENDMENT NO. 5

On page 4, in line 1, strike “(F)” and substitute “(E) (1)”; in the same line, strike “AN” and substitute “SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AN”; in lines 2 and 5, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; in line 4, after “AVAILABLE” insert “BY PRESCRIPTION AND”; in line 6, after “PRESCRIPTION” insert “UNDER ITEM (I) OF THIS PARAGRAPH”; and in line 8, after “PRESCRIPTION” insert “.

(2) AN ENTITY SUBJECT TO THIS SECTION:

(I) MAY ONLY BE REQUIRED TO PROVIDE POINT-OF-SALE COVERAGE UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION AT IN-NETWORK PHARMACIES; AND

(II) MAY LIMIT THE FREQUENCY WITH WHICH THE COVERAGE REQUIRED UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION IS PROVIDED”.

AMENDMENT NO. 6

On page 6, in line 14, strike “ADHERENCE PURPOSES” and substitute “THE MEMBER TO ADHERE TO THE APPROPRIATE USE OF THE PRESCRIPTION DRUG OR DEVICE”.

AMENDMENT NO. 7

On page 6, after line 19, insert:

“Article – Health – General

15-148.

(A) EXCEPT FOR A DRUG OR DEVICE FOR WHICH THE U.S. FOOD AND DRUG ADMINISTRATION HAS ISSUED A BLACK BOX WARNING, THE PROGRAM AND THE MARYLAND CHILDREN’S HEALTH PROGRAM MAY NOT APPLY A PRIOR AUTHORIZATION REQUIREMENT FOR A CONTRACEPTIVE DRUG OR DEVICE THAT IS:

(1) (I) AN INTRAUTERINE DEVICE; OR

(II) AN IMPLANTABLE ROD;

(2) APPROVED BY THE U.S. FOOD AND DRUG ADMINISTRATION; AND

(3) OBTAINED UNDER A PRESCRIPTION WRITTEN BY AN AUTHORIZED PRESCRIBER.

(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE PROGRAM AND THE MARYLAND CHILDREN’S HEALTH PROGRAM SHALL

PROVIDE COVERAGE FOR A SINGLE DISPENSING TO AN ENROLLEE OF A SUPPLY OF PRESCRIPTION CONTRACEPTIVES FOR A 6-MONTH PERIOD.

(2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY TO THE FIRST 2-MONTH SUPPLY OF PRESCRIPTION CONTRACEPTIVES DISPENSED TO AN ENROLLEE UNDER:

(I) THE INITIAL PRESCRIPTION FOR THE CONTRACEPTIVES; OR

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

and in line 21, after “plans” insert “subject to this Act that are”.

The preceding 7 amendments were read only.

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

The motion was adopted.

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

Senate Bill 894 – Senator Kasemeyer

AN ACT concerning

Human Services – Family Investment Administration – Weighted Caseload Analysis

SB0894/697079/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 894

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Family Investment Administration –”; in line 3, after “Analysis” insert “– Study”; strike beginning with “Executive” in line 4 down through “the”

in line 5; in line 5, strike “perform” and substitute “study the feasibility of performing”; strike beginning with “on” in line 6 down through “programs” in line 11 and substitute “requiring the Department to submit a certain report on or before a certain date; and generally relating to a study of the feasibility of performing a weighted caseload analysis for personnel”; and strike in their entirety lines 13 through 22, inclusive.

AMENDMENT NO. 2

On page 1, in line 24, strike “the Laws of Maryland read as follows”.

On pages 1 through 3, strike in their entirety the lines beginning with line 25 on page 1 through line 14 on page 3, inclusive, and substitute:

“(a) The Department of Human Resources shall study the feasibility of performing a weighted caseload analysis that considers the number and type of public assistance cases handled by personnel of the Family Investment Administration and the local departments and the time and effort required for each type of case with the potential of:

(1) using the results of the analysis to allocate the number of personnel necessary to efficiently and effectively carry out the programs under the jurisdiction of the Family Investment Administration; and

(2) annually reviewing caseloads and reallocating personnel as necessary based on the results of the analysis.

(b) On or before December 1, 2016, the Department shall report the results of the study to the Governor and, in accordance with § 2–1246 of the State Government Article, the Senate Finance Committee and the House Appropriations Committee.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 919 – Senator Middleton

EMERGENCY BILL

AN ACT concerning

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

SB0919/837676/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 919

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Middleton” and substitute “Senators Middleton, Astle, Benson, Feldman, Hershey, Jennings, Kelley, Klausmeier, Mathias, Pugh, and Reilly”; in line 2, strike “Exemption From State Insurance Laws for”; in line 4, after “from” insert “certain”; strike beginning with “requiring” in line 8 down through “Act;” in line 9; in line 9, after “change;” insert “altering certain definitions;”; in line 14, after “1–202” insert “, 15–10A–01(c), and 15–10D–01(d)”; and after line 16, insert:

“BY repealing and reenacting, without amendments,

Article – Insurance

Section 15–10A–01(a) and 15–10D–01(a)

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)”.

AMENDMENT NO. 2

On page 1, in line 21, before “This” insert “(A)”.

On page 4, in line 1, after “**(5)**” insert “**EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION,**”; in line 5, after “**YEAR**” insert “**, FOR THE STUDENT HEALTH PLAN THAT WILL BE OFFERED TO STUDENTS FOR THE UPCOMING SCHOOL YEAR,**”; in line 15, strike the second “**AND**”; in line 17, after “**AGENCIES**” insert “**; AND**”

(V) THE INSTITUTION OPERATES THE STUDENT HEALTH PLAN IN COMPLIANCE WITH TITLE 15, SUBTITLES 10A AND 10D OF THIS ARTICLE”;

and after line 17, insert:

(B) TITLE 15, SUBTITLES 10A AND 10D OF THIS ARTICLE APPLY TO A SELF-FUNDED STUDENT HEALTH PLAN OPERATED BY AN INDEPENDENT

INSTITUTION OF HIGHER EDUCATION, AS DEFINED IN § 10–101 OF THE EDUCATION ARTICLE, THAT PROVIDES HEALTH CARE SERVICES TO ITS STUDENTS AND THEIR DEPENDENTS.

15–10A–01.

- (a) In this subtitle the following words have the meanings indicated.
- (c) “Carrier” means a person that offers a health benefit plan and is:
- (1) an authorized insurer that provides health insurance in the State;
 - (2) a nonprofit health service plan;
 - (3) a health maintenance organization;
 - (4) a dental plan organization; [or]

(5) A SELF-FUNDED STUDENT HEALTH PLAN OPERATED BY AN INDEPENDENT INSTITUTION OF HIGHER EDUCATION, AS DEFINED IN § 10–101 OF THE EDUCATION ARTICLE, THAT PROVIDES HEALTH CARE TO ITS STUDENTS AND THEIR DEPENDENTS; OR

[(5)](6) except for a managed care organization as defined in Title 15, Subtitle 1 of the Health – General Article, any other person that provides health benefit plans subject to regulation by the State.

15–10D–01.

- (a) In this subtitle the following words have the meanings indicated.
- (d) “Carrier” means a person that offers a health benefit plan and is:
- (1) an authorized insurer that provides health insurance in the State;
 - (2) a nonprofit health service plan;
 - (3) a health maintenance organization;

(4) a dental plan organization; [or]

(5) A SELF-FUNDED STUDENT HEALTH PLAN OPERATED BY AN INDEPENDENT INSTITUTION OF HIGHER EDUCATION, AS DEFINED IN § 10-101 OF THE EDUCATION ARTICLE, THAT PROVIDES HEALTH CARE TO ITS STUDENTS AND THEIR DEPENDENTS; OR

[(5)](6) except for a managed care organization, as defined in Title 15, Subtitle 1 of the Health – General Article, any other person that offers a health benefit plan subject to regulation by the State.”.

AMENDMENT NO. 3

On page 4, in line 22, strike “2015” and substitute “2016”; in the same line, strike “2016” and substitute “2017”; strike in their entirety lines 23 through 26, inclusive; and in line 27, strike “4.” and substitute “3.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 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.

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

Senate Bill 1069 – Senator Middleton

AN ACT concerning

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

SB1069/257272/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 1069

(First Reading File Bill)

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

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #9

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

**Senate Bill 115 – Chair, Budget and Taxation Committee (By Request –
Departmental – Assessments and Taxation)**

AN ACT concerning

Property Tax Assessments – Inspection of Property

SB0115/639633/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 115

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Chair, Budget and Taxation Committee (By Request – Departmental – Assessments and Taxation)” and substitute “Senator Kasemeyer”; strike beginning with “repealing” in line 3 down through “circumstances” in line 9 and substitute “prohibiting the Department of Assessments and Taxation from using”

aerial or ground level photography or similar technologies in performing its review of real property"; in line 13, strike "and 8-103(a)(1)"; and in line 18, strike ", 8-103(a)(4), and 8-104(b)(1)".

AMENDMENT NO. 2

On page 2, in lines 11 and 12, strike "UNLESS A PHYSICAL INSPECTION IS REQUIRED UNDER PARAGRAPH (3) OF THIS SUBSECTION, THE" and substitute "THE"; and in line 12, after "MAY" insert "NOT".

On pages 2 and 3, strike in their entirety the lines beginning with line 15 on page 2 through line 8 on page 3, inclusive.

The preceding 2 amendments were read only.

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

The motion was adopted.

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

Senate Bill 211 – Senators King, Currie, DeGrange, Feldman, Ferguson, Guzzone, Madaleno, Manno, Middleton, Peters, and Young

AN ACT concerning

Income Tax Credit – Qualified Research and Development Expenses – Credit Amounts

SB0211/879530/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 211

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Young" and substitute "Young, and McFadden".

AMENDMENT NO. 2

On page 2, in lines 14 and 31, in each instance, after “**2015;**” insert “AND”; in lines 15 and 32, in each instance, after “**2016**” insert “AND EACH CALENDAR YEAR THEREAFTER”; strike beginning with the semicolon in line 15 down through “**THEREAFTER**” in line 18; and in line 32, strike the semicolon.

On page 3, strike beginning with “**3.**” in line 1 down through “**THEREAFTER**” in line 3.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 453 – Senator Serafini

AN ACT concerning

State Retirement and Pension System – Optional Retirement Program – Eligibility for Retiree Health Benefits Subsidy

SB0453/609839/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 453

(First Reading File Bill)

AMENDMENT NO. 1

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

“Workgroup to Study the Optional Retirement Program”;

strike in their entirety lines 4 through 10, inclusive, and substitute:

“FOR the purpose of establishing the Workgroup to Study the Optional Retirement Program; providing for the composition, chair, and staffing of the Workgroup; prohibiting a member of the Workgroup from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Workgroup to study and make recommendations regarding certain matters; requiring the

Workgroup to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Workgroup to Study the Optional Retirement Program.”;

and strike in their entirety lines 11 through 20, inclusive.

AMENDMENT NO. 2

On pages 1 through 5, strike in their entirety the lines beginning with line 22 on page 1 through line 7 on page 5, inclusive, and substitute “That:

(a) There is a Workgroup to Study the Optional Retirement Program.

(b) The Workgroup consists of the following members:

(1) a representative of the Maryland Higher Education Commission, appointed by the Secretary of Higher Education;

(2) the following representatives of public 4-year institutions of higher education, including representatives of Administrative Affairs and Academic Affairs:

(i) a representative of the University System of Maryland, appointed by the Chancellor of the University System of Maryland;

(ii) a representative of Morgan State University, appointed by the President of Morgan State University; and

(iv) a representative of St. Mary’s College of Maryland, appointed by the President of St. Mary’s College of Maryland;

(3) a representative of the Maryland Association of Community Colleges, appointed by the Executive Director of the Maryland Association of Community Colleges;

(4) a representative of the Department of Budget and Management, appointed by the Secretary of Budget and Management;

(5) a representative of the State Retirement Agency, appointed by the Executive Director of the State Retirement Agency; and

(6) a representative of a bargaining unit for nonexempt employees, appointed by the Governor.

(c) The Workgroup shall elect a chair from among its members.

(d) The University System of Maryland shall provide staff for the Workgroup.

(e) A member of the Workgroup:

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

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

(f) The Workgroup shall:

(1) review the population of employees eligible to participate in the Optional Retirement Program, including:

(i) the number of employees in various employment categories, such as exempt and nonexempt categories;

(ii) participation rates by employment categories; and

(iii) changes in participation rates over time;

(2) review the contribution requirements for the Optional Retirement Program, including:

(i) the State contribution rate for participants of the Optional Retirement Program; and

(ii) the appropriateness of an employee contribution for participants of the Optional Retirement Program;

(3) review the eligibility criteria for health benefits of Optional Retirement Program participants, including:

(i) the number of years of service participants in the Optional Retirement Program are required to have to be eligible for retiree health benefits and a prorated retiree health benefit subsidy;

(ii) the number of years of service participants in the Optional Retirement Program are required to have for their spouses and dependents to be eligible for retiree health benefits; and

(iii) whether any changes should be recommended to the eligibility criteria for the Optional Retirement Program that would authorize a prorated retiree health benefit subsidy for the spouses and dependents of participants of the Optional Retirement Program; and

(4) make recommendations regarding any changes to the Optional Retirement Program that would improve the program and would be beneficial to the participants in the program and the State.

(g) On or before December 1, 2016, the Workgroup shall report its findings and recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.”.

AMENDMENT NO. 3

On page 5, in line 9, after the period insert “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 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 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.

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

Senate Bill 583 – Senators King, Currie, DeGrange, Ferguson, Guzzone, Manno, McFadden, and Peters

AN ACT concerning

Higher Education – University System of Maryland – Quasi-Endowment Funds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 585 – Senators King, Peters, Astle, Benson, Cassilly, Currie, Eckardt, Edwards, Feldman, Hershey, Hough, Kagan, Madaleno, Manno, Mathias, Raskin, Ready, Rosapepe, Serafini, and Young

AN ACT concerning

Transportation – Highway User Revenues – Distribution to Municipalities

SB0585/819532/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 585

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “in” insert “a”; and in the same line, strike “years” and substitute “year”.

AMENDMENT NO. 2

On page 4, in line 25, after “**THAT**” insert “**THE**”; and in the same line, strike “**AMOUNTS**” and substitute “**AMOUNT**”.

On pages 4 and 5, strike beginning with “**ARE**” in line 26 on page 4 down through “**\$50,000,000**” in line 2 on page 5 and substitute “**IS \$25,000,000 FOR FISCAL YEAR 2018**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 597 – Senators Peters, DeGrange, Edwards, Guzzone, King, Manno, and Serafini

AN ACT concerning

Recordation and Transfer Taxes – Transfer of Controlling Interest – Exemptions

SB0597/179435/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 597

(First Reading File Bill)

On page 4, in line 11, strike “proportion”; and in the same line, strike “WHO” and substitute “**PROPORTIONS AS THOSE PERSONS**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 766 – Senators Madaleno and Kagan

AN ACT concerning

**Local Income Tax – Overpayments and Underpayments – Local Reserve Account
Repayment**

SB0766/189237/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 766

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Kagan” and substitute “Kagan, King, Manno, and Peters”; in line 2, strike “and” and substitute a comma; in the same line, after “Underpayments” insert “, and Wynne Repayments”; in line 12, after “year;” insert “altering the manner by which the Comptroller withholds certain amounts from certain local income tax distributions; prohibiting the Comptroller from requiring that certain counties or municipal corporations make certain reimbursement payments until a certain analysis is completed;”; and after line 18, insert:

“BY repealing and reenacting, with amendments,

Chapter 489 of the Acts of the General Assembly of 2015

Section 27”.

AMENDMENT NO. 2

On page 2, in line 17, strike “**TWENTY**” and substitute “**FORTY**”; in line 20, after “**2015**” insert “, AS AMENDED”; and after line 25, insert:

“Chapter 489 of the Acts of 2015

SECTION 27. AND BE IT FURTHER ENACTED, That the Attorney General shall review the decision of the U.S. Supreme Court in the appeal of Maryland State Comptroller of the Treasury v. Brian Wynne, et ux. 431 Md. 147 (2013) and advise the Comptroller whether the decision, expressly or in effect, requires the payment of income tax refunds and interest attributable to taxable years beginning after December 31, 2005, but before January 1, 2015, and, if the Attorney General so advises, the Comptroller shall initially pay the refunds and interest from the Local Reserve Account (Account) established to comply with § 2–606 of the Tax – General Article. After the Comptroller pays the refunds and interest from the Account, each local government shall reimburse the Account for its share of related refunds and interest. If an affected local government does not reimburse the Account in a timely fashion, the Comptroller shall withhold the amount owed to the Account from the quarterly income tax distributions in [nine] **TWENTY** equal installments, beginning with the first applicable quarterly distribution made after [June 2016,] **FEBRUARY 2019**, until the Account is fully reimbursed.

SECTION 2. AND BE IT FURTHER ENACTED, That the Comptroller may not require a county or municipal corporation to make a reimbursement payment under § 2-611 of the Tax – General Article until the Comptroller completes a statewide analysis to determine the number of counties or municipal corporations that received an overpayment or underpayment of local income tax revenue.”;

and in line 26, strike “2.” and substitute “3.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation 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.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation 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 JUDICIAL PROCEEDINGS REPORT #15

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

Senate Bill 239 – Senator Kelley

AN ACT concerning

Maryland Fiduciary Access to Digital Assets Act**SB0239/628976/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 239

(First Reading File Bill)

AMENDMENT NO. 1On page 1, in line 21, after “fiduciary’s” insert “or designated recipient’s”.On page 2, in line 9, after “terms;” insert “making conforming changes;”; after line 10, insert:“BY repealing and reenacting, with amendments,Article – Estates and TrustsSection 13–213, 14.5–815(a), 17–202, and 17–203Annotated Code of Maryland(2011 Replacement Volume and 2015 Supplement)”;

and strike in their entirety lines 17 through 21, inclusive.

AMENDMENT NO. 2

On page 2, after line 24, insert:

“13–213.All the provisions of § 15–102 of this article with respect to the powers of a fiduciary and the manner of exercise of those powers AND TITLE 15, SUBTITLE 6 OF THIS ARTICLE are applicable to a guardian.14.5–815.(a) A trustee, without authorization by the court, may exercise:(1) Powers conferred by the terms of the trust; or

(2) Except as limited by the terms of the trust:

(i) All powers over the trust property that an unmarried competent owner has over individually owned property;

(ii) Other powers appropriate to achieve the proper investment, management, and distribution of the trust property; and

(iii) Other powers conferred by this title OR TITLE 15, SUBTITLE 6 OF THIS ARTICLE.”

On page 3, after line 17, insert:

“(H) “DESIGNATED RECIPIENT” MEANS A PERSON CHOSEN BY A USER USING AN ONLINE TOOL TO ADMINISTER THE DIGITAL ASSETS OF THE USER.”;

in line 18, strike “(H)” and substitute “(I)”; and strike in their entirety lines 22 and 23.

On page 4, in line 5, strike “TRUSTEE, OR ADVISER” and substitute “OR TRUSTEE”; and in line 19, strike “TRUST,”.

On page 5, in line 27, after the first “DISCLOSE” insert “TO A DESIGNATED RECIPIENT”.

On page 6, in line 19, after “ESTATE” insert “OR TRUST”; and in lines 18 and 20, in each instance, after “FIDUCIARY” insert “OR DESIGNATED RECIPIENT”.

On page 6 in line 21 and on page 13 in line 23, in each instance, after “FIDUCIARY’S” insert “OR DESIGNATED RECIPIENT’S”.

On page 8 in line 4 and on page 9 in line 10, in each instance, strike “LETTER OF APPOINTMENT” and substitute “LETTERS OF ADMINISTRATION”.

On page 8 in line 5 and on page 9 in line 11, in each instance, after “REPRESENTATIVE” insert “OR COURT ORDER APPOINTING A SPECIAL ADMINISTRATOR”.

On page 10, in lines 25 and 26, strike “EXPRESSLY GRANTING THE AGENT” and substitute “THAT GRANTS THE AGENT SPECIFIC”; and in line 26, strike “ATTORNEY” and substitute “AUTHORITY”.

On page 11, in line 16, strike “OF” and substitute “IN”.

On page 11 in line 20 and on page 12 in line 11, in each instance, after “INSTRUMENT” insert “OR CERTIFICATION OF THE TRUST UNDER § 14.5–910 OF THIS ARTICLE”.

On page 14, in line 1, strike “IS” and substitute “IN THE CASE OF A FIDUCIARY, IS”; and strike beginning with “LETTER” in line 30 down through “ORDER” in line 31 and substitute “LETTERS OF ADMINISTRATION OF THE PERSONAL REPRESENTATIVE OR COURT ORDER APPOINTING A SPECIAL ADMINISTRATOR”.

On page 16, in line 12, strike “IT” and substitute “THE REVISED UNIFORM FIDUCIARY ACCESS TO DIGITAL ASSETS ACT”; and in line 21, strike “OR AN AGENT”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 358 – Senator Zirkin

AN ACT concerning

Family Law – Divorce on Grounds of Mutual Consent – Parties With Minor Children

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 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.

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

Senate Bill 774 – Senator Norman

AN ACT concerning

Motor Vehicles – Autocycles – Standards and Requirements

SB0774/718776/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 774

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “autocycle;” insert “prohibiting an applicant for a certain driver skills examination from using an autocycle for the examination;”; in line 8, after “motorcycles;” insert “requiring that the form for certain written accident reports distinguish autocycles from motorcycles;”; in line 21, after “16-104.1,” insert “16-110(e);”; and in the same line, after “16-601,” insert “20-113.”

AMENDMENT NO. 2

On page 4, after line 9, insert:

“16-110.

(e) (1) (I) [For] SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, FOR a required driver skills examination or driver road examination, each applicant shall provide a motor vehicle of a type appropriate to test the applicant’s ability to drive all vehicles that may be driven under the license class applied for.

(II) AN APPLICANT MAY NOT USE AN AUTOCYCLE TO TEST THE APPLICANT’S ABILITY TO DRIVE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.

(2) Except as provided in paragraphs (3) and (4) of this subsection, when the holder of a learner’s instructional permit appears for the driving test, the permit holder shall be accompanied by an individual qualified under § 16–105 of this subtitle to accompany the holder of a learner’s permit while driving on a highway. That individual shall have his driver’s license with him.

(3) The holder of a Class M (motorcycle) learner’s instructional permit may:

(i) Transport a motorcycle to the driving test by truck or other vehicle unaccompanied by another individual, if the permit holder is licensed to drive the truck or other vehicle; or

(ii) Be accompanied by a person transporting a motorcycle to the test by truck or other vehicle, if that person is licensed to drive the truck or other vehicle.

(4) The holder of a learner’s instructional permit may be driven to the examination station and to the starting point where the examiner begins the test by any individual authorized to drive the class of vehicle in which the test is being given. That individual shall have a valid driver’s license in the individual’s possession.”;

and after line 22, insert:

“20–113.

(a) (1) The Administration shall prepare and, on request, supply to police departments, sheriffs, and other appropriate agencies or individuals, forms for the written accident reports required by § 20–107 of this title.

(2) The forms shall:

(I) [require] REQUIRE sufficiently detailed information to disclose the cause of the reported accident, the conditions then existing, and the persons and vehicles involved; AND

(II) DISTINGUISH AUTOCYCLES FROM MOTORCYCLES.

(b) Each written accident report required by § 20–107 of this title shall be made on the form that the Administration requires and shall contain all the available information required by the report.”.

AMENDMENT NO. 3

On page 5, in line 33, strike “October” and substitute “July”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senator Zirkin, Chair, for the Committee on Judicial Proceedings 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

SB0946/958976/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 946

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “Prevention” insert “and the General Assembly”; in line 6, strike “Department” and substitute “Governor’s Office of Crime Control and Prevention”; and in line 7, strike “the Department’s” and substitute “its”.

AMENDMENT NO. 2

On page 1, in line 18, after “(A)” insert “(1)”; and strike beginning with “TYPE” in line 18 down through the semicolon in line 21 and substitute “FORM OF PHYSICAL SEPARATION IN WHICH THE INMATE IS PLACED IN A LOCKED ROOM OR CELL FOR APPROXIMATELY 22 HOURS OR MORE OUT OF A 24-HOUR PERIOD.”

(2) “RESTRICTIVE HOUSING” INCLUDES ADMINISTRATIVE SEGREGATION AND DISCIPLINARY SEGREGATION.”.

AMENDMENT NO. 3

On page 2, strike in their entirety lines 1 through 4, inclusive; in line 5, strike “OCTOBER 1” and substitute “DECEMBER 31”; in line 6, after “PREVENTION” insert “AND THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE”; and in line 10, strike “ETHNICITY” and substitute “SEX, GENDER”.

On page 3, in line 3, strike “DEPARTMENT” and substitute “GOVERNOR’S OFFICE OF CRIME CONTROL AND PREVENTION”; and strike beginning with “THE” in line 4 down through “DEPARTMENT’S” in line 5 and substitute “ITS”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 965 – Senator McFadden

AN ACT concerning

Criminal Procedure – Right of Appeal – Unlawful Possession of Handgun or Regulated Firearm

SB0965/408178/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 965

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Handgun or”; and in line 3, after “Firearm” insert “, Rifle, or Shotgun”.

AMENDMENT NO. 2

On page 2, strike beginning with “In” in line 5 down through the second “the” in line 7 and substitute “THE”; and in line 10, after “Rights” insert “IN A CASE:”

1. INVOLVING A CRIME OF VIOLENCE, AS DEFINED IN § 14-101 OF THE CRIMINAL LAW ARTICLE;

2. UNDER §§ 5-602 THROUGH 5-609 OR §§ 5-612 THROUGH 5-614 OF THE CRIMINAL LAW ARTICLE; OR

3. INVOLVING A VIOLATION OF § 5-133, § 5-205, OR § 5-206 OF THE PUBLIC SAFETY ARTICLE”.

On page 3, strike in their entirety lines 4 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.

SPECIAL ORDERS

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

Senate Bill 794 – Senators Jennings, Kagan, Klausmeier, Waugh, Young, and Zucker

AN ACT concerning

Education – Prekindergarten and Kindergarten Assessments – Administration

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

FLOOR AMENDMENT

SB0794/733922/1

BY: Senator Ferguson

AMENDMENTS TO SENATE BILL 794

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “random” and substitute “representative”.

AMENDMENT NO. 2

On page 1, in line 21, strike “**RANDOM**” and substitute “**REPRESENTATIVE**”.

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

SB0794/483527/2

BY: Senator Ferguson

AMENDMENTS TO SENATE BILL 794, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 6, strike “certain standardized tests” and substitute “a statewide kindergarten assessment”.

AMENDMENT NO. 2

On page 2 of the bill, in line 6, strike “**STANDARDIZED TEST**” and substitute “**STATEWIDE KINDERGARTEN ASSESSMENT**”.

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments (SB0794/694432/1), in line 4 of Amendment No. 2, strike “**STANDARDIZED TEST**” and substitute “**STATEWIDE KINDERGARTEN ASSESSMENT**”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 420 – Senator Simonaire

AN ACT concerning

Election Law – Ballot Issues – Contributions or Donations by Foreign Nationals

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

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

Affirmative – 37 Negative – 7 (See Roll Call No. 588)

The Bill was then sent to the House of Delegates.

Senate Bill 459 – Senator Conway

AN ACT concerning

Campaign Finance – Ballot Issue Committees – Prospective Questions

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

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

Affirmative – 44 Negative – 0 (See Roll Call No. 589)

The Bill was then sent to the House of Delegates.

QUORUM CALL

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

(See Roll Call No. 590)

ADJOURNMENT

At 12:31 P.M. on motion of Senator Pugh, seconded, the Senate adjourned until 11:00 A.M. on Friday, March 18, 2016.

**Annapolis, Maryland
Friday, March 18, 2016
11:00 A.M. Session**

The Senate met at 11:13 A.M.

Prayer by Reverend Karen Bunnell, Elkton United Methodist Church, guest of Senator Hershey.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 595)

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

The Journal of March 17, 2016 was read and approved.

SPECIAL ORDERS

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

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #4

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointment and recommends that the Senate of Maryland advise and consent to this appointment.

Jamie Raskin
Chair

Labor Relations Board, Public School

31. Elizabeth M. Morgan, Ph.D. District 3
2657 Brook Valley Road
Frederick, MD 21701

Member of the Public School Labor Relations Board; appointed to serve a term of five years from July 1, 2014

STATUS: QUESTION IS WILL THE SENATE ADVISE AND CONSENT TO THE NOMINATION OF THE EXECUTIVE?

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

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

Affirmative – 46 Negative – 0 (See Roll Call No. 596)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #51

**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**

Senator Hershey moved, duly seconded, to make the Bill a Special Order for March 21, 2016.

The motion was adopted.

Senate Bill 512 – Senator Waugh

AN ACT concerning

**Task Force to Study the Recruitment, Retention, and Promotion of Teachers in
Maryland**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 597)

The Bill was then sent to the House of Delegates.

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 – 46 Negative – 0 (See Roll Call No. 598)

The Bill was then sent to the House of Delegates.

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 – 31 Negative – 14 (See Roll Call No. 599)

The Bill was then sent to the House of Delegates.

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 – 41 Negative – 4 (See Roll Call No. 600)

The Bill was then sent to the House of Delegates.

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 – 45 Negative – 0 (See Roll Call No. 601)

The Bill was then sent to the House of Delegates.

Senate Bill 1057 – Senator King

AN ACT concerning

Maryland Technology Development Corporation – Maryland Innovation Initiative – Financing Authority

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

Affirmative – 46 Negative – 0 (See Roll Call No. 602)

The Bill was then sent to the House of Delegates.

Senate Bill 1069 – ~~Senator Middleton~~ Senators Middleton, Hershey, Jennings, and Kelley

AN ACT concerning

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

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

Affirmative – 46 Negative – 0 (See Roll Call No. 603)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #52

Senate Bill 211 – Senators King, Currie, DeGrange, Feldman, Ferguson, Guzzone, Madaleno, Manno, Middleton, Peters, ~~and Young~~ Young, and McFadden

AN ACT concerning

Income Tax Credit – Qualified Research and Development Expenses – Credit Amounts

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

Affirmative – 46 Negative – 0 (See Roll Call No. 604)

The Bill was then sent to the House of Delegates.

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 – 46 Negative – 0 (See Roll Call No. 605)

The Bill was then sent to the House of Delegates.

Senate Bill 583 – Senators King, Currie, DeGrange, Ferguson, Guzzone, Manno, McFadden, and Peters

AN ACT concerning

Higher Education – University System of Maryland – Quasi-Endowment Funds

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

Affirmative – 46 Negative – 0 (See Roll Call No. 606)

The Bill was then sent to the House of Delegates.

Senate Bill 585 – Senators King, Peters, Astle, Benson, Cassilly, Currie, Eckardt, Edwards, Feldman, Hershey, Hough, Kagan, Madaleno, Manno, Mathias, Raskin, Ready, Rosapepe, Serafini, and Young

AN ACT concerning

Transportation – Highway User Revenues – Distribution to Municipalities

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

Affirmative – 46 Negative – 0 (See Roll Call No. 607)

The Bill was then sent to the House of Delegates.

Senate Bill 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 – 46 Negative – 0 (See Roll Call No. 608)

The Bill was then sent to the House of Delegates.

Senate Bill 764 – Senators Raskin and Rosapepe

AN ACT concerning

Education – Student Journalists – Freedom of Speech and Freedom of the Press

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

Affirmative – 36 Negative – 10 (See Roll Call No. 609)

The Bill was then sent to the House of Delegates.

Senate Bill 766 – Senators Madaleno ~~and Kagan~~, Kagan, King, Manno, and Peters

AN ACT concerning

**Local Income Tax – Overpayments ~~and~~, Underpayments, and Wynne
Repayments – Local Reserve Account Repayment**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 610)

The Bill was then sent to the House of Delegates.

Senate Bill 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 – 46 Negative – 0 (See Roll Call No. 611)

The Bill was then sent to the House of Delegates.

Senate Bill 941 – Senators Mathias and Manno

AN ACT concerning

**Worcester County – Family Entertainment Centers – Amusement Gaming
Licenses**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 612)

The Bill was then sent to the House of Delegates.

Senate Bill 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 – 46 Negative – 0 (See Roll Call No. 613)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #53

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 – 46 Negative – 0 (See Roll Call No. 614)

The Bill was then sent to the House of Delegates.

Senate Bill 358 – Senator Zirkin

AN ACT concerning

Family Law – Divorce on Grounds of Mutual Consent – Parties With Minor Children

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

Affirmative – 36 Negative – 10 (See Roll Call No. 615)

The Bill was then sent to the House of Delegates.

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 – 46 Negative – 0 (See Roll Call No. 616)

The Bill was then sent to the House of Delegates.

Senate Bill 453 – Senator Serafini

AN ACT concerning

~~**State Retirement and Pension System – Optional Retirement Program – Eligibility for Retiree Health Benefits Subsidy**~~
Workgroup to Study the Optional Retirement Program

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

Affirmative – 46 Negative – 0 (See Roll Call No. 617)

The Bill was then sent to the House of Delegates.

Senate Bill 774 – Senator Norman

AN ACT concerning

Motor Vehicles – Autocycles – Standards and Requirements

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

Affirmative – 46 Negative – 0 (See Roll Call No. 618)

The Bill was then sent to the House of Delegates.

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 – 46 Negative – 0 (See Roll Call No. 619)

The Bill was then sent to the House of Delegates.

Senate Bill 894 – Senator Kasemeyer

AN ACT concerning

**Human Services – ~~Family Investment Administration~~ – Weighted Caseload
Analysis – Study**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 620)

The Bill was then sent to the House of Delegates.

**Senate Bill 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 – 46 Negative – 0 (See Roll Call No. 621)

The Bill was then sent to the House of Delegates.

Senate Bill 965 – Senator McFadden

AN ACT concerning

**Criminal Procedure – Right of Appeal – Unlawful Possession of ~~Handgun or~~
Regulated Firearm, Rifle, or Shotgun**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 622)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #54

CONSENT CALENDAR #4

BILL NO.	SPONSOR	CONTENT	COMMITTEE
SB 995	Sen. Waugh	St. Mary's County – Local Licenses – Repeal	EHE
SB 1015	Sen. Waugh	St. Mary's County – Alcoholic Beverages – Permits, Training, Prohibited Acts, and Violations	EHE
SB 1076	Washington County Senators	Washington County – Alcoholic Beverages – Population Ratio Quota – Classes of Licenses	EHE
SB 1077	Washington County Senators	Washington County – Alcoholic Beverages – License Renewal Procedures	EHE
SB 1078	Washington County Senators	Washington County – Alcoholic Beverages – Class A Beer, Wine, and Liquor – License Fee	EHE
SB 1079	Washington County Senators	Washington County – Alcoholic Beverages – Hotel and Motel Licenses	EHE

By Order,
William B. C. Addison, Jr., Secretary

All of the above listed bills on the Third Reading Consent Calendar No. 4 were read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 623)

The Bills were then sent to the House of Delegates.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #32**

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

Senate Bill 582 – Senator King

AN ACT concerning

Education – Robotics Grant Program – Establishment

SB0582/334137/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 582
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 20, after “SCHOOLS” insert “AND NONPROFIT ROBOTICS CLUBS”; in the same line, strike “AND EXPAND”; in line 21, after “PROGRAMS” insert “AND TO INCREASE THE NUMBER OF ROBOTICS PROGRAMS IN THE STATE”; and in line 22, after “(B)” insert “(1)”.

AMENDMENT NO. 2

On pages 1 and 2, strike beginning with the colon in line 23 on page 1 down through “HAS” in line 1 on page 2 and substitute “IS PROPOSING A NEW ROBOTICS PROGRAM OR CLUB OR HAS”.

On page 2, in line 1, strike “; OR” and substitute a period; in line 2, 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”.

AMENDMENT NO. 3

On page 2, in line 4, strike “\$500,000” and substitute “\$250,000”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 804 – Senator Pugh

AN ACT concerning

**State Government – Occupational Licensing of Ex–Offenders – Transfer of
Statutory Provisions**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 950 – Senator Conway

AN ACT concerning

**Education – Students With Disabilities – Parental Consent for Individualized
Education Program Content**

SB0950/224338/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 950

(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 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, and the Public School Superintendents Association.

(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:

(i) attend a public school other than the public school to which the student is assigned, including a school in another local school system; and

(ii) use a scholarship to attend a private school that may address the student's needs; 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.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 954 – Senator Klausmeier

AN ACT concerning

**State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration
Contractors – Maintenance Technician – License Requirements**

SB0954/904034/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 954

(First Reading File Bill)

On page 3, after line 19, insert:

“(O) “LICENSED MAINTENANCE TECHNICIAN” MEANS AN INDIVIDUAL WHO IS LICENSED BY THE BOARD TO PROVIDE GENERAL PREVENTIVE MAINTENANCE UNDER THE SUPERVISION OF A LICENSED JOURNEYMAN ON EQUIPMENT FOR HEATING SYSTEMS, VENTILATION SYSTEMS, COOLING SYSTEMS, AND REFRIGERATION SYSTEMS AS PRESCRIBED BY THE MANUFACTURER OF THE EQUIPMENT AND BY INDUSTRY GUIDELINES.”;

in line 20, strike “(o)” and substitute “**(P)**”; and strike in their entirety lines 23 through 28, inclusive.

On page 5, in line 22, strike “\$40” and substitute “**\$20**”.

On page 12, in line 7, after “TITLE” insert “**OR UNDER AN EXISTING COLLECTIVE BARGAINING AGREEMENT**”.

The preceding amendment was read and adopted.

Senator Hershey moved, duly seconded, to make the Bill and Report a Special Order for March 21, 2016.

The motion was adopted.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #33**

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

Senate Bill 547 – Senators Pugh, Benson, Conway, Ferguson, Lee,
Nathan–Pulliam, and Rosapepe

AN ACT concerning

Ex–Offenders Recidivism Reduction Act

SB0547/314532/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 547

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “on” insert “an arrest or criminal charge that did not result in a conviction, or, under certain circumstances,”; and strike beginning with “conviction” in line 5 down through “circumstances” in line 6 and substitute “or felony conviction”.

AMENDMENT NO. 2

On page 1, in line 21, strike “AN” and substitute “UNLESS THE AUTHORITY IS REQUIRED TO DENY ELIGIBILITY UNDER FEDERAL LAW OR THE SPECIFIC CIRCUMSTANCES OF THE INDIVIDUAL’S CONDUCT DEMONSTRATE THAT DENYING ELIGIBILITY IS NECESSARY TO PROTECT THE SAFETY OF OTHER TENANTS, AN”.

On pages 1 and 2, strike beginning with “A” in line 22 on page 1 down through “TENANTS” in line 3 on page 2 and substitute “:

(1) AN ARREST OR CRIMINAL CHARGE THAT DID NOT RESULT IN A CONVICTION;

(2) A MISDEMEANOR CONVICTION IF MORE THAN 18 MONTHS HAVE PASSED SINCE THE LATER OF THE DATE THE INDIVIDUAL WAS CONVICTED OR THE DATE THE INDIVIDUAL WAS RELEASED FROM INCARCERATION; OR

(3) A FELONY CONVICTION IF MORE THAN 3 YEARS HAVE PASSED SINCE THE LATER OF THE DATE THE INDIVIDUAL WAS CONVICTED OR THE DATE THE INDIVIDUAL WAS RELEASED FROM INCARCERATION”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 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.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs 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.

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

Senate Bill 1068 – Senator Eckardt

AN ACT concerning

Alcoholic Beverages – Auxiliary Winery Permit

SB1068/474031/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1068

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after the second “a” insert “single”; and strike beginning with “providing” in line 5 down through “applicant;” in line 6.

AMENDMENT NO. 2

On page 2, in line 1, strike “(1)”; in the same line, strike “THE” and substitute “ONE”; in line 2, after “A” insert “SINGLE”; and strike in their entirety lines 4 and 5.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #34**

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

Senate Bill 1054 – Senator Mathias

AN ACT concerning

Commercial Northern Snakehead Bowfishing License – Establishment

SB1054/224935/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1054

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “authorizing the Department of Natural Resources to adopt regulations governing the use of bowfishing gear;”; and in line 16, after “Section” insert “4-221 and”.

AMENDMENT NO. 2

On page 2, after line 3, insert:

“4-221.

(a) The authority provided by this section is in addition to any other authority of the Secretary provided by law.

(b) (1) Subject to paragraph (2) of this subsection, the Secretary, after consultation with the Tidal Fisheries Advisory Commission and the Sport Fisheries Advisory Commission, may adopt regulations to define and govern the use of:

- (i) Recreational fishing gear; and
- (ii) The following types of commercial fishing gear:
 - 1. Fish pots;
 - 2. Bank traps;
 - 3. Fyke nets; [and]
 - 4. Hoop nets; AND
 - 5. BOWFISHING GEAR.

(2) The Department shall consider relevant biological, ecological, and socioeconomic factors before adopting regulations under this subsection.”;

and in line 28, strike “75” and substitute “100”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1113 – Senator Eckardt

AN ACT concerning

Talbot County – Deer Management Permit – Firearms

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #21

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

Senate Bill 413 – Senators Guzzone, Middleton, Raskin, Currie, Feldman, Ferguson, Kagan, Kelley, King, Klausmeier, Madaleno, Manno, Mathias, McFadden, Nathan–Pulliam, Peters, Pinsky, Reilly, and Rosapepe

AN ACT concerning

Developmental Disabilities Administration – Crisis Resolution Funding

SB0413/777576/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 413

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Rosapepe” and substitute “Rosapepe, and Benson”; in line 2, after “Resolution” insert “and Prevention Resolution Services –”; in the same line, after “Funding” insert “and Reporting”; in line 12, strike “removed from a certain waiting list under certain circumstances” and substitute “receiving certain services provided with certain funds; making stylistic changes”; in line 13, after “to” insert “reports about and”; and in line 16, after “Section” insert “7–101 and”.

AMENDMENT NO. 2

On page 2, after line 1, insert:

“7–101.

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

(b) “Administration” means the Developmental Disabilities Administration.

(c) (1) “Admission” means the process by which an individual with an intellectual disability is accepted as a resident in a State residential center.

(2) “Admission” includes the physical act of the individual entering the facility.

(d) (1) “Alternative living unit” means a residence that:

(i) Provides residential services for individuals who, because of developmental disability, require specialized living arrangements;

(ii) Admits not more than 3 individuals; and

(iii) Provides 10 or more hours of supervision per unit, per week.

(2) “Alternative living unit” does not include a residence that is owned or rented by:

(i) 1 or more of its residents; or

(ii) A person who:

1. Is an agent for any of the residents; but

2. Is not a provider of residential supervision.

(E) “CRISIS PREVENTION CATEGORY” MEANS THE CATEGORY FOR THE WAITING LIST FOR WHICH AN INDIVIDUAL QUALIFIES IF THE INDIVIDUAL:

(1) IS DETERMINED BY THE ADMINISTRATION TO HAVE AN URGENT NEED FOR SERVICES; AND

(2) IS AT A SUBSTANTIAL RISK FOR MEETING ONE OR MORE OF THE CRITERIA FOR THE CRISIS RESOLUTION CATEGORY WITHIN 1 YEAR OR HAVE A CAREGIVER WHO IS 65 YEARS OLD OR OLDER.

(F) “CRISIS RESOLUTION CATEGORY” MEANS THE CATEGORY FOR THE WAITING LIST FOR WHICH AN INDIVIDUAL QUALIFIES IF THE INDIVIDUAL:

(1) (I) IS HOMELESS; OR

(II) IS LIVING IN TEMPORARY HOUSING AT WHICH THE INDIVIDUAL’S STAY IS TIME-LIMITED AND NO ADMINISTRATION-FUNDED ALTERNATIVE IS AVAILABLE;

(2) IS AT SERIOUS RISK OF PHYSICAL HARM IN THE INDIVIDUAL’S CURRENT ENVIRONMENT;

(3) IS AT SERIOUS RISK OF CAUSING PHYSICAL HARM TO OTHERS IN THE INDIVIDUAL’S CURRENT ENVIRONMENT; OR

(4) IS LIVING WITH A CAREGIVER WHOSE INABILITY TO PROVIDE THE INDIVIDUAL WITH ADEQUATE CARE, DUE TO THE IMPAIRED HEALTH OF THE CAREGIVER, MAY PLACE THE APPLICANT AT RISK OF SERIOUS PHYSICAL HARM.

[(e)] (G) “Deputy Secretary” means the Deputy Secretary for Developmental Disabilities.

[(f)] (H) “Developmental disability” means a severe chronic disability of an individual that:

(1) Is attributable to a physical or mental impairment, other than the sole diagnosis of mental illness, or to a combination of mental and physical impairments;

(2) Is manifested before the individual attains the age of 22;

(3) Is likely to continue indefinitely;

(4) Results in an inability to live independently without external support or continuing and regular assistance; and

(5) Reflects the need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services that are individually planned and coordinated for the individual.

[(g)] (I) “External support” means:

(1) Periodic monitoring of the circumstances of an individual with respect to:

(i) Personal management;

(ii) Household management; and

(iii) The use of community resources; and

(2) Rendering appropriate advice or assistance that may be needed.

[(h)] (J) “Group home” means a residence that:

(1) Provides residential services for individuals who, because of developmental disability, require specialized living arrangements;

(2) Admits at least 4 but not more than 8 individuals; and

(3) Provides 10 or more hours of supervision per home, per week.

[(i)] (K) “Habilitation” means a process by which a provider of services enables an individual to acquire and maintain life skills to cope more effectively with the demands of the individual’s own person and environment and to raise the level of the individual’s mental, physical, social, and vocational functioning.

[(j)] (L) (1) “Individual support services” means an array of services that are designed to increase or maintain an individual’s ability to live alone or in a family setting.

(2) “Individual support services” include:

(i) In-home assistance with meals and personal care;

(ii) Counseling;

(iii) Physical, occupational, or other therapies;

(iv) Architectural modification; and

(v) Any other services that the Administration considers appropriate to meet the individual's needs.

(3) "Individual support services" does not include full day or residential services.

[(k)] (M) "Intellectual disability" means a developmental disability that is evidenced by significantly subaverage intellectual functioning and impairment in the adaptive behavior of an individual.

[(l)] (N) "Live independently" means:

(1) For adults:

(i) Managing personal care, such as clothing and medication;

(ii) Managing a household, such as menu planning, food preparation and shopping, essential care of the premises, and budgeting; and

(iii) Using community resources, such as commercial establishments, transportation, and services of public agencies; or

(2) For minors, functioning in normal settings without the need for supervision or assistance other than supervision or assistance that is age appropriate.

[(m)] (O) "Release" means a permanent, temporary, absolute, or conditional release of an individual from a State residential center.

[(n)] (P) "Services" means residential, day, or other services that provide for evaluation, diagnosis, treatment, care, supervision, assistance, or attention to individuals with developmental disability and that promote habilitation of these individuals.

[(o)] (Q) "Services coordination" means a service that consists of the following 3 major functions that are designed to assist an individual in obtaining the needed services and programs that the individual desires in order to gain as much control over the individual's own life as possible:

- (1) Planning services;
- (2) Coordinating services; and
- (3) Monitoring service delivery to the individual.

[(p)] (R) “State residential center” means a place that:

- (1) Is owned and operated by this State;
- (2) Provides residential services for individuals with an intellectual disability and who, because of that intellectual disability, require specialized living arrangements; and
- (3) Admits 9 or more individuals with an intellectual disability.

[(q)] (S) “Treatment” means any education, training, professional care or attention, or other program that is given to an individual with developmental disability.

[(r)] (T) “Vocational services” means a service that provides job training and placement, supported employment and training in acceptable work behaviors, and vocationally-related social and other skills.

(U) “WAITING LIST” MEANS THE LIST FOR DEVELOPMENTAL DISABILITIES SERVICES ON WHICH THE ADMINISTRATION PLACES THE NAME OF AN INDIVIDUAL WHO:

(1) HAS APPLIED TO THE ADMINISTRATION FOR DEVELOPMENTAL DISABILITY SERVICES;

(2) HAS BEEN DETERMINED ELIGIBLE FOR DEVELOPMENTAL DISABILITY SERVICES BY THE ADMINISTRATION; AND

(3) HAS NOT RECEIVED THE DEVELOPMENTAL DISABILITY SERVICES FOR WHICH THE INDIVIDUAL HAS APPLIED.”.

On page 2, in line 3, after “year” insert a comma; in line 4, after “Services” insert “, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE.”; in line 12, strike “for developmental disabilities services”; strike beginning with “OF” in line 17 down through “SERVICES” in line 18; strike beginning with “OF” in line 20 down through “SERVICES” in line 21; and strike beginning with “OF” in line 23 down through “SERVICES” in line 24.

On page 3, strike beginning with “OF” in line 5 down through “SERVICES” in line 6; in line 8, strike “OF THE WAITING LIST”; strike beginning with “OF” in line 10 down through “SERVICES” in line 11; strike beginning with “IS” in line 14 down through “CONTINUE” in line 17 and substitute “CONTINUE”; and in line 18, after “SERVICES” insert “IN ACCORDANCE WITH THE INDIVIDUAL’S NEEDS”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 953 – Senator Ready

AN ACT concerning

Consumer Protection – Unauthorized Billing – Prohibition

SB0953/517573/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 953

(First Reading File Bill)

AMENDMENT NO. 1

In line 2, strike “Consumer Protection” and substitute “State Fire Marshal”; in line 3, strike “a person” and substitute “the State Fire Marshal”; in line 4, strike “consumer” and substitute “person”; in the same line, strike “merchandise or”; in line 5, strike “consumer” and substitute “person applied on behalf of another person and”; in lines 5 and 6, strike “that the consumer did not”; in line 6, strike “request” and substitute “agree to”.

pay”; in line 7, strike “under consumer protection laws” and substitute “by the State Fire Marshal”; and strike in their entirety lines 8 through 12, inclusive, and substitute:

“BY adding to

Article – Public Safety

Section 6–308.1

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)”.

AMENDMENT NO. 2

In line 15, strike “Commercial Law” and substitute “Public Safety”; in line 16, strike “**14–1325.**” and substitute “**6–308.1.**”; in line 17, strike “**A PERSON**” and substitute “**THE STATE FIRE MARSHAL**”; in line 18, strike “**CONSUMER**” and substitute “**PERSON**”; in the same line, strike “**MERCHANDISE OR**”; in line 19, strike “**CONSUMER**” and substitute “**PERSON:**”

(1) APPLIED ON BEHALF OF ANOTHER PERSON; AND

(2)”;

in line 20, strike “**THAT THE CONSUMER DID NOT**”; and in the same line, strike “**REQUEST**” and substitute “**AGREE TO PAY**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 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.

CONCURRENCE CALENDAR #1

AMENDED IN THE HOUSE

Senate Bill 98 – Chair, Finance Committee (By Request – Departmental – Aging)

AN ACT concerning

Senior Citizen Activities Center Operating Fund – Distributions – Alteration

Senator Middleton moved that the Senate concur in the House amendments.

SB0098/224362/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 98

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “increasing the amount of funding required to be included in the annual State budget for the Senior Citizen Activities Operating Fund; requiring a certain amount of the Fund to be distributed based on each county’s share of the statewide senior citizen population; requiring that each county receive a minimum amount of funding; defining a certain term;”.

AMENDMENT NO. 2

On page 2, after line 11, insert:

“(A) IN THIS SECTION, “DISTRESSED COUNTY” MEANS A COUNTY:

(1) WITH AN AVERAGE RATE OF UNEMPLOYMENT FOR THE MOST RECENT 24-MONTH PERIOD FOR WHICH DATA ARE AVAILABLE THAT EXCEEDS:

(I) 150% OF THE AVERAGE RATE OF UNEMPLOYMENT FOR THE STATE DURING THAT PERIOD; OR

(II) THE AVERAGE RATE OF UNEMPLOYMENT FOR THE STATE DURING THAT PERIOD BY AT LEAST 2 PERCENTAGE POINTS;

(2) WITH AN AVERAGE PER CAPITA PERSONAL INCOME FOR THE MOST RECENT 24-MONTH PERIOD FOR WHICH DATA ARE AVAILABLE THAT IS EQUAL TO OR LESS THAN 67% OF THE AVERAGE PER CAPITA PERSONAL INCOME FOR THE STATE DURING THAT PERIOD; OR

(3) THAT NO LONGER MEETS EITHER CRITERION STATED IN ITEM (1) OR (2) OF THIS SUBSECTION BUT HAS MET AT LEAST ONE OF THE CRITERIA AT SOME TIME DURING THE PRECEDING 24-MONTH PERIOD.”;

and in lines 12, 14, and 18, strike “(a)”, “(b)”, and “(c)”, respectively, and substitute “(B)”, “(C)”, and “(D)”, respectively.

AMENDMENT NO. 3

On page 2, in line 16, after “(2)” insert “(I)”; in line 17, strike “\$500,000” and substitute “\$750,000”; after line 17, insert:

“(II) IN ADDITION TO THE FUNDS PROVIDED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE GOVERNOR SHALL PROVIDE SUFFICIENT FUNDS TO ENSURE THAT EACH COUNTY RECEIVES AT LEAST \$5,000 UNDER PARAGRAPH (3) OF THIS SUBSECTION.”;

in line 18, strike “Subject to paragraph (2) of this subsection, money from” and substitute “\$100,000 OF”; in line 21, after “(2)” insert:

“(I) \$400,000 OF THE FUND SHALL BE DISTRIBUTED TO COUNTIES BASED ON EACH COUNTY’S PROPORTIONAL SHARE OF THE STATEWIDE POPULATION OF SENIOR CITIZENS.

(II) A COUNTY SHALL RECEIVE AT LEAST \$5,000 UNDER THIS PARAGRAPH.

(3)”;

in line 21, strike “50%” and substitute “\$250,000”; in line 22, strike beginning with “on” through “counties:” and substitute “TO DISTRESSED COUNTIES AS FOLLOWS:”

(I) \$150,000 SHALL BE DIVIDED EVENLY; AND

(II) \$100,000 SHALL BE DIVIDED PROPORTIONATELY BY EACH COUNTY’S SHARE OF THE TOTAL POPULATION OF SENIOR CITIZENS IN DISTRESSED COUNTIES.”.

On page 3, strike in their entirety lines 1 through 13, inclusive; and in line 14, strike “(d)” and substitute “(E)”.

The preceding 3 amendments were read and concurred in.

SB0098/343921/1

BY: Delegate Reznik

AMENDMENT TO SENATE BILL 98, AS AMENDED

On page 2 of the Appropriations Committee Amendments (SB0098/224362/1), in line 6 of Amendment No. 3, strike “PARAGRAPH (3) OF THIS SUBSECTION” and substitute “SUBSECTION (D)(2) OF THIS SECTION”.

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 – 46 Negative – 0 (See Roll Call No. 624)

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 46 – Delegate Chang

AN ACT concerning

**Animal Control and Veterinary Facilities – Stray Dogs and Cats – Microchip
Scans Units – Impounded Animals – Identification**

FOR the purpose of ~~requiring a certain animal control facility, veterinary office, or veterinary hospital, within a certain time period of admitting a dog or cat with an unknown owner, to scan the dog or cat for an implanted microchip, consult a certain registry or database to obtain the owner's contact information, and make a reasonable effort to notify the owner of the location of and procedure for claiming the dog or cat;~~ prohibiting a certain animal control unit from selling, placing, or destroying a certain ~~dog or cat~~ impounded animal until the animal has been ~~scanned~~ carefully inspected for an implanted a microchip; ~~defining a certain term requiring a certain animal control unit to make a reasonable effort to notify the owner of the location of and procedure for retrieving an impounded animal;~~ establishing a certain civil penalty; altering a certain criminal penalty; and generally relating to identifying the owners of stray dogs and cats admitted to animal control and veterinary facilities domestic animals impounded by animal control units.

~~BY repealing and reenacting, without amendments,
Article – Agriculture
Section 2–305(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2015 Supplement)~~

~~BY adding to
Article – Agriculture
Section 2–1701 and 2–1702 to be under the new subtitle “Subtitle 17. Stray Dogs and
Cats – Microchip Scans”
Annotated Code of Maryland
(2007 Replacement Volume and 2015 Supplement)~~

~~BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 10–601(d)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 10–617
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

**House Bill 321 – Delegates S. Howard, Carey, Chang, Hornberger, Kipke, Malone,
Mautz, Saab, Simonaire, and Sophocleus Anne Arundel County Delegation**

AN ACT concerning

Anne Arundel County – Archery Hunting – Safety Zone

FOR the purpose of establishing for archery hunters in Anne Arundel County a safety zone of a certain size within which archery hunting may not take place except under certain circumstances; and generally relating to archery hunting in Anne Arundel County.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–410(g)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

House Bill 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

FOR the purpose of requiring, on or before a certain date, the State Department of Assessments and Taxation to provide the Comptroller information identifying certain residential property owners who failed to claim a certain homeowners’ property tax credit; requiring the Comptroller to review certain information, identify certain individuals who may be eligible for but failed to claim the credit, and provide the Department the contact information of those individuals; requiring, on or before a certain date, the Department to contact certain individuals identified under this Act by mail for certain purposes; and generally relating to the homeowners’ property tax credit program.

BY adding to
Article – Tax – Property
Section 9–104(w)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

House Bill 675 – Delegate Branch

AN ACT concerning

Vehicle Laws – Mechanical Repair Contracts

FOR the purpose of altering the definition of “mechanical repair contract”; authorizing ~~a~~ designated an agent of an and a registered obligor under a mechanical repair contract to offer, sell, or negotiate a mechanical repair contract; establishing that an obligor or a vehicle dealer is liable for the actions of its agent under certain circumstances; establishing a civil penalty for an agent or an agent’s employee that violates certain provisions of this Act; requiring an obligor or a licensed vehicle dealer that uses an agent to sell a mechanical repair contract to maintain a certain list and, on request, make the list available to the Insurance Commissioner; requiring an agent to maintain a certain list and, on request, make the list available to the agent’s obligor or licensed vehicle dealer within a certain period of time; providing that a list maintained under this Act may be stored in an electronic format; increasing the penalty for a violation of certain provisions of this Act; making conforming changes; and generally relating to mechanical repair contracts.

BY renumbering

Article – Transportation

Section 15–311.2(d), (e), (f), (g), (h), (i), (j), (k), (l), (m), and (n), respectively to be Section 15–311.2(e), (f), (g), (h), (i), (j), (k), (l), (m), (n), and (o), respectively

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 15–311.2(a) and (c) and 27–101(ff)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY adding to

Article – Transportation

Section 15–311.2(d)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

House Bill 1005 – Delegates Kelly, Anderson, Angel, Atterbeary, Barkley, B. Barnes, Barron, Barve, Branch, Brooks, Busch, Carr, Clippinger, Cullison, Davis, Dumais, Ebersole, Fennell, Fraser–Hidalgo, Frick, Frush, Gaines, Gilchrist, Glenn, Gutierrez, Hettleman, Hill, Hixson, Holmes, Jackson, Jones, Kaiser, Korman, Kramer, Krimm, Lafferty, Lam, Lierman, Lisanti, Luedtke, McCray, McIntosh, A. Miller, Moon, Morales, Morhaim, Oaks, Patterson, Pena–Melnik, Pendergrass, Platt, Reznik, B. Robinson, S. Robinson, Rosenberg, Sample–Hughes, Sanchez, Smith, Tarlau, Turner,

Valderrama, Vallario, Vaughn, Waldstreicher, Walker, A. Washington, M. Washington, K. Young, ~~and P. Young~~ P. Young, Hammen, and Bromwell

AN ACT concerning

Health Insurance – Contraceptive Equity Act

FOR the purpose of prohibiting certain insurers, nonprofit health service plans, and health maintenance organizations from applying a copayment, coinsurance, or prior authorization requirement for certain contraceptive drugs and devices; providing that the prohibition does not apply with respect to a certain health benefit plan; ~~requiring a certain insurer, nonprofit health service plan, and health maintenance organization to post its contraceptive formulary on its Web site in a certain format, include certain information on the formulary, and provide a print copy of the formulary on request;~~ establishing an exception to the prohibition against applying a copayment or coinsurance requirement for certain contraceptive drugs or devices; requiring a certain insurer, nonprofit health service plan, and health maintenance organization to provide coverage for a single dispensing to an insured or an enrollee of a certain supply of prescription contraceptives, ~~except for certain prescriptions, for a certain period of time~~ subject to certain exceptions; requiring the insurer, nonprofit health service plan, and health maintenance organization to increase the dispensing fee paid to ~~certain individuals~~ the pharmacist under certain circumstances; requiring ~~a certain~~ the insurer, nonprofit health service plan, and health maintenance organization to provide coverage without a prescription for certain contraceptive drugs, subject to certain limitations; prohibiting the insurer, nonprofit health service plan, and health maintenance ~~organizations~~ organization from applying a copayment or coinsurance requirement for the contraceptive drugs dispensed without a prescription that exceeds a certain copayment or coinsurance requirement; requiring certain insurers, nonprofit health service plans, and health maintenance organizations to provide coverage for male sterilization; excluding a certain organization from the requirement to provide the coverage for male sterilization; prohibiting certain insurers, nonprofit health service plans, and health maintenance organizations from applying a copayment, coinsurance requirement, or deductible to coverage for male sterilization; providing that the prohibition does not apply with respect to a certain health benefit plan; altering the circumstances under which a member may receive a prescription drug or device that is not on the formulary of a certain insurer, nonprofit health service plan, or health maintenance organization; requiring the procedure under which a member may receive a prescription drug or device that is not on the formulary to provide for coverage of a contraceptive prescription drug or device that is medically necessary for ~~adherence purposes~~ the member to adhere to the appropriate use of the prescription drug or device; prohibiting the Maryland Medical Assistance Program and the Maryland Children's Health Program from applying a prior authorization requirement for certain contraceptive drugs and devices; requiring the Maryland Medical Assistance Program and the Maryland Children's Health Program to provide coverage for a single dispensing to an enrollee of a certain supply of prescription contraceptives, subject to a certain exception; defining a certain term; providing for the application

of this Act; providing for a delayed effective date; and generally relating to health insurance coverage of contraceptive drugs, devices, and procedures and contraception equity.

BY adding to

Article – Insurance
Section 15–826.1 and 15–826.2
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance
Section 15–831
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

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 Finance.

House Bill 1020 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Alcoholic Beverages Licenses –
Class B–WPL (Waterfront Pavilion) Beer, Wine, and Liquor License
PG 314–16**

FOR the purpose of establishing a Class B–WPL (waterfront pavilion) beer, wine, and liquor license that the Board of License Commissioners of Prince George’s County may issue to an establishment for certain premises in a certain waterfront entertainment retail complex; prohibiting the issuance of the license for certain areas; establishing certain privileges for the license; authorizing certain entertainment activities on certain licensed premises in certain manners; providing for the term and renewal of the license; providing that an individual license holder is not subject to certain residency requirements; providing that the license holder may hold up to a certain number of the licenses at the same time; providing that the license holder may have an interest in other licenses in the County; providing for the days and hours of operation of certain premises under the license; establishing an annual fee for the license; limiting the number of licenses that may be issued under this Act; providing that a certain provision on entertainment permits does not apply to the license; providing that certain residency requirements do not apply to the license; prohibiting the entry of certain persons onto the licensed premises at certain

times under certain circumstances; and generally relating to alcoholic beverages licenses in Prince George's County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 26–102

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General Assembly of 2016)

BY adding to

Article – Alcoholic Beverages

Section 26–1018.1 and 26–2004(i)

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 26–1103(a)(1), 26–1405(c), 26–1406(c), 26–1601(a)(1), 26–1808, 26–2004(i), and 26–2707

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General Assembly of 2016)

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

House Bill 1021 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Alcoholic Beverages – Notice Requirements and Restrictions for Licenses Loitering Enforcement PG 303–16

FOR the purpose of ~~establishing that certain license and permit holders may only sell beer in cans or packages of at least a certain number in Prince George's County; prohibiting the Prince George's County Board of License Commissioners from issuing or transferring certain alcoholic beverages licenses into certain areas designated as food deserts or qualifying as target census tracts under certain circumstances; authorizing the Board to renew certain alcoholic beverages licenses issued in a food desert or a target census tract before a certain date; requiring the Prince George's County Board of License Commissioners to issue certain notice regarding public hearings to certain entities under certain circumstances; defining certain terms; providing for the application of this Act; authorizing certain entities that request to receive notice under a certain provision of this Act to elect to receive~~

written or electronic notice; requiring the Board to obtain certain information related to violations of a certain provision of the Prince George’s County Code from certain law enforcement agencies and maintain a certain comprehensive database; authorizing the Board to impose a fine under a certain provision of law if a certain number of citations are issued or arrests are made on the licensed premises for violations of a certain provision of the Prince George’s County Code in a certain time period; and generally relating to alcoholic beverages licenses in Prince George’s County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 4–208, 4–209, 4–406, 26–101(a) and (b), 26–1501, 26–1512, and 26–1801

Annotated Code of Maryland

(As enacted by Chapter ____ ~~(S.B. _____)~~~~(Ch1406)~~ (S.B. 724) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section ~~26–601, 26–801, 26–901, 26–1104,~~ 26–1511, 26–1702, and 26–1803

Annotated Code of Maryland

(As enacted by Chapter ____ ~~(S.B. _____)~~~~(Ch1406)~~ (S.B. 724) of the Acts of the General Assembly of 2016)

BY adding to

Article – Alcoholic Beverages

Section 26–2605

Annotated Code of Maryland

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

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

House Bill 1071 – Cecil County Delegation

AN ACT concerning

Cecil County – Alcoholic Beverages – ~~Class 9 Limited Distillery Licenses and Class 7 Micro-Brewery Licenses~~

FOR the purpose of authorizing ~~a Class 9 limited distillery license and a Class 7 micro-brewery license to be issued in Cecil County; authorizing a Class 9 limited distillery license to be issued to a holder of a Class B beer, wine, and liquor license as well as a Class D beer, wine, and liquor license under certain circumstances; providing that a certain Class 9 limited distillery license holder who is also a Class B beer, wine, and liquor license holder may sell certain products in a certain manner and may not sell at retail more than a certain number of gallons on a certain premises each year; requiring a Class 9 limited distillery license holder who is also~~

~~a Class B beer, wine, and liquor license holder to divest itself of a certain license and obtain a certain license if the license holder distills more than a certain number of gallons of product each year; authorizing a Class 7 micro-brewery license to be issued to a holder of a Class B beer, wine, and liquor license or a Class D beer, wine, and liquor license under certain circumstances; establishing that for a holder of a Class D beer, wine, and liquor license who also holds a Class 7 micro-brewery license, the hours and days of sale for the Class 7 micro-brewery license are those established for a Class D beer, wine, and liquor license; authorizing the Board of License Commissioners for Cecil County to determine a certain ratio of gross receipts; repealing certain provisions of law authorizing the Board to issue a certain license to sell beer, wine, and liquor to the owner of a certain hotel; and generally relating to the issuance of Class 9 limited distillery licenses and Class 7 micro-brewery alcoholic beverages licenses in Cecil County.~~

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 17-102

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 17-401 and 17-902

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General Assembly of 2016)

BY adding to

Article – Alcoholic Beverages

Section 17-403 ~~and 17-404~~

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. ____)(6lr1406) of the Acts of the General Assembly of 2016)

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

House Bill 1135 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Board of License Commissioners – Budget and
Funding
PG 308-16**

FOR the purpose of ~~altering procedures for the approval of the annual budget for the Board of License Commissioners of Prince George's County; providing that the budget is not subject to the approval of the County Council or County Executive of Prince George's County if the budget does not exceed the amount of certain estimated revenues; providing for the manner in which certain revenue is estimated~~ requiring the County Executive and County Council of Prince George's County to recognize and categorize the Board of License Commissioners of Prince George's County as a public safety agency for budgetary purposes; authorizing the ~~Board~~ County Council to include in the budget a certain maximum amount for certain purposes; requiring the County Executive and County Council to establish a certain fund for a certain purpose; prohibiting the use of the fund in a certain manner; requiring the County Executive and County Council to distribute a certain amount to the fund; requiring the Board to use the money in the fund, on or before a certain date, for certain purposes; making conforming changes; providing for the termination of certain provisions of this Act; and generally relating to the budget and funding for the Board of License Commissioners of Prince George's County.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 10–204(r) and 15–109(r)(6)

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 26–205(e) and 26–207

Annotated Code of Maryland

(As enacted by Chapter ~~(S.B. _____)(61-1406)~~ (S.B. 724) of the Acts of the General Assembly of 2016)

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

House Bill 1192 – Delegates McMillan, Davis, and Holmes

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 Judicial Proceedings.

House Bill 1220 – Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene) and Delegates Hammen, Angel, Barron, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, McMillan, Miele, Morgan, Morhaim, Pena-Melnyk, Pendergrass, Rose, Sample-Hughes, West, and K. Young

AN ACT concerning

Department of Health and Mental Hygiene – Health Program Integrity and Recovery Activities

FOR the purpose of authorizing the Inspector General or a certain Assistant Inspector General in the Department of Health and Mental Hygiene to subpoena any person or evidence, administer oaths, and take depositions and other testimony for the purpose of investigating fraud, waste, or abuse of departmental health program funds; authorizing a certain court to take certain actions under certain circumstances if a person fails to comply with a certain order or subpoena; authorizing the Inspector General to impose a civil money remedy against a provider for a certain violation under certain circumstances; establishing the maximum amount of a civil money remedy; specifying the factors that must be considered in setting the amount of a civil money remedy; requiring the Inspector General to

provide certain notice and order to a provider of the imposition of a civil money remedy; requiring the notice and order to be served in a certain manner and to include certain information; establishing a certain right to appeal from an order imposing a civil money remedy; requiring a provider to pay a civil money remedy within a certain period under certain circumstances; requiring the Inspector General to adopt certain regulations; authorizing the Inspector General or a certain person acting on behalf of the Inspector General to use extrapolation to determine the rate of error or overpayment under certain circumstances; providing that an audit of a provider may be conducted using extrapolation to determine the rate of error or overpayment for certain claims made by the provider; specifying the types of claims that may not be included in a sample to be used for extrapolation; specifying the qualifications of certain individuals conducting an audit for the Inspector General; requiring the Inspector General to provide certain notice of an audit within a certain time frame to a provider; requiring the Inspector General to conduct an exit conference and provide certain information to a provider under certain circumstances; authorizing a provider to challenge certain findings and conclusions within a certain period of time after the exit conference; requiring the Inspector General to review certain additional documentation and to issue a final report and recovery letter; authorizing a health care provider to appeal a final determination by the Inspector General in a certain manner; authorizing a provider to challenge the accuracy of a certain audit; authorizing the Department to adopt certain findings of the federal government under certain circumstances; requiring the Department to provide a provider with an audit report of the federal government and certain other information under certain circumstances; authorizing a provider to challenge certain findings and conclusions within a certain period of time after receipt of a certain recovery letter; defining certain terms; and generally relating to the Department of Health and Mental Hygiene and health program integrity and recovery activities.

BY repealing and reenacting, with amendments,

Article – Health – General
Section 2–503
Annotated Code of Maryland
(2015 Replacement Volume)

BY adding to

Article – Health – General
Section 2–504.1; and 2–701 through 2–705 to be under the new subtitle “Subtitle 7.
Use of Extrapolation in Recovery of Health Claim Overpayments”
Annotated Code of Maryland
(2015 Replacement Volume)

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

House Bill 1223 – Delegate O’Donnell

AN ACT concerning

Natural Resources – Apprentice Hunting License – Establishment

FOR the purpose of establishing an apprentice hunting license that confers certain rights on a purchaser of the license; authorizing a person to obtain an apprentice hunting license ~~without having first been issued a certificate of competency in firearms and hunter safety~~ on completion of a certain course; authorizing certain persons to hunt under an apprentice hunting license only if accompanied and directly supervised by certain other persons; requiring a person who accompanies and directly supervises an apprentice hunting licensee to maintain certain contact with, provide certain direction to, and be in a certain physical position related to the apprentice hunting licensee; authorizing certain apprentice hunting licensees to hunt without supervision under certain circumstances; limiting to a certain amount the number of apprentice hunting licenses that may be issued to a person in the person's lifetime; prohibiting the renewal of an apprentice hunting license; prohibiting the issuance of an apprentice hunting license to certain persons; establishing certain fees for resident and nonresident apprentice hunting licenses; and generally relating to the establishment of the apprentice hunting license.

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 10–301(b)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–301(g)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

House Bill 1303 – ~~Delegate Angel~~ Delegates Angel, Hammen, Barron, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, McMillan, Miele, Morgan, Morhaim, Pena–Melnyk, Pendergrass, Rose, Sample–Hughes, West, and K. Young

AN ACT concerning

Freestanding Birthing Centers – Use of Ultrasound Imaging

FOR the purpose of requiring the Secretary of Health and Mental Hygiene, after consultation with certain representatives, to establish by regulation certain standards for the use of ultrasound imaging in a freestanding birthing center; and generally relating to freestanding birthing centers and the use of ultrasound imaging.

BY repealing and reenacting, without amendments,
 Article – Health – General
 Section 19–3B–01(a), (c), and (d)
 Annotated Code of Maryland
 (2015 Replacement Volume)

BY repealing and reenacting, with amendments,
 Article – Health – General
 Section 19–3B–03(a)(1)
 Annotated Code of Maryland
 (2015 Replacement Volume)

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

House Bill 1311 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Alcoholic Beverages Licenses – ~~Riverdale Park Station~~ Development District Licenses and Sunday Off-Sale Permits

PG 305–16

FOR the purpose of authorizing the Prince George’s County Board of License Commissioners to issue a certain number of Class B–DD (Development District) licenses to restaurants located in a certain area within the area of Riverdale Park Station; authorizing the Board to issue a certain number of Class B–DD (Development District) licenses to restaurants located within the area of Riverdale Park Town Center; providing that a certain number of Sunday off–sale permits may be issued only to holders of a certain license who acquired the license on or after a certain date; altering the number of Sunday off–sale permits that may be in effect at any one time; requiring the Board to waive a certain reinvestment requirement under certain circumstances; and generally relating to the issuance of ~~Class B–DD (Development District)~~ alcoholic beverages licenses to restaurants and permits in Prince George’s County.

BY repealing and reenacting, without amendments,
 Article – Alcoholic Beverages
 Section 26–102 and 26–1104(a)
 Annotated Code of Maryland
 (As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,
 Article – Alcoholic Beverages
 Section 26–1104(b), (d), and (f) and 26–1614(a)
 Annotated Code of Maryland
 (As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

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

House Bill 1487 – Delegates Valderrama and Barkley

AN ACT concerning

Health Care Provider Malpractice Insurance – Scope of Coverage

FOR the purpose of ~~repealing a prohibition on~~ authorizing the inclusion, in a policy that insures a health care provider against damages due to medical injury arising from providing or failing to provide health care, of coverage for the defense of a health care provider in a certain disciplinary hearing if the cost of the included coverage is itemized in a certain document and reported to the Maryland Insurance Commissioner in a certain manner; repealing a provision of law that authorizes a policy providing coverage for the defense of a health care provider in a certain disciplinary hearing to be offered and priced separately from a policy insuring a health care provider against damages due to medical injury; and generally relating to malpractice insurance coverage for health care providers.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 19–104
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

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

House Bill 180 – Delegates West, Pena–Melnyk, and Aumann

AN ACT concerning

Public Health – HIV Testing During Pregnancy

FOR the purpose of requiring certain health care providers to obtain consent for HIV testing in accordance with certain provisions of law and to test pregnant patients, except under certain circumstances, during the first and third trimesters of pregnancy; ~~repealing certain provisions of law made obsolete by this Act;~~ providing that certain health care providers may not be subject to certain disciplinary action under certain circumstances; and generally relating to HIV testing during pregnancy.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 18–338.2
Annotated Code of Maryland

(2015 Replacement Volume)

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

House Bill 472 – Delegates Miele, ~~Arentz~~, Aumann, Carozza, Jacobs, Morgan, and Otto

AN ACT concerning

Estates and Trusts – Registers of Wills – Retention of Estate Files

FOR the purpose of repealing a requirement that a register of wills in a county return certain estate files to the personal representative of the estate under certain circumstances; authorizing a register to dispose of certain estate files after a certain period of time if copies of the files are retained in a certain manner; making a stylistic change; providing for the application of this Act; and generally relating to the retention of estate files by a register of wills in a county.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 2–209
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

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

House Bill 493 – Delegates Morales, Smith, Anderson, Atterbeary, Carr, Carter, Conaway, Cullison, Dumais, Fennell, Fraser–Hidalgo, Gutierrez, Healey, Hill, Jackson, Krimm, Lierman, Luedtke, McCray, Moon, Pena–Melnyk, Platt, Proctor, S. Robinson, Sanchez, Sydnor, Tarlau, Valentino–Smith, Vallario, Waldstreicher, A. Washington, M. Washington, and Zucker

AN ACT concerning

Criminal Law – Extortion – Immigration Status

FOR the purpose of prohibiting a person from committing a certain act of extortion by wrongful use of actual or threatened notification of law enforcement officials about another person’s undocumented or illegal immigration status; and generally relating to extortion.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–701
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

House Bill 541 – Delegate Kelly

AN ACT concerning

Maryland Trust Act – Revocable Trust – Partial Revocation by Divorce or Annulment

FOR the purpose of providing for the revocation of certain terms of a revocable trust on the absolute divorce of the settlor and the settlor's spouse or the annulment of their marriage occurring after the creation of the settlor's revocable trust, except under certain circumstances; requiring removal of the spouse as a trustee or an advisor on the date of the divorce or annulment; prohibiting the spouse from serving as a trustee or an advisor or exercising certain powers after the divorce or annulment; providing for the application of this Act; and generally relating to the effects of divorce or annulment on a revocable trust.

BY adding to

Article – Estates and Trusts

Section 14.5–604

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

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

House Bill 682 – Delegates Rosenberg, Angel, Bromwell, Cullison, Hill, Kelly, Kipke, Miele, Oaks, Reznik, Sample–Hughes, West, ~~and K. Young~~ K. Young, ~~and Pena–Melnyk~~

AN ACT concerning

**~~Department of Health and Mental Hygiene~~ Behavioral Health Advisory Council
– Clinical Crisis Walk–In Services and Mobile Crisis Teams – Strategic Plan**

FOR the purpose of requiring the ~~Department of Health and Mental Hygiene~~ Behavioral Health Advisory Council, in consultation with certain agencies ~~and~~, certain health providers, and certain stakeholders, to develop a strategic plan for ensuring that certain crisis services and certain teams are available statewide and operating in a certain manner; requiring the strategic plan to include certain elements; requiring the ~~Department to submit the plan to the Governor and the General Assembly on or before a certain date~~ Council to include in a certain report an update on the development of the plan on or before a certain date; requiring the Council to submit the plan as part of a certain report on or before a certain date; and generally relating to the ~~Department of Health and Mental Hygiene~~ Behavioral Health Advisory

Council and a strategic plan for clinical crisis walk-in services and mobile crisis teams.

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

House Bill 827 – Delegate O’Donnell

AN ACT concerning

Newborn Infant Screening – Testing by Nonpublic Laboratories – ~~Authorization~~ Notification

FOR the purpose of ~~authorizing certain laboratories to perform certain screening tests for hereditary and congenital disorders under certain circumstances; authorizing a parent or guardian of a newborn infant to request that a certain laboratory perform certain initial tests to screen for hereditary and congenital disorders; requiring a health care provider to obtain and deliver certain test specimens to screen for hereditary and congenital disorders to certain laboratories under certain circumstances; requiring the Department of Health and Mental Hygiene, in consultation with a certain council, to establish protocols for health care providers to obtain and deliver certain test specimens to certain laboratories; requiring that the~~ coordinated statewide system for newborn screening that the Department of Health and Mental Hygiene is required to maintain include notifying parents and guardians of newborn infants that laboratories other than the Department’s public health laboratory are authorized to perform postscreening confirmatory or diagnostic tests on newborn infants for hereditary and congenital disorders; and generally relating to newborn infant screening for hereditary and congenital disorders.

BY repealing and reenacting, without amendments,

Article – Health – General
Section 13–111(a) through (c)
Annotated Code of Maryland
(2015 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Health – General
Section 13–111(d) ~~and 13–112~~
Annotated Code of Maryland
(2015 Replacement Volume)

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

House Bill 868 – Delegate McKay

AN ACT concerning

Washington County – Fire, Rescue, and Ambulance Service – Local Authority

FOR the purpose of providing that the County Commissioners of Washington County are the ultimate authority having jurisdiction over the provision of fire, rescue, and ambulance services in Washington County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Washington County
Section 10–402
Article 22 – Public Local Laws of Maryland
(2007 Edition and October 2010 Supplement, as amended)

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

House Bill 890 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Local Landlord and Tenant Law – Repeal

FOR the purpose of repealing a certain provision of law concerning the return of goods to a tenant in an action for distress for rent in St. Mary’s County; and generally relating to landlord and tenant laws in St. Mary’s County.

BY repealing
The Public Local Laws of St. Mary’s County
Section 71–1 and the chapter “Chapter 71. Landlord and Tenant”
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 Judicial Proceedings.

House Bill 960 – Delegates Kelly, Cullison, ~~and West~~ West, Hammen, Pendergrass, Angel, Barron, Bromwell, Hill, Kipke, Krebs, McDonough, McMillan, Miele, Morgan, Morhaim, Pena–Melnyk, Rose, Sample–Hughes, and K. Young

AN ACT concerning

Guardians of Property and Custodians – Authority to Fund Certain Trusts and Accounts

FOR the purpose of authorizing a guardian of the property of a certain minor or disabled person to pay or apply income or principal from a certain estate to establish or fund a certain special needs trust, a pooled asset special needs trust account, or an Achieving a Better Life Experience (ABLE) account for the benefit of the minor or disabled person, without court authorization or confirmation; authorizing a certain custodian to use all or part of certain custodial property to establish or fund a certain

special needs trust, a pooled asset special needs trust account, or an ABLE account for the benefit of a certain minor, without court order; defining certain terms; altering a certain definition; making technical and stylistic changes; and generally relating to the powers of certain guardians of property and custodians.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 13–101, 13–214, and 13–314
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

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

House Bill 1150 – Delegates McMillan, Angel, Cullison, Hayes, Kipke, Miele, Morgan, Oaks, Pena–Melnyk, Saab, and West

AN ACT concerning

Health Insurance – Consumer Health Claim Filing Fairness Act

FOR the purpose of requiring a certain health benefit plan to include provisions that permit enrollees a certain minimum period of time to submit a claim for a service, provide for the suspension of the minimum period of time under certain circumstances, and provide that failure to submit a claim within the minimum period of time does not invalidate or reduce the amount of the claim under certain circumstances; creating an exception to a provision of law that requires certain proof of loss to be furnished to an insurer in case of claim for loss within a certain period of time; defining certain terms; providing for the application of this Act; providing for a delayed effective date; and generally relating to the time period for submitting a claim under health insurance.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 12–102 and 15–213
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

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

House Bill 1408 – Delegate McComas

AN ACT concerning

**Property and Casualty Insurance – Commercial Policies and Workers’
Compensation Insurance Policies – Notices of Premium Increases**

FOR the purpose of altering the scope of certain provisions of law that require an insurer to send to certain persons a certain notice of a premium increase for policies of commercial insurance and policies of workers' compensation insurance; providing that the provisions of law do not apply to policies for which the renewal policy premium is an increase of a certain percentage or less over the expiring policy premium; clarifying that an insurer that sends certain documents and notices and a certain offer to certain persons at a certain time may not be required to comply with a certain notice requirement; providing for the application of this Act; and generally relating to notices of premium increases for property and casualty insurance.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 27–608
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

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

House Bill 1444 – Delegate Aumann

AN ACT concerning

Mary Byrd Wyman Memorial Association of Baltimore City

FOR the purpose of altering the incorporation of the Mary Byrd Wyman Memorial Association of Baltimore City; altering the purpose of the Association; stating the principal address of and the name and address of the resident agent of the Association; prohibiting the Association from issuing capital stock; providing that the business and affairs of the Association is managed by the Board of Trustees; providing for the Board of Trustees; limiting the use of the earnings of the Association and the activities of the Association; providing for the distribution of the Association's income during certain periods; stating certain prohibited acts of the Association; providing for the distribution of the assets of the Association in the event of dissolution of the Association; providing for the perpetual existence of the Association; providing for the limited liability of a Trustee of the Association under certain circumstances; providing that a Trustee is personally liable to the Association under certain circumstances; providing for the amendment or repeal of the charter of the Association; and generally relating to the Mary Byrd Wyman Memorial Association of Baltimore City.

BY repealing and reenacting, with amendments,
Chapter 262 of the Acts of the General Assembly of 1884
Section 1

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

INTRODUCTION OF BILLS

Senator Conway moved, duly seconded, to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two-thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

Senator Conway moved to suspend the rules to allow **Senate Bill 1169** to be referred immediately.

The motion was adopted.

Senate Bill 1169 – Senators Conway, Pugh, McFadden, Ferguson, and Nathan–Pulliam

AN ACT concerning

**Baltimore City – Procurement by Public Institutions of Higher Education
– Preference for Local Bidders or Offerors**

FOR the purpose of requiring public institutions of higher education in the City of Baltimore to give a resident bidder or offeror from the City of Baltimore a certain preference over bidders or offerors in the State that are not from the City of Baltimore on the procurement of certain goods and services under certain circumstances; defining certain terms; providing for the application of this Act; and generally relating to a preference for resident bidders or offerors from the City of Baltimore on certain procurement contracts.

BY adding to

Article – State Finance and Procurement
Section 14–101.1
Annotated Code of Maryland
(2015 Replacement Volume)

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

Senator Conway moved, duly seconded, to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two-thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

Senator Conway moved to suspend the rules to allow **Senate Bill 1170** to be referred immediately.

The motion was adopted.

Senate Bill 1170 – Senators Conway, Pugh, McFadden, Ferguson, and Nathan–Pulliam

AN ACT concerning

Next–Generation Scholars of Maryland

FOR the purpose of altering certain criteria for the prequalification of a student for a certain grant program; changing the name of the College Readiness Outreach Program to be the Next–Generation Scholars of Maryland Program; altering the purpose and certain requirements of a certain program; establishing a certain pilot program to be administered in certain school systems; requiring certain services to be provided; mandating certain funding for certain years for the pilot program; requiring the State Department of Education and the Maryland Higher Education Commission to submit a certain report on or before a certain date; and generally relating to the Next–Generation Scholars of Maryland Program.

BY repealing and reenacting, with amendments,

Article – Education

Section 18–303 and 18–303.1

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

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

LETTERS OF REASSIGNMENT

ANNOUNCEMENT BY THE PRESIDENT

House Bill 689 – Delegate Frick

AN ACT concerning

Procurement – Prevailing Wage – Liquidated Damages

Reassigned to the Committee on Finance under Rule 33(d).

Read and ordered journalized.

INTRODUCTION OF BILLS

Senator Pugh moved, duly seconded, to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two-thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

Senator Pugh moved to suspend the rules to allow **Senate Bill 1171** to be referred immediately.

The motion was adopted.

Senate Bill 1171 – Senators Pugh, Conway, McFadden, Ferguson, and Nathan–Pulliam

AN ACT concerning

Enoch Pratt Free Library – Hours of Operation

FOR the purpose of establishing the hours and days of the week that each branch of the Enoch Pratt Free Library is open to the public; requiring the State to remit to Baltimore City each year a certain percentage of certain additional operating expenses of the Enoch Pratt Free Library; requiring Baltimore City to provide funding for a certain percentage of certain additional operating expenses of the Enoch Pratt Free Library; providing for a certain calculation; and generally relating to the hours of operation of the Enoch Pratt Free Library.

BY repealing and reenacting, with amendments,
Article – Education
Section 23–402(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

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

Senator Pugh moved, duly seconded, to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two-thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

Senator Pugh moved to suspend the rules to allow **Senate Bill 1172** to be referred immediately.

The motion was adopted.

Senate Bill 1172 – Senators Pugh, Conway, McFadden, Ferguson, and Nathan–Pulliam

AN ACT concerning

Seed Community Development Anchor Institution Fund

FOR the purpose of establishing the Seed Community Development Anchor Institution Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Department of Housing and Community Development to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; specifying certain eligibility criteria and a certain process for awarding grants and loans from the Fund; providing for the investment of money in and expenditures from the Fund; requiring interest earnings of the Fund to be credited to the Fund; beginning in a certain fiscal year, requiring the Governor to include in the annual budget bill an appropriation of a certain amount to the Fund; exempting the Fund from a certain provision of law requiring interest on State money in special funds to accrue to the General Fund of the State; defining certain terms; and generally relating to the Seed Community Development Anchor Institution Fund in the Department of Housing and Community Development.

BY adding to

Article – Housing and Community Development
Section 4–508
Annotated Code of Maryland
(2006 Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement
Section 6–226(a)(2)(i)
Annotated Code of Maryland
(2015 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement
Section 6–226(a)(2)(ii)84. and 85.
Annotated Code of Maryland
(2015 Replacement Volume)

BY adding to

Article – State Finance and Procurement
Section 6–226(a)(2)(ii)86.
Annotated Code of Maryland
(2015 Replacement Volume)

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

Senator Pugh moved, duly seconded, to suspend Rule 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two-thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

Senator Pugh moved to suspend the rules to allow **Senate Bill 1173** to be referred immediately.

The motion was adopted.

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

FOR the purpose of repealing certain provisions of law relating to the establishment and maintenance of certain schools for adults by county boards of education; requiring the Department of Labor, Licensing, and Regulation, in consultation with the State Department of Education, by regulation and on or before a certain date, to develop standards for the establishment of adult high schools; providing for the content of certain standards; prohibiting the Department from requiring public funding for approval of the establishment of adult high schools; defining a certain term; and generally relating to adult high schools and the Department of Labor, Licensing, and Regulation.

BY repealing

Article – Labor and Employment

Section 11–805

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)

BY adding to

Article – Labor and Employment

Section 11–805

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)

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

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

Senate Bill 840 – The President (By Request – Maryland Economic Development and Business Climate Commission)

AN ACT concerning

Income Tax – Earned Income Tax Credit – Refundability

SB0840/239538/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 840

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “Earned” insert “Rates, Personal Exemptions, and”; in the same line, strike “– Refundability”; strike beginning with “altering” in line 3 down through “circumstances;” in line 5 and substitute “altering certain State income tax rates for certain taxable years; altering the amount of certain exemptions allowed under the State income tax for certain taxable years; altering the calculation of the Maryland earned income tax credit to increase the amount of credit that certain individuals without qualifying children may claim; expanding eligibility of the credit to allow certain individuals without certain qualifying children to claim the credit; allowing certain individuals to claim a refund of the credit; allowing an individual to claim the credit without regard to a certain age limitation; providing that the amount of the credit is adjusted for inflation each year; declaring the intent of the General Assembly; providing for the application of this Act; providing for a delayed effective date for certain provisions of this Act;”; in line 6, strike “earned income credit allowed under the State income tax” and substitute “State individual income tax”; strike in their entirety lines 7 through 16, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–105(a), 10–211(a)(1), and 10–704

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General
Section 10–105(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)
(As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,

Article – Tax – General
Section 10–105(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)
(As enacted by Section 2 of this Act)

BY repealing and reenacting, with amendments,

Article – Tax – General
Section 10–105(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)
(As enacted by Section 3 of this Act)

BY repealing and reenacting, with amendments,

Article – Tax – General
Section 10–105(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)
(As enacted by Section 4 of this Act)”;

and after line 19, insert:

“10–105.

(a) (1) For A TAXABLE YEAR BEGINNING AFTER DECEMBER 31, 2015, BUT BEFORE JANUARY 1, 2017, FOR an individual other than an individual described in paragraph (2) of this subsection, the State income tax rate is:

- (i) 2% of Maryland taxable income of \$1 through \$1,000;
- (ii) 3% of Maryland taxable income of \$1,001 through \$2,000;

- (iii) 4% of Maryland taxable income of \$2,001 through \$3,000;
- (iv) 4.75% of Maryland taxable income of \$3,001 through \$100,000;
- (v) [5%] **4.975%** of Maryland taxable income of \$100,001 through \$125,000;
- (vi) [5.25%] **5.20%** of Maryland taxable income of \$125,001 through \$150,000;
- (vii) [5.5%] **5.45%** of Maryland taxable income of \$150,001 through \$250,000; and
- (viii) [5.75%] **5.725%** of Maryland taxable income in excess of \$250,000.

(2) For A TAXABLE YEAR BEGINNING AFTER DECEMBER 31, 2015, BUT BEFORE JANUARY 1, 2017, FOR spouses filing a joint return or for a surviving spouse or head of household as defined in § 2 of the Internal Revenue Code, the State income tax rate is:

- (i) 2% of Maryland taxable income of \$1 through \$1,000;
- (ii) 3% of Maryland taxable income of \$1,001 through \$2,000;
- (iii) 4% of Maryland taxable income of \$2,001 through \$3,000;
- (iv) 4.75% of Maryland taxable income of \$3,001 through \$150,000;
- (v) [5%] **4.975%** of Maryland taxable income of \$150,001 through \$175,000;
- (vi) [5.25%] **5.20%** of Maryland taxable income of \$175,001 through \$225,000;
- (vii) [5.5%] **5.45%** of Maryland taxable income of \$225,001 through \$300,000; and

(viii) [5.75%] 5.725% of Maryland taxable income in excess of \$300,000.

10-211.

(a) Except as provided in subsection (b) of this section, whether or not a federal return is filed, to determine Maryland taxable income, an individual other than a fiduciary may deduct as an exemption:

(1) (I) [\$3,200] FOR A TAXABLE YEAR BEGINNING AFTER DECEMBER 31, 2015, BUT BEFORE JANUARY 1, 2017, \$3,250 for each exemption that the individual may deduct in the taxable year to determine federal taxable income under § 151 of the Internal Revenue Code;

(II) FOR A TAXABLE YEAR BEGINNING AFTER DECEMBER 31, 2016, BUT BEFORE JANUARY 1, 2018, \$3,300 FOR EACH EXEMPTION THAT THE INDIVIDUAL MAY DEDUCT IN THE TAXABLE YEAR TO DETERMINE FEDERAL TAXABLE INCOME UNDER § 151 OF THE INTERNAL REVENUE CODE;

(III) FOR A TAXABLE YEAR BEGINNING AFTER DECEMBER 31, 2017, BUT BEFORE JANUARY 1, 2019, \$3,350 FOR EACH EXEMPTION THAT THE INDIVIDUAL MAY DEDUCT IN THE TAXABLE YEAR TO DETERMINE FEDERAL TAXABLE INCOME UNDER § 151 OF THE INTERNAL REVENUE CODE; AND

(IV) FOR A TAXABLE YEAR BEGINNING AFTER DECEMBER 31, 2018, \$3,400 FOR EACH EXEMPTION THAT THE INDIVIDUAL MAY DEDUCT IN THE TAXABLE YEAR TO DETERMINE FEDERAL TAXABLE INCOME UNDER § 151 OF THE INTERNAL REVENUE CODE;”.

AMENDMENT NO. 2

On page 2, in line 4, strike “paragraph (2)” and substitute “PARAGRAPHS (2) AND (3)”; in line 20, strike “AND”; in line 21, strike the opening bracket; in the same line, strike “] 28%”; in line 22, strike the opening bracket; in line 26, strike the closing bracket; after line 26, insert:

“(3) (I) THE CREDIT ALLOWED AGAINST THE STATE INCOME TAX UNDER SUBSECTION (A)(1) OF THIS SECTION FOR AN INDIVIDUAL WITHOUT A QUALIFYING CHILD:

1. A. FOR A TAXABLE YEAR BEGINNING AFTER DECEMBER 31, 2015, BUT BEFORE JANUARY 1, 2017, IS EQUAL TO 75% OF THE EARNED INCOME CREDIT ALLOWABLE FOR THE TAXABLE YEAR UNDER § 32 OF THE INTERNAL REVENUE CODE; AND

B. FOR A TAXABLE YEAR BEGINNING AFTER DECEMBER 31, 2016, IS EQUAL TO 100% OF THE EARNED INCOME CREDIT ALLOWABLE FOR THE TAXABLE YEAR UNDER § 32 OF THE INTERNAL REVENUE CODE; AND

2. IS CALCULATED BY SUBSTITUTING:

A. \$6,610 FOR THE EARNED INCOME AMOUNT IN § 32(B)(2)(A) OF THE INTERNAL REVENUE CODE; AND

B. \$16,900 FOR THE PHASE-OUT AMOUNT IN § 32(B)(2)(A) OF THE INTERNAL REVENUE CODE.

(II) IF THE TAX CREDIT ALLOWED UNDER THIS PARAGRAPH IN ANY TAXABLE YEAR EXCEEDS THE TOTAL TAX OTHERWISE PAYABLE BY THE INDIVIDUAL WITHOUT A QUALIFYING CHILD FOR THAT TAXABLE YEAR, THE INDIVIDUAL MAY CLAIM A REFUND IN THE AMOUNT OF THE EXCESS.

(III) 1. FOR EACH TAXABLE YEAR BEGINNING AFTER DECEMBER 31, 2016, THE EARNED INCOME AMOUNT AND PHASE-OUT AMOUNT IN SUBPARAGRAPH (I)2 OF THIS PARAGRAPH SHALL BE INCREASED BY AN AMOUNT EQUAL TO THE PRODUCT OF MULTIPLYING EACH AMOUNT BY THE COST-OF-LIVING ADJUSTMENT SPECIFIED IN SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH.

2. FOR PURPOSES OF THIS SUBPARAGRAPH, THE COST-OF-LIVING ADJUSTMENT IS THE COST-OF-LIVING ADJUSTMENT WITHIN THE MEANING OF § 1(F)(3) OF THE INTERNAL REVENUE CODE FOR THE CALENDAR YEAR IN WHICH A TAXABLE YEAR BEGINS, AS DETERMINED BY THE COMPTROLLER BY

SUBSTITUTING “CALENDAR YEAR 2015” FOR “CALENDAR YEAR 1992” IN § 1(F)(3)(B) OF THE INTERNAL REVENUE CODE.

3. IF ANY INCREASE DETERMINED UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH IS NOT A MULTIPLE OF \$50, THE INCREASE SHALL BE ROUNDED DOWN TO THE NEXT LOWEST MULTIPLE OF \$50.

(IV) FOR PURPOSES OF THIS SECTION FOR AN INDIVIDUAL WITHOUT A QUALIFYING CHILD, THE CREDIT ALLOWABLE FOR A TAXABLE YEAR UNDER § 32 OF THE INTERNAL REVENUE CODE IS CALCULATED WITHOUT REGARD TO THE MINIMUM AGE REQUIREMENT UNDER § 32(C)(1)(A)(II)(II) OF THE INTERNAL REVENUE CODE.

(c) (1) Except as provided in paragraph (2) of this subsection and subject to subsection (d) of this section, the credit allowed against the county income tax under subsection (a)(2) of this section is the lesser of:

(i) the earned income credit allowable for the taxable year under § 32 of the Internal Revenue Code multiplied by 10 times the county income tax rate for the taxable year; or

(ii) the county income tax for the taxable year.

(2) (i) A county may provide, by law, for a refundable county earned income credit as provided in this paragraph.

(ii) If a county provides for a refundable county earned income credit under this paragraph, on or before July 1 prior to the beginning of the first taxable year for which it is applicable, the county shall give the Comptroller notice of the refundable county earned income credit.

(iii) If a county provides for a refundable county earned income credit under this paragraph, a resident may claim a refund of the amount, if any, by which the product of multiplying the credit allowable for the taxable year under § 32 of the Internal Revenue Code by 5 times the county income tax rate for the taxable year exceeds the county income tax for the taxable year.

(iv) The amount of any refunds payable under a refundable county earned income credit operates to reduce the income tax revenue from individuals attributable to the county income tax for that county.

(d) For an individual who is a resident of the State for only a part of the year, the amount of the credit or refund allowed under this section shall be determined based on the part of the earned income credit allowable for the taxable year under § 32 of the Internal Revenue Code that is attributable to Maryland, determined by multiplying the federal earned income credit by a fraction:

(1) the numerator of which is the Maryland adjusted gross income of the individual; and

(2) the denominator of which is the federal adjusted gross income of the individual.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Tax – General

10–105.

(a) (1) For a taxable year beginning after December 31, [2015] **2016**, but before January 1, [2017] **2018**, for an individual other than an individual described in paragraph (2) of this subsection, the State income tax rate is:

(i) 2% of Maryland taxable income of \$1 through \$1,000;

(ii) 3% of Maryland taxable income of \$1,001 through \$2,000;

(iii) 4% of Maryland taxable income of \$2,001 through \$3,000;

(iv) 4.75% of Maryland taxable income of \$3,001 through \$100,000;

(v) [4.975%] **4.95%** of Maryland taxable income of \$100,001 through \$125,000;

(vi) [5.20%] 5.15% of Maryland taxable income of \$125,001 through \$150,000;

(vii) [5.45%] 5.40% of Maryland taxable income of \$150,001 through \$250,000; and

(viii) [5.725%] 5.70% of Maryland taxable income in excess of \$250,000.

(2) For a taxable year beginning after December 31, [2015] 2016, but before January 1, [2017] 2018, for spouses filing a joint return or for a surviving spouse or head of household as defined in § 2 of the Internal Revenue Code, the State income tax rate is:

(i) 2% of Maryland taxable income of \$1 through \$1,000;

(ii) 3% of Maryland taxable income of \$1,001 through \$2,000;

(iii) 4% of Maryland taxable income of \$2,001 through \$3,000;

(iv) 4.75% of Maryland taxable income of \$3,001 through \$150,000;

(v) [4.975%] 4.95% of Maryland taxable income of \$150,001 through \$175,000;

(vi) [5.20%] 5.15% of Maryland taxable income of \$175,001 through \$225,000;

(vii) [5.45%] 5.40% of Maryland taxable income of \$225,001 through \$300,000; and

(viii) [5.725%] 5.70% of Maryland taxable income in excess of \$300,000.

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

10-105.

(a) (1) For a taxable year beginning after December 31, [2016] 2017, but before January 1, [2018] 2019, for an individual other than an individual described in paragraph (2) of this subsection, the State income tax rate is:

- (i) 2% of Maryland taxable income of \$1 through \$1,000;
- (ii) 3% of Maryland taxable income of \$1,001 through \$2,000;
- (iii) 4% of Maryland taxable income of \$2,001 through \$3,000;
- (iv) 4.75% of Maryland taxable income of \$3,001 through \$100,000;
- (v) [4.95%] 4.925% of Maryland taxable income of \$100,001 through \$125,000;
- (vi) [5.15%] 5.10% of Maryland taxable income of \$125,001 through \$150,000;
- (vii) [5.40%] 5.35% of Maryland taxable income of \$150,001 through \$250,000; and
- (viii) [5.70%] 5.675% of Maryland taxable income in excess of \$250,000.

(2) For a taxable year beginning after December 31, [2016] 2017, but before January 1, [2018] 2019, for spouses filing a joint return or for a surviving spouse or head of household as defined in § 2 of the Internal Revenue Code, the State income tax rate is:

- (i) 2% of Maryland taxable income of \$1 through \$1,000;
- (ii) 3% of Maryland taxable income of \$1,001 through \$2,000;
- (iii) 4% of Maryland taxable income of \$2,001 through \$3,000;
- (iv) 4.75% of Maryland taxable income of \$3,001 through \$150,000;

- (v) [4.95%] 4.925% of Maryland taxable income of \$150,001 through \$175,000;
- (vi) [5.15%] 5.10% of Maryland taxable income of \$175,001 through \$225,000;
- (vii) [5.40%] 5.35% of Maryland taxable income of \$225,001 through \$300,000; and
- (viii) [5.70%] 5.675% of Maryland taxable income in excess of \$300,000.

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

Article – Tax – General

10–105.

(a) (1) For a taxable year beginning after December 31, [2017] 2018, but before January 1, [2019] 2020, for an individual other than an individual described in paragraph (2) of this subsection, the State income tax rate is:

- (i) 2% of Maryland taxable income of \$1 through \$1,000;
- (ii) 3% of Maryland taxable income of \$1,001 through \$2,000;
- (iii) 4% of Maryland taxable income of \$2,001 through \$3,000;
- (iv) 4.75% of Maryland taxable income of \$3,001 through \$100,000;
- (v) [4.925%] 4.90% of Maryland taxable income of \$100,001 through \$125,000;
- (vi) [5.10%] 5.05% of Maryland taxable income of \$125,001 through \$150,000;

(vii) [5.35%] 5.30% of Maryland taxable income of \$150,001 through \$250,000; and

(viii) [5.675%] 5.65% of Maryland taxable income in excess of \$250,000.

(2) For a taxable year beginning after December 31, [2017] 2018, but before January 1, [2019] 2020, for spouses filing a joint return or for a surviving spouse or head of household as defined in § 2 of the Internal Revenue Code, the State income tax rate is:

(i) 2% of Maryland taxable income of \$1 through \$1,000;

(ii) 3% of Maryland taxable income of \$1,001 through \$2,000;

(iii) 4% of Maryland taxable income of \$2,001 through \$3,000;

(iv) 4.75% of Maryland taxable income of \$3,001 through \$150,000;

(v) [4.925%] 4.90% of Maryland taxable income of \$150,001 through \$175,000;

(vi) [5.10%] 5.05% of Maryland taxable income of \$175,001 through \$225,000;

(vii) [5.35%] 5.30% of Maryland taxable income of \$225,001 through \$300,000; and

(viii) [5.675%] 5.65% of Maryland taxable income in excess of \$300,000.

SECTION 5. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Tax – General

(a) (1) [For a taxable year beginning after December 31, 2018, but before January 1, 2020, for] FOR an individual other than an individual described in paragraph (2) of this subsection, the State income tax rate is:

- (i) 2% of Maryland taxable income of \$1 through \$1,000;
- (ii) 3% of Maryland taxable income of \$1,001 through \$2,000;
- (iii) 4% of Maryland taxable income of \$2,001 through \$3,000;
- (iv) 4.75% of Maryland taxable income of \$3,001 through \$100,000;
- (v) [4.90%] 4.875% of Maryland taxable income of \$100,001 through \$125,000;
- (vi) [5.05%] 5.00% of Maryland taxable income of \$125,001 through \$150,000;
- (vii) [5.30%] 5.25% of Maryland taxable income of \$150,001 through \$250,000; and
- (viii) [5.65%] 5.60% of Maryland taxable income in excess of \$250,000.

(2) [For a taxable year beginning after December 31, 2018, but before January 1, 2020, for] FOR spouses filing a joint return or for a surviving spouse or head of household as defined in § 2 of the Internal Revenue Code, the State income tax rate is:

- (i) 2% of Maryland taxable income of \$1 through \$1,000;
- (ii) 3% of Maryland taxable income of \$1,001 through \$2,000;
- (iii) 4% of Maryland taxable income of \$2,001 through \$3,000;
- (iv) 4.75% of Maryland taxable income of \$3,001 through \$150,000;
- (v) [4.90%] 4.875% of Maryland taxable income of \$150,001 through \$175,000;

- (vi) [5.05%] 5.00% of Maryland taxable income of \$175,001 through \$225,000;
- (vii) [5.30%] 5.25% of Maryland taxable income of \$225,001 through \$300,000; and
- (viii) [5.65%] 5.60% of Maryland taxable income in excess of \$300,000.

SECTION 6. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that if the revised estimate of total General Fund revenues for the fiscal year in which the budget bill is being prepared, as reflected in the report of estimated State revenues submitted by the Board of Revenue Estimates to the Governor under § 6–106(b) of the State Finance and Procurement Article in December of that fiscal year, exceeds the estimate for the prior December by less than 2%, the income tax rates in effect for the next taxable year shall remain unchanged from the previous taxable year.

SECTION 7. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect July 1, 2017.

SECTION 8. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take effect July 1, 2018.

SECTION 9. AND BE IT FURTHER ENACTED, That Section 4 of this Act shall take effect July 1, 2019.

SECTION 10. AND BE IT FURTHER ENACTED, That Section 5 of this Act shall take effect July 1, 2020, and shall be applicable to all taxable years beginning after December 31, 2019.”;

in line 27, strike “2.” and substitute “11.”; and in the same line, after “That” insert “, except as provided in Sections 7, 8, 9, and 10 of this Act.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation 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

SB0843/289237/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 843

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “expanding” and substitute “altering”; in line 4, after “Act” insert “; repealing a certain requirement that certain tax credits with termination dates be evaluated on or before a certain date; providing that certain departments that administer certain tax credits must promptly provide certain requested information; altering certain dates for certain tax credit evaluations, evaluation reports, and public hearings”; and in line 16, after “1–303,” insert “1–306 through 1–308.”

AMENDMENT NO. 2

On page 2, strike beginning with “(1)” in line 32 down through “an” in line 35 and substitute “AN”.

AMENDMENT NO. 3

On page 3, in line 9, strike the colon; in the same line, strike “credits” and substitute “CREDIT”; in line 10, strike “(1)”; strike beginning with the semicolon in line 11 down through “expenses)” in line 12; in line 15, after the semicolon insert “AND”; in line 16, strike “§ 10–725” and substitute “§ 10–704.4”; in the same line, strike “(biotechnology investment incentive)” and substitute “(JOB CREATION)”; strike beginning with the semicolon in line 16 down through “vineyards)” in line 17; in line 19, strike “CREDIT” and substitute “CREDITS”; in the same line, after “UNDER” insert “:

(1) § 10–721 OF THIS ARTICLE (QUALIFIED RESEARCH AND DEVELOPMENT EXPENSES); AND

(2)”;

in the same line, strike “§ 10-733” and substitute “§ 10-725”; in the same line, strike “(CYBERSECURITY)” and substitute “(BIOTECHNOLOGY)”; in line 27, strike “§ 10-704.4” and substitute “§ 10-733”; and in the same line, strike “(JOB CREATION)” and substitute “(CYBERSECURITY INVESTMENT INCENTIVE)”.

AMENDMENT NO. 4

On page 3, after line 27, insert:

1-306.

During an evaluation, the Comptroller [and], the Department of Budget and Management, AND THE DEPARTMENT THAT ADMINISTERS THE TAX CREDIT shall:

(1) provide promptly any information that the Department of Legislative Services or an evaluation committee requests; and

(2) otherwise cooperate with the Department of Legislative Services and the evaluation committee.

1-307.

(a) (1) Subject to § 2-1246 of the State Government Article, on or before [October 31] NOVEMBER 15 of the year before the evaluation date of a tax credit, the Department of Legislative Services shall submit to the General Assembly an evaluation report on the tax credit.

(2) The Department of Legislative Services shall make copies of the report available to the public.

(b) The report required under subsection (a) of this section shall discuss:

(1) the purpose for which the tax credit was established;

(2) whether the original intent of the tax credit is still appropriate;

(3) whether the tax credit is meeting its objectives;

(4) whether the purposes of the tax credit could be more efficiently and effectively carried out through alternative methods; and

(5) the costs of providing the tax credit, including the administrative cost to the State and lost revenues to the State and local governments.

1–308.

On or before December [14] 31 of the year before the evaluation date of a tax credit, the evaluation committee shall hold a public hearing to receive, from the Comptroller and the public, testimony regarding the evaluation report.”.

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 EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #35

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs moved the following Bill be re–referred to the Committee on Budget and Taxation:

Senate Bill 558 – Senators Ferguson, Currie, Guzzone, Klausmeier, Madaleno, McFadden, and Pugh

AN ACT concerning

Baltimore Regional Neighborhood Initiative Program – Codified

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

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs moved the following Bill be re–referred to the Committee on Budget and Taxation:

Senate Bill 559 – Senator Ferguson

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 Budget and Taxation.

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

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

AN ACT concerning

Baltimore Regional Neighborhood Initiative Program – Codified

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

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #36**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs 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.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs 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 FINANCE REPORT #22

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

Senate Bill 462 – Senator Conway

AN ACT concerning

Public Health – Copies of Medical Records – Fees

SB0462/607670/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 462

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “altering the fees health care providers and hospitals may charge for copying and mailing certain medical records and for retrieving and preparing certain medical records;”; in line 4, strike “a”; in the same line, strike “fee” and substitute “fees”; in the same line, after “and” insert “a”; in the same line, strike “costs” and substitute “cost”; and strike beginning with “repealing” in line 5 down through “Index;” in line 7 and substitute “providing that certain fees may not be adjusted annually for inflation in accordance with the Consumer Price Index;”.

AMENDMENT NO. 2

On page 2, in line 9, strike “50” and substitute “**76**”; in line 12, strike “\$15” and substitute “**\$22.88**”; in line 21, strike “\$15” and substitute “**\$22.88**”; and strike beginning with “**THE**” in line 23 down through “**REPRODUCED**” in line 24 and substitute “**A PER-PAGE FEE OF 75% OF THE PER-PAGE FEE CHARGED BY A HEALTH CARE PROVIDER UNDER PARAGRAPH (3)(I) OF THIS SECTION THAT MAY NOT EXCEED \$80**”.

AMENDMENT NO. 3

On page 2, in line 27, strike the bracket; in the same line, strike “On or after July 1, 1995,” and substitute “**(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH,**”; in line 29, strike the bracket; after line 29, insert:

“(II) THE PREPARATION FEE CHARGED FOR MEDICAL RECORD RETRIEVAL AND PREPARATION UNDER PARAGRAPH (3)(II)1 OF THIS SUBSECTION AND FOR RETRIEVAL AND PREPARATION OF A MEDICAL RECORD IN AN ELECTRONIC FORMAT UNDER PARAGRAPH (3)(III)1 OF THIS SUBSECTION MAY NOT BE ADJUSTED ANNUALLY FOR INFLATION IN ACCORDANCE WITH THE CONSUMER PRICE INDEX.”;

in line 30, strike the brackets; in the same line, strike “(4)”; in line 31, strike the brackets; and in line 32, strike “PARAGRAPH (3)”.

On page 3, in line 5, strike the brackets; in the same line, strike “(5)”; in line 11, strike the brackets; and in the same line, strike “(6)”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 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 – Family and Medical Leave Insurance
Program – Establishment**

SB0485/347677/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 485

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Labor and Employment –” and substitute “Task Force to Study”; strike line 3 in its entirety; and in line 4, after “of” insert “establishing the Task Force to Study Family and Medical Leave Insurance; providing for the composition, chair, and staffing of the Task Force; requiring that the appointed members of the Task Force be”

appointed by a certain date; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Commission for Women to apply for certain funding; requiring the Task Force to receive certain public testimony and study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the General Assembly on or before a certain date; providing for the termination of this Act.”

On pages 1 and 2, strike beginning with “establishing” in line 4 on page 1 down through “Assembly;” in line 14 on page 2.

On page 2, in line 14, before “Family” insert “Task Force to Study”; in line 15, strike “Program”; and strike in their entirety lines 16 through 41, inclusive.

AMENDMENT NO. 2

On page 3, in line 2, strike “the Laws of Maryland read as follows”; and after line 2, insert:

“(a) There is a Task Force to Study Family and Medical Leave Insurance.

(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 Commissioner of Labor and Industry, or the Commissioner’s designee;

(4) the State Treasurer, or the State Treasurer’s designee;

(5) the Comptroller, or the Comptroller’s designee;

(6) the Executive Director of the Commission for Women, or the Executive Director’s designee; and

(7) the following members, appointed jointly by the Presiding Officers of the General Assembly:

- (i) one researcher with expertise in state-run social insurance programs;
 - (ii) one representative of a community organization that advocates for the needs of infants and children;
 - (iii) one representative of a community organization that advocates for the needs of seniors;
 - (iv) one representative of a community organization that advocates for the needs of individuals who suffer from serious health conditions;
 - (v) one representative of a community organization that advocates for the economic security of mothers;
 - (vi) one representative of a community organization that advocates for working families;
 - (vii) one representative from a national organization with expertise in the implementation of family medical and leave insurance programs in other states;
 - (viii) one representative of businesses located in the State that employ fewer than 50 employees; and
 - (ix) one representative of businesses located in the State that employ at least 50 employees.
- (c) The appointed members of the Task Force shall be appointed by July 1, 2016.
- (d) The Presiding Officers of the General Assembly jointly shall designate the chair of the Task Force.
- (e) The Department of Legislative Services shall provide staff for the Task Force.
- (f) 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.

(g) The Commission for Women shall apply for any available federal funding that may be used by the Task Force to carry out the duties of the Task Force.

(h) The Task Force, in consultation with the appropriate State and local agencies and community organizations, shall:

(1) study existing family and medical leave insurance programs in other states and the District of Columbia, including fund stability, the benefit structure, and the revenue structure;

(2) review the 2016 family and medical leave insurance implementation studies from Minnesota, Connecticut, and Montgomery County, Maryland;

(3) review the 2013 Report on the Task Force to Study Temporary Disability Insurance Programs;

(4) receive public testimony from relevant stakeholders; and

(5) make recommendations regarding:

(i) the development of a State social insurance program that provides short-term benefits to eligible employees who lose wages due to:

1. an illness or injury that is unrelated to the employee's employment;

2. pregnancy or childbirth;

3. time off work needed to care for a seriously ill child, spouse, or parent;

4. time off work needed to bond with a new child; or

5. time off work needed due to a qualifying exigency arising out a family member's military deployment; and

(ii) the design of an employee-funded family and medical leave insurance pool, including tax rates and benefits.

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

On pages 3 through 21, strike in their entirety the lines beginning with line 3 on page 3 through line 32 on page 21, inclusive.

On page 22, in line 1, strike “5.” and substitute “2.”; and in line 2, after “2016.” insert “It shall remain effective for a period of 2 years and 1 month and, at the end of June 30, 2018, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 497 – Senators Guzzone, Astle, Benson, Conway, Currie, Feldman, Ferguson, Kagan, Kelley, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Nathan-Pulliam, Peters, Pinsky, Pugh, Ramirez, Raskin, Rosapepe, Waugh, Young, and Zirkin

AN ACT concerning

Behavioral Health Community Providers – Keep the Door Open Act

SB0497/277873/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 497

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Zirkin” and substitute “Zirkin, and Zucker”; and in line 14, after “Act,” insert “requiring the Department to submit a certain

report to the Governor and the General Assembly on or before a certain date each year, beginning on or before a certain date; authorizing the Department to require certain community providers to submit certain information to the Department in the form and manner required by the Department;”.

AMENDMENT NO. 2

On page 3, after line 21, insert:

“(E) (1) ON OR BEFORE DECEMBER 1, 2018, AND ON OR BEFORE DECEMBER 1 OF EACH YEAR THEREAFTER, THE DEPARTMENT SHALL SUBMIT A REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE IMPACT OF THE REIMBURSEMENT RATE ADJUSTMENT REQUIRED UNDER THIS SECTION ON COMMUNITY PROVIDERS, INCLUDING THE IMPACT ON:

(I) THE WAGES AND SALARIES PAID AND THE BENEFITS PROVIDED TO DIRECT CARE STAFF AND LICENSED CLINICIANS EMPLOYED BY COMMUNITY PROVIDERS;

(II) THE TENURE AND TURNOVER OF DIRECT CARE STAFF AND LICENSED CLINICIANS EMPLOYED BY COMMUNITY PROVIDERS; AND

(III) THE ABILITY OF COMMUNITY PROVIDERS TO RECRUIT QUALIFIED DIRECT CARE STAFF AND LICENSED CLINICIANS.

(2) THE DEPARTMENT MAY REQUIRE A COMMUNITY PROVIDER TO SUBMIT, IN THE FORM AND MANNER REQUIRED BY THE DEPARTMENT, INFORMATION THAT THE DEPARTMENT DEEMS NECESSARY FOR COMPLETION OF THE REPORT REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance 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.

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

Senate Bill 777 – Senators Astle and Hershey

AN ACT concerning

Unemployment Insurance – Exemption From Covered Employment – Messenger Service Business

SB0777/117772/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 777

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “exemption;” insert “providing for the application of this Act;”.

AMENDMENT NO. 2

On page 2, in line 14, strike “**INCLUDES,**” and substitute “**MAY INCLUDE,**”; and in line 15, strike “**ONE**”.

On page 3, after line 9, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That § 8–206(d) of the Labor and Employment Article, as enacted by Section 1 of this Act, shall be construed to apply retroactively and shall be applied to and interpreted to affect all determinations by the Secretary of Labor, Licensing, and Regulation of:

(1) rates of contributions for employing units for all calendar years beginning on or after January 1, 2013; and

(2) benefit charges for unemployment insurance claims for benefits based on work performed on or after January 1, 2013.”;

and in line 10, strike “2.” and substitute “3.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 912 – Senator Feldman

AN ACT concerning

Clean Energy Loan Program – Residential Property – Repayment of Loans Through Surcharge

SB0912/177774/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 912 (First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike “Repayment of Loans Through Surcharge” and substitute “Study”; strike beginning with “authorizing” in line 4 down through “term” in line 10 and substitute “requiring the Maryland Clean Energy Center to conduct a study to determine certain design and implementation strategies for a residential clean energy loan program; requiring the study to include consideration of certain matters; requiring the Center to consult with certain persons in conducting the study; requiring the Center to report certain findings and recommendations to the General Assembly on or before a certain date”; in lines 10 and 11, strike “the collection of loan payments for residential property improved through loans” and substitute “loans for improvements to residential property”; and strike in their entirety lines 13 through 22, inclusive.

AMENDMENT NO. 2

On page 1, in line 24, strike “the Laws of Maryland read as follows”.

On pages 1 through 4, strike in their entirety the lines beginning with line 25 on page 1 through line 17 on page 4, inclusive, and substitute:

“(a) (1) The Maryland Clean Energy Center shall conduct a study to determine optimal design and implementation strategies for a residential clean energy loan program in the State.

(2) The study required under this subsection shall include consideration of whether the strategies will work advantageously with loans made by private lenders for residential energy efficiency and renewable energy projects.

(3) In conducting the study required under this subsection, the Center shall consult with:

- (i) the Maryland Energy Administration;
- (ii) the Maryland Association of Counties;
- (iii) the Maryland Bankers’ Association;
- (iv) clean energy loan providers;
- (v) the Chesapeake Climate Action Network; and
- (vi) the Sierra Club.

(b) On or before October 1, 2016, the Maryland Clean Energy Center shall report to the General Assembly, in accordance with § 2–1246 of the State Government Article, the findings of the study required under subsection (a) of this section and any recommended policy actions to implement a residential clean energy loan program.”.

On page 4, in line 19, strike “October” and substitute “June”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 931 – Senators Zucker, Guzzone, and Raskin

AN ACT concerning

Birth Certificates – Homeless Individuals – Prohibition on Collection of Fee

SB0931/787976/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 931

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the first “a” in line 5 down through “individual” in line 6; and in line 6, after “homelessness” insert “a certain statement from a certain homeless services provider; providing that a homeless individual may receive one copy of a birth certificate without a fee in a certain transaction; requiring the Department to adopt certain regulations; defining a certain term”.

AMENDMENT NO. 2

On page 4, in line 26, after “1.” insert “IN THIS SUBPARAGRAPH, “HOMELESS INDIVIDUAL” HAS THE MEANING STATED IN THE FEDERAL MCKINNEY–VENTO HOMELESS ASSISTANCE ACT (42 U.S.C. § 11302(A)).”

2.”;

in the same line, strike “THE” and substitute “SUBJECT TO SUBSUBPARAGRAPH 4 OF THIS SUBPARAGRAPH, THE”; in line 29, strike “2.” and substitute “3.”; in the same line, after “ACCEPT” insert “AS PROOF OF HOMELESSNESS”; and strike beginning with “HOMELESS” in line 30 down through “HOMELESSNESS” in line 31 and substitute “HOMELESS SERVICES PROVIDER LOCATED IN THE STATE THAT:”

A. AFFIRMS THAT THE INDIVIDUAL IS HOMELESS; AND

B. INCLUDES THE ADDRESS TO WHICH THE COPY OF THE BIRTH CERTIFICATE REQUESTED UNDER THIS SECTION MAY BE SENT.

4. A HOMELESS INDIVIDUAL MAY RECEIVE ONE COPY OF A BIRTH CERTIFICATE WITHOUT A FEE IN A SINGLE TRANSACTION.

5. THE DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SUBPARAGRAPH”.

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 BUDGET AND TAXATION REPORT #11

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

Senate Bill 271 – Senators King, Benson, Currie, Ferguson, Guzzone, Lee, Madaleno, Manno, Peters, and Young

AN ACT concerning

Capital Grant Program for Local School Systems With Significant Enrollment Growth or Relocatable Classrooms – Funding

SB0271/899331/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 271

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Young” and substitute “Young, and Kasemeyer”; in line 7, after “year;” insert “altering a certain reporting date;”; and after line 14, insert:

“BY repealing and reenacting, with amendments,

Article – Economic Development

Section 10–645(l)
Annotated Code of Maryland
(2008 Volume and 2015 Supplement)”.

AMENDMENT NO. 2

On page 3, after line 10, insert:

“Article – Economic Development

10–645.

(l) On October 1, 2013, and each [October 1] **JANUARY 15** thereafter, the Authority, Baltimore City, the Baltimore City Board of School Commissioners, and the Interagency Committee on School Construction jointly shall report to the Governor, the Board of Public Works and, in accordance with § 2–1246 of the State Government Article, the fiscal committees of the General Assembly, on the progress of replacements, renovations, and maintenance of Baltimore City public school facilities, including actions:

(1) taken during the previous fiscal year; and

(2) planned for the current fiscal year.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 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.

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

Senate Bill 379 – The President (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Qualified Zone Academy Bonds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

LAID OVER BILLS

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

Senate Bill 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

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENTS (7) AND THE FAVORABLE REPORT.

SB0848/227073/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 848

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 7 down through “request;” in line 10 and substitute “establishing an exception to the prohibition against applying a copayment or coinsurance requirement for certain contraceptive drugs or devices;”; in line 12, after “a” insert “certain”; strike beginning with “except” in line 12 down through “time” in line 13 and substitute “subject to certain exceptions”; in line 14, after “fee” insert “paid”; in line 15, strike “certain individuals” and substitute “the pharmacist”; in the same line, strike “a certain” and substitute “the”; in line 17, after “drugs” insert “, subject to certain limitations”; and in line 18, strike “organizations” and substitute “organization”.

On page 2, in lines 4 and 5, strike “adherence purposes” and substitute “the member to adhere to the appropriate use of the prescription drug or device; prohibiting the Maryland Medical Assistance Program and the Maryland Children’s Health Program from applying a prior authorization requirement for certain contraceptive drugs and devices; requiring the Maryland Medical Assistance Program and the Maryland Children’s Health Program to provide coverage for a single dispensing to an enrollee of a certain supply of prescription contraceptives, subject to a certain exception”; and after line 17, insert:

“BY adding to

Article – Health – General
Section 15–148
Annotated Code of Maryland
(2015 Replacement Volume)”.

AMENDMENT NO. 2

On page 2, in line 32, after “(C)” insert “(1)”; in the same line, strike “EXCEPT WITH RESPECT” and substitute “THIS SUBSECTION DOES NOT APPLY”; in line 34, strike “, AN” and substitute “.

(2) AN”;

and after line 34, insert:

“(1) EXCEPT FOR A DRUG OR DEVICE FOR WHICH THE U.S. FOOD AND DRUG ADMINISTRATION HAS ISSUED A BLACK BOX WARNING, MAY NOT APPLY A PRIOR AUTHORIZATION REQUIREMENT FOR A CONTRACEPTIVE DRUG OR DEVICE THAT IS:

1. A. AN INTRAUTERINE DEVICE; OR
- B. AN IMPLANTABLE ROD;
2. APPROVED BY THE U.S. FOOD AND DRUG ADMINISTRATION; AND
3. OBTAINED UNDER A PRESCRIPTION WRITTEN BY AN AUTHORIZED PRESCRIBER; AND”.

On page 3, in lines 1, 3, and 5, strike “(1)”, “(I)”, and “(II)”, respectively, and substitute “(II)”, “1.”, and “2.”, respectively; in line 1, before “MAY” insert “EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION,”; in lines 1 and 2, strike “COPAYMENT, COINSURANCE, OR PRIOR AUTHORIZATION” and substitute “COPAYMENT OR COINSURANCE”; in line 6, strike “; BUT” and substitute a period; and in line 7, strike “(2)” and substitute “(3) AN ENTITY SUBJECT TO THIS SECTION”.

AMENDMENT NO. 3

On page 3, strike in their entirety lines 12 through 21, inclusive.

AMENDMENT NO. 4

On page 3, in line 22, strike “(E)” and substitute “(D)”; in the same line, strike “PARAGRAPH (2)” and substitute “PARAGRAPHS (2) AND (3)”; in line 25, strike “13-MONTH” and substitute “6-MONTH”; after line 25, insert:

“(2) SUBJECT TO § 15-824 OF THIS SUBTITLE, AN ENTITY SUBJECT TO THIS SECTION MAY PROVIDE COVERAGE FOR A SUPPLY OF PRESCRIPTION CONTRACEPTIVES THAT IS FOR LESS THAN A 6-MONTH PERIOD, IF A 6-MONTH SUPPLY WOULD EXTEND BEYOND THE PLAN YEAR.”;

in line 26, strike “(2)” and substitute “(3)”; in the same line, after “(1)” insert “OF THIS SUBSECTION”; in the same line, after “THE” insert “FIRST 2-MONTH SUPPLY OF PRESCRIPTION CONTRACEPTIVES DISPENSED TO AN INSURED OR AN ENROLLEE UNDER:

(I) THE INITIAL”;

in the same line, strike “FIRST”; in the same line, after “PRESCRIPTION” insert “FOR THE CONTRACEPTIVES; OR

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

in line 27, strike “OR CHANGE IN A PRESCRIPTION FOR CONTRACEPTIVES FOR”;

in line 29, strike “(3)” and substitute “(4)”; in line 31, strike “13-MONTH” and substitute “6-MONTH”; in line 32, after “FEE” insert “PAID”; and in lines 32 and 33, strike “OR OTHER INDIVIDUAL AUTHORIZED BY LAW TO DISPENSE PRESCRIPTION CONTRACEPTIVES”.

AMENDMENT NO. 5

On page 4, in line 1, strike “(F)” and substitute “(E) (1)”; in the same line, strike “AN” and substitute “SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AN”; in lines 2 and 5, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively; in line 4, after “AVAILABLE” insert “BY PRESCRIPTION AND”; in line 6, after “PRESCRIPTION” insert “UNDER ITEM (I) OF THIS PARAGRAPH”; and in line 8, after “PRESCRIPTION” insert “.

(2) AN ENTITY SUBJECT TO THIS SECTION:

(I) MAY ONLY BE REQUIRED TO PROVIDE POINT-OF-SALE COVERAGE UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION AT IN-NETWORK PHARMACIES; AND

(II) MAY LIMIT THE FREQUENCY WITH WHICH THE COVERAGE REQUIRED UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION IS PROVIDED”.

AMENDMENT NO. 6

On page 6, in line 14, strike “ADHERENCE PURPOSES” and substitute “THE MEMBER TO ADHERE TO THE APPROPRIATE USE OF THE PRESCRIPTION DRUG OR DEVICE”.

AMENDMENT NO. 7

On page 6, after line 19, insert:

“Article – Health – General

15-148.

(A) EXCEPT FOR A DRUG OR DEVICE FOR WHICH THE U.S. FOOD AND DRUG ADMINISTRATION HAS ISSUED A BLACK BOX WARNING, THE PROGRAM AND THE MARYLAND CHILDREN’S HEALTH PROGRAM MAY NOT APPLY A PRIOR AUTHORIZATION REQUIREMENT FOR A CONTRACEPTIVE DRUG OR DEVICE THAT IS:

(1) (I) AN INTRAUTERINE DEVICE; OR

(II) AN IMPLANTABLE ROD;

(2) APPROVED BY THE U.S. FOOD AND DRUG ADMINISTRATION; AND

(3) OBTAINED UNDER A PRESCRIPTION WRITTEN BY AN AUTHORIZED PRESCRIBER.

(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE PROGRAM AND THE MARYLAND CHILDREN’S HEALTH PROGRAM SHALL PROVIDE COVERAGE FOR A SINGLE DISPENSING TO AN ENROLLEE OF A SUPPLY OF PRESCRIPTION CONTRACEPTIVES FOR A 6-MONTH PERIOD.

(2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY TO THE FIRST 2-MONTH SUPPLY OF PRESCRIPTION CONTRACEPTIVES DISPENSED TO AN ENROLLEE UNDER:

(I) THE INITIAL PRESCRIPTION FOR THE CONTRACEPTIVES; OR

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

and in line 21, after “plans” insert “subject to this Act that are”.

The preceding 7 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 115 – Chair, Budget and Taxation Committee (By Request – Departmental – Assessments and Taxation)

AN ACT concerning

Property Tax Assessments – Inspection of Property

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

SB0115/639633/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 115

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Chair, Budget and Taxation Committee (By Request – Departmental – Assessments and Taxation)” and substitute “Senator Kasemeyer”; strike beginning with “repealing” in line 3 down through “circumstances” in line 9 and substitute “prohibiting the Department of Assessments and Taxation from using aerial or ground level photography or similar technologies in performing its review of real property”; in line 13, strike “and 8–103(a)(1)”; and in line 18, strike “ , 8–103(a)(4), and 8–104(b)(1)”.

AMENDMENT NO. 2

On page 2, in lines 11 and 12, strike “**UNLESS A PHYSICAL INSPECTION IS REQUIRED UNDER PARAGRAPH (3) OF THIS SUBSECTION, THE**” and substitute “**THE**”; and in line 12, after “**MAY**” insert “**NOT**”.

On pages 2 and 3, strike in their entirety the lines beginning with line 15 on page 2 through line 8 on page 3, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0115/803829/1

BY: Senator Jennings

AMENDMENTS TO SENATE BILL 115, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

In the Budget and Taxation Committee Amendments (SB0115/639633/1), in line 4 of Amendment No. 1, after “Taxation” insert “or local assessment office”.

AMENDMENT NO. 2

On page 2 of the bill, in line 12, strike “**DEPARTMENT**” and substitute “**NEITHER THE DEPARTMENT NOR A LOCAL ASSESSMENT OFFICE**”.

In the Budget and Taxation Committee Amendments, in line 3 of Amendment No. 2, strike “**THE**”; and in the same line, strike “**NOT**”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #12

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation 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.

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

Senate Bill 374 – Senator Serafini

AN ACT concerning

Income Tax Subtraction Modification – College Savings Plans – Contributions

SB0374/279038/1

BY: Budget and Taxation Committee

On page 1, in the sponsor line, strike “Senator Serafini” and substitute “Senators Serafini, Currie, DeGrange, Eckardt, Edwards, Ferguson, Guzzone, Kasemeyer, King, Madaleno, Manno, McFadden, and Peters”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 377 – The President (By Request – Administration)

AN ACT concerning

Admissions and Amusement Tax – Revenue Distribution – Maryland State Arts Council

SB0377/769032/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 377

(First 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;”; strike in their entirety lines 11 through 16, inclusive; and in line 24, after “4-512(a)” insert “and 4-801”.

AMENDMENT NO. 2

On page 2, after line 4, 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 5 through 8, inclusive; in line 9, 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 17, strike “§ 2–202(A)(1)(II)” and substitute “§ 2–202(A)(1)(II)2”; and after line 19, 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 3, after “5%” insert “AS FOLLOWS:”

1. \$1,000,000”;

in the same line, strike the opening bracket; in line 5, strike the closing bracket and substitute “;**AND**”

2. THE REMAINDER TO THE”;

after line 6, 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 adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 542 – Senator Feldman

AN ACT concerning

State Retirement and Pension System – Forfeiture of Benefits

SB0542/379131/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 542

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Feldman” and substitute “Senators Feldman and Ferguson”; in line 8, strike “a plan” and substitute “any of the several systems”; in line 9, after “System;” insert “requiring that certain forfeitures of benefits be reversed under certain circumstances;”; in line 12, after “persons;” insert “requiring the State Retirement Agency to provide certain information to the Attorney General or State’s Attorney under certain circumstances;”; in line 17, strike “order” and substitute “enter a domestic relations order that provides that”; in the same line, strike the third “to”; and in line 19, strike “a domestic relations order” and substitute “certain domestic relations orders”.

On page 2, in line 1, after “terms;” insert “providing for a delayed effective date;”.

AMENDMENT NO. 2

On page 2, in line 22, strike “A” and substitute “IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE BOARD OF TRUSTEES, A”; and strike beginning with “DEPENDENT,” in line 26 down through “BENEFICIARY” in line 27 and substitute “FORMER SPOUSE, CHILD, OR OTHER DEPENDENT”.

On page 3, in line 6, strike “ASSIGNING A BENEFIT IN” and substitute “, § 414(P) OF THE INTERNAL REVENUE CODE, AND REGULATIONS ADOPTED BY THE BOARD OF TRUSTEES THAT ASSIGNS A BENEFIT TO A SPOUSE, FORMER SPOUSE, CHILD, OR OTHER DEPENDENT OF A PUBLIC EMPLOYEE IN CONNECTION WITH”.

On page 4, in line 8, strike “JULY 1, 2016” and substitute “JANUARY 9, 2019”; in line 15, after “(B)” insert “(1)”; strike beginning with “PLAN” in line 18 down through “SYSTEM” in line 19 and substitute “OF THE SEVERAL SYSTEMS”; and after line 19, insert:

“(2) IF THE INTERNAL REVENUE SERVICE DETERMINES THAT THE APPLICATION OF THIS SUBTITLE WOULD NEGATIVELY AFFECT OR INVALIDATE THE TAX QUALIFIED STATUS OF ANY OF THE SEVERAL SYSTEMS, ANY FORFEITURE OF BENEFITS THAT TOOK PLACE BEFORE THE INTERNAL REVENUE SERVICE’S DETERMINATION SHALL BE REVERSED IN ACCORDANCE WITH § 21-707 OF THIS SUBTITLE TO THE EXTENT NECESSARY TO COMPLY WITH THE DETERMINATION.”

On page 5, in line 5, strike “A” and substitute “AN EXISTING”; after line 6, insert:

“(3) NOTWITHSTANDING § 4-312 OF THE GENERAL PROVISIONS ARTICLE, ON WRITTEN REQUEST, THE STATE RETIREMENT AGENCY SHALL PROVIDE THE ATTORNEY GENERAL OR STATE’S ATTORNEY WITH AVAILABLE INFORMATION FROM THE RETIREMENT RECORDS OF THE PUBLIC EMPLOYEE TO ASSIST THE ATTORNEY GENERAL OR STATE’S ATTORNEY IN PROVIDING THE NOTICE REQUIRED UNDER THIS SUBSECTION.”;

in line 22, strike “THAT ARE FORFEIT” and substitute “TO BE FORFEITED”; and strike beginning with “THAT” in line 23 down through “FORFEIT” in line 24 and substitute “TO BE FORFEITED”.

On page 6, in line 6, strike “DEPENDENTS, AND DESIGNATED BENEFICIARIES” and substitute “CHILDREN, OR OTHER DEPENDENTS”; in line 8, strike “A” and substitute “AN EXISTING”; in line 11, after “MAY” insert “ENTER A DOMESTIC RELATIONS”; in the same line, after “THAT” insert “PROVIDES THAT”; in line 12, strike “AN INNOCENT” and substitute “A”; in the same line, strike “DEPENDENT, OR BENEFICIARY” and substitute “FORMER SPOUSE, CHILD, OR OTHER DEPENDENT FOR PURPOSES OF CHILD SUPPORT, ALIMONY, OR MARITAL PROPERTY RIGHTS”; strike beginning with “A” in line 13 down through “ORDER” in line 16 and substitute “WHEN DETERMINING WHETHER TO ENTER A DOMESTIC RELATIONS ORDER UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COURT SHALL CONSIDER WHETHER THE PUBLIC EMPLOYEE’S SPOUSE, FORMER SPOUSE, CHILDREN, OR DEPENDENTS WERE CULPABLE OR COMPLICIT IN THE COMMISSION OF THE QUALIFYING CRIME”; strike beginning with “AN” in line 17 down through “BENEFICIARY” in line 18 and substitute “A PUBLIC EMPLOYEE’S SPOUSE, FORMER SPOUSE, CHILD, OR OTHER DEPENDENT”; and in line 22, strike “A” and substitute “AN EXISTING”.

On page 7, in line 13, strike “ACCEPTED BY” and substitute “CONSIDERED SUBMITTED ON THE FIRST DAY OF THE MONTH AFTER IT IS PROPERLY COMPLETED AND SUBMITTED TO”; in line 18, after “(A)” insert “(1)”; and after line 22, insert:

“(2) WHEN A COURT RESCINDS A FORFEITURE ORDER UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COURT SHALL ALSO RESCIND ANY DOMESTIC RELATIONS ORDER ENTERED IN ACCORDANCE WITH § 21-704(F) OF THIS SUBTITLE.”

On page 8, in line 7, strike the first “AN” and substitute “A DOMESTIC RELATIONS”; in lines 7 and 8, strike “AN INNOCENT SPOUSE, DEPENDENT, OR DESIGNATED BENEFICIARY” and substitute “A SPOUSE, FORMER SPOUSE, CHILD, OR OTHER DEPENDENT”; and strike beginning with “July” in line 27 down through “2016” in line 28 and substitute “January 9, 2019”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation 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.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation 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.

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

Senate Bill 673 – Senator DeGrange

AN ACT concerning

Property Tax – Public Land and Public Use – Exemption

SB0673/309135/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 673

(First Reading File Bill)

On page 1, in line 2, before “Property” insert “Personal”; in the same line, strike “Public Land and Public Use” and substitute “State Land”; in line 4, after the first “certain” insert “personal”; in the same line, strike “certain public entities” and substitute “the State”; in line 5, strike “public”; in line 6, after “certain” insert “personal”; in line 17, after “IN” insert “PERSONAL”; strike beginning with “BY” in line 18 down through

“CORPORATION” in line 20 and substitute “BY THE STATE”; in line 21, after “IS” insert “BEING”; and in the same line, strike “A PUBLIC PURPOSE” and substitute “:

(1) A PUBLIC PURPOSE UNDER A PUBLIC-PRIVATE PARTNERSHIP AGREEMENT WITH A STATE ENTITY; OR

(2) CARGO HANDLING PURPOSES”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 759 – Senator Madaleno (By Request – Tax Credit Evaluation Committee) and Senator Peters

AN ACT concerning

Sustainable Communities Tax Credit – Alteration and Extension

SB0759/819136/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 759

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Sustainable Communities” and substitute “Heritage Structure Rehabilitation”; strike beginning with “altering” in line 3 down through “grants;” in line 5 and substitute “repealing a requirement, for purposes of a certain tax credit, that certain projects must be located in a sustainable community;”; strike beginning with “issue” in line 7 down through “period” in line 8 and substitute “adopt regulations that establish certain procedures to announce to the public, within a certain time period, the selection of a commercial rehabilitation project to receive an initial credit certificate; altering the time when a certain fee is assessed; repealing a requirement that a certain certificate expires if a certain fee is not received in a certain time period; prohibiting the Trust from issuing a certain certificate if a certain fee is not received; altering the name of the sustainable

communities tax credit”; in line 10, strike “the sustainable communities” and substitute “a certain”; and in line 11, after “credit” insert “for certain heritage structures”.

AMENDMENT NO. 2

On page 4, in line 4, strike “**FEDERAL, State,**” and substitute “State”; strike beginning with the colon in line 26 down through “1.” in line 27; and strike beginning with the semicolon in line 28 down through “community” in line 29.

AMENDMENT NO. 3

On page 5, strike in their entirety lines 17 through 18, inclusive; and in lines 24 and 31, in each instance, strike “Maryland sustainable communities” and substitute “**HERITAGE STRUCTURE REHABILITATION**”.

AMENDMENT NO. 4

On page 6, after line 15, insert:

“(V) FOR COMMERCIAL REHABILITATIONS, ESTABLISH PROCEDURES TO ANNOUNCE TO THE PUBLIC THE SELECTION OF A REHABILITATION PROJECT FOR AN AWARD OF AN INITIAL CREDIT CERTIFICATE NOT LATER THAN 60 DAYS AFTER THE SELECTION IS MADE;”;

in line 20, strike “Maryland sustainable communities” and substitute “**HERITAGE STRUCTURE REHABILITATION**”; and in lines 16, 18, 21, 23, 26, and 29, strike “(v)”, “(vi)”, “(vii)”, “(viii)”, “(ix)”, and “(x)”, respectively, and substitute “**(VI)**”, “**(VII)**”, “**(VIII)**”, “**(IX)**”, “**(X)**”, and “**(XI)**”, respectively.

AMENDMENT NO. 5

On page 7, in line 33, strike “issued” and substitute “**AWARD OF AN**”.

AMENDMENT NO. 6

On page 8, in line 7, after “notice” insert “**TO THE APPLICANT**”; strike beginning with “the initial” in line 7 down through “expire” in line 8 and substitute “**THE TRUST MAY NOT:**”

1. ISSUE AN INITIAL CREDIT CERTIFICATE FOR THE COMMERCIAL REHABILITATION; OR

2. ACCEPT AN APPLICATION FOR A COMMERCIAL REHABILITATION FROM THE APPLICANT DURING THE 3 FISCAL YEARS FOLLOWING THE FISCAL YEAR IN WHICH THE FEE WAS NOT RECEIVED;

strike in their entirety lines 9 through 12, inclusive; and in lines 13 and 16, strike “(v)” and “(vi)”, respectively, and substitute “**(IV)**” and “**(V)**”, respectively.

AMENDMENT NO. 7

On page 10, strike beginning with “Sustainable” in line 4 down through “Communities” in line 5 and substitute “**HERITAGE STRUCTURE REHABILITATION**”; in lines 6 and 11, in each instance, strike “Sustainable Communities” and substitute “**HERITAGE STRUCTURE REHABILITATION**”; in line 22, strike “(b)(7)(vi)” and substitute “**(B)(7)(V)**”; and strike beginning with “NO” in line 16 down through “CERTIFICATE” in line 17 and substitute “**AND THE FEES CHARGED UNDER SUBSECTION (B)(7)(I) OF THIS SECTION ARE PAID**”.

The preceding 7 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 875 – Senator Serafini

AN ACT concerning

**State Retirement and Pension System – Line-of-Duty and Non-Line-of-Duty
Disability – Alterations**

SB0875/699136/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 875
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Line-of-Duty” in line 2 down through “Alterations” in line 3 and substitute “**Disability Benefits Study**”.

On pages 1 and 2, strike beginning with “altering” in line 4 on page 1 down through “System” in line 16 on page 2 and substitute “requiring the Department of Budget and Management, in consultation with the State Retirement Agency, to issue a certain request for information on the viability of replacing certain disability benefits provided by the Board of Trustees for the State Retirement and Pension System with a certain insurance program; requiring the Department to submit a certain report on or before a certain date; and generally relating to providing disability benefits under the State Retirement and Pension System”.

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

AMENDMENT NO. 2

On page 3, in line 4, strike “the Laws of Maryland read as follows”.

On pages 3 through 33, strike in their entirety the lines beginning with line 5 on page 3 through line 25 on page 33, inclusive, and substitute:

“(a) The Department of Budget and Management, in consultation with the State Retirement Agency, shall issue a request for information on the viability of replacing the disability benefits provided by the Board of Trustees for the State Retirement and Pension System under the State Personnel and Pensions Article with an insurance program that provides the same level of disability benefits and under the same conditions as provided by the Board of Trustees for the State Retirement and Pension System under the State Personnel and Pensions Article as of the effective date of this Act.

(b) On or before December 1, 2016, the Department of Budget and Management shall report to the General Assembly and the Board of Trustees for the State Retirement and Pension System, in accordance with § 2–1246 of the State Government Article, on the results of the study under subsection (a) of this section.”

On page 33, in line 26, strike “5.” and substitute “2.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 884 – Senators Hough and Young

AN ACT concerning

Frederick County – Property Tax – Small Business Tax Credit

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 982 – Senators Kasemeyer and Miller

AN ACT concerning

Maryland Private Equity and Venture Capital Authority

SB0982/349637/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 982

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Maryland” and substitute “State Retirement and Pension System –”; in the same line, strike “Authority” and substitute “Investments”; strike beginning with “establishing” in line 3 down through the second “to” in line 9 and substitute “authorizing”; in line 10, strike “regarding the investment of” and substitute “to enter into an agreement with the Maryland Technology Development Corporation or another entity to make and manage investments in certain private equity and venture capital in the State with”; strike beginning with “to” in line 11 down through “circumstances;” in line 15 and substitute “, if certain conditions are not met, to develop a certain process to authorize the Maryland Technology Development Corporation or another entity to provide certain recommendations regarding certain investments; providing that an entity that provides certain services to the Board of Trustees in accordance with this Act shall be a fiduciary of the several systems;”; in line 15, after “profits” insert “and return of principal”; strike beginning with “include” in line 16 down through “Authority;” in line 17 and substitute “submit a certain report that includes certain information to certain committees of the General Assembly on or before a certain date each year; requiring a certain entity to submit”

a certain report that includes certain information to certain committees of the General Assembly on or before a certain date each year; providing certain immunities from liability for certain actions or decisions made by certain persons; requiring the Board of Trustees to act in good faith in carrying out the requirements of this Act in a certain manner; providing for the construction of this Act; declaring the intent of the General Assembly;”; strike beginning with the first “the” in line 18 down through “Authority” in line 19 and substitute “investments in private equity and venture capital in the State and the State Retirement and Pension System”; strike in their entirety lines 20 through 24, inclusive; and strike in their entirety lines 27 and 28, inclusive, and substitute “Section 21–123.2”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 5 through 10, inclusive, and substitute “21–123.2.”; in line 11, after “(A)” insert “(1)”; in the same line, strike “SUBTITLE” and substitute “SECTION”; strike in their entirety lines 13 and 14; and in lines 15 and 18, strike “(C)” and “(D)”, respectively, and substitute “(2)” and “(3)”, respectively.

On pages 2 through 4, strike in their entirety the lines beginning with line 21 on page 2 through line 19 on page 4, inclusive, and substitute:

“(B) FOR PURPOSES OF THIS SECTION, AN INVESTMENT IN THE STATE SHALL INCLUDE AN INVESTMENT IN AN ENTITY OR VEHICLE THAT:

(1) IS DOMICILED IN THE STATE;

(2) OPERATES IN THE STATE; OR

(3) IS REASONABLY EXPECTED TO INVEST IN ENTITIES THAT ARE IN THE STATE.

(C) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT STATE CONTRIBUTIONS IN EXCESS OF STATUTORY REQUIREMENTS BE INVESTED IN THE STATE WITH A GOAL TO INCREASE THE RISK CAPITAL AVAILABLE IN THE STATE, IF THE INVESTMENTS ARE CONSISTENT WITH, AND DO NOT COMPROMISE OR CONFLICT WITH, THE FIDUCIARY DUTIES OF THE BOARD OF TRUSTEES TO THE PARTICIPANTS OF THE SEVERAL SYSTEMS.”

On page 4, in line 20, strike “(A)” and substitute “(D)”; strike beginning with “FOR” in line 20 down through “INVESTMENTS” in line 22 and substitute “THE BOARD OF TRUSTEES MAY ENTER INTO AN AGREEMENT WITH THE MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION OR ANOTHER ENTITY TO MAKE AND MANAGE INVESTMENTS ON BEHALF OF THE BOARD OF TRUSTEES”; and in line 28, strike “SUBTITLE” and substitute “TITLE”.

On page 5, after line 3, insert:

“(2) IF THE BOARD OF TRUSTEES DOES NOT ENTER INTO AN AGREEMENT WITH THE MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION OR ANOTHER ENTITY IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION, THE BOARD OF TRUSTEES SHALL DEVELOP A PROCESS THAT AUTHORIZES THE MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION OR ANOTHER ENTITY TO PROVIDE RECOMMENDATIONS REGARDING INVESTMENTS IN PRIVATE EQUITY AND VENTURE CAPITAL IN THE STATE WITH RESPECT TO THE ADDITIONAL AMOUNT DESCRIBED UNDER PARAGRAPH (1) OF THIS SUBSECTION.”;

in line 4, strike “(2)” and substitute “(3)”; in the same line, before “RECOMMENDATIONS” insert “INVESTMENTS OR”; in line 5, strike “PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE” and substitute “THIS SECTION SHALL INCLUDE A GOAL OF INVESTMENTS OR”; after line 7, insert:

“(4) AN ENTITY PROVIDING SERVICES TO THE BOARD OF TRUSTEES IN ACCORDANCE WITH PARAGRAPH (1) OR (2) OF THIS SUBSECTION SHALL BE A FIDUCIARY OF THE SEVERAL SYSTEMS IN ACCORDANCE WITH SUBTITLE 2 OF THIS TITLE, WITH RESPECT TO THE SERVICES PROVIDED.”;

strike in their entirety lines 8 through 18, inclusive; in line 19, strike “(D)” and substitute “(E)”; in the same line, after “OF” insert “AND RETURN OF PRINCIPAL FROM”; in line 21, strike “21-707.”; strike beginning with “THE” in line 22 down through “TITLE,” in line 23 and substitute:

“(F) (1) ON OR BEFORE DECEMBER 1 EACH YEAR, THE BOARD OF TRUSTEES SHALL SUBMIT A REPORT TO THE SENATE BUDGET AND TAXATION COMMITTEE, THE HOUSE APPROPRIATIONS COMMITTEE, AND THE JOINT COMMITTEE ON PENSIONS, IN ACCORDANCE WITH § 2-1246 OF THE STATE

GOVERNMENT ARTICLE, AND SUBJECT TO § 4-335 OF THE GENERAL PROVISIONS ARTICLE, THAT INCLUDES”;

after line 23, insert:

“(I) THE INVESTMENTS, IF ANY, MADE UNDER THIS SECTION;”;

in line 24, strike “(1)” and substitute “(II)”; in the same line, after “RECOMMENDATIONS” insert “, IF ANY,”; in the same line, strike “BY THE AUTHORITY”; in line 25, strike “SUBTITLE” and substitute “SECTION”; in the same line, strike “AND”; in line 26, strike “(2)” and substitute “(III)”; in the same line, after “ACTIONS” insert “, IF ANY,”; and in line 27, strike “BY THE AUTHORITY” and substitute “UNDER THIS SECTION;”

(IV) THE INVESTMENT PERFORMANCE OF ANY INVESTMENTS MADE UNDER THIS SECTION;

(V) TO THE EXTENT POSSIBLE, AN ACCOUNTING OF THE FEES AND EXPENSES INCURRED UNDER THIS SECTION; AND

(VI) TO THE EXTENT POSSIBLE, THE RATIO OF FUNDS INVESTED IN PROJECTS UNDER THIS SECTION TO THE TOTAL PERCENTAGE OF VENTURE CAPITAL FUNDS RAISED IN THE STATE BY ALL SOURCES.

(2) ON OR BEFORE DECEMBER 1 EACH YEAR, THE MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION OR ANOTHER ENTITY WITH WHICH THE BOARD OF TRUSTEES ENTERED INTO AN AGREEMENT UNDER SUBSECTION (D)(1) OR (2) OF THIS SECTION SHALL SUBMIT A REPORT TO THE SENATE BUDGET AND TAXATION COMMITTEE, THE HOUSE APPROPRIATIONS COMMITTEE, AND THE JOINT COMMITTEE ON PENSIONS, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THAT, TO THE EXTENT POSSIBLE, PROVIDES:

(I) THE ECONOMIC BENEFIT GENERATED FROM INVESTMENTS MADE UNDER THIS SECTION, INCLUDING:

1. THE CREATION OF NEW BUSINESSES;

- 2. THE EXPANSION OF EXISTING BUSINESSES;**
- 3. THE CREATION OF NEW JOBS;**
- 4. THE TERMINATION OF ANY JOBS; AND**
- 5. ANY INCREASES IN PAYROLL; AND**

(II) THE NUMBER OF BUSINESSES RECEIVING FUNDS FROM INVESTMENTS UNDER THIS SECTION THAT SUBSEQUENTLY RELOCATE TO OTHER STATES OR COUNTRIES”.

On pages 5 and 6, strike in their entirety the lines beginning with line 28 on page 5 through line 2 on page 6, inclusive, and substitute:

“(G) THE BOARD OF TRUSTEES, OR ANY OTHER FIDUCIARY OF THE SEVERAL SYSTEMS, MAY NOT BE HELD LIABLE FOR ANY ACTIONS TAKEN OR DECISIONS MADE IN GOOD FAITH FOR THE PURPOSE OF COMPLYING WITH OR EXECUTING THE REQUIREMENTS OF THIS SECTION.

(H) THE BOARD OF TRUSTEES SHALL ACT IN GOOD FAITH TO CARRY OUT THE REQUIREMENTS OF THIS SECTION IN COMPLIANCE WITH ALL APPLICABLE STATE AND FEDERAL LAW, INCLUDING RELEVANT JUDICIAL DECISIONS.

(I) NOTHING IN THIS SECTION SHALL REQUIRE THE BOARD OF TRUSTEES TO TAKE ACTION AS DESCRIBED IN THIS SECTION UNLESS THE BOARD OF TRUSTEES DETERMINES, IN GOOD FAITH, THAT THE ACTION IS CONSISTENT WITH THE FIDUCIARY RESPONSIBILITIES OF THE BOARD OF TRUSTEES AS DESCRIBED IN SUBTITLE 2 OF THIS TITLE.”.

AMENDMENT NO. 3

On page 6, in line 3, strike “3.” and substitute “2.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation 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

SB1062/569031/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 1062

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Enterprise Zones –”; in the same line, strike “Designation and”; strike beginning with “authorizing” in line 4 down through “tax;” in line 12; in line 14, after “equipment” insert “purchased for use in a certain qualified project located in a certain target redevelopment area”; in the same line, after “circumstances;” insert “authorizing a person to apply to the Department of Economic Competitiveness and Commerce to certify that a construction project located in a certain target redevelopment area is a project for which the purchase of certain construction material or warehousing equipment is entitled to the exemption;”; in line 17, after “terms;” insert “providing for the termination of this Act;”; and strike in their entirety lines 19 through 28, inclusive.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 8 on page 2 through line 9 on page 3, inclusive.

On page 3, strike beginning with “§” in line 24 down through “ARTICLE” in line 25 and substitute “**THIS SECTION**”; and strike beginning with “AN” in line 28 down through “ARTICLE” in line 30 and substitute “**ANY REAL PROPERTY THAT:**

(I) IS LOCATED IN THE CHESAPEAKE ENTERPRISE ZONE IN BALTIMORE COUNTY;

(II) WAS, AS OF JANUARY 1, 2016, THE SUBJECT OF AN APPROVED APPLICATION FOR PARTICIPATION IN THE VOLUNTARY CLEANUP PROGRAM UNDER TITLE 7, SUBTITLE 5 OF THE ENVIRONMENT ARTICLE; AND

(III) IS ZONED, UNDER BALTIMORE COUNTY ZONING REGULATIONS, FOR ANY USE OTHER THAN RESIDENTIAL USE”.

On page 4, in line 7, after “COMMERCE” insert “UNDER SUBSECTION (C) OF THIS SECTION”; and after line 7, insert:

“(C) A PERSON MAY APPLY TO THE DEPARTMENT OF ECONOMIC COMPETITIVENESS AND COMMERCE TO CERTIFY THAT A CONSTRUCTION PROJECT LOCATED IN A TARGET REDEVELOPMENT AREA IS A PROJECT FOR WHICH THE PURCHASE OF CONSTRUCTION MATERIAL OR WAREHOUSING EQUIPMENT IS ENTITLED TO THE EXEMPTION UNDER THIS SECTION.”.

AMENDMENT NO. 3

On page 4, in line 25, after “2016.” insert “It shall remain effective for a period of 5 years and, at the end of September 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 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #16

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

Senate Bill 160 – Senator Cassilly

AN ACT concerning

Death or Life-Threatening Injury by Motor Vehicle or Vessel – Subsequent Offenders – Penalties

SB0160/848778/1

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 160

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Cassilly” and substitute “Senators Cassilly, Brochin, Hough, Lee, Muse, Norman, Ramirez, Raskin, Ready, and Zirkin”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

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

Senate Bill 215 – Senators Norman, Hough, Klausmeier, Muse, Ramirez, Ready, and Salling

AN ACT concerning

Criminal Procedure – Expungement – Nolle Prosequi

SB0215/598278/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 215

(First Reading File Bill)

AMENDMENT NO.1

Strike beginning with “repealing” in line 3 down through “release” in line 5 and substitute “altering the circumstances under which a petition for expungement based on a nolle prosequi may be filed; requiring a certain expungement to occur in a certain manner unless a petitioner files a certain waiver and release”; and after line 6, insert:

“BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 10–101(e)
Annotated Code of Maryland
(2008 Replacement Volume and 2015 Supplement)”.

AMENDMENT NO. 2

After line 14, insert:

“10–101.

(e) “Expungement” with respect to a court record or a police record means removal from public inspection:

(1) by obliteration;

(2) by removal to a separate secure area to which persons who do not have a legitimate reason for access are denied access; or

(3) if access to a court record or police record can be obtained only by reference to another court record or police record, by the expungement of it or the part of it that provides access.”;

in line 16, after “(1)” insert “**(I)**”; and after line 19, insert:

“(II) 1. EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A PETITION FOR EXPUNGEMENT BASED ON A NOLLE PROSEQUI MAY BE FILED AT ANY TIME AFTER THE DISPOSITION.

2. UNLESS A PETITIONER UNDER THIS SUBPARAGRAPH FILES WITH THE PETITION FOR EXPUNGEMENT A WRITTEN GENERAL WAIVER AND RELEASE OF ALL THE PETITIONER’S TORT CLAIMS ARISING FROM THE CHARGE, THE

EXPUNGEMENT MAY OCCUR ONLY IN ACCORDANCE WITH § 10–101(E)(2) OF THIS SUBTITLE.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 969 – Senator Brochin

AN ACT concerning

Vehicle Equipment – Counterfeit and Nonfunctional Airbags – Prohibitions

SB0969/798078/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 969

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, strike beginning with the comma in line 23 down through “POSSESS” in line 24 and substitute “KNOWINGLY”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 12 and 13.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 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.

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

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

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

AN ACT concerning

Justice Reinvestment Act

SB1005/508476/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 1005

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 15, after the first “a” insert “certain screening tool and a”; and in line 22, after the first “certain” insert “violations and certain”.

On page 2, strike beginning with “Division” in line 11 down through “Probation” in line 12 and substitute “Department of Public Safety and Correctional Services”; strike beginning with “authorizing” in line 19 down through “sanctions;” in line 21; in line 21, strike “authorizing” and substitute “requiring”; strike beginning with “precludes” in line 25 down through “conviction” in line 27 and substitute “shall be considered by a licensing board when considering the qualifications of an applicant for a professional or occupational”.

licensure or certification”; 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 parole;”; in line 42, after “parole;” insert “repealing a requirement that a 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;”; and in line 44, after “circumstances;” insert “authorizing the Commissioner to depart from certain periods of incarceration under certain circumstances;”.

On page 3, in line 1, after “facility;” insert “altering the maximum penalty for murder in the second degree; altering the maximum penalty for kidnapping;”; 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 “providing” in line 18 down through “guidelines;” in line 24; in line 26, after “circumstances;” insert “authoring a certain person to file a petition for expungement of certain offenses under certain circumstances; establishing certain procedures for a certain expungement under certain circumstances; authorizing the court to depart from certain periods of imprisonment 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”; and strike beginning with “altering” in line 41 down through “license;” in line 42.

On page 4, in line 6, after “circumstances;” insert “requiring local correction authorities in consultation with certain departments to conduct a certain budget analysis and submit a report on or before a certain date; stating the intent of the General Assembly; providing for the application of certain provisions of this Act; providing for a delayed effective date for certain provisions of this Act;”; in line 32, after “Section” insert “2-204, 3-502, and”; in line 39, after “8-611,” insert “and”; and in the same line, strike “, and 14-101”.

On page 5, strike in their entirety lines 7 through 11, inclusive; strike in their entirety lines 12 through 16, inclusive; in line 19, strike “6-209” and substitute “1-101”; after line 21, insert:

“BY adding to

Article – Criminal Procedure

Section 10–110

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)”;

and in line 24, after “Section” insert “8–505 and”.

On page 6, strike in their entirety lines 9 through 23, inclusive.

AMENDMENT NO. 2

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

(III) A PLAN FOR THE PAYMENT OF RESTITUTION, 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 26, strike “LAW” and substitute “PROCEDURE”.

On page 10, in line 11, after “(b)” insert “**(1) “ABSCONDING” MEANS DISPLAYING AFFIRMATIVE BEHAVIOR WITH THE INTENT TO EVADE 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 “OR”; 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 page 13, strike beginning with “MODIFY” in line 1 down through “IMPOSING” in line 2 and substitute “IMPOSE”; 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 16, in line 17, strike “DIVISION” and substitute “DEPARTMENT”; in line 28, after “(B)” insert “(1)”; and after line 29, insert:

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

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 beginning with “A” in line 23 down through “CONVICTION” in line 26 and substitute “A LICENSING BOARD SHALL CONSIDER A CERTIFICATE OF REHABILITATION WHEN DETERMINING THE QUALIFICATION OF AN APPLICANT FOR A PROFESSIONAL OR OCCUPATIONAL LICENSURE OR CERTIFICATION”.

On page 19, in line 3, strike the second comma; in the same line, strike “THE SENTENCING JUDGE,”; in line 11, after “parole” insert “OR ADMINISTRATIVE RELEASE”; in line 18, strike “PAROLE” and substitute “RELEASE”; and in line 20, after “VICTIM” insert “OR A STATE’S ATTORNEY”.

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”; in line 17, after “(II)” insert “HAS BEEN SCREENED AS LOW RISK TO REOFFEND UNDER § 6–104 OF THIS ARTICLE”;

(III);

in line 22, strike “(III)” and substitute “(IV)”; in line 26, after “SHALL” insert “:

(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 lines 2 and 12, in each instance, strike “TO PAROLE”; in lines 4, 10, 14, 24, 28, and 30, in each instance, strike “PAROLE” and substitute “RELEASE”; in line 6, after “SHALL” insert “:

(I);

in line 8, strike the colon; in line 9, strike “(I)”; and in line 31, after “(E)” insert “**(1) 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 7, after “(F)” insert “**(1) THE COMMISSION SHALL NOTIFY THE STATE’S ATTORNEY OF THE ELIGIBLE INMATE’S ADMINISTRATIVE RELEASE ELIGIBILITY DATE.**”

(2) THE STATE’S ATTORNEY MAY SUBMIT A WRITTEN OBJECTION TO AN INMATE’S RELEASE ON ADMINISTRATIVE RELEASE AND REQUEST AN OPEN HEARING.

(G)”;

in line 13, strike “30” and substitute “**120**”; in lines 13 and 19, in each instance, strike “PAROLE” and substitute “**ADMINISTRATIVE RELEASE**”; in line 14, after “VICTIM” insert “**OR THE STATE’S ATTORNEY**”; in line 15, after “(E)” insert “**OR (F)**”; and in lines 16 and 20, strike “(G)” and “(H)”, respectively, and substitute “**(H)**” and “**(I)**”, respectively.

On page 26, 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, THE DECISION BECOMES EFFECTIVE”.

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) THE COMMISSIONER MAY DEPART FROM THE LIMITS PROVIDED UNDER THIS SUBSECTION IF THE COMMISSIONER MAKES AN AFFIRMATIVE FINDING THAT ADHERING TO THE LIMITS WOULD CREATE A RISK TO PUBLIC SAFETY OR TO A VICTIM OR WITNESS OR FOR OTHER GOOD CAUSE.”;

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

On page 29, after line 11, insert:

“(3) THE COMMISSIONER MAY DEPART FROM THE LIMITS PROVIDED UNDER THIS SUBSECTION IF THE COMMISSIONER MAKES AN AFFIRMATIVE FINDING THAT ADHERING TO THE LIMITS WOULD CREATE A RISK TO PUBLIC SAFETY OR TO A VICTIM OR WITNESS OR FOR OTHER GOOD CAUSE.”

On page 30, in line 1, strike “(I)”; and strike in their entirety lines 4 through 6, inclusive.

AMENDMENT NO. 3

On page 32, after line 13, insert:

“2-204.

(a) A murder that is not in the first degree under § 2-201 of this subtitle is in the second degree.

(b) A person who commits a murder in the second degree is guilty of a felony and on conviction is subject to imprisonment not exceeding [30] 40 years.

3-502.

(a) A person may not, by force or fraud, carry or cause a person to be carried in or outside the State with the intent to have the person carried or concealed in or outside the State.

(b) A person who violates this section is guilty of the felony of kidnapping and on conviction is subject to imprisonment not exceeding [30] 40 years.

(c) Kidnapping does not include the act of a parent in carrying a minor child of that parent in or outside the State.”.

On page 33, in lines 9, 11, and 13, in each instance, strike “\$25,000” and substitute “\$5,000”; in line 17, strike the brackets; in the same line, strike “1 year” and substitute “6 MONTHS”; in the same line, strike the colon; and strike beginning with “(1)” in line 18 down through “BOTH” in line 21.

On page 36, 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”; 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 “INTO” and substitute “WHEN IMPOSING”; in line 28, after “(I)” insert “EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH”; in the same line, strike “AN” and substitute “A”; in line 29, strike “IMMINENT”; in the same line, 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 TO PROVIDE THE MEDICALLY APPROPRIATE LEVEL OF TREATMENT”.

On page 37, in line 1, strike “AN” and substitute “A”; in line 2, strike “IMMINENT”; in the same line, after “SAFETY” insert “OR OTHERWISE FOR GOOD CAUSE”; in line 4, strike “PROVIDE” and substitute “FACILITATE THE MEDICALLY APPROPRIATE LEVEL OF”; in line 5, after “TREATMENT” insert “FOR THE DEFENDANT”; and after line 5, insert:

“(4) THE COURT MAY NOT FIND GOOD CAUSE UNDER PARAGRAPH (3)(II) OF THIS SUBSECTION SOLELY BECAUSE THE DEPARTMENT OF HEALTH AND

MENTAL HYGIENE LACKS SUFFICIENT RESOURCES TO COMPLY WITH AN ORDER TO PROVIDE TREATMENT.

On page 49, strike beginning with “AT” in line 4 down through “BUT” in line 5; 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 “**\$2,000**”.

On pages 61 through 64, strike in their entirety the lines beginning with line 13 on page 61 through line 7 on page 64, inclusive.

On page 64, 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.

[(i)] (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.”;

in line 11, strike “(P)” and substitute “(Q)”; in line 13, after “ARREST” insert “OR A SUMMONS ISSUED BY A COMMISSIONER ON A STATEMENT OF CHARGES FILED BY A LAW ENFORCEMENT OFFICER”; in line 14, strike “OR”; in line 15, after “NO CONTACT” insert “OR STAY-AWAY”; and in the same line, after “ORDER” insert “; OR”

(4) ABSCONDING”.

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.

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

On page 66, after line 8, insert:

“(3) THE COURT MAY DEPART FROM THE LIMITS PROVIDED UNDER THIS SUBSECTION IF:

(I) THE COURT FINDS AND STATES ON THE RECORD:

1. THAT ADHERING TO THE LIMITS WOULD CREATE A RISK TO PUBLIC SAFETY OR TO A VICTIM OR WITNESS; OR

2. OTHER GOOD CAUSE; OR

(II) THE COURT COMMITS THE PROBATIONER OR DEFENDANT TO THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE FOR TREATMENT UNDER § 8-507 OF THE HEALTH – GENERAL ARTICLE.”;

and in line 28, strike “IF” and substitute “**(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, IF**”.

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) THE COURT MAY DEPART FROM THE LIMITS PROVIDED UNDER THIS SUBSECTION IF:

(I) THE COURT FINDS AND STATES ON THE RECORD:

1. THAT ADHERING TO THE LIMITS WOULD CREATE A RISK TO PUBLIC SAFETY OR TO A VICTIM OR WITNESS; OR

2. OTHER GOOD CAUSE; OR

(II) THE COURT COMMITS THE PROBATIONER OR DEFENDANT TO THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE FOR TREATMENT UNDER § 8-507 OF THE HEALTH – GENERAL ARTICLE.”.

On page 67, after line 13, insert:

“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.”.

AMENDMENT NO. 5

On page 67, after line 23, insert:

“8–505.

(a) (1) Before or during a criminal trial, before or after sentencing, or before or during a term of probation, the court may order the Department to evaluate a defendant to determine whether, by reason of drug or alcohol abuse, the defendant is in need of and may benefit from treatment if:

(i) It appears to the court that the defendant has an alcohol or drug abuse problem; or

(ii) The defendant alleges an alcohol or drug dependency.

(2) A court shall set and may change the conditions under which an examination is to be conducted under this section.

(3) The Department shall ensure that each evaluation under this section is conducted in accordance with regulations adopted by the Department.

(b) On consideration of the nature of the charge, the court:

(1) May require or permit an examination to be conducted on an outpatient basis; and

(2) If an outpatient examination is authorized, shall set bail for the defendant or authorize the release of the defendant on personal recognizance.

(c) (1) If a defendant is to be held in custody for examination under this section:

(i) The defendant may be confined in a detention facility until the Department is able to conduct the examination; or

(ii) The court may order confinement of the defendant in a medical wing or other isolated and secure unit of a detention facility, if the court finds it appropriate for the health or safety of the defendant.

(2) (i) If the court finds that, because of the apparent severity of the alcohol or drug dependency or other medical or psychiatric complications, a defendant in custody would be endangered by confinement in a jail, the court may order the Department to either:

1. Place the defendant, pending examination, in an appropriate health care facility; or

2. Immediately conduct an evaluation of the defendant.

(ii) Unless the Department retains a defendant, the defendant shall be promptly returned to the court after an examination.

(iii) A defendant who is detained for an examination under this section may question at any time the legality of the detention by a petition for a writ of habeas corpus.

- (d) (1) If a court orders an evaluation under this section, the evaluator shall:
- (i) Conduct an evaluation of the defendant; and
 - (ii) Submit a complete report of the evaluation within 7 days to the:
 - 1. Court;
 - 2. Department; and
 - 3. Defendant or the defendant’s attorney.
- (2) On good cause shown, a court may extend the time for an evaluation under this section.
- (3) Whenever an evaluator recommends treatment, the evaluator’s report shall:
- (i) Name a specific program able to IMMEDIATELY provide the recommended treatment; and
 - (ii) Give an actual or estimated date when the program can begin treatment of the defendant.
- (e) (1) The Department shall IMMEDIATELY provide the services required by this section.
- (2) A designee of the Department may carry out any of its duties under this section [if appropriate funding is provided].
- (f) Evaluations performed in facilities operated by the Department of Public Safety and Correctional Services shall be conducted by the Administration.”.

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 line 1, after the closing bracket insert “**THE IMMEDIATE**”; strike beginning with “**WITHOUT**” in line 2 down through “**ORDER**” in line 3 and substitute

“UNLESS THE COURT FINDS EXIGENT CIRCUMSTANCES TO DELAY COMMITMENT FOR TREATMENT FOR NO LONGER THAN 30 DAYS”; in line 5, strike “30” and substitute “7”; and strike beginning with “MAY” in line 6 down through “PLACEMENT” in line 7 and substitute “MAY ISSUE A SHOW CAUSE ORDER FOR THE DEPARTMENT TO APPEAR AND EXPLAIN WHY THE DEPARTMENT SHOULD NOT BE HELD IN CONTEMPT UNDER TITLE 15 OF THE MARYLAND RULES”.

AMENDMENT NO. 6

On page 72, in line 15, strike “ONE MEMBER” and substitute “TWO MEMBERS”; strike beginning with “ONE” in line 17 down through “MARYLAND” in line 18 and substitute “ONE MEMBER APPOINTED BY THE MARYLAND SHERIFFS ASSOCIATION”; in line 25, strike “ONE MEMBER” and substitute “TWO MEMBERS”; and in line 26, after “ASSOCIATION” insert “THAT INCLUDES ONE REPRESENTATIVE FROM A LARGE CORRECTIONAL FACILITY AND ONE REPRESENTATIVE FROM A SMALL CORRECTIONAL FACILITY”.

On page 73, in line 13, strike “EXECUTIVE DIRECTOR IS” and substitute “GOVERNOR SHALL APPOINT”.

On page 74, in line 9, after “GOVERNMENT” insert “JUSTICE”; and strike in their entirety lines 18 through 31, inclusive, and substitute:

“(5) CREATE PERFORMANCE MEASURES TO ASSESS THE EFFECTIVENESS OF THE GRANTS;

(6) 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 IMPLEMENTATION OF THE RECOMMENDATIONS OF THE JUSTICE REINVESTMENT COORDINATING COUNCIL;

(7) CREATE PERFORMANCE MEASURES TO ASSESS THE EFFECTIVENESS OF THE GRANTS ADMINISTERED UNDER § 9-3209 OF THIS SUBTITLE; AND

(8) 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 SHALL ANNUALLY 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 SHALL ANNUALLY 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 COUNTY 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."

On page 75, in line 1, strike "(B)" and substitute "(C)"; strike beginning with "THE" in line 1 down through "MARYLAND" in line 2 and substitute "AN ACADEMIC INSTITUTION"; in line 17, strike "AND"; and in line 18, after "POPULATION" insert "; 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"

On page 76, in line 21, strike "AND"; and in line 22, after "(IX)" insert "PROVIDE FOR SUBSTANCE USE DISORDER AND MENTAL HEALTH SERVICE PROGRAMS; AND

(X)".

On pages 79 through 81, strike in their entirety the lines beginning with line 18 on page 79 through line 22 on page 81, inclusive.

AMENDMENT NO. 7

On page 82, in lines 25, 26, 27, 28, 32, and 33, strike "2017", "2018", "2019", "2020", "2017", and "2018", respectively, and substitute "2018", "2019", "2020", "2021", "2018", and "2019", respectively.

On page 83, in lines 1 and 2, strike "2019" and "2020", respectively, and substitute "2020" and "2021", respectively; and after line 33, insert:

"SECTION 10. AND BE IT FURTHER ENACTED, That local correctional facilities shall, in coordination with the Department of Health and Mental Hygiene and local health departments, conduct an analysis to determine the budgetary requirements of this Act and shall report a plan for meeting the budgetary requirements to the General Assembly, in accordance with § 2-1246 of the State Government Article, on or before June 30, 2017.

SECTION 11. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that local correctional facilities and local health departments provide funding for treatment required for individuals diverted from incarceration for a violation of § 5–601 of the Criminal Law Article as enacted by Section 1 of this Act.

SECTION 12. AND BE IT FURTHER ENACTED, That § 3–704 of the Correctional Services Article, as enacted by Section 1 of this Act, shall be construed prospectively to apply only to inmates that are sentenced on or after October 1, 2017.

SECTION 13. AND BE IT FURTHER ENACTED, That Section 1, Section 6, and Section 7 of this Act shall take effect October 1, 2017.”.

On page 84, in line 1, strike “10.” and substitute “14.”; and in the same line, after “That” insert “, except as provided in Section 13 of this Act.”.

The preceding 7 amendments were read only.

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

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 625)

RECESS

At 1:41 P.M. on motion of Senator Pugh, seconded, the Senate recessed until 11:00 A.M. on Legislative Day, March 18, 2016, Calendar Day, Monday, March 21, 2016 in honor of former Delegate Todd D. Sher.

AFTER RECESS
Annapolis, Maryland
Legislative Day: March 18, 2016
Calendar Day: Monday, March 21, 2016

At 11:09 A.M. the Senate resumed its session.

Prayer by Minister Nicholas Garrett, guest of Senator Miller.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 627)

On motion of Senator Pugh it was ordered that Senators Benson, DeGrange and Gladden be excused from today's session.

The Journal of March 17, 2016 was read and approved.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 14 – Delegate Kipke

AN ACT concerning

Natural Resources – Vessel Excise Tax Cap – Amount and Repeal of Termination

FOR the purpose of making permanent a certain limitation on the amount of the vessel excise tax that may be imposed on any vessel; requiring that the maximum amount of the excise tax imposed for any vessel be increased by a certain amount each year on a certain date; and generally relating to a certain limitation on the amount of vessel excise tax that may be imposed on any vessel.

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 8–716(c)
Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Chapter 180 of the Acts of the General Assembly of 2013
Section 6

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

House Bill 37 – ~~Delegate Kipke~~ Anne Arundel County Delegation

AN ACT concerning

Anne Arundel County – Property Tax Deferrals – Payment Due Date

FOR the purpose of altering the due date for certain payment of deferred county property taxes in Anne Arundel County under certain circumstances; making clarifying changes to provisions of law that require payment of certain deferred county property taxes under certain circumstances; and generally relating to the payment of deferred county property taxes in Anne Arundel County.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 10–204.6
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

House Bill 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

FOR the purpose of establishing the Robotics Grant Program; providing for the purpose of the Program; establishing eligibility requirements for the Program; requiring the State Department of Education to implement and administer the Program; requiring the Governor to include a certain appropriation to the Program in the State budget; authorizing the Department to adopt certain regulations; and generally relating to the Robotics Grant Program.

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 Education, Health, and Environmental Affairs.

House Bill 205 – Carroll County Delegation

AN ACT concerning

Carroll County – Public Facilities Bonds

FOR the purpose of authorizing and empowering the County Commissioners of Carroll County, from time to time, to borrow not more than \$31,000,000 in order to finance the construction, improvement, or development of certain public facilities in Carroll County, including water and sewer projects, to finance loans for fire or emergency-related equipment, buildings, and other facilities of volunteer fire departments in the County, and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds in like par amount; empowering the County to fix and determine, by resolution, the form, tenor, interest rate or rates or method of determining the same, terms, conditions, maturities, and all other details incident to the issuance and sale of the bonds; empowering the County to issue refunding bonds for the purchase or redemption of bonds in advance of maturity; providing that such borrowing may be undertaken by the County in the form of installment purchase obligations executed and delivered by the County for the purpose of acquiring agricultural land and woodland preservation easements; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds and refunding bonds and the interest thereon and any income derived therefrom from all State, County, municipal, and other taxation in the State of Maryland; providing that nothing in this Act shall prevent the County from authorizing the issuance and sale of bonds the interest on which is not excludable from gross income for federal income tax purposes; and generally relating to the issuance and sale of such bonds.

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

House Bill 214 – Delegates Lafferty, Fraser-Hidalgo, Lam, Carr, Chang, Ebersole, Krimm, Lierman, Miele, and Moon

AN ACT concerning

Vehicle Laws – Passing Bicycles, Personal Mobility Devices, or Motor Scooters

FOR the purpose of ~~repealing a certain exception to a certain requirement that a driver overtake and pass a bicycle, an electric personal assistive mobility device (EPAMD), or a motor scooter in a certain manner that applies when a highway lacks sufficient width;~~ requiring a driver ~~who~~ of a motor vehicle that passes a bicycle, an EPAMD, or a motor scooter in a certain manner in accordance with a certain provision of law

to ~~pass at~~ slow to a reasonable or prudent speed that is safe for existing weather, road, and vehicular or pedestrian traffic conditions; prohibiting a driver ~~who~~ of a motor vehicle that passes a bicycle, an EPAMD, or a motor scooter in a certain manner in accordance with a certain provision of law from endangering, impeding, or interfering with the bicycle, EPAMD, or motor scooter, or any other traffic using the highway; making a technical correction; and generally relating to rules of the road for overtaking and passing bicycles, EPAMDs, and motor scooters.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–1209
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

House Bill 220 – Delegates Barron, Carter, and Anderson

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~~ be removed from a certain Web site ~~or within certain records;~~ providing that only a certain record is eligible for partial expungement; 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.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 10–105
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 Judicial Proceedings.

House Bill 245 – Delegates Dumais, Atterbeary, Glass, McComas, Moon, Rey, Smith, Sydnor, Valentino–Smith, and B. Wilson

AN ACT concerning

Child Abuse and Neglect – Failure to Report

FOR the purpose of requiring an agency that is participating in a child abuse or neglect investigation and that has substantial grounds to believe that a person has knowingly failed to report child abuse as required under a certain provision of law to file a certain complaint with a certain board, agency, institution, or facility; and generally relating to child abuse and neglect.

BY adding to

Article – Family Law

Section 5–705.3

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

House Bill 260 – Delegates Moon, Gutierrez, Kelly, Platt, Smith, and Tarlau

CONSTITUTIONAL AMENDMENT

AN ACT concerning

United States Senator, Attorney General, and Comptroller – Appointments and Special Elections to Fill a Vacancy

FOR the purpose of requiring the Governor to appoint an individual to fill a vacancy in the office of United States Senator, Attorney General, or Comptroller from a list of names submitted by the State Central Committee of the political party of the vacating officeholder; requiring individuals whose names are submitted to the Governor to have been affiliated with the political party of the vacating officeholder before the vacancy occurred; providing for the appointment of an individual to fill a vacancy in the office of United States Senator, Attorney General, or Comptroller in circumstances where the political party of the vacating officeholder fails to submit names to the Governor within a certain period of time or the vacating officeholder was not affiliated with a political party; requiring an individual appointed by the Governor to fill a vacancy in the offices of either the Attorney General or the Comptroller to serve for the remainder of the term if the vacancy occurs after a certain date; requiring that a special election be held at the same time as a certain regular statewide election to fill a vacancy in the offices of either the Attorney General or the Comptroller if the vacancy occurs on or before a certain date; providing for the effective dates of this Act; submitting the constitutional amendment proposed by this Act to the qualified voters of the State of Maryland for

their adoption or rejection; and generally relating to appointments and special elections to fill a vacancy in the office of United States Senator, Attorney General, or Comptroller.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 8–602
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

BY proposing an amendment to the Maryland Constitution
Article V – Attorney–General and State’s Attorneys
Section 5

BY proposing an amendment to the Maryland Constitution
Article VI – Treasury Department
Section 1

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

House Bill 271 – Delegate Dumais

AN ACT concerning

Child Support – Extraordinary Medical Expenses

FOR the purpose of altering the definition of “extraordinary medical expenses” under the child support guidelines; providing for the application of this Act; and generally relating to child support.

BY repealing and reenacting, without amendments,
Article – Family Law
Section 12–201(a) and 12–204(h), (l), and (m)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 12–201(g)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

House Bill 272 – ~~Delegate Simonaire~~ Anne Arundel County Delegation

AN ACT concerning

Anne Arundel County – Property Tax Credit – Benefit Corporations and Benefit Limited Liability Companies

FOR the purpose of authorizing the governing body of Anne Arundel County or of a municipal corporation in Anne Arundel County to grant, by law, a tax credit against the county or municipal corporation property tax imposed on certain property owned or leased by a benefit corporation or benefit limited liability company; authorizing the governing body of Anne Arundel County or of a municipal corporation in Anne Arundel County to provide, by law, for the eligibility criteria, amount, duration, application process, and other aspects of the credit; defining certain terms; providing for the application of this Act; and generally relating to authorizing a property tax credit in Anne Arundel County for benefit corporations and benefit limited liability companies.

BY adding to

Article – Tax – Property

Section 9–303(b)(5)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

House Bill 320 – Frederick County Delegation

AN ACT concerning

Frederick County – Property Tax – Small Business Tax Credit

FOR the purpose of altering certain requirements for an existing business entity in Frederick County to qualify for a certain property tax credit imposed on real property owned or leased by the business entity; altering a certain definition to increase the hours and period of time a certain employee must work in a certain position and to require a certain rate of payment; altering the percentage of the property tax credit authorized in certain taxable years; clarifying that the governing body of Frederick County may not grant the property tax credit until a certain taxable year under certain circumstances; making it discretionary, rather than mandatory, that the governing body of Frederick County provide, by law, for certain eligibility requirements for the property tax credit, limitations on the credit, and any appropriate provisions to implement the credit; providing for the application of this Act; making clarifying and conforming changes; and generally relating to a county property tax credit for small businesses in Frederick County.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 9–312(i)

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

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

House Bill 349 – Delegates Grammer, Adams, Afzali, Anderton, Angel, Arentz, Aumann, Beitzel, Bromwell, Buckel, Carozza, Cassilly, Chang, Ciliberti, Cluster, Cullison, Ebersole, Fennell, Fisher, Flanagan, Fraser-Hidalgo, Gaines, Ghrist, Glass, Glenn, Hammen, Hayes, Hettleman, Hill, Hornberger, S. Howard, Impallaria, Jackson, Jacobs, Jalisi, Kelly, Kipke, Kittleman, Korman, Krebs, Krimm, Lafferty, Lam, Lisanti, Long, Luedtke, Malone, Mautz, McComas, McConkey, McCray, McDonough, McKay, McMillan, Metzgar, Miele, A. Miller, W. Miller, Moon, Morales, Morgan, Otto, Parrott, Platt, Reilly, Rey, B. Robinson, S. Robinson, Rose, Rosenberg, Saab, Shoemaker, Simonaire, Smith, Stein, Sydnor, Szeliga, Tarlau, Vogt, A. Washington, West, C. Wilson, Wivell, K. Young, P. Young, and Zucker

AN ACT concerning

**Education – Career Exploration and Development Activities – Caffeinated
Beverages
(Java Act)**

FOR the purpose of prohibiting an Executive Branch agency from banning or regulating the sale of caffeinated beverages in conjunction with a career exploration and development activity in a public high school in the State; providing for the termination of this Act; and generally relating to the sale of caffeinated beverages in conjunction with a career exploration and development activity in a public high school.

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 Education, Health, and Environmental Affairs.

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

FOR the purpose of establishing the Maryland Loan Assistance Repayment Program for ~~Orphans and~~ Foster Care Recipients; establishing eligibility requirements for participation in the Program; providing for the amount, duration, renewal, and uses of certain awards; requiring the Office of Student Financial Assistance to adopt certain regulations; defining certain terms; providing for the application of this Act; requiring the Maryland Higher Education Commission to make a certain report on or before a certain date; and generally relating to the Maryland Loan Assistance Repayment Program for ~~Orphans and~~ Foster Care Recipients.

BY adding to

Article – Education

Section 18–3101 through 18–3106 to be under the new subtitle “Subtitle 31. Maryland Loan Assistance Repayment Program for ~~Orphans and~~ Foster Care Recipients”

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

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

House Bill 366 – ~~Delegates Malone, Beidle, Carey, Chang, McConkey, Pena-Melnyk, Saab, Simonaire, and Sophocleus~~ Anne Arundel County Delegation

AN ACT concerning

Anne Arundel County – Property Tax Credit – Blind Individuals ~~and Surviving~~ Spouses

FOR the purpose of authorizing the governing body of Anne Arundel County and of a municipal corporation in Anne Arundel County to grant, by law, a property tax credit against the county and municipal corporation property tax imposed on certain residential property owned by certain blind individuals ~~or surviving spouses of blind individuals~~; requiring that a property tax credit authorized by this Act shall be granted in addition to any property tax exemption authorized by law, except under certain circumstances; authorizing the governing body of Anne Arundel County and of a municipal corporation in the county to provide, by law, for regulations, procedures, and any other provisions necessary to administer the tax credit; defining certain terms; providing for the application of this Act; and generally relating to a property tax credit for certain residential property in Anne Arundel County.

BY adding to

Article – Tax – Property

Section 9–303(b)(5)

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

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

House Bill 409 – Delegates Fraser–Hidalgo, Dumais, A. Miller, Anderson, Barkley, Barve, Beidle, Carr, Cullison, Folden, Gilchrist, Gutierrez, Hill, Hixson, Kaiser, Kelly, Korman, Kramer, Lam, Luedtke, McCray, Moon, Morales, Platt, Reznik, S. Robinson, Smith, Valentino–Smith, Waldstreicher, C. Wilson, and Zucker

AN ACT concerning

**Criminal Law – Providing Alcohol to Underage Drinkers – Penalties
(Alex and Calvin’s Law)**

FOR the purpose of increasing penalties for certain violations of prohibitions relating to obtaining or furnishing alcoholic beverages for individuals under a certain age or allowing an individual under a certain age to possess or consume alcoholic beverages under certain circumstances; and generally relating to underage consumption of alcohol.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 10–116 and 10–117
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 10–121
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

House Bill 488 – Delegates Morgan, Adams, Anderson, Arentz, Aumann, Buckel, Cassilly, Folden, Hayes, Kittleman, Krebs, Lierman, Malone, McConkey, McKay, McMillan, W. Miller, Parrott, Rose, Shoemaker, B. Wilson, C. Wilson, and P. Young

AN ACT concerning

Property Tax – Property Transferred to New Owner – Appeals

FOR the purpose of requiring a supervisor of assessments or the supervisor’s designee to hold a hearing within a certain period of time on an appeal of a change in the value

or classification of property that is transferred to a new owner; providing for the value and classification of the property if the supervisor or the supervisor's designee does not hold a hearing on the appeal within a certain period of time; and generally relating to the time for holding hearings on appeals on the value or classification of property that is transferred to new ownership.

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 8–404
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 14–502
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

House Bill 590 – Delegates Vallario, Anderson, Atterbeary, Carter, Conaway, Dumais, Moon, Proctor, Rosenberg, Sanchez, Smith, Sydnor, and Valentino-Smith

AN ACT concerning

Criminal Procedure – Expungement – Probation Before Judgment

FOR the purpose of repealing a provision of law denying a person entitlement to expungement if the petition for expungement is based on the entry of probation before judgment for a certain crime and the person, within a certain period of time of the entry of the probation before judgment, has been convicted of a certain crime; and generally relating to expungement.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 10–105(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 10–105(e)
Annotated Code of Maryland
(2008 Replacement Volume and 2015 Supplement)

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

House Bill 610 – Delegates Barve, Stein, Beidle, Carr, Chang, Ebersole, Fraser-Hidalgo, Frick, Frush, Gaines, Healey, Hixson, Holmes, Jalisi, Kaiser, Korman, Lafferty, Lam, Lierman, Luedtke, Morhaim, Pena-Melnyk, Platt, Reznik, S. Robinson, Tarlau, Turner, Valderrama, Vaughn, ~~and Waldstreicher~~ Waldstreicher, Gilchrist, Knotts, Hill, A. Miller, and Smith

AN ACT concerning

Greenhouse Gas Emissions Reduction Act – Reauthorization

FOR the purpose of repealing the termination date for a certain provision of law requiring the State to reduce statewide greenhouse gas emissions by a certain amount by a certain date; requiring the State to reduce statewide greenhouse gas emissions by a certain amount by a certain date; requiring the Department of the Environment to submit a proposed plan in accordance with certain requirements to the Governor and the General Assembly on or before a certain date; requiring the Department to adopt a final plan in accordance with certain requirements on or before a certain date; requiring an institution of higher education in the State to conduct a certain study in accordance with certain requirements and submit the study to the Governor and the General Assembly on or before a certain date; authorizing the General Assembly to maintain, revise, or eliminate certain statewide greenhouse gas emissions reduction requirements under certain circumstances; requiring the General Assembly to consider whether to continue certain manufacturing provisions under certain circumstances; altering the date by which the Department must monitor the implementation of certain plans and submit certain reports to the Governor and the General Assembly on or before certain dates; requiring the Department to include certain agencies and entities in certain discussions regarding certain matters; making the provisions of this Act severable; providing for the termination of a certain provision of this Act; and generally relating to the reduction of statewide greenhouse gas emissions.

BY repealing and reenacting, with amendments,
Chapter 171 of the Acts of the General Assembly of 2009
Section 7

BY repealing and reenacting, with amendments,
Chapter 172 of the Acts of the General Assembly of 2009
Section 7

BY repealing and reenacting, without amendments,
Article – Environment
Section 2–1204
Annotated Code of Maryland
(2013 Replacement Volume and 2015 Supplement)

BY adding to

Article – Environment
Section 2–1204.1
Annotated Code of Maryland
(2013 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 2–1205, 2–1206, 2–1207, 2–1210, and 2–1211
Annotated Code of Maryland
(2013 Replacement Volume and 2015 Supplement)

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

House Bill 749 – Delegates Lam, Morhaim, Barkley, Barve, Chang, Ebersole, Fraser-Hidalgo, Frick, Jalisi, Patterson, Pena-Melnyk, Sample-Hughes, Sophocleus, and K. Young

AN ACT concerning

Alcoholic Beverages – Sale of Powdered Alcohol – Prohibition

FOR the purpose of prohibiting a person from selling or offering to sell alcoholic beverages that are sold in a powder or crystalline form for direct use or use in combination with water or any other substance; providing a certain penalty; providing for the termination of this Act; and generally relating to a prohibition on the sale of powdered alcohol.

BY renumbering
Article – Alcoholic Beverages
Section 6–326, 6–327, 6–328, and 6–329, respectively
to be Section 6–327, 6–328, 6–329, and 6–330, respectively
Annotated Code of Maryland
(As enacted by Chapter ___ (S.B. ___)(6LR1406) of the Acts of the General Assembly of 2016)

BY adding to
Article – Alcoholic Beverages
Section 6–326
Annotated Code of Maryland
(As enacted by Chapter ___ (S.B. ___)(6LR1406) of the Acts of the General Assembly of 2016)

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

House Bill 751 – Delegates Sanchez, Atterbeary, D. Barnes, Dumais, Glass, McComas, Moon, Parrott, Rey, Smith, Sydnor, Valentino–Smith, and B. Wilson

AN ACT concerning

Criminal Law – Sexual Offenses – Court–Ordered Services Provider

FOR the purpose of prohibiting a certain court–ordered services provider from engaging in sexual contact, vaginal intercourse, or a sexual act with a certain individual at a certain time; applying certain penalties; defining a certain term; and generally relating to sexual offenses.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–314
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

House Bill 786 – Delegates Morales, Anderson, Atterbeary, Carter, Conaway, Dumais, Glass, Kittleman, Kramer, McComas, A. Miller, Moon, Proctor, Rosenberg, Sanchez, Smith, and Sydnor

AN ACT concerning

**Workgroup to Study Safe Harbor Policy for Youth Victims of Human Trafficking
– Sunset Extension**

FOR the purpose of extending the termination date for the Workgroup to Study Safe Harbor Policy for Youth Victims of Human Trafficking; requiring the Workgroup to submit a certain supplemental report on or before a certain date; and generally relating to the Workgroup to Study Safe Harbor Policy for Youth Victims of Human Trafficking.

BY repealing and reenacting, with amendments,
Chapter 91 of the Acts of the General Assembly of 2015
Section 1 and 2

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

House Bill 828 – Delegates Ebersole, Hixson, and Turner

AN ACT concerning

Special Elections – Voting by Mail – Canvass of Votes

FOR the purpose of authorizing a local board of elections to commence the canvass of vote-by-mail ballots cast in a special election conducted by mail at a certain time on the day of a special election; authorizing the State Board of Elections to adopt regulations authorizing a local board to commence the canvass of vote-by-mail ballots before a certain time on the day of a special election; requiring the State Board to adopt regulations that provide for public observation of the canvass of vote-by-mail ballots and maintaining the secrecy of the election results until after a certain time on the day after a special election; altering the definition of “canvass” to include the canvass of vote-by-mail ballots; and generally relating to the canvass of vote-by-mail ballots cast in a special election conducted by mail.

BY repealing and reenacting, without amendments,
Article – Election Law
Section 9–501 and 11–301(a–1)
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

BY adding to
Article – Election Law
Section 9–506
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 9–506 and 11–101(c)
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

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

House Bill 837 – Delegates Haynes, Anderson, Chang, Hettleman, Jackson, Jones, Korman, McCray, Sophocleus, Tarlau, Valderrama, and P. Young

AN ACT concerning

**State Finance and Procurement – Public Senior Higher Education Institutions
– Policies Concerning Procurement Contracts**

FOR the purpose of requiring that certain policies of public senior higher education institutions promote certain purposes and be similar to certain provisions concerning required clauses for procurement contracts; and generally relating to public senior higher education institutions and the application of certain policies concerning procurement contracts.

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement
Section 11–203(e)
Annotated Code of Maryland
(2015 Replacement Volume)

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

House Bill 850 – Delegates McComas, Krebs, and Vogt

AN ACT concerning

Child Support – Health Insurance – Definition

FOR the purpose of defining the term “health insurance” for purposes of calculating a child support obligation under the child support guidelines; and generally relating to child support.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 12–201
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

House Bill 887 – Delegate West

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 Judicial Proceedings.

House Bill 888 – Delegate West

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 Judicial Proceedings.

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

FOR the purpose of altering a certain provision of law concerning equal pay for equal work to prohibit discrimination on the basis of gender identity; prohibiting an employer from discriminating between employees in any occupation by providing certain less favorable employment opportunities based on sex or gender identity; providing that, for purposes of certain provisions of law concerning equal pay for equal work, an employee shall be deemed to work in the same establishment as another employee if the employees work at workplaces in the same county of the State; providing that a certain provision of law does not prohibit a certain variation based on a certain system or bona fide factor; ~~providing that certain exceptions do not apply under certain circumstances;~~ providing that certain provisions of this Act do not preclude an employee from demonstrating that an employer's reliance on a certain exception is a pretext for certain discrimination; prohibiting an employer from taking certain actions concerning the disclosure or discussion of an employee's wages; authorizing an employer, in a certain policy, to establish certain limitations on certain inquiries about or discussions or disclosures of wages; providing that, under certain circumstances, the failure of an employee to adhere to certain limitations shall be an affirmative defense against certain claims; providing that a certain employer prohibition against the disclosure of certain wage information may not apply under certain circumstances; providing for the construction of certain provisions of this Act; requiring the Commissioner of Labor and Industry, in consultation with the Maryland Commission on Civil Rights, to develop certain educational materials and make certain training available for certain purposes; altering a certain provision of law to allow a certain employee to bring a certain action for injunctive relief and to recover the difference paid between employees of one sex or gender identity and employees of another sex or gender identity who do ~~work of a comparable nature or~~ the same type of work; authorizing a certain employee to bring a civil action against an employer to recover certain damages for a violation of a certain provision of this Act; ~~authorizing the trier of fact to award certain liquidated damages under certain circumstances; authorizing the Attorney General, on a certain written request, to bring an action on behalf of an employee and consolidate certain claims against an employer;~~ altering a certain provision of law to require that a certain action be filed within a certain time period after the discovery of a certain act; authorizing a court to award certain prejudgment interest under certain circumstances; ~~authorizing the Attorney General to bring an action for injunctive relief and damages against a person who violates certain provisions of this Act;~~ defining a certain term; certain terms; making conforming changes; providing for the application of this Act; and generally relating to equal pay for equal work and the disclosure of certain wage information by certain employees.

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section ~~3-301, 3-304, 3-306, 3-307, and 3-308~~ and 3-307

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)

BY adding to

Article – Labor and Employment
Section 3–304.1
Annotated Code of Maryland
(2008 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Labor and Employment
Section 3–308
Annotated Code of Maryland
(2008 Replacement Volume and 2015 Supplement)

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

House Bill 1004 – Delegates Davis, Atterbeary, Branch, Bromwell, Brooks, Busch, Clippinger, Cullison, Ebersole, Frush, Gilchrist, Gutierrez, Haynes, Healey, Hettleman, Hixson, Holmes, C. Howard, Jackson, Jalisi, Jones, Kaiser, Kelly, Korman, Krimm, Lafferty, Lam, Lierman, Luedtke, McIntosh, A. Miller, Moon, Morhaim, Platt, B. Robinson, Sample–Hughes, Smith, Stein, Tarlau, Vallario, M. Washington, ~~and P. Young~~ P. Young, Aumann, Jameson, Queen, Valderrama, Waldstreicher, C. Wilson, Barkley, Carey, Frick, Glenn, Kramer, Lisanti, Vaughn, and K. Young

AN ACT concerning

Equal Pay Commission – Establishment

FOR the purpose of establishing the Equal Pay Commission in the Division of Labor and Industry; providing for the composition, chair, and terms of certain members of the Commission; prohibiting a member of the Commission from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Commission to take certain actions; requiring the Commission to submit a certain report to the Governor and the Senate Finance Committee and the House Economic Matters Committee on or before a certain date each year; and generally relating to the Equal Pay Commission.

BY adding to

Article – Labor and Employment
Section 3–309
Annotated Code of Maryland
(2008 Replacement Volume and 2015 Supplement)

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

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

FOR the purpose of increasing the number of early voting centers that certain counties are required to establish; providing that certain counties may establish one additional early voting center under certain circumstances; providing for a delayed effective date; and generally relating to early voting centers.

BY repealing and reenacting, with amendments,
 Article – Election Law
 Section 10–301.1
 Annotated Code of Maryland
 (2010 Replacement Volume and 2015 Supplement)

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

House Bill 1015 – Delegates Kaiser, Angel, Atterbeary, Barkley, B. Barnes, Barve, Branch, Brooks, Busch, Chang, Cullison, Ebersole, Fennell, Frick, Frush, Gutierrez, Haynes, Healey, Hettleman, Hill, Hixson, Holmes, Hornberger, Jackson, Jalisi, Jones, Korman, Krimm, Lafferty, Lierman, Lisanti, Luedtke, McIntosh, McMillan, A. Miller, Moon, Morhaim, Pena–Melnyk, Pendergrass, Platt, Reznik, B. Robinson, Sanchez, Smith, Sophocleus, Stein, Valderrama, Valentino–Smith, Waldstreicher, M. Washington, ~~and K. Young~~ K. Young, Metzgar, Patterson, Tarlau, and A. Washington

AN ACT concerning

Study of Student Loan Refinancing in Maryland

FOR the purpose of requiring the Maryland Higher Education Commission and the Maryland Health and Higher Educational Facilities Authority, in consultation with the Department of Legislative Services and any other appropriate agencies, to study the expansion or creation of an appropriate bonding authority for the refinancing of student loans in Maryland; requiring the study to examine certain matters and to make findings and recommendations regarding certain matters; requiring the Maryland Higher Education Commission and the Maryland Health and Higher Educational Facilities Authority to report ~~its~~ their 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 study of student loan refinancing in Maryland.

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

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**

FOR the purpose of requiring that, in Prince George’s County, a certain rate of interest shall be paid on certain county property tax payment deferrals; requiring the governing body of Prince George’s County to establish and promote a certain public awareness campaign related to certain property tax deferral programs; authorizing the governing body of Prince George’s County to provide, by law, a certain payment deferral of the county property tax for certain residential real property; requiring the governing body of Prince George’s County under certain circumstances to specify the duration and certain amounts and restrictions for the payment deferral; requiring the payment of certain deferred property taxes under certain circumstances; requiring the governing body of Prince George’s County under certain circumstances to provide certain information in a taxpayer’s annual property tax bill; requiring that a payment deferral be authorized by a certain written agreement to be recorded in certain land records; providing for a certain lien attachment under certain circumstances; prohibiting the charging of certain penalties during a certain period of time; defining a certain term; providing for the application of this Act; and generally relating to property tax deferrals in Prince George’s County for certain residential real property.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 10–204
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

BY adding to
Article – Tax – Property
Section 10–204.7
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

**House Bill 1024 – Prince George’s County Delegation and Montgomery County
Delegation**

AN ACT concerning

**Montgomery County – Municipal Authority to Regulate Structures –
Clarification
PG/MC 112–16**

FOR the purpose of clarifying that a municipal corporation or governed special taxing district in Montgomery County may adopt a certain building requirement to regulate the construction, repair, or remodeling of certain structures on land zoned for single-family residential use; and generally relating to the authority of municipal corporations and governed special taxing districts in Montgomery County to regulate structures.

BY repealing and reenacting, with amendments,
Article – Land Use
Section 20–509
Annotated Code of Maryland
(2012 Volume and 2015 Supplement)

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

House Bill 1047 – Delegates Hixson, Lierman, Platt, Turner, Walker, A. Washington, ~~and M. Washington~~ M. Washington, Afzali, D. Barnes, Buckel, Ebersole, Fennell, Hornberger, C. Howard, Kaiser, Long, Luedtke, Metzgar, Patterson, Reilly, Shoemaker, Simonaire, and Tarlau

AN ACT concerning

Earned Income Tax Credit – Expansion

FOR the purpose of ~~altering the percentage of the federal earned income credit used for determining the amount that certain individuals may claim as a refund under the Maryland earned income credit under certain circumstances;~~ altering the calculation of the Maryland earned income tax credit to increase the amount of credit that certain individuals without qualifying children may claim; expanding eligibility of the credit to allow certain individuals without certain qualifying children to claim the credit; allowing certain individuals to claim a refund of the credit; allowing ~~an~~ certain individual individuals 21 years of age and older to claim the credit ~~without regard to a certain age limitation;~~ providing that the amount of the credit is adjusted for inflation each year; providing for the application of this Act; and generally relating to the Maryland earned income tax credit.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–704
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

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

House Bill 1065 – Montgomery County Delegation

AN ACT concerning

**Montgomery County Board of Education – Special Election to Fill a Vacancy
MC 2-16**

FOR the purpose of providing for the conduct of a special election to fill a vacancy for an elected member on the Montgomery County Board of Education under certain circumstances; altering the authority of the elected members of the county board to appoint an individual to fill a vacancy for an elected member on the county board; providing that, under certain circumstances, the special election shall be held concurrently with a certain previously scheduled election in the county; requiring the Montgomery County Executive, after consultation with the county board of elections, to establish the date for the special primary election and, under certain circumstances, a special general election; authorizing a special election to fill a vacancy in the county board to be held at a time other than the date of a regular primary election and a regular general election; providing that a local special election to fill a vacancy shall be conducted by mail under certain circumstances; and generally relating to a special election to fill a vacancy for an elected member of the Montgomery County Board of Education.

BY repealing and reenacting, with amendments,
Article – Education
Section 3-901(a), (f)(4), (5), and (6), and (g)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 3-901(b) through (e) and (f)(1) and (2)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 8-401 and 9-501
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

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

House Bill 1077 – Montgomery County Delegation

AN ACT concerning

**Montgomery County Board of Elections – Election Director – Appointment
Requirement
MC 26–16**

FOR the purpose of requiring the Montgomery County Board of Elections to require a ~~supermajority~~ certain vote of the regular members of the Board, at least one of whom shall be a member of the principal minority party, to appoint an election director; and generally relating to the appointment of the election director by the Montgomery County Board of Elections.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 2–202
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

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

House Bill 1127 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Dissemination of Voter Information Material –
Multifamily Residential Structures
PG 408–16**

FOR the purpose of applying to Prince George’s County certain provisions of law regarding the dissemination of voter information material in multifamily residential structures; making a stylistic change; and generally relating to the dissemination of voter information material in Prince George’s County.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 1–303
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

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

House Bill 1128 – Prince George’s County Delegation and Montgomery County Delegation

AN ACT concerning

**Washington Suburban Sanitary Commission – Drinking Water – Testing
PG/MC 113–16**

FOR the purpose of altering which cycle of certain regulations adopted by the United States Environmental Protection Agency is the basis for the requirement that the Washington Suburban Sanitary Commission conduct quarterly testing of drinking water in the Commission system for unregulated contaminants; and generally relating to the quarterly testing of drinking water by the Washington Suburban Sanitary Commission.

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 28–301
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

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

House Bill 1153 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Tax Sales – Limited Auction and Foreclosure for
Abandoned Property
PG 431–16**

FOR the purpose of requiring the tax collector in Prince George’s County to conduct a certain limited auction prior to conducting a public auction for property subject to tax liens; specifying the individuals who may participate in a limited auction; requiring a purchaser of property at a limited auction to occupy the property as the purchaser’s dwelling; requiring the tax collector to include the date, time, and location of a limited auction in certain notices; establishing that a limited auction shall be subject to the same requirements as a certain public auction; establishing that the purchase of property at a limited auction shall be treated the same as the purchase of property at a certain public auction; requiring the tax collector to establish a system to verify that individuals who place bids at a limited auction are eligible to place bids; establishing that a certificate of sale for property purchased at a limited auction is void if it is not purchased by an individual who meets certain criteria; requiring property offered for sale at a limited auction that is not sold at the limited auction to be offered for sale at a public auction; establishing certain remedies when a certificate of sale for property sold at a limited auction is void; authorizing a holder of a certificate of sale for certain property sold at a limited auction to file a complaint to foreclose all rights of redemption in the property at any

time after the date of sale; and generally relating to tax sales of property in Prince George's County.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 14–817 and 14–833(c)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 14–833(d)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

BY adding to
Article – Tax – Property
Section 14–833(h)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

House Bill 1193 – Delegates Platt and Lam, Lam, 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

State Government – Administrative Procedure Act – Effective Date of Adopted Regulations

FOR the purpose of altering the effective date of certain regulations adopted under the Administrative Procedure Act; and generally relating to regulations adopted under the Administrative Procedure Act.

BY repealing and reenacting, with amendments,
Article – State Government
Section 10–117
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

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

House Bill 1268 – Calvert County Delegation

AN ACT concerning

Calvert County – Pretrial Release Program – Nonviolent Felon

FOR the purpose of repealing a provision of law that prohibits an individual in detention for or previously convicted of a felony that is not a crime of violence from being eligible for a certain pretrial release program in Calvert County; providing that an individual in detention for or previously convicted of a certain crime is not eligible for a certain program; and generally relating to the Calvert County pretrial release program.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 11–706(e)
Annotated Code of Maryland
(2008 Replacement Volume and 2015 Supplement)

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

House Bill 1273 – ~~Delegates Chang, Beidle, McMillan, Pena-Melnyk, Simonaire, and Sophocleus~~ Anne Arundel County Delegation

AN ACT concerning

Anne Arundel County Board of Education – Human Trafficking Awareness Pilot Program

FOR the purpose of establishing the Human Trafficking Awareness Pilot Program in Anne Arundel County; providing for the duration of the Program; requiring the Anne Arundel County Board of Education, in collaboration with the Department of Health and Mental Hygiene and the Governor’s Office of Crime Control and Prevention, to provide awareness ~~and training~~ for all school-based personnel on human trafficking; requiring the Department and the Governor’s Office of Crime Control and Prevention to provide ~~certain resource information and~~ certain materials to the Board; ~~requiring the Board to report on or before a certain date each year to certain committees of the General Assembly;~~ providing for the application of this Act; providing for the termination of this Act; and generally relating to the Human Trafficking Awareness Pilot Program and the Anne Arundel County Board of Education.

BY adding to
Article – Education
Section 7–438
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

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

House Bill 1476 – Delegates Jalisi, M. Washington, Gaines, Haynes, Hettleman, Jones, McCray, A. Miller, Morales, Morhaim, S. Robinson, Sophocleus, Tarlau, and P. Young

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 Budget and Taxation.

House Bill 172 – ~~Delegate Sophocleus (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

FOR the purpose of altering the membership of the School Board Nominating Commission of Anne Arundel County to provide that, beginning on a certain date and every certain number of years thereafter, one member shall be appointed by certain chambers of commerce on a rotating basis in a specified order; altering the term of the member appointed by a chamber of commerce; requiring each member of the Commission to be a resident of Anne Arundel County; prohibiting, with a certain exception, a member of the Commission from being an employee of a county school board; altering the method of selecting and the term of the chair of the Commission; authorizing the reappointment of a member of the Commission; specifying the terms of certain members of the Commission; prohibiting a member of the Commission from serving more than a certain number of years; altering the entity required to provide staff for the Commission; requiring the affirmative vote of a certain number of members of the Commission for the approval of any action; prohibiting a member

of the Commission from voting by proxy; requiring the Commission to require each applicant for a certain nomination to complete an application that includes certain information and a certain declaration; requiring the Commission to consult the Maryland Judiciary Case Search to verify certain statements; requiring a certain member of the Anne Arundel County Board of Education to resign effective a certain number of days after certification of certain election results; prohibiting a certain member of the Board from continuing to serve under certain circumstances; providing for the termination of the ~~term of a certain member~~ terms of certain members of the Commission; and generally relating to the ~~membership of the Anne Arundel County Board of Education and the School Board Nominating Commission~~ of Anne Arundel County.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–110(b) and (c)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

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

House Bill 335 – Delegate Lierman

AN ACT concerning

Income Tax Subtraction Modification – College Savings Plans – Contributions

FOR the purpose of providing a subtraction modification under the Maryland income tax for contributions made by certain individuals to certain college savings accounts subject to certain limitations; defining certain terms; providing for the application of this Act; and generally relating to a subtraction modification under the Maryland income tax for contributions made to certain college savings accounts.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 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(n) and (o)
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

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

House Bill 365 – Delegates Jackson, Angel, Chang, Hettleman, C. Howard, Knotts, Korman, Lierman, McConkey, McKay, Morales, Patterson, Sanchez, Smith, Tarlau, ~~and Zucker~~ Zucker, Afzali, D. Barnes, Buckel, Ebersole, Fennell, Hixson, Hornberger, Kaiser, Long, Luedtke, Metzgar, Platt, Shoemaker, Walker, A. Washington, and M. Washington

AN ACT concerning

Public Schools – Bullying, Harassment, and Intimidation Policies – Update

FOR the purpose of altering the definition of “electronic communication” to include certain social media communications; requiring the State Board of Education by a certain date to update a certain model policy on bullying, harassment, and intimidation on or before a certain date ~~to include provisions that relate to prohibiting an electronic communication of a photograph, an audio recording, or a video recording of certain acts of bullying, harassment, or intimidation or of certain other conduct that is transmitted for a certain purpose~~; requiring certain county boards of education ~~by a certain date~~ to update certain policies based on the State Board’s update of the model policy and to submit the updated policies to the State Superintendent of Schools on or before certain dates; ~~providing that a school employee who reports a certain act is not civilly liable under certain circumstances~~; and generally relating to bullying, harassment, and intimidation in public schools.

BY repealing and reenacting, with amendments,
 Article – Education
 Section 7–424.1
 Annotated Code of Maryland
 (2014 Replacement Volume and 2015 Supplement)

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

House Bill 397 – Delegates M. Washington and Ebersole

AN ACT concerning

Education – Assessments – Best Practices in the Administration of Assessments

FOR the purpose of requiring the State Department of Education to develop a certain set of best practices that the Department and certain local school systems must consider under certain circumstances; ~~requiring the Department to ensure that certain best practices include certain principles; requiring the Department and each local school system to conduct a certain audit of certain assessments; encouraging the Department and certain local school systems to apply for certain federal funds to conduct certain audits~~; and generally relating to best practices for the administration of assessments in public schools.

BY adding to

Article – Education

Section 7–208

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

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

House Bill 446 – Delegates West, Bromwell, Cullison, and Sample–Hughes

AN ACT concerning

State Government – Maryland Youth Advisory Council – Revisions

FOR the purpose of altering the membership of the Maryland Youth Advisory Council; specifying that the members must be residents of the State; altering the factors that certain persons are required to consider in deciding which youths to nominate as members of the Council; altering the term and term limit of a member; requiring that a certain member represent the views of a certain public or private youth council or youth empowerment organization before the Council; requiring the members to elect a chair at a certain meeting; requiring the members of the Council to select a certain executive board at a certain meeting; repealing the requirement that certain individuals serve as cochairs; altering the duties that the Governor’s Office for Children has in relation to the Council; altering the duties of the Council; requiring the Council to meet at certain times and hold a certain number of public hearings each Council year, rather than each year; specifying that the Council is required to conduct one educational meeting each Council year; requiring the Council to report its activities on or before the last day of the Council year, rather than the last day of the youth members’ terms; specifying the terms of the members of the Council appointed in a certain year; defining a certain term; making conforming changes; and generally relating to the Maryland Youth Advisory Council.

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–2701

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

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

House Bill 452 – The Speaker (By Request – Administration) and Delegates Adams, Anderton, Arentz, Aumann, Bromwell, Carozza, Cassilly, Ciliberti, Cluster, Folden, Ghrist, Glass, Grammer, Hornberger, S. Howard, Impallaria, Jacobs, Kipke, Kittleman, Krebs, Long, Malone, Mautz, McComas, McConkey, McDonough, McKay, Metzgar, Miele, W. Miller, Otto,

Reilly, Rey, Rose, Saab, Shoemaker, Simonaire, Szeliga, Vogt, West, B. Wilson, ~~and Wivell~~ Wivell, and Afzali

AN ACT concerning

~~Income Tax – Earned Income Credit – Refundability~~ Earned Income Tax Credit
– Expansion

~~FOR the purpose of altering the percentage of the federal earned income credit used for determining the amount that certain individuals may claim as a refund under the Maryland earned income credit under certain circumstances; and generally relating to the earned income credit allowed under the State income tax. FOR the purpose of altering the calculation of the Maryland earned income tax credit to increase the amount of credit that certain individuals without qualifying children may claim; expanding eligibility of the credit to allow certain individuals without certain qualifying children to claim the credit; allowing certain individuals to claim a refund of the credit; allowing certain individuals 21 years of age and older to claim the credit; providing that the amount of the credit is adjusted for inflation each year; providing for the application of this Act; and generally relating to the Maryland earned income tax credit.~~

BY repealing and reenacting, ~~without~~ with amendments,
Article – Tax – General
Section 10–704(a) and (b)(1)
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

~~BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–704(b)(2)
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)~~

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

House Bill 454 – The Speaker (By Request – Administration)

AN ACT concerning

State Employees – Merit Increases in Salary

FOR the purpose of excluding certain State employees from a certain prohibition against certain merit increases in salary; and generally relating to merit increases in salary for certain State employees.

BY repealing and reenacting, with amendments,
Chapter 489 of the Acts of the General Assembly of 2015

Section 7(a)

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

House Bill 489 – ~~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

Termination of Maryland Health Insurance Plan, Transfer of Senior Prescription Drug Assistance Program, and Funding for State Reinsurance Program

FOR the purpose of repealing provisions of law establishing the Maryland Health Insurance Plan (MHIP); repealing provisions of law establishing the Board of Directors for MHIP; repealing provisions of law establishing the Maryland Health Insurance Plan Fund (MHIP Fund); repealing provisions of law governing the standard benefit package to be offered by MHIP and requiring MHIP to be the alternative mechanism for certain individuals under a certain federal law; repealing the duties of the Maryland Insurance Commissioner relating to MHIP; altering the contents of the Health Care Coverage Fund by removing money transferred to the Fund from the MHIP Fund; repealing a requirement for the Health Services Cost Review Commission to assess a certain amount in hospital rates to operate and administer MHIP; repealing the ceiling on a certain hospital assessment; repealing the authorization for certain funds to be used for the State Reinsurance Program; repealing the exemption from taxation for MHIP and the Senior Prescription Drug Assistance Program (Program); transferring the Program from the Board of Directors for MHIP to the Department of Health and Mental Hygiene on a certain date; repealing the requirement for the Board of Directors for MHIP to contract with a third party to administer the Program; requiring the Department to administer the Program; establishing the Senior Prescription Drug Assistance Program Fund (Fund) as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Department to administer the Fund; requiring the State Treasurer to hold the Fund separately and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purposes for which the Fund may be used; establishing certain conditions on the use of the Fund for a certain purpose; providing for the investment of money in and expenditures from the Fund; requiring the Program to have a certain budget code; repealing the segregated account for the Program in the MHIP Fund; repealing a requirement for the Board of Directors for MHIP to report on certain information about the Program; altering the period of time during which the subsidy from a certain nonprofit health service plan for the Program may not exceed a certain amount; requiring the nonprofit health service plan to transfer certain funds for the Program to the Fund, instead of the separate account within the MHIP Fund; requiring certain premium tax revenue collected by the Maryland Insurance Administration to be deposited into the Fund, instead of the MHIP Fund;

deleting the MHIP Fund from, and adding the Fund to, the list of funds for which interest earnings do not accrue to the General Fund of the State; altering the contents of the Maryland Health Benefit Exchange Fund to include revenues transferred from the MHIP Fund before a certain date, instead of revenues from the separate account of the MHIP Fund; requiring funds transferred to the Maryland Health Benefit Exchange Fund from the MHIP Fund before a certain date to be placed in the account for the State Reinsurance Program and used only for a specified purpose; repealing a requirement that the Maryland Health Benefit Exchange obtain approval of the Board of Directors for MHIP to use certain revenue to fund the State Reinsurance Program; requiring the Maryland Health Benefit Exchange to use certain funds to fund the State Reinsurance Program; repealing obsolete provisions of law establishing a Maryland Pharmacy Assistance Program; defining a certain term; repealing certain definitions; making certain conforming changes; extending the termination date of the Program; repealing obsolete provisions of law relating to a carrier required to offer a certain drug subsidy plan; authorizing a certain amount of a certain fund balance to be used in certain fiscal years to support certain expenses of MHIP; requiring the Department to provide funds to the Administrator of the Program, in accordance with a certain contract, for certain costs; providing for the transfer of certain employees, books and records, property, equipment, fixtures, assets, liabilities, obligations, and credits; ~~requiring the contract for the Administrator of the Program to remain in force until a certain date~~; providing that certain employees transferred to the Maryland Health Benefit Exchange and the Department as a result of this Act shall be transferred without diminution of certain rights, benefits, employment, or retirement status; and generally relating to the termination of the Maryland Health Insurance Plan, the transfer of the Senior Prescription Drug Assistance Program, and funding for the State Reinsurance Program.

BY repealing

Article – Insurance

Section 14–501 through 14–509, the subtitle “Subtitle 5. Programs for Medically Uninsurable and Underinsured Individuals”, and the part “Part I. Maryland Health Insurance Plan”

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

BY transferring

Article – Insurance

Section 14–510 through 14–515, respectively, and the part “Part II. Senior Prescription Drug Assistance Program”

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

to be

Article – Health – General

Section 15–1001 through 15–1006, respectively, and the subtitle “Subtitle 10. Senior Prescription Drug Assistance Program”

Annotated Code of Maryland

(2015 Replacement Volume)

BY repealing

Article – Health – General
Section 15–124
Annotated Code of Maryland
(2015 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Health – General
Section 15–701(a) and (b)
Annotated Code of Maryland
(2015 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Health – General
Section 15–701(f) and (i)(4) and 19–214(d)
Annotated Code of Maryland
(2015 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Health – General
Section 15–1001 through 15–1006
Annotated Code of Maryland
(2015 Replacement Volume)
(As enacted by Section 2 of this Act)

BY repealing and reenacting, with amendments,

Article – Insurance
Section 6–101(b), 14–106, 14–106.2, 14–107, 31–107, and 31–117(c)(3)
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement
Section 6–226(a)(2)(i)
Annotated Code of Maryland
(2015 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement
Section 6–226(a)(2)(ii)24.
Annotated Code of Maryland
(2015 Replacement Volume)

BY repealing and reenacting, with amendments,

Chapter 153 of the Acts of the General Assembly of 2002, as amended by Chapter 282 of the Acts of the General Assembly of 2005, Chapter 345 of the Acts of the General Assembly of 2006, Chapter 509 of the Acts of the General Assembly of 2007, Chapter 558 of the Acts of the General Assembly of 2008, Chapter 119 of the Acts of the General Assembly of 2010, Chapter 27 of the Acts of the General Assembly of 2012, and Chapter 84 of the Acts of the General Assembly of 2014

Section 13

BY repealing and reenacting, with amendments,
Chapter 489 of the Acts of the General Assembly of 2015
Section 9

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

House Bill 558 – Delegates Glenn, Anderson, Carter, Clippinger, Conaway, Hammen, Hayes, Haynes, Lierman, McCray, McIntosh, Oaks, B. Robinson, and M. Washington

AN ACT concerning

Baltimore City – Partially Elected School Board

FOR the purpose of increasing the number of members of the Baltimore City Board of School Commissioners; requiring a certain number of members of the board to be elected at large by the voters of ~~certain districts in~~ Baltimore City; ~~requiring the Department of Legislative Services to establish the districts in collaboration with the Baltimore City Board of Elections;~~ requiring certain members of the board to be elected at a certain election and in accordance with certain provisions of law; ~~providing for the staggering of the terms of certain members and for the termination of the terms of certain members of the board;~~ providing for the removal of, ~~and hearings and appeal procedures for,~~ the elected members of the board; providing for the application of this Act; making conforming changes; ~~requiring that the Act be submitted to a referendum of the legally qualified voters of Baltimore City;~~ and generally relating to the Baltimore City Board of School Commissioners and the selection of members.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–108.1 and 3–114
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

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

House Bill 602 – ~~Delegate Sophocles (By Request – Anne Arundel County Administration)~~ Anne Arundel County Delegation

AN ACT concerning

Anne Arundel County – Special Taxing Districts – Water or Wastewater Services

FOR the purpose of authorizing Anne Arundel County to establish, modify, or abolish special taxing districts for the purpose of providing or expanding water or wastewater services; and generally relating to special taxing districts in Anne Arundel County.

BY adding to

Article – Local Government
Section 21–803.1
Annotated Code of Maryland
(2013 Volume and 2015 Supplement)

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

House Bill 648 – Delegates Moon, Smith, Barkley, Barron, Barve, Carr, Clippinger, Cullison, Dumais, Fraser-Hidalgo, Gilchrist, Gutierrez, Hixson, Kaiser, Kelly, Korman, Kramer, Lam, Luedtke, Mautz, A. Miller, Morales, Platt, Reznik, S. Robinson, Tarlau, Waldstreicher, and C. Wilson

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 Budget and Taxation.

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

FOR the purpose of requiring a certain statewide kindergarten assessment to be limited to a random sample of certain kindergarten students from within certain local school systems in the State subject to a certain exception; authorizing a certain kindergarten assessment to evaluate certain skills; authorizing certain county boards of education and certain principals and teachers to administer a certain statewide kindergarten assessment under certain circumstances; prohibiting certain standardized tests from being administered to certain prekindergarten students subject to a certain exception; requiring the State Department of Education to adopt certain regulations; and generally relating to the administration of prekindergarten and kindergarten assessments.

BY adding to

Article – Education

Section 7–208

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

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

House Bill 668 – Delegates Rosenberg and Platt

AN ACT concerning

Preschool Development Grants – Expansion Grants – Required State Funding

FOR the purpose of requiring the Governor to include in the State budget certain funding in a certain amount for each fiscal year in which the State Department of Education receives a certain expansion grant through the federal Preschool Development Grants Program; and generally relating to required State funding for certain expansion grants through the federal Preschool Development Grants Program.

BY adding to

Article – Education

Section 7–101.3

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

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

House Bill 788 – Chair, Health and Government Operations Committee (By Request – Departmental – Office of Minority Affairs)

AN ACT concerning

Procurement – Small Business Reserve Program – Program Oversight and Continuation

FOR the purpose of designating the Governor’s Office of Minority Affairs rather than the Department of General Services as the agency responsible for adopting certain regulations to establish procedures for compiling and maintaining a certain bidder’s list of qualified small businesses that is to be posted on the Internet; repealing the requirement that the Department of General Services post a certain list on the Department’s Web site; requiring the Governor’s Office of Minority Affairs to establish certain guidelines, ensure agency compliance, provide certain training and assistance to agency personnel, and collect certain data relating to the Small Business Reserve Program; repealing a certain termination provision that applies to the Small Business Reserve Program; and generally relating to oversight and continuation of the Small Business Reserve Program.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–503
Annotated Code of Maryland
(2015 Replacement Volume)

BY repealing and reenacting, with amendments,
Chapter 75 of the Acts of the General Assembly of 2004, as amended by Chapter 514 of the Acts of the General Assembly of 2007 and Chapter 22 of the Acts of the General Assembly of 2010
Section 2

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

House Bill 835 – Cecil County Delegation

AN ACT concerning

Local Facility Closure Reserve Funds – Investments and Reinvestments

FOR the purpose of authorizing the trustees or other officers in charge of certain facility closure reserve funds to invest and reinvest certain money in a certain manner and sell, redeem, or exchange certain investments or reinvestments; requiring the trustees or other officers in charge of certain facility closure reserve funds to comply with certain fiduciary standards; authorizing a political subdivision of the State or a unit of a political subdivision of the State to enter into certain agreements for the management or investment of money in a facility closure reserve fund; altering the definition of “public money” as it relates to certain local government investment guidelines so as to exclude money held as part of certain facility closure reserve funds; and generally relating to local facility closure reserve funds.

BY repealing and reenacting, with amendments,
 Article – Local Government
 Section 17–102 and 17–201
 Annotated Code of Maryland
 (2013 Volume and 2015 Supplement)

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

House Bill 965 – ~~Delegate Walker~~ Delegates Walker, Hornberger, and Metzgar

AN ACT concerning

The Maryland International and Preakness Stakes Incentive Act of 2016

FOR the purpose of establishing the Maryland International thoroughbred race; providing that the Maryland International is a Grade 1 stakes race run on a certain track; providing for the funding of a certain purse for the Maryland International race; providing for the application of certain takeout provisions and the payment of certain taxes and fees; requiring the State Racing Commission to approve a certain race; providing for the use of certain special funds for a certain race; providing that certain money from ~~the State Lottery Fund~~ a certain unclaimed prize fund be distributed to pay certain Maryland–bred or –sired horses who win the Preakness Stakes or are eligible for certain purses from the Preakness Stakes under certain conditions; requiring that certain funds revert to the State Lottery Fund under certain circumstances; requiring the Comptroller to distribute certain funds to a certain special fund; ~~requiring the State Lottery and Gaming Control Agency to account for certain funds by reducing certain funds for a certain purpose by a certain amount~~ requiring the licensee to make the Maryland Lottery and Gaming Control Agency a sponsor of the Maryland International thoroughbred race; providing for the termination of certain provisions of this Act; and generally relating to the Maryland International thoroughbred race, the Preakness Stakes, and Maryland–bred or –sired horses.

BY repealing and reenacting, with amendments,
 Article – Business Regulation
 Section 11–402 and 11–403
 Annotated Code of Maryland
 (2015 Replacement Volume and 2015 Supplement)

BY adding to
 Article – Business Regulation
 Section 11–522.1
 Annotated Code of Maryland
 (2015 Replacement Volume and 2015 Supplement)

~~BY repealing and reenacting, with amendments,
 Article – State Government~~

~~Section 9-120(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)~~

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

House Bill 986 – Delegate Beidle

AN ACT concerning

Vehicle Laws – Trade-In Allowance – Leased Vehicles

FOR the purpose of altering the definition of “total purchase price” for the purposes of the vehicle excise tax to exclude from the computation of the tax an allowance for the trade-in of a leased vehicle under certain circumstances; and generally relating to the motor vehicle excise tax.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13-809(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 13-809(b) and (c)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

House Bill 999 – Delegates Kaiser, D. Barnes, Ebersole, Fennell, Hixson, C. Howard, Jones, Luedtke, McIntosh, Patterson, Platt, Tarlau, Turner, Walker, A. Washington, and M. Washington

AN ACT concerning

Commission on Innovation and Excellence in Education

FOR the purpose of establishing the Commission on Innovation and Excellence in Education; providing for the composition, chair, and staffing of the Commission; requiring certain appointments to be made to ensure diversity within the Commission; prohibiting a member of the Commission from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Commission to review the findings and recommendations of a certain study, review certain education finance formulas, review certain accountability measures and review certain other matters; requiring the Commission to make certain

recommendations on certain matters; requiring the Commission to make a preliminary and a final report of its findings and recommendations to the Governor and the General Assembly on or before certain dates; requiring certain appointments to the Commission to be made within a certain period of time; 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; providing for the termination of this Act; and generally relating to the Commission on Innovation and Excellence in Education.

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

House Bill 1095 – Delegates Platt, Luedtke, Barkley, D. Barnes, Buckel, Carr, Clippinger, Cullison, Ebersole, Fennell, Fraser–Hidalgo, Hayes, Hettleman, Hornberger, C. Howard, Kaiser, Korman, Lierman, McCray, Metzgar, Moon, Morales, Patterson, Pena–Melnik, Reilly, Reznik, S. Robinson, Shoemaker, Simonaire, Tarlau, Turner, Walker, A. Washington, M. Washington, and P. Young

AN ACT concerning

Education – Prekindergarten Programs – Notification of Eligibility by Local Departments of Social Services

FOR the purpose of requiring certain local departments of social services and certain local health departments, under certain circumstances, to provide to certain parents or guardians a certain notice that their children may be eligible for certain publicly funded prekindergarten programs; requiring certain local departments of social services and certain local health departments to make a certain annual report on or before a certain date; and generally relating to notification of eligibility for publicly funded prekindergarten programs in the State.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–101.1
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

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

House Bill 1105 – Howard County Delegation

AN ACT concerning

Howard County Public School System – Access to Public Information

Ho. Co. 9-16

FOR the purpose of requiring the custodian of a public record to provide written notice to an applicant regarding the right to file a certain complaint with the State Public Information Act Compliance Board; requiring the Public Access Ombudsman to investigate, evaluate, and issue a report concerning the Howard County Public School System concerning certain matters; requiring the Howard County Board of Education, Howard County Superintendent of Schools, and the Howard County Public School System, as applicable, to provide the Ombudsman with certain records; requiring the Ombudsman to maintain the confidentiality of certain records; and generally relating to the Howard County Public School System and access to public information.

BY repealing and reenacting, without amendments,
Article – General Provisions
Section 4-1A-01, 4-1A-04(a), 4-1A-05(a), 4-1B-01, and 4-1B-04(a)
Annotated Code of Maryland
(2014 Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – General Provisions
Section 4-206
Annotated Code of Maryland
(2014 Volume and 2015 Supplement)

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

House Bill 1147 – ~~Delegate Shoemaker~~ Carroll County Delegation

AN ACT concerning

Carroll County – Board of Education Members – Term Limitation and Referendum

FOR the purpose of prohibiting a voting member of the Carroll County Board of Education from serving on the board for more than a certain number of consecutive terms; submitting this Act to a referendum of the qualified voters of Carroll County; and generally relating to a term limitation for members of the Carroll County Board of Education.

BY repealing and reenacting, with amendments,
Article – Education
Section 3-401
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

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

House Bill 1155 – Calvert County Delegation

AN ACT concerning

Calvert County – Bonding Authority

FOR the purpose of authorizing and empowering the County Commissioners of Calvert County, from time to time, to borrow not more than \$9,410,000 to finance the construction, improvement, or development of certain public facilities in Calvert County, as herein defined, and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds in like par amount; empowering the County to fix and determine, by resolution, the form, tenor, interest rate or rates or method of determining the same, terms, conditions, maturities, and all other details incident to the issuance and sale of the bonds; empowering the County to issue refunding bonds for the purchase or redemption of bonds in advance of maturity; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds and refunding bonds and the interest thereon and any income derived therefrom from all State, county, municipal, and other taxation in the State of Maryland; providing that nothing in this Act shall prevent the County from authorizing the issuance and sale of bonds the interest on which is not excludable from gross income for federal income tax purposes; and generally relating to the issuance and sale of such bonds.

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

House Bill 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

FOR the purpose of requiring the Department of Health and Mental Hygiene to make a certain advance payment to a nursing home at the request of the nursing home under certain circumstances; providing that the advance payment may not exceed a certain amount; requiring the Department to pay the balance due to a nursing home under certain circumstances; requiring the Department to recover certain advance payments in a certain manner under certain circumstances; defining a certain term;

and generally relating to the Maryland Medical Assistance Program and advance payments to nursing homes.

BY repealing and reenacting, without amendments,

Article – Health – General
Section 15–101(a) and (h)
Annotated Code of Maryland
(2015 Replacement Volume)

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 Finance.

House Bill 1217 – Delegates Sample–Hughes, Angel, Cullison, Hayes, Haynes, Hill, Jacobs, Kelly, Krimm, Lam, Oaks, Otto, Patterson, Reznik, Tarlau, ~~and Turner~~ Turner, Queen, Hammen, Barron, Bromwell, Kipke, Krebs, McDonough, McMillan, Miele, Morgan, Morhaim, Pena–Melnik, Pendergrass, Rose, Saab, West, and K. Young

AN ACT concerning

Maryland Medical Assistance Program – Specialty Mental Health and Substance Use Disorder Services – Parity

FOR the purpose of requiring the Department of Health and Mental Hygiene to adopt regulations necessary to ensure that the Maryland Medical Assistance Program is in compliance with certain federal laws; providing that the Department is not required to adopt certain regulations for certain changes; requiring the regulations to include standards regarding treatment limitations for specialty mental health and substance use disorder services that comply with the federal laws and relate to certain items; providing that the treatment limitations comply with the federal laws if certain factors used in applying a treatment limitation meet certain requirements for medical and surgical services; and generally relating to the Maryland Medical Assistance Program and compliance with federal laws relating to specialty mental health and substance use disorder services.

BY adding to

Article – Health – General
Section 15–103.6
Annotated Code of Maryland
(2015 Replacement Volume)

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

House Bill 1229 – ~~Delegate Dumais~~ Delegates Dumais, Hammen, Angel, Barron, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, McMillan, Miele, Morgan, Morhaim, Oaks, Pendergrass, Pena-Melnyk, Rose, Saab, Sample-Hughes, West, and K. Young

AN ACT concerning

Estates and Trusts – Elective Share of Surviving Spouse

FOR the purpose of repealing certain provisions of law relating to a surviving spouse making an election to take a certain share of the net estate of the decedent instead of the property left to the surviving spouse under the will; establishing the purposes of this Act; providing that a surviving spouse may take a certain elective share amount of a certain augmented estate; recodifying certain provisions of law relating to the right of election of a surviving spouse and certain time limits to elect to take an elective share; establishing certain procedures and a certain form for an election to take an elective share; authorizing the waiver of a certain right of election; requiring certain fiduciaries to deliver certain information and provide certain notice relating to a certain elective share of a surviving spouse; requiring a certain trustee to provide certain notice relating to the trust within a certain period of time; establishing the priority to be used in determining the sources from which a certain elective share amount is payable; establishing the manner of payment of a certain elective share under certain circumstances; providing certain immunity for certain payors and other third parties who make certain payments or transfers before receiving notice of a certain election; establishing the effect of an election to take a certain elective share on the rights of the surviving spouse under a certain will and certain revocable trust; authorizing certain persons to petition the orphans' court to modify certain calculations or sources of payment of a certain elective share; establishing a certain rebuttable presumption relating to the exclusion of certain property from a certain augmented estate; authorizing the orphans' court to consider certain factors when determining whether to include certain property in the value of a certain augmented estate or certain spousal benefits; requiring a surviving spouse who has elected to take an elective share to be removed as personal representative of the decedent's estate; providing that a personal representative is entitled to certain reimbursement for certain commissions and attorney's fees in connection with a certain action; defining certain terms; making stylistic changes; providing for the application of this Act; and generally relating to the elective share of a surviving spouse.

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

The subtitle designation to be “Subtitle 2. Family Allowance; Dower and Curtesy” immediately preceding Section 3–201; 6–306(a), and 7–603

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,
 Article – Estates and Trusts
 Section 3–201(a)
 Annotated Code of Maryland
 (2011 Replacement Volume and 2015 Supplement)

BY repealing
 Article – Estates and Trusts
 Section 3–203 through 3–208
 Annotated Code of Maryland
 (2011 Replacement Volume and 2015 Supplement)

BY adding to
 Article – Estates and Trusts
 Section 3–401 through 3–411 to be under the new subtitle “Subtitle 4. Elective Share
 of Surviving Spouse”; and 14.5–604
 Annotated Code of Maryland
 (2011 Replacement Volume and 2015 Supplement)

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

**House Bill 1230 – Delegates Turner, Branch, Hixson, Jones, Kaiser, Moon,
 Morhaim, and Platt**

AN ACT concerning

~~Campaign Finance Election Law – Departmental Secretaries – Solicitation of
 Contributions or Donations~~ Political Activity

FOR the purpose of ~~prohibiting a secretary of a principal department of the Executive
 Branch of State government from soliciting contributions or donations from an entity
 doing business with the State or a director or an officer of an entity doing business
 with the State; defining certain terms; and generally relating to prohibiting
 departmental secretaries from soliciting contributions or donations from certain
 persons~~ 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
 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.

BY adding to

Article – Election Law
Section 13–244
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – General Provisions
Section 5–506
Annotated Code of Maryland
(2014 Volume and 2015 Supplement)

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

House Bill 1336 – ~~Delegate S. Howard~~ Delegates S. Howard, Hammen, Angel, Barron, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, McMillan, Miele, Morgan, Morhaim, Oaks, Pendergrass, Pena-Melnyk, Rose, Saab, Sample-Hughes, West, and K. Young

AN ACT concerning

Estates and Trusts – Notice Requirement – Method of Delivery

FOR the purpose of repealing certain exceptions to certain notice requirements for certain estate matters if certain laws or rules require a different method of delivery; repealing a certain provision of law that authorizes the orphans' court to require or the personal representative to elect delivery of notice in a certain manner at the expense of the estate; repealing a provision of law that requires certain proof of reasonable efforts to give notice under certain circumstances; providing for the application of this Act; making stylistic changes; and generally relating to notice requirements for matters relating to estates of decedents.

BY repealing and reenacting, with amendments,

Article – Estates and Trusts
Section 1–103
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

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

House Bill 1450 – Delegate Vaughn

AN ACT concerning

Commercial Law – Debt Settlement Services – Fund and Sunset Repeal

FOR the purpose of altering certain provisions of law relating to the collection, deposit, and purpose of certain fees related to debt settlement services; requiring all revenue received for the registration of certain persons and, with a certain exception, any other fee, examination assessment, or revenue received by the Commissioner of Financial Regulation under certain provisions of law to be credited to a certain fund and used in accordance with a certain provision of law; repealing the termination date of the Maryland Debt Settlement Services Act; making certain provisions of this Act contingent on the taking effect of another Act; providing for the effective dates of this Act; and generally relating to the Maryland Debt Settlement Services Act.

BY repealing and reenacting, with amendments,
Article – Financial Institutions
Section 12–1007
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Chapter 280 of the Acts of the General Assembly of 2011, as amended by Chapters
276 and 277 of the Acts of the General Assembly of 2014
Section 4

BY repealing and reenacting, with amendments,
Chapter 281 of the Acts of the General Assembly of 2011, as amended by Chapters
276 and 277 of the Acts of the General Assembly of 2014
Section 4

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

**House Bill 1463 – Delegates Patterson, Brooks, Conaway, Fennell, Glenn, Haynes,
Hill, C. Howard, Jackson, Jameson, Morhaim, Sydnor, Tarlau, Turner, and
Valentino-Smith**

AN ACT concerning

**Coordinating Council for Juvenile Services Educational Programs –
Membership**

FOR the purpose of altering the membership of the Coordinating Council for Juvenile Services Educational Programs; providing for the terms of office of the appointed members of the Coordinating Council; providing for the termination of the term of a certain member of the Coordinating Council; providing that the terms of certain members of the Coordinating Council begin on a certain date; providing for the

construction of this Act; and generally relating to the membership of the Coordinating Council for Juvenile Services Educational Programs.

BY repealing and reenacting, with amendments,
Article – Education
Section 22–305
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

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

House Bill 1488 – Delegates Hettleman, Anderson, Atterbeary, B. Barnes, Barron, Chang, Clippinger, Ebersole, Frick, Gaines, Hayes, Haynes, Hill, Jackson, Jones, Kaiser, Kelly, Korman, Lafferty, Lierman, Lisanti, Luedtke, McIntosh, Morhaim, Platt, Reznik, Rosenberg, Sanchez, Smith, Sydnor, Valderrama, M. Washington, and P. Young

AN ACT concerning

Service, Stipends, and Scholarships – Maryland Corps Program – Established

FOR the purpose of establishing the Maryland Corps Program; providing for the purpose of the Program; requiring a certain Board of Directors to administer and manage the Program; providing for the composition of the Board; providing for the appointment, terms, and removal of members of the Board; providing that members of the Board may not receive certain compensation but are entitled to certain reimbursement; requiring the Governor's Office on Service and Volunteerism within the Governor's Office of Community Initiatives to provide certain staffing and assistance to the Board and a certain operator; requiring the Board to submit a certain Request for Proposals (RFP) on or before a certain date; requiring the RFP to include certain elements and expectations for a certain operator; requiring certain corps participants to serve a certain nonprofit or governmental entity for a certain period of time; authorizing certain corps participants to receive certain stipends and certain scholarships under certain circumstances; specifying the use of certain scholarships; establishing the Maryland Corps Program Fund; specifying the purpose of the Fund; requiring the Board to administer the Fund; specifying that the Fund is a continuing, nonlapsing fund that is not subject to a certain provision of law; requiring the State Treasurer to hold the Fund separately and invest the money in the Fund in a certain manner; requiring the Comptroller to account for the Fund; providing for the composition and uses of the Fund; prohibiting any unspent portion of the Fund from being transferred or used in a certain manner; requiring the Board to prepare certain reports annually; authorizing the Fund to be subject to a certain audit; ~~requiring the Governor to include certain appropriations~~ providing that funds for the Program will be as provided in the State budget in certain fiscal years for certain purposes; requiring the Board to explore certain possibilities; requiring the Board to submit certain reports to the Governor and the General Assembly in accordance with certain

provisions of law; providing for the staggering of the terms of certain members of the Board; stating the intent of the General Assembly in awarding stipends and scholarships under this Act; requiring certain members of the Board to be appointed on or before a certain date; defining certain terms; and generally relating to the establishment of the Maryland Corps Program.

BY repealing and reenacting, without amendments,

Article – Education

Section 18–103

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

(As enacted by Chapter 277 of the Acts of the General Assembly of 2011)

BY adding to

Article – Education

Section 24–1101 through 24–1111 to be under the new subtitle “Subtitle 11.

Maryland Corps Program”

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(i)

Annotated Code of Maryland

(2015 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)84. and 85.

Annotated Code of Maryland

(2015 Replacement Volume)

BY adding to

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)86.

Annotated Code of Maryland

(2015 Replacement Volume)

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

LETTERS OF REASSIGNMENT

ANNOUNCEMENT BY THE PRESIDENT

House Bill 1029 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Alcoholic Beverages – Class BD–BWL License – Hours of Sale
MC 17–16**

Reassigned to the Committee on Education, Health, and Environmental Affairs under Rule 33(d).

Read and ordered journalized.

ANNOUNCEMENT BY THE PRESIDENT

House Bill 1051 – ~~Delegate Lisanti~~ Harford County Delegation

AN ACT concerning

Harford County – Alcoholic Beverages – Community College License

Reassigned to the Committee on Education, Health, and Environmental Affairs under Rule 33(d).

Read and ordered journalized.

ANNOUNCEMENT BY THE PRESIDENT

House Bill 1353 – Calvert County Delegation

AN ACT concerning

Calvert County – Alcoholic Beverages – Special Event Festival Permit

Reassigned to the Committee on Education, Health, and Environmental Affairs under Rule 33(d).

Read and ordered journalized.

LAI D OVER BILLS

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

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

AN ACT concerning

Justice Reinvestment Act

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (7) AND THE FAVORABLE REPORT.

SB1005/508476/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 1005
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 15, after the first “a” insert “certain screening tool and a”; and in line 22, after the first “certain” insert “violations and certain”.

On page 2, strike beginning with “Division” in line 11 down through “Probation” in line 12 and substitute “Department of Public Safety and Correctional Services”; strike beginning with “authorizing” in line 19 down through “sanctions;” in line 21; in line 21, strike “authorizing” and substitute “requiring”; strike beginning with “precludes” in line 25 down through “conviction” in line 27 and substitute “shall be considered by a licensing board when considering the qualifications of an applicant for a professional or occupational licensure or certification”; 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 parole;”; in line 42, after “parole;” insert “repealing a requirement that a 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;”; and in line 44, after “circumstances;” insert “authorizing the Commissioner to depart from certain periods of incarceration under certain circumstances;”.

On page 3, in line 1, after “facility;” insert “altering the maximum penalty for murder in the second degree; altering the maximum penalty for kidnapping;”; 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 “providing” in line 18 down through “guidelines;” in line 24; in line 26, after “circumstances;” insert “authoring a certain person to file a petition for expungement of certain offenses under certain circumstances; establishing certain procedures for a certain expungement under certain circumstances; authorizing the court to depart from certain periods of imprisonment 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”; and strike beginning with “altering” in line 41 down through “license;” in line 42.

On page 4, in line 6, after “circumstances;” insert “requiring local correction authorities in consultation with certain departments to conduct a certain budget analysis and submit a report on or before a certain date; stating the intent of the General Assembly; providing for the application of certain provisions of this Act; providing for a delayed effective date for certain provisions of this Act;”; in line 32, after “Section” insert “2–204, 3–502, and”; in line 39, after “8–611,” insert “and”; and in the same line, strike “, and 14–101”.

On page 5, strike in their entirety lines 7 through 11, inclusive; strike in their entirety lines 12 through 16, inclusive; in line 19, strike “6–209” and substitute “1–101”; after line 21, insert:

“BY adding to

Article – Criminal Procedure

Section 10–110

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)”;

and in line 24, after “Section” insert “8–505 and”.

On page 6, strike in their entirety lines 9 through 23, inclusive.

AMENDMENT NO. 2

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

(III) A PLAN FOR THE PAYMENT OF RESTITUTION, 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 26, strike “LAW” and substitute “PROCEDURE”.

On page 10, in line 11, after “(b)” insert “(1) “ABSCONDING” MEANS DISPLAYING AFFIRMATIVE BEHAVIOR WITH THE INTENT TO EVADE 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 “OR”; 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 page 13, strike beginning with “MODIFY” in line 1 down through “IMPOSING” in line 2 and substitute “IMPOSE”; 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 16, in line 17, strike “DIVISION” and substitute “DEPARTMENT”; in line 28, after “(B)” insert “(1)”; and after line 29, insert:

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

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 beginning with “A” in line 23 down through “CONVICTION” in line 26 and substitute “**A LICENSING BOARD SHALL CONSIDER A CERTIFICATE OF REHABILITATION WHEN DETERMINING THE QUALIFICATION OF AN APPLICANT FOR A PROFESSIONAL OR OCCUPATIONAL LICENSURE OR CERTIFICATION**”.

On page 19, in line 3, strike the second comma; in the same line, strike “THE SENTENCING JUDGE,”; in line 11, after “parole” insert “OR ADMINISTRATIVE RELEASE”; in line 18, strike “PAROLE” and substitute “RELEASE”; and in line 20, after “VICTIM” insert “OR A STATE’S ATTORNEY”.

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”; in line 17, after “(II)” insert “HAS BEEN SCREENED AS LOW RISK TO REOFFEND UNDER § 6-104 OF THIS ARTICLE;”

(III)”;

in line 22, strike “(III)” and substitute “(IV)”; in line 26, after “SHALL” insert “:

(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 lines 2 and 12, in each instance, strike “TO PAROLE”; in lines 4, 10, 14, 24, 28, and 30, in each instance, strike “PAROLE” and substitute “RELEASE”; in line 6, after “SHALL” insert “:

(I)”;

in line 8, strike the colon; in line 9, strike “(I)”; and in line 31, after “(E)” insert “(1) 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 7, after “(F)” insert “(1) THE COMMISSION SHALL NOTIFY THE STATE’S ATTORNEY OF THE ELIGIBLE INMATE’S ADMINISTRATIVE RELEASE ELIGIBILITY DATE.”

(2) THE STATE’S ATTORNEY MAY SUBMIT A WRITTEN OBJECTION TO AN INMATE’S RELEASE ON ADMINISTRATIVE RELEASE AND REQUEST AN OPEN HEARING.

(G)”;

in line 13, strike “30” and substitute “120”; in lines 13 and 19, in each instance, strike “PAROLE” and substitute “ADMINISTRATIVE RELEASE”; in line 14, after “VICTIM” insert “OR THE STATE’S ATTORNEY”; in line 15, after “(E)” insert “OR (F)”; and in lines 16 and 20, strike “(G)” and “(H)”, respectively, and substitute “(H)” and “(I)”, respectively.

On page 26, 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, THE DECISION BECOMES EFFECTIVE”.

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) THE COMMISSIONER MAY DEPART FROM THE LIMITS PROVIDED UNDER THIS SUBSECTION IF THE COMMISSIONER MAKES AN AFFIRMATIVE FINDING THAT ADHERING TO THE LIMITS WOULD CREATE A RISK TO PUBLIC SAFETY OR TO A VICTIM OR WITNESS OR FOR OTHER GOOD CAUSE.”;

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

On page 29, after line 11, insert:

“(3) THE COMMISSIONER MAY DEPART FROM THE LIMITS PROVIDED UNDER THIS SUBSECTION IF THE COMMISSIONER MAKES AN AFFIRMATIVE FINDING

THAT ADHERING TO THE LIMITS WOULD CREATE A RISK TO PUBLIC SAFETY OR TO A VICTIM OR WITNESS OR FOR OTHER GOOD CAUSE.”.

On page 30, in line 1, strike “(I)”; and strike in their entirety lines 4 through 6, inclusive.

AMENDMENT NO. 3

On page 32, after line 13, insert:

“2-204.

(a) A murder that is not in the first degree under § 2-201 of this subtitle is in the second degree.

(b) A person who commits a murder in the second degree is guilty of a felony and on conviction is subject to imprisonment not exceeding [30] 40 years.

3-502.

(a) A person may not, by force or fraud, carry or cause a person to be carried in or outside the State with the intent to have the person carried or concealed in or outside the State.

(b) A person who violates this section is guilty of the felony of kidnapping and on conviction is subject to imprisonment not exceeding [30] 40 years.

(c) Kidnapping does not include the act of a parent in carrying a minor child of that parent in or outside the State.”.

On page 33, in lines 9, 11, and 13, in each instance, strike “\$25,000” and substitute “\$5,000”; in line 17, strike the brackets; in the same line, strike “1 year” and substitute “6 MONTHS”; in the same line, strike the colon; and strike beginning with “(1)” in line 18 down through “BOTH” in line 21.

On page 36, 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"; 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 "INTO" and substitute "WHEN IMPOSING"; in line 28, after "(I)" insert "EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH"; in the same line, strike "AN" and substitute "A"; in line 29, strike "IMMINENT"; in the same line, 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 TO PROVIDE THE MEDICALLY APPROPRIATE LEVEL OF TREATMENT".

On page 37, in line 1, strike "AN" and substitute "A"; in line 2, strike "IMMINENT"; in the same line, after "SAFETY" insert "OR OTHERWISE FOR GOOD CAUSE"; in line 4, strike "PROVIDE" and substitute "FACILITATE THE MEDICALLY APPROPRIATE LEVEL OF"; in line 5, after "TREATMENT" insert "FOR THE DEFENDANT"; and after line 5, insert:

"(4) THE COURT MAY NOT FIND GOOD CAUSE UNDER PARAGRAPH (3)(II) OF THIS SUBSECTION SOLELY BECAUSE THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE LACKS SUFFICIENT RESOURCES TO COMPLY WITH AN ORDER TO PROVIDE TREATMENT."

On page 49, strike beginning with "AT" in line 4 down through "BUT" in line 5; 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 "\$2,000".

On pages 61 through 64, strike in their entirety the lines beginning with line 13 on page 61 through line 7 on page 64, inclusive.

On page 64, 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.

[(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.”;

in line 11, strike “(P)” and substitute “(Q)”; in line 13, after “ARREST” insert “**OR A SUMMONS ISSUED BY A COMMISSIONER ON A STATEMENT OF CHARGES FILED BY A LAW ENFORCEMENT OFFICER**”; in line 14, strike “OR”; in line 15, after “NO CONTACT” insert “**OR STAY-AWAY**”; and in the same line, after “ORDER” insert “**; OR**

(4) ABSCONDING”.

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.

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

On page 66, after line 8, insert:

“(3) THE COURT MAY DEPART FROM THE LIMITS PROVIDED UNDER THIS SUBSECTION IF:

(I) THE COURT FINDS AND STATES ON THE RECORD:

1. THAT ADHERING TO THE LIMITS WOULD CREATE A RISK TO PUBLIC SAFETY OR TO A VICTIM OR WITNESS; OR

2. OTHER GOOD CAUSE; OR

(II) THE COURT COMMITS THE PROBATIONER OR DEFENDANT TO THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE FOR TREATMENT UNDER § 8-507 OF THE HEALTH – GENERAL ARTICLE.;

and in line 28, strike “**IF**” and substitute “**(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, IF**”.

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) THE COURT MAY DEPART FROM THE LIMITS PROVIDED UNDER THIS SUBSECTION IF:

(I) THE COURT FINDS AND STATES ON THE RECORD:

1. THAT ADHERING TO THE LIMITS WOULD CREATE A RISK TO PUBLIC SAFETY OR TO A VICTIM OR WITNESS; OR

2. OTHER GOOD CAUSE; OR

(II) THE COURT COMMITS THE PROBATIONER OR DEFENDANT TO THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE FOR TREATMENT UNDER § 8-507 OF THE HEALTH – GENERAL ARTICLE.”.

AMENDMENT NO. 4

On page 67, after line 13, insert:

“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.”.

AMENDMENT NO. 5

On page 67, after line 23, insert:

“8-505.

(a) (1) Before or during a criminal trial, before or after sentencing, or before or during a term of probation, the court may order the Department to evaluate a defendant to determine whether, by reason of drug or alcohol abuse, the defendant is in need of and may benefit from treatment if:

(i) It appears to the court that the defendant has an alcohol or drug abuse problem; or

(ii) The defendant alleges an alcohol or drug dependency.

(2) A court shall set and may change the conditions under which an examination is to be conducted under this section.

(3) The Department shall ensure that each evaluation under this section is conducted in accordance with regulations adopted by the Department.

(b) On consideration of the nature of the charge, the court:

(1) May require or permit an examination to be conducted on an outpatient basis; and

(2) If an outpatient examination is authorized, shall set bail for the defendant or authorize the release of the defendant on personal recognizance.

(c) (1) If a defendant is to be held in custody for examination under this section:

(i) The defendant may be confined in a detention facility until the Department is able to conduct the examination; or

(ii) The court may order confinement of the defendant in a medical wing or other isolated and secure unit of a detention facility, if the court finds it appropriate for the health or safety of the defendant.

(2) (i) If the court finds that, because of the apparent severity of the alcohol or drug dependency or other medical or psychiatric complications, a defendant in custody would be endangered by confinement in a jail, the court may order the Department to either:

1. Place the defendant, pending examination, in an appropriate health care facility; or

2. Immediately conduct an evaluation of the defendant.

(ii) Unless the Department retains a defendant, the defendant shall be promptly returned to the court after an examination.

(iii) A defendant who is detained for an examination under this section may question at any time the legality of the detention by a petition for a writ of habeas corpus.

(d) (1) If a court orders an evaluation under this section, the evaluator shall:

(i) Conduct an evaluation of the defendant; and

(ii) Submit a complete report of the evaluation within 7 days to the:

1. Court;

2. Department; and

3. Defendant or the defendant's attorney.

(2) On good cause shown, a court may extend the time for an evaluation under this section.

(3) Whenever an evaluator recommends treatment, the evaluator's report shall:

(i) Name a specific program able to IMMEDIATELY provide the recommended treatment; and

(ii) Give an actual or estimated date when the program can begin treatment of the defendant.

(e) (1) The Department shall IMMEDIATELY provide the services required by this section.

(2) A designee of the Department may carry out any of its duties under this section [if appropriate funding is provided].

(f) Evaluations performed in facilities operated by the Department of Public Safety and Correctional Services shall be conducted by the Administration.”.

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 line 1, after the closing bracket insert “**THE IMMEDIATE**”; strike beginning with “**WITHOUT**” in line 2 down through “**ORDER**” in line 3 and substitute “**UNLESS THE COURT FINDS EXIGENT CIRCUMSTANCES TO DELAY COMMITMENT FOR TREATMENT FOR NO LONGER THAN 30 DAYS**”; in line 5, strike “**30**” and substitute “**7**”; and strike beginning with “**MAY**” in line 6 down through “**PLACEMENT**” in line 7 and substitute “**MAY ISSUE A SHOW CAUSE ORDER FOR THE DEPARTMENT TO APPEAR AND EXPLAIN WHY THE DEPARTMENT SHOULD NOT BE HELD IN CONTEMPT UNDER TITLE 15 OF THE MARYLAND RULES**”.

On page 72, in line 15, strike “ONE MEMBER” and substitute “TWO MEMBERS”; strike beginning with “ONE” in line 17 down through “MARYLAND” in line 18 and substitute “ONE MEMBER APPOINTED BY THE MARYLAND SHERIFFS ASSOCIATION”; in line 25, strike “ONE MEMBER” and substitute “TWO MEMBERS”; and in line 26, after “ASSOCIATION” insert “THAT INCLUDES ONE REPRESENTATIVE FROM A LARGE CORRECTIONAL FACILITY AND ONE REPRESENTATIVE FROM A SMALL CORRECTIONAL FACILITY”.

On page 73, in line 13, strike “EXECUTIVE DIRECTOR IS” and substitute “GOVERNOR SHALL APPOINT”.

On page 74, in line 9, after “GOVERNMENT” insert “JUSTICE”; and strike in their entirety lines 18 through 31, inclusive, and substitute:

“(5) CREATE PERFORMANCE MEASURES TO ASSESS THE EFFECTIVENESS OF THE GRANTS;

“(6) 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 IMPLEMENTATION OF THE RECOMMENDATIONS OF THE JUSTICE REINVESTMENT COORDINATING COUNCIL;

“(7) CREATE PERFORMANCE MEASURES TO ASSESS THE EFFECTIVENESS OF THE GRANTS ADMINISTERED UNDER § 9-3209 OF THIS SUBTITLE; AND

“(8) 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 SHALL ANNUALLY 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 SHALL ANNUALLY 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 COUNTY 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."

On page 75, in line 1, strike “(B)” and substitute “(C)”; strike beginning with “THE” in line 1 down through “MARYLAND” in line 2 and substitute “AN ACADEMIC INSTITUTION”; in line 17, strike “AND”; and in line 18, after “POPULATION” insert “; 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.

On page 76, in line 21, strike “AND”; and in line 22, after “(IX)” insert “PROVIDE FOR SUBSTANCE USE DISORDER AND MENTAL HEALTH SERVICE PROGRAMS; AND”

(X).

On pages 79 through 81, strike in their entirety the lines beginning with line 18 on page 79 through line 22 on page 81, inclusive.

AMENDMENT NO. 7

On page 82, in lines 25, 26, 27, 28, 32, and 33, strike “2017”, “2018”, “2019”, “2020”, “2017”, and “2018”, respectively, and substitute “2018”, “2019”, “2020”, “2021”, “2018”, and “2019”, respectively.

On page 83, in lines 1 and 2, strike “2019” and “2020”, respectively, and substitute “2020” and “2021”, respectively; and after line 33, insert:

“SECTION 10. AND BE IT FURTHER ENACTED, That local correctional facilities shall, in coordination with the Department of Health and Mental Hygiene and local health departments, conduct an analysis to determine the budgetary requirements of this Act and shall report a plan for meeting the budgetary requirements to the General Assembly, in accordance with § 2-1246 of the State Government Article, on or before June 30, 2017.

SECTION 11. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that local correctional facilities and local health departments provide funding for treatment required for individuals diverted from incarceration for a violation of § 5-601 of the Criminal Law Article as enacted by Section 1 of this Act.

SECTION 12. AND BE IT FURTHER ENACTED, That § 3–704 of the Correctional Services Article, as enacted by Section 1 of this Act, shall be construed prospectively to apply only to inmates that are sentenced on or after October 1, 2017.

SECTION 13. AND BE IT FURTHER ENACTED, That Section 1, Section 6, and Section 7 of this Act shall take effect October 1, 2017.”.

On page 84, in line 1, strike “10.” and substitute “14.”; and in the same line, after “That” insert “, except as provided in Section 13 of this Act.”.

The preceding 7 amendments were read only.

Senator Madaleno moved, duly seconded, to make the Bill and Amendments a Special Order for the end of today’s business.

The motion was adopted.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #17

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

Senate Bill 637 – Senator Cassilly

AN ACT concerning

Evidence – Admissibility of DNA Profile – Definition and Validation of DNA Profile

SB0637/688275/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 637

(First 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 2, 5, 10, and 11, in each instance, strike the bracket; in line 4, strike “or”; in line 7, after “**LABORATORIES**” insert a semicolon; in the same line, after “**OR**” insert:

“(III) THE FEDERAL BUREAU OF INVESTIGATION’S”;

in line 9, after “A” insert “**DNA PROFILE IS ADMISSIBLE UNDER THIS SECTION IF IT IS ACCOMPANIED BY A**”; in line 10, strike “standards” and substitute “:

(I) STANDARDS”;

in the same line, strike “or the” and substitute “:

(II) THE”;

in line 11, strike “**ACCORDING TO**” and substitute “**OF**”; strike beginning with “**INVESTIGATION’S**” in line 11 down through “**LABORATORIES**” in line 12 and substitute “**INVESTIGATION;**”; in line 13, after “**OR**” insert:

“(III) THE FEDERAL BUREAU OF INVESTIGATION’S”;

and strike beginning with “is” in line 13 down through “section” in line 14.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 864 – Senators Lee, Benson, and Madaleno

AN ACT concerning

**Public Safety – Internet Crimes Against Children Task Force Fund –
Establishment
(Alicia’s Law)**

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 864

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Madaleno” and substitute “Brochin, Cassilly, Hough, Madaleno, Muse, Ramirez, Raskin, Ready, and Zirkin”.

On page 1, strike beginning with “requiring” in line 5 down through “Fund;” in line 6; in line 13, after “Fund;” insert “beginning in a certain fiscal year, requiring the Governor to include in the annual budget bill an appropriation to the Fund;”; strike beginning with “requiring” in line 13 down through “information;” in line 16; and strike beginning with “requiring” in line 17 down through “needs;” in line 18.

On page 2, strike in their entirety lines 17 through 21, inclusive.

On page 4, in line 13, strike “(I)” and substitute “(J)”; and in line 30, strike “(D)” and substitute “(A)”.

On page 5, in line 3, strike “(E)” and substitute “(B)”.

AMENDMENT NO. 2

On page 3, in line 28, after “DISTRIBUTED” insert “ON THE BASIS OF NEED, AS DETERMINED BY THE EXECUTIVE DIRECTOR,”.

On page 4, in line 1, strike “40% OF THE MONEY IN THE FUND”; in line 4, strike “AND”; in line 5, strike “60% OF THE MONEY IN THE FUND TO BE DISTRIBUTED”; and in line 6, after the second “FORCE” insert “; AND

(3) IN AN AMOUNT NOT GREATER THAN 25% OF THE FUND, TO CHILD ADVOCACY CENTERS, AS ESTABLISHED UNDER § 11-923(H) OF THE CRIMINAL PROCEDURE ARTICLE”.

AMENDMENT NO. 3

On page 3, strike beginning with “REVENUE” in line 22 down through “(2)” in line 24; and in lines 25 and 26, strike “(3)” and “(4)”, respectively, and substitute “(2)” and “(3)”, respectively.

On page 4, after line 12, insert:

“(I) FOR FISCAL YEAR 2018 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION TO THE FUND.”

On pages 5 and 6, strike in their entirety the lines beginning with line 21 on page 5 through line 12 on page 6, inclusive.

AMENDMENT NO. 4

On page 4, strike in their entirety lines 17 through 29, inclusive.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1047 – Senator Lee

AN ACT concerning

Task Force to Study Recording Deeds for Victims of Domestic Violence

SB1047/778379/1

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 1047

(First Reading File Bill)

On page 2, in line 1, strike “and”; in line 2, after “(7)” insert “the State Archivist, or the State Archivist’s designee;

(8) the Director of the State Department of Assessments and Taxation, or the Director’s designee; and

(9);

in line 5, strike “and”; and in line 6, after “Association” insert “:

(v) one representative of the Maryland Circuit Court Clerks’ Association; and

(vi) one representative of an organization that advocates for victims of domestic violence”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #14

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

Senate Bill 191 – The President (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2016, and the Maryland Consolidated Capital Bond Loans of 2007, 2008, 2009, 2011, 2012, 2013, 2014, and 2015

REPORT OF THE SENATE BUDGET AND TAXATION COMMITTEE
TO THE SENATE OF MARYLAND – 2016 SESSION –
RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION
PERTAINING TO SENATE BILL 191 – THE CAPITAL BUDGET

(See Exhibit K of Appendix III)

SENATE BUDGET AND TAXATION
COMMITTEE REPRINT TO SENATE BILL 191 – THE CAPITAL BUDGET

(See Exhibit L of Appendix III)

The preceding 113 amendments were read only.

Senator Peters moved, duly seconded, to make the Bill and Amendments a Special Order for March 22, 2016.

The motion was adopted.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #37**

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

Senate Bill 313 – Senators Klausmeier, Currie, DeGrange, Eckardt, Ferguson, Guzzone, Kagan, Manno, Muse, Nathan-Pulliam, Raskin, Ready, Salling, and Young

AN ACT concerning

Public Institutions of Higher Education – Financial Aid – Reduction Prohibited

SB0313/854830/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 313

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Institutions of” and substitute “Senior”; in the same line, after “Education” insert “Institutions”; in the same line, strike “Prohibited” and substitute “Restrictions”; strike beginning with “prohibiting” in line 3 down through “packages;” in line 7 and substitute “regulating how public senior higher education institutions may adjust funds awarded by the institution when students receive additional financial aid from federal, State, or private sources;”; in line 8, strike “institution of” and substitute “senior”; in the same line, after “education” insert “institution”; in line 9, after “circumstances;” insert “prohibiting financial aid awarded by a public senior higher education institution from being reduced under certain circumstances;”; in line 10, strike “institutions of” and substitute “senior”; and in the same line, after “education” insert “institutions”.

AMENDMENT NO. 2

On page 1, strike beginning with “MEANS” in line 22 down through the colon in line 23 and substitute “HAS THE MEANING STATED IN 20 USCA § 1087LL.”.

On page 2, strike in their entirety lines 1 through 4, inclusive; after line 6, insert:

“(4) “FINANCIAL NEED” HAS THE MEANING STATED IN 20 USCA § 1087KK.”;

in line 7, strike “(4)” and substitute “(5)”; and after line 8, insert:

“(6) “UNMET FINANCIAL NEED” MEANS THE STUDENT’S FINANCIAL NEED MINUS THE STUDENT’S FINANCIAL AID.”.

AMENDMENT NO. 3

On page 2, strike beginning with “(1)” in line 9 down through “2016–2017” in line 10 and substitute “**BEGINNING IN THE 2017–2018**”; in line 12, strike “INSTITUTION OF” and substitute “**SENIOR**”; in the same line, after “EDUCATION” insert “**INSTITUTION**”; strike beginning with “NOT” in line 13 down through “MAY” in line 22 and substitute “**BE REDUCED ONLY IF THE AMOUNT A STUDENT RECEIVES IN FEDERAL FINANCIAL AID OR STATE FINANCIAL AID OFFERED THROUGH THE OFFICE OF STUDENT FINANCIAL ASSISTANCE IN THE COMMISSION OR THROUGH PRIVATE SCHOLARSHIPS CAUSES THE AMOUNT OF FINANCIAL AID AVAILABLE TO THE STUDENT TO EXCEED THE STUDENT’S FINANCIAL NEED.**

(C) A REDUCTION AUTHORIZED UNDER SUBSECTION (B) OF THIS SECTION SHALL;

and after line 25, insert:

“(D) THE AMOUNT OF FINANCIAL AID AWARDED BY THE INSTITUTION MAY NOT BE REDUCED IF:

(1) A STUDENT HAS AN UNMET FINANCIAL NEED AT THE TIME AN INSTITUTION SENDS ITS AWARD NOTICE TO THE STUDENT; AND

(2) THE STUDENT RECEIVES ADDITIONAL STATE FINANCIAL AID OFFERED THROUGH THE OFFICE OF STUDENT FINANCIAL ASSISTANCE IN THE COMMISSION OR THROUGH PRIVATE SCHOLARSHIPS TO FILL ALL OR A PORTION OF THE UNMET FINANCIAL NEED.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

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**

Senator Jennings moved, duly seconded, to make the Bill and Report a Special Order for the end of today's business.

The motion was adopted.

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

Senate Bill 783 – Senator Rosapepe

AN ACT concerning

**Higher Education – Adult Correctional Institutions – Credit-Bearing Courses
(Raising Education Attainment)**

SB0783/724636/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 783

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Higher Education” and substitute “Correctional Education Council”; in the same line, strike “Credit-Bearing Courses” and substitute “Study of Access to the Internet and Higher Education Courses”; strike beginning with “making” in line 4 down through “programs” in line 12 and substitute “requiring the Correctional Education Council, in cooperation with the Maryland Higher Education Commission and the Department of Public Safety and Correctional Services, to convene certain workgroups, identify certain issues, and issue certain reports on or before a certain

date”; in line 12, after “to” insert “studies regarding access to the Internet and”; and strike in their entirety lines 14 through 28, inclusive.

AMENDMENT NO. 2

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

“(a) The Correctional Education Council, in cooperation with the Department of Public Safety and Correctional Services, shall convene a stakeholder workgroup to identify:

(1) the current availability of Internet access in correctional institutions in the State;

(2) opportunities to expand access to the Internet for educational purposes and other appropriate purposes; and

(3) any obstacles or barriers to meeting the objective of expanding access to the Internet in correctional institutions in the State;

(b) The Correctional Education Council, in cooperation with the Maryland Higher Education Commission, shall convene a stakeholder workgroup to identify:

(1) the availability of higher education courses to inmates;

(2) the demand for higher education courses in correctional institutions in the State; and

(3) any obstacles or barriers to meeting that demand; and

(c) On or before December 1, 2016, the Correctional Education Council shall report its findings under subsections (a) and (b) of this section to the Senate Education, Health, and Environmental Affairs Committee and the House Appropriations Committee in accordance with § 2–1246 of the State Government Article.”.

On pages 2 through 9, strike in their entirety the lines beginning with line 3 on page 2 through line 29 on page 9.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 937 – Senators Manno, Astle, Bates, Klausmeier, Raskin, and Zucker

AN ACT concerning

Sustainable Oyster Harvest Act of 2016

SB0937/274031/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 937

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “prohibiting” in line 6 down through “report;” in line 8.

AMENDMENT NO. 2

On page 3, in line 11, after “strategies” insert “, INCLUDING ROTATIONAL HARVESTING,”; and strike in their entirety lines 18 through 20, inclusive.

The preceding 2 amendments were read only.

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

The motion was adopted.

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

Senate Bill 1136 – Senator Eckardt

EMERGENCY BILL

AN ACT concerning

**Regulation of Radiation Sources – Fee – Exemption for Temporary Pro Bono
Dental Clinics**

SB1136/764530/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1136

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “for” insert “Pro Bono”; in the same line, strike “Pro Bono”; in line 4, strike “pro bono”; and in the same line, after “clinics” insert “that meet certain requirements”.

AMENDMENT NO. 2

On page 4, strike beginning with “TEMPORARY” in line 14 down through “THAT” in line 15 and substitute “TEMPORARY DENTAL CLINIC THAT HOLDS A PERMIT UNDER TITLE 4 OF THE HEALTH OCCUPATIONS ARTICLE, PROVIDES ALL SERVICES ON A PRO BONO BASIS, AND”; and in line 15, strike “LESS” and substitute “FEWER”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #38**

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

Senate Bill 39 – Senator Simonaire

AN ACT concerning

General Provisions – State Designations – Great Seal and State Motto**SB0039/154638/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 39

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “and State Motto”; in line 5, strike “designating the Calvert family motto as the State motto;”; in line 6, strike “and the State motto”; and strike in their entirety lines 12 through 16, inclusive.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 17 through 19, inclusive.

The preceding 2 amendments were read only.

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

The motion was adopted.

THE COMMITTEE ON FINANCE REPORT #23

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

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

SB0481/957476/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 481

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “providing” in line 11 down through “circumstances;” in line 12 and substitute “providing that certain provisions of this Act do not preclude an employee from demonstrating that an employer’s reliance on a certain exception is a pretext for certain discrimination;”; in line 26, after “work” insert “against an employer who knowingly violates a certain provision of law”; in line 25, strike “work of

a comparable nature or”; and in line 27, after “employer” insert “who knowingly violates a certain provision of law”.

On page 2, strike beginning with “authorizing” in line 1 down through “employer;” in line 4 and substitute “altering a certain provision of law to require that a certain action be filed within a certain time period after the discovery of a certain act;”; strike beginning with “authorizing” in line 5 down through “Act;” in line 6; in line 7, strike “a certain term” and substitute “certain terms”; in line 12, after “Section” insert “3–301,”; in the same line, strike “3–307, and 3–308” and substitute “and 3–307”; and after line 19, insert:

“BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 3–308

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 22, insert:

“3–301.

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

(b) (1) “Employer” means:

(i) a person engaged in a business, industry, profession, trade, or other enterprise in the State;

(ii) the State and its units;

(iii) a county and its units; and

(iv) a municipal government in the State.

(2) “Employer” includes a person who acts directly or indirectly in the interest of another employer with an employee.

(c) “GENDER IDENTITY” HAS THE MEANING STATED IN § 20–101 OF THE STATE GOVERNMENT ARTICLE.

(D) (1) “Wage” means all compensation for employment.

(2) “Wage” includes board, lodging, or other advantage provided to an employee for the convenience of the employer.”;

in line 24, strike “(1)”; in line 25, after “MEANS” insert “:

(1)”;

in line 26, after “TRACK” insert “, **IF CAREER TRACKS ARE OFFERED,**”; in the same line, strike the period and substitute a semicolon; strike in their entirety lines 27 and 28; in line 29, strike “(I)” and substitute “**(2)**”; and strike in their entirety lines 32 and 33 and substitute:

“(3) LIMITING OR DEPRIVING AN EMPLOYEE OF EMPLOYMENT OPPORTUNITIES THAT WOULD OTHERWISE BE AVAILABLE TO THE EMPLOYEE BUT FOR THE EMPLOYEE’S SEX OR GENDER IDENTITY.”.

On page 6, in line 26, after “employer” insert “**KNOWINGLY**”; and in line 30, strike “**WORK OF COMPARABLE NATURE OR**”.

On page 7, in line 1, after “EMPLOYER” insert “**KNOWINGLY**”; in line 3, strike “**BOTH**”; in the same line, after “ACTUAL” insert “**DAMAGES**”; in the same line, after the second “AND” insert “**AN ADDITIONAL EQUAL AMOUNT AS**”; and strike beginning with “**IN**” in line 4 down through “**(4)**” in line 8.

AMENDMENT NO. 3

On page 4, strike beginning with “**AN**” in line 1 down through “**PRACTICE**” in line 8 and substitute “**THIS SECTION DOES NOT PRECLUDE AN EMPLOYEE FROM DEMONSTRATING THAT AN EMPLOYER’S RELIANCE ON AN EXCEPTION LISTED IN SUBSECTION (C) OF THIS SECTION IS A PRETEXT FOR DISCRIMINATION ON THE BASIS OF SEX OR GENDER IDENTITY**”.

AMENDMENT NO. 4

On page 7, in line 8, strike “**OR THE ATTORNEY GENERAL**”; strike beginning with “**ON**” in line 16 down through “**(D)**” in line 21; in lines 23 and 25, in each instance, strike the bracket; in line 23, strike “**(E)**”; and in line 25, strike “**(F)**”.

On page 8, in line 23, strike “**OR THE ATTORNEY GENERAL**”.

AMENDMENT NO. 5

On page 7, in line 21, strike “of” and substitute “**AFTER**”; and in the same line, after “the” insert “**DISCOVERY OF THE**”.

The preceding 5 amendments were read only.

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

The motion was adopted.

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

Senate Bill 544 – Senator Middleton

AN ACT concerning

Motor Vehicle Insurance – Insurance Identification Card – Carrying Proof of Coverage – Uninsured Motorist Education and Enforcement Fund

SB0544/237377/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 544

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Middleton” and substitute “Senators Middleton, Reilly, Astle, Benson, Feldman, Jennings, Kelley, Klausmeier, and Mathias”; in line 14, strike “not”; in line 19, after “regulations;” insert “exempting the Fund from a certain provision of law requiring interest on State money in special funds to accrue to the General Fund of the State;”; and after line 29, 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 2, in line 23, after the semicolon insert “**AND**”; and strike beginning with the semicolon in line 25 down through “**REQUIRES**” in line 26.

On page 3, in line 6, strike “**PLAY**” and substitute “**PLAN**”; and in lines 29 and 30, strike beginning with “**EXCEPT**” in line 29 down through “**NOT**” in line 30 and substitute “**MAY**”.

AMENDMENT NO. 3

On page 3, after line 8, 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 UNINSURED MOTORIST EDUCATION AND ENFORCEMENT FUND.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 818 – Senator Peters

AN ACT concerning

State Personnel – Individuals With Disabilities – Hiring Preferences

SB0818/427075/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 818

(First 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 4, strike “**2–310.**” and substitute “**2–204.**”; strike beginning with “APPOINTING” in line 5 down through “BRANCHES” in line 6 and substitute “**AN APPOINTING AUTHORITY FOR A POSITION IN THE EXECUTIVE BRANCH**”; strike

beginning with “INDIVIDUALS” in line 10 down through “ACT” in line 11 and substitute “INDIVIDUALS WHO HAVE INTELLECTUAL OR DEVELOPMENTAL DISABILITIES, SEVERE PHYSICAL DISABILITIES, OR PSYCHIATRIC DISABILITIES THAT SUBSTANTIALLY LIMIT ONE OR MORE OF AN INDIVIDUAL’S MAJOR LIFE ACTIVITIES”; and strike beginning with “WITH” in line 25 down through “ACT” in line 26 and substitute “WHO HAS AN INTELLECTUAL OR DEVELOPMENTAL DISABILITY, A SEVERE PHYSICAL DISABILITY, OR A PSYCHIATRIC DISABILITY THAT SUBSTANTIALLY LIMITS ONE OR MORE OF AN INDIVIDUAL’S MAJOR LIFE ACTIVITIES”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 839 – Senator Feldman

AN ACT concerning

Insurance – Rate Filings – Trade Secrets

SB0839/987772/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 839

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Feldman” and substitute “Senators Feldman, Middleton, Astle, Benson, Hershey, Jennings, Kelley, Klausmeier, Mathias, and Reilly”; in line 3, after “confidentiality” insert “, under certain circumstances,”; strike beginning with “authorizing” in line 5 down through “public” in line 7 and substitute “providing that certain information is not subject to subpoena”; in line 7, after “Commissioner” insert “, if the Commissioner makes a certain determination,”; in line 8, after “determination” insert “and to make certain material open to public inspection”; in the same line, after “time” insert “, with a certain exception”; and in line 14, after “information,” insert “providing for the construction of certain provisions of this Act.”

AMENDMENT NO. 2

On page 3, in line 5, after “2.” insert “SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH AND”; in line 7, after “SUBPOENA” insert “SERVED ON THE COMMISSIONER OR ANY RECIPIENT OF PROPRIETARY RATE-RELATED INFORMATION UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH”; in line 8, after “(II)” insert “1.”; in the same line, strike “If” and substitute “EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, IF”; in line 12, after “SHALL” insert “;

A.;

strike beginning with “AT” in line 13 down through “PUBLIC” in line 14 and substitute “;
AND

B. MAKE THE MATERIAL OPEN TO PUBLIC INSPECTION 10 BUSINESS DAYS AFTER THE DATE THE COMMISSIONER GIVES NOTICE OF THE DETERMINATION TO THE INSURER.

2. THE COMMISSIONER MAY NOT DISCLOSE THE MATERIAL IF:

A. THE INSURER HAS NOT PUT THE RATE FILING INTO EFFECT; AND

B. WITHIN THE TIME PERIOD DESCRIBED IN SUBSUBPARAGRAPH 1B OF THIS SUBPARAGRAPH, THE INSURER WITHDRAWS THE RATE FILING AND NOTIFIES THE COMMISSIONER THAT THE RATE FILING IS WITHDRAWN”;

and in line 32, after “AUTHORITY” insert “, INCLUDING THE UNITED STATES DEPARTMENT OF JUSTICE AND THE MARYLAND ATTORNEY GENERAL, IF ACTING IN A LAW ENFORCEMENT CAPACITY”.

On page 4, after line 13, insert:

“(4) THIS SUBSECTION MAY NOT BE CONSTRUED TO:

(I) AUTHORIZE AN INSURER TO DESIGNATE THE RATING FACTORS USED TO CALCULATE THE PREMIUM AS PROPRIETARY RATE-RELATED INFORMATION; OR

(II) AUTHORIZE THE COMMISSIONER TO KEEP THE RATING FACTORS CONFIDENTIAL.”.

The preceding 2 amendments were read and adopted.

Senator Feldman moved, duly seconded, to make the Bill and Report a Special Order for March 23, 2016.

The motion was adopted.

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

Senate Bill 888 – Senator Middleton

AN ACT concerning

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

SB0888/347276/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 888

(First Reading File Bill)

AMENDMENT NO.1

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

AMENDMENT NO. 2

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

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 898 – Senator Klausmeier

AN ACT concerning

Public Health – Emergency Use Auto-Injectable Epinephrine Program for Food Service Facilities

SB0898/817578/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 898

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Emergency Use”; in lines 2 and 3, strike “Program for Food Service Facilities” and substitute “– Certification for Emergency Administration”; strike beginning with “establishing” in line 4 down through “Hygiene;” in line 5 and substitute “establishing requirements for an authorized entity to obtain and store a supply of auto-injectable epinephrine; prohibiting an authorized entity from obtaining and storing auto-injectable epinephrine unless the authorized entity has a certain number of certain employees or certain affiliated individuals; requiring an authorized entity to maintain a copy of a certain certificate issued to certain individuals; establishing qualifications for an individual to obtain a certificate to obtain, store, and administer auto-injectable epinephrine to be used in an emergency situation; establishing the term of a certain certificate;”; in line 6, strike “establishing the purpose of the Program;”; in line 7, strike “, collect certain fees, issue and renew certain certificates, and” and substitute “; requiring the Department to”; strike beginning with “relating” in line 8 down through “certificate” in line 9; strike beginning with “requiring” in line 9 down through the semicolon in line 10; strike beginning with the comma in line 10 down through “term,” in line 11; in line 12, after “pharmacists” insert “and physicians”; in lines 13, 16, 19, and 22, in each instance, after “holders” insert “or authorized entities”; in line 14, strike “or an agent”; in lines 16 and 17, strike “or certain agents”; in line 17, after “circumstances;” insert “providing a certain exception to a certain immunity;”; in line 19, strike “and certain paraphernalia”; in lines 21 and 22, strike “and certain paraphernalia”; in line 24, after “Act;” insert “providing for the application of this Act;”; strike beginning with “requiring” in line 25 down through “year;” in line 27; and strike beginning with “the” in line 27 down through “Facilities” in line 28

and substitute “certification for obtaining, storing, and administering auto-injectable epinephrine”.

On page 2, in line 1, strike “13-7A-10” and substitute “13-7A-09”; in line 2, strike “Use” and substitute “Administration of”; and strike beginning with “Program” in line 2 down through “Facilities” in line 3.

AMENDMENT NO. 2

On page 2, in line 9, strike “USE” and substitute “ADMINISTRATION OF”; in lines 9 and 10, strike “PROGRAM FOR FOOD SERVICE FACILITIES”; in line 14, strike “AGENT” and substitute “AFFILIATED INDIVIDUAL”; after line 15, insert:

“(2) HAS AN UNPAID AND CLOSE ASSOCIATION WITH AN AUTHORIZING ENTITY;”;

in lines 16 and 19, strike “(2)” and “(3)”, respectively, and substitute “(3)” and “(4)”, respectively; in line 19, strike “APPOINTED BY A CERTIFICATE HOLDER TO” and substitute “DESIGNATED BY AN AUTHORIZED ENTITY TO OBTAIN, STORE, AND”; after line 24, insert:

“(D) (1) “AUTHORIZED ENTITY” MEANS AN ENTITY:

(I) AT WHICH ALLERGENS CAPABLE OF CAUSING ANAPHYLAXIS MAY BE PRESENT; AND

(II) THAT IS AUTHORIZED UNDER THIS SUBTITLE TO OBTAIN AND STORE AUTO-INJECTABLE EPINEPHRINE.

(2) “AUTHORIZED ENTITY” INCLUDES:

(I) A COLLEGE OR UNIVERSITY;

(II) A DAY CARE FACILITY;

(III) A FOOD SERVICE FACILITY;

(IV) AN AMUSEMENT PARK; AND

(V) A YOUTH SPORTS LEAGUE.

(3) “AUTHORIZED ENTITY” DOES NOT INCLUDE A YOUTH CAMP AS DEFINED IN § 14–401 OF THIS ARTICLE.”;

in lines 25 and 28, strike “(D)” and “(E)”, respectively, and substitute “(E)” and “(F)”, respectively; and in line 28, after “BY” insert “AN EDUCATIONAL PROGRAM APPROVED BY”.

On page 3, in line 1, strike “(F)” and substitute “(G)”; in the same line, strike “IS” and substitute “:

(1) IS AT LEAST 18 YEARS OLD; AND

(2) IS”;

in line 2, strike “BY THE DEPARTMENT”; strike in their entirety lines 4 through 8, inclusive; after line 9, insert:

“THIS SUBTITLE DOES NOT APPLY TO:

(1) THE EMERGENCY AND ALLERGY TREATMENT PROGRAM UNDER SUBTITLE 7 OF THIS TITLE;

(2) PUBLIC ELEMENTARY AND SECONDARY SCHOOLS; OR

(3) NONPUBLIC ELEMENTARY AND SECONDARY SCHOOLS.

13–7A–03.

(A) SUBJECT TO SUBSECTION (C) OF THIS SECTION, AN AUTHORIZED ENTITY MAY OBTAIN:

(1) A PRESCRIPTION FOR A SUPPLY OF AUTO-INJECTABLE EPINEPHRINE FROM A LICENSED PHYSICIAN AS PROVIDED IN § 13–7A–07 OF THIS SUBTITLE; AND

(2) A SUPPLY OF AUTO-INJECTABLE EPINEPHRINE FROM A LICENSED PHARMACIST OR A LICENSED PHYSICIAN AS PROVIDED IN § 13-7A-07 OF THIS SUBTITLE.

(B) (1) AN AUTHORIZED ENTITY SHALL STORE A SUPPLY OF AUTO-INJECTABLE EPINEPHRINE OBTAINED UNDER SUBSECTION (A)(2) OF THIS SECTION:

(I) IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS; AND

(II) IN A LOCATION THAT IS READILY ACCESSIBLE TO EMPLOYEES OR AFFILIATED INDIVIDUALS IN AN EMERGENCY SITUATION.

(2) AN AUTHORIZED ENTITY SHALL DESIGNATE THE EMPLOYEES WHO ARE CERTIFICATE HOLDERS OR AFFILIATED INDIVIDUALS WHO ARE CERTIFICATE HOLDERS WHO WILL BE RESPONSIBLE FOR THE STORAGE, MAINTENANCE, AND CONTROL OF THE SUPPLY OF THE AUTO-INJECTABLE EPINEPHRINE.

(C) (1) AN AUTHORIZED ENTITY MAY NOT OBTAIN OR STORE AUTO-INJECTABLE EPINEPHRINE UNLESS THE AUTHORIZED ENTITY HAS AT LEAST TWO:

(I) EMPLOYEES WHO ARE CERTIFICATE HOLDERS; OR

(II) DESIGNATED AFFILIATED INDIVIDUALS WHO ARE CERTIFICATE HOLDERS.

(2) AN OWNER OF AN AUTHORIZED ENTITY WHO IS A CERTIFICATE HOLDER SHALL BE DEEMED TO BE AN EMPLOYEE FOR PURPOSES OF THE REQUIREMENT UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(D) AN AUTHORIZED ENTITY SHALL MAINTAIN A COPY OF THE CERTIFICATE ISSUED TO AN EMPLOYEE OR AN AFFILIATED INDIVIDUAL UNDER § 13-7A-06 OF THIS SUBTITLE.”;

strike in their entirety lines 10 through 16, inclusive; in lines 17 and 27, strike “~~13-7A-03.~~” and “~~13-7A-04.~~”, respectively, and substitute “13-7A-04.” and “13-7A-05.”, respectively; in line 18, strike “MAY”; in line 19, strike “ADOPT” and substitute “MAY ADOPT”; strike beginning with “FOR” in line 19 down through “PROGRAM” in line 20 and substitute “TO CARRY OUT THIS SUBTITLE”; in line 20, after the semicolon insert “AND”; strike beginning with “COLLECT” in line 21 down through “APPROVE” in line 25 and substitute “SHALL APPROVE”; and strike line 30 in its entirety.

On page 4, in line 1, strike “(C)” and substitute “(B)”; strike in their entirety lines 6 through 11, inclusive; in line 13, strike “THE” and substitute “AN EDUCATIONAL TRAINING PROGRAM APPROVED BY THE”; and strike beginning with “EACH” in line 15 down through “(D)” in line 21.

AMENDMENT NO. 3

On page 5, in line 2, strike “A” and substitute “:

(I) A;

in line 3, after “HOLDER” insert “; OR

(II) SUBJECT TO SUBSECTION (C) OF THIS SECTION, AN AUTHORIZED ENTITY”;

in line 5, after “PHYSICIAN” insert “LICENSED TO PRACTICE MEDICINE IN THE STATE”; in line 6, after “HOLDER” insert “OR AN AUTHORIZED ENTITY”; strike beginning with “AND” in line 10 down through “EPINEPHRINE” in line 11; strike beginning with “AND” in line 13 down through “EPINEPHRINE” in line 14; after line 14, insert:

(C) AN AUTHORIZED ENTITY MAY:

(1) ON PRESENTMENT OF A CERTIFICATE OF AN EMPLOYEE OF THE AUTHORIZED ENTITY OR AN AFFILIATED INDIVIDUAL, RECEIVE FROM ANY PHYSICIAN LICENSED TO PRACTICE MEDICINE IN THE STATE A PRESCRIPTION FOR AUTO-INJECTABLE EPINEPHRINE; AND

(2) POSSESS AND STORE THE PRESCRIBED AUTO-INJECTABLE EPINEPHRINE.;

in line 15, strike “(C)” and substitute “(D)”; in line 16, after “A” insert “CERTIFICATE HOLDER OR AN AUTHORIZED ENTITY MAY MAKE AVAILABLE AND A”; in lines 16 and 17, strike “OR AN AGENT”; in line 19, strike “OR AGENT”; in line 21, after “(A)” insert “(1)”; in the same line, after “HOLDER” insert “OR AN AUTHORIZED ENTITY”; in line 22, strike “OR AN AGENT”; in lines 22, 25, and 26, in each instance, strike “OR AGENT” and substitute “OR AUTHORIZED ENTITY”; in line 23, after “WHILE” insert “MAKING AVAILABLE OR”; after line 28, insert:

“(2) THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION DO NOT APPLY IF A CERTIFICATE HOLDER OR AN AUTHORIZED ENTITY THAT MAKES AVAILABLE, OR A CERTIFICATE HOLDER WHO ADMINISTERS, AUTO-INJECTABLE EPINEPHRINE TO AN INDIVIDUAL WHO IS EXPERIENCING OR IS BELIEVED BY THE CERTIFICATE HOLDER OR AUTHORIZED ENTITY TO BE EXPERIENCING ANAPHYLAXIS:

(I) FAILS TO FOLLOW STANDARDS AND PROCEDURES FOR STORAGE AND ADMINISTRATION OF AUTO-INJECTABLE EPINEPHRINE; OR

(II) ADMINISTERS AUTO-INJECTABLE EPINEPHRINE THAT IS BEYOND THE MANUFACTURER’S EXPIRATION DATE.;

strike beginning with “AND” in line 31 down through “EPINEPHRINE” in line 32; and in line 33, strike “AN INDIVIDUAL CERTIFIED BY THE DEPARTMENT” and substitute “A CERTIFICATE HOLDER OR AN AUTHORIZED ENTITY”.

On page 6, strike beginning with “AND” in line 3 down through “EPINEPHRINE” in line 4; in lines 4 and 5, strike “AN INDIVIDUAL CERTIFIED BY THE DEPARTMENT” and substitute “A CERTIFICATE HOLDER OR AN AUTHORIZED ENTITY”; and strike in their entirety lines 19 through 27, inclusive.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 968 – Senator Astle

AN ACT concerning

Business Regulation – Home Builder Registration – Fees

SB0968/107079/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 968

(First Reading File Bill)

On page 4, in line 3, strike “**24**” and substitute “**74**”; and in line 5, strike “**25**” and substitute “**75**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #24

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

Senate Bill 56 – Senators Mathias and Astle

AN ACT concerning

Transportation – Chesapeake Bay Bridge Crossing – Environmental Impact Study – Cost Estimate and Payment

SB0056/667077/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 56

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Astle” and substitute “. Astle, Benson, Feldman, Hershey, Jennings, Kelley, Klausmeier, Middleton, Norman, and Pugh”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 354 – Senator Feldman

AN ACT concerning

Petitions for Emergency Evaluation – Minors – Sealing of Court Records

SB0354/317971/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 354

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Feldman” and substitute “Senators Feldman, Kelley, Klausmeier, Mathias, and Middleton”; and in line 13, after “circumstances;” insert “clarifying that a certain provision of law allowing the review of certain court records by certain persons and entities does not apply to the review of certain court records that have been sealed under a certain provision of this Act;”.

AMENDMENT NO. 2

On page 2, in line 1, strike “This” and substitute “**EXCEPT FOR A COURT RECORD SEALED UNDER SUBSECTION (D) OF THIS SECTION, THIS**”; and in line 25, strike “FOR GOOD CAUSE SHOWN” and substitute “**IF:**

(I) THE RECORDS DO NOT INDICATE THAT THE EMERGENCY EVALUEE ENGAGED IN VIOLENT BEHAVIOR AGAINST THE EMERGENCY EVALUEE OR ANOTHER;

(II) THE PETITION DID NOT RESULT IN THE INVOLUNTARY ADMISSION OF THE EMERGENCY EVALUEE; AND

(III) GOOD CAUSE IS SHOWN’.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 899 – Senators Klausmeier, Feldman, Guzzone, Madaleno, and Manno

AN ACT concerning

Maryland Medical Assistance Program – Specialty Mental Health and Substance Use Disorder Services – Parity

SB0899/437271/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 899

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Manno” and substitute “Manno, Astle, Benson, Hershey, Jennings, Kelley, Mathias, Middleton, Pugh, and Reilly”; in line 5, after “regulations” insert “necessary”; in line 6, after “laws;” insert “providing that the Department is not required to adopt certain regulations for certain changes;”; in line 23, after “(A)” insert “(1)”; in the same line, strike “ON” and substitute “SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, ON”; in line 24, after “REGULATIONS” insert “NECESSARY”; and in the same line, after “ENSURE” insert “THAT”.

AMENDMENT NO. 2

On page 2, after line 2, insert:

“(2) THE DEPARTMENT IS NOT REQUIRED TO ADOPT REGULATIONS UNDER PARAGRAPH (1) OF THIS SUBSECTION FOR ANY CHANGE THAT MAY BE MADE THROUGH A PROCESS OTHER THAN THE REGULATORY PROCESS.”;

and in line 3, after “REGULATIONS” insert “ADOPTED UNDER 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.

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

Senate Bill 907 – Senators Middleton, Astle, Conway, DeGrange, Ferguson, Gladden, Guzzone, Kagan, King, Klausmeier, Madaleno, Manno, McFadden, Miller, Muse, Nathan–Pulliam, Peters, Pugh, Ramirez, Raskin, Rosapepe, Zirkin, and Zucker

AN ACT concerning

Transportation – Harry W. Nice Memorial Potomac River Bridge – Replacement

SB0907/187474/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 907

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Zucker” and substitute “Zucker, Benson, Feldman, and Kelley”; in line 7, after “of” insert “no less than”; in line 8, after “years” insert “and under certain circumstances”; and in line 9, after the semicolon, insert “requiring the deposit to be made from a certain balance of funds deposited in a certain account before the balance of funds may be used for a certain purpose; authorizing the Authority to deposit in the Fund an amount that is less than a certain required amount under certain circumstances; and requiring certain video lottery facility revenue distributed to the Fund to supplement, but not supplant, the deposit, subject to a certain exception;”.

AMENDMENT NO. 2

On page 4, in line 10, after “THEREAFTER” insert “AND SUBJECT TO SUBPARAGRAPHS (IV) AND (VI) OF THIS PARAGRAPH”; in the same line, strike “\$75,000,000” and substitute “AT LEAST \$26,000,000”; after line 13, insert:

“(II) THE MONEY REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE DEPOSITED FROM THE BALANCE OF FUNDS THAT ARE DEPOSITED IN THE AUTHORITY’S GENERAL ACCOUNT AFTER THE AUTHORITY HAS, AS REQUIRED UNDER ITS TRUST AGREEMENT AND ANY SUPPLEMENTAL TRUST AGREEMENTS, PAID OR SET ASIDE AMOUNTS TO FUND OR MEET CURRENT EXPENSES, DEBT SERVICE OBLIGATIONS ON BONDS ISSUED BY THE AUTHORITY, MAINTENANCE AND OPERATION RESERVE REQUIREMENTS, AND OTHER RESERVE AND JUNIOR OBLIGATIONS REQUIREMENTS.

(III) THE AUTHORITY SHALL DEPOSIT IN THE FUND THE MONEY REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH FROM THE BALANCE OF FUNDS THAT ARE DEPOSITED IN THE AUTHORITY’S GENERAL ACCOUNT, AS DESCRIBED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, BEFORE THE AUTHORITY MAY USE THE BALANCE OF FUNDS FOR ANY OTHER PURPOSE.

(IV) THE AUTHORITY MAY DEPOSIT IN THE FUND AN AMOUNT THAT IS LESS THAN THE AMOUNT REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IF:

1. THE AUTHORITY DETERMINES THAT AN EMERGENCY CIRCUMSTANCE EXISTS; AND

2. THE LEGISLATIVE POLICY COMMITTEE APPROVES THE REDUCTION IN THE AMOUNT DEPOSITED IN THE FUND.

(V) AN EMERGENCY CIRCUMSTANCE EXISTS UNDER SUBPARAGRAPH (IV) OF THIS PARAGRAPH IF AN UNFORESEEN CIRCUMSTANCE REQUIRES A REDUCTION IN THE AMOUNT THAT MUST BE DEPOSITED IN THE FUND UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IN ORDER FOR THE AUTHORITY TO:

1. REMAIN IN COMPLIANCE WITH REQUIREMENTS OF THE TRUST AGREEMENT AND ANY SUPPLEMENTAL TRUST AGREEMENTS; OR

2. ENSURE THAT THE UNFORESEEN CIRCUMSTANCE DOES NOT ADVERSELY AFFECT THE CONTINUITY OF OPERATIONS AT ONE OR MORE TRANSPORTATION FACILITIES PROJECTS.

(VI) 1. EXCEPT AS PROVIDED UNDER SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, ANY REVENUE DISTRIBUTED TO THE FUND FROM A VIDEO LOTTERY FACILITY LOCATED IN CHARLES COUNTY SHALL SUPPLEMENT, AND MAY NOT SUPPLANT, THE MONEY REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.

2. THE AUTHORITY MAY DEPOSIT IN THE FUND AN AMOUNT THAT IS LESS THAN THE AMOUNT REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IF THE LEGISLATIVE POLICY COMMITTEE:

A. DETERMINES THAT THERE ARE REVENUES DISTRIBUTED TO THE FUND FROM A VIDEO LOTTERY FACILITY LOCATED IN CHARLES COUNTY THAT MAY SUPPLANT ALL OR PART OF THE MONEY REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH; AND

B. APPROVES A REDUCTION IN THE AMOUNT REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.”;

and in lines 14, 17, and 19, strike “(II)”, “(III)”, and “(IV)”, respectively, and substitute “(VII)”, “(VIII)”, and “(IX)”, respectively.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 929 – Senators Klausmeier and Feldman

AN ACT concerning

Health Benefit Plans – Network Access Standards and

Provider Network Directories**SB0929/817374/1**

BY: Finance Committee

AMENDMENTS TO SENATE BILL 929

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Feldman” and substitute “. Kelley, Feldman, Astle, Benson, Hershey, Jennings, Mathias, Middleton, Pugh, and Reilly”; in line 8, strike “and approval”; strike beginning with “authorizing” in line 10 down through “manner” in line 13 and substitute “authorizing the Commissioner to order corrective action under certain circumstances; requiring the Commissioner to deny inspection of the parts of a certain plan that contain certain confidential information; requiring certain regulations to identify the parts of a certain plan that may be considered confidential by the carrier”; strike beginning with “establishing” in line 16 down through “circumstances;” in line 23 and substitute “authorizing the Commissioner to take into consideration certain factors in adopting the regulations; requiring the Commissioner, in consultation with certain persons, to adopt regulations, on or before a certain date, that specify certain standards for dental services; requiring a carrier to have certain means by which enrollees and prospective enrollees may notify the carrier of certain information;”; in line 25, after “carriers” insert “periodically to review a certain sample of their network directory for a certain purpose and retain documentation of the review or”; strike beginning with “requiring” in line 27 down through “circumstances;” in line 28; and in line 29, after “information;” insert “requiring certain certification standards established by the Maryland Health Benefit Exchange to be consistent with certain provisions of law and prohibiting the standards from being implemented before a certain date; requiring a certain carrier to make the carrier’s network directory available to certain enrollees in a certain manner; requiring a certain carrier’s network directory to include certain information; requiring a certain carrier to notify each enrollee at certain times about how to obtain certain information; requiring certain information to be accurate on a certain date; requiring a certain carrier to update certain information at certain intervals; requiring the Commissioner to take into account certain factors before imposing a penalty on a certain carrier for inaccurate network directory information;”.

On page 2, in line 6, after “circumstances;” insert “specifying the provisions of State insurance law relating to provider panels that apply to managed care organizations; repealing a requirement that certain carriers that use provider panels adhere to certain”.

standards for accessibility of covered services in accordance with certain regulations; repealing a requirement that certain standards for health maintenance organizations set out in regulations adopted by the Secretary of Health and Mental Hygiene include provisions for assuring that certain services are accessible; repealing a certain condition for an insurer or nonprofit health service plan to receive authorization from the Commissioner to offer a certain insurance policy; authorizing the Commissioner to designate a certain system under certain circumstances; requiring a carrier to accept certain information for a provider submitted in a certain manner, from certain persons;”; in line 7, after “of” insert “certain provisions of”; in the same line, after “Act;” insert “providing for a delayed effective date for certain provisions of this Act;”; after line 8, insert:

“BY repealing and reenacting, with amendments,

Article – Health – General

Section 15–102.3(a) and 19–705.1(b)(1)(i)

Annotated Code of Maryland

(2015 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Health – General

Section 19–705.1(a)

Annotated Code of Maryland

(2015 Replacement Volume)”;

in line 11, strike “15–112” and substitute “14–205.1(a), 15–112,”; and after line 13, insert:

“BY repealing and reenacting, with amendments,

Article – Insurance

Section 15–112(n) and (p)

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

(As enacted by Section 1 of this Act)

BY adding to

Article – Insurance

Section 15–112.3 and 31–115(m)

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)”.
AMENDMENT NO. 2

On page 2, after line 15, insert:

“Article – Health – General

15–102.3.

(a) The provisions of [§ 15–112] § 15–112(B)(1)(II) AND (2), (E) THROUGH (L), (Q), (R), AND (T) of the Insurance Article (Provider panels) shall apply to managed care organizations in the same manner they apply to carriers.

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;]”;

and after line 16, insert:

“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.”.

On page 4, in line 1, strike “1.”; in the same line, after “plan,” insert “HEALTH MAINTENANCE ORGANIZATION,”; in line 4, after “enrollees;” insert “AND”; and strike in their entirety lines 5 through 12, inclusive.

AMENDMENT NO. 3

On page 3, in line 12, after “(8)” insert “(1)”; strike beginning with “A” in line 12 down through “INDIVIDUALS” in line 14 and substitute “A HEALTH CARE SETTING OR INSTITUTION PROVIDING PHYSICAL, MENTAL, OR SUBSTANCE USE DISORDER HEALTH CARE SERVICES.”

(II) “HEALTH CARE FACILITY” INCLUDES:

1. A HOSPITAL;
2. AN AMBULATORY SURGICAL OR TREATMENT CENTER;
3. A SKILLED NURSING FACILITY;
4. A RESIDENTIAL TREATMENT CENTER;
5. AN URGENT CARE CENTER;
6. A DIAGNOSTIC, LABORATORY, OR IMAGING CENTER;
7. A REHABILITATION FACILITY; AND

8. ANY OTHER THERAPEUTIC HEALTH CARE SETTING”;

after line 16, insert:

“(10) “NETWORK” MEANS A CARRIER’S PARTICIPATING PROVIDERS AND THE HEALTH CARE FACILITIES WITH WHICH A CARRIER CONTRACTS TO PROVIDE HEALTH CARE SERVICES TO THE CARRIER’S ENROLLEES UNDER THE CARRIER’S HEALTH BENEFIT PLAN.

(11) “NETWORK DIRECTORY” MEANS A LIST OF A CARRIER’S PARTICIPATING PROVIDERS AND PARTICIPATING HEALTH CARE FACILITIES.”;

and in lines 17, 19, 22, and 25, strike “(10)”, “(11)”, “(12)”, and “(13)”, respectively, and substitute “(12)”, “(13)”, “(14)”, and “(15)”, respectively.

AMENDMENT NO. 4

On page 5, in line 7, after “(II)” insert “1.”; in line 8, after “PROVIDERS” insert “, INCLUDING ESSENTIAL COMMUNITY PROVIDERS,”; in line 9, after “INDIVIDUALS” insert “; OR

2. FOR A CARRIER THAT PROVIDES A MAJORITY OF COVERED PROFESSIONAL SERVICES THROUGH PHYSICIANS EMPLOYED BY A SINGLE CONTRACTED MEDICAL GROUP AND THROUGH HEALTH CARE PROVIDERS EMPLOYED BY THE CARRIER, INCLUDE ALTERNATIVE STANDARDS FOR ADDRESSING THE NEEDS OF LOW-INCOME, MEDICALLY UNDERSERVED INDIVIDUALS”;

in lines 16 and 27, in each instance, strike “AND APPROVAL”; in line 21, strike “PROVIDER NETWORK” and substitute “ACCESS PLAN”; and after line 27, insert:

“(III) THE COMMISSIONER MAY ORDER CORRECTIVE ACTION IF, AFTER REVIEW, THE ACCESS PLAN IS DETERMINED NOT TO MEET THE REQUIREMENTS OF THIS SUBSECTION.”.

On pages 5 and 6, strike in their entirety the lines beginning with line 28 on page 5 through line 4 on page 6, inclusive, and substitute:

“(3) (I) IN ACCORDANCE WITH § 4-335 OF THE GENERAL PROVISIONS ARTICLE, THE COMMISSIONER SHALL DENY INSPECTION OF THE PARTS OF THE ACCESS PLAN FILED UNDER THIS SUBSECTION THAT CONTAIN CONFIDENTIAL COMMERCIAL INFORMATION OR CONFIDENTIAL FINANCIAL INFORMATION.

(II) THE REGULATIONS ADOPTED BY THE COMMISSIONER UNDER SUBSECTION (D) OF THIS SECTION SHALL IDENTIFY THE PARTS OF THE ACCESS PLAN THAT MAY BE CONSIDERED CONFIDENTIAL BY THE CARRIER.”

AMENDMENT NO. 5

On page 6, strike beginning with the colon in line 15 down through the comma in line 16; in line 17, after “AND” insert “**, IF APPLICABLE,**”; strike beginning with “AND” in line 18 down through the semicolon in line 21; in line 29, after “(V)” insert “**1.**”; in the same line, after “PROVIDERS” insert “**, INCLUDING ESSENTIAL COMMUNITY PROVIDERS,**”; and in line 31, after the semicolon insert “**OR**

2. FOR A CARRIER THAT PROVIDES A MAJORITY OF COVERED PROFESSIONAL SERVICES THROUGH PHYSICIANS EMPLOYED BY A SINGLE CONTRACTED MEDICAL GROUP AND THROUGH HEALTH CARE PROVIDERS EMPLOYED BY THE CARRIER, THE CARRIER’S EFFORTS TO ADDRESS THE NEEDS OF LOW-INCOME, MEDICALLY UNDERSERVED INDIVIDUALS;”

AMENDMENT NO. 6

On page 7, in lines 4 and 5, strike “AND AT LEAST QUARTERLY”; in line 7, after “(D)” insert “**(1)**”; in lines 11 and 12, strike “**, INCLUDING CRITERIA RELATING TO**” and substitute “**.**

(2) IN ADOPTING THE REGULATIONS, THE COMMISSIONER MAY TAKE INTO CONSIDERATION”;

and in lines 13, 16, 19, 20, 21, 22, 23, 25, 26, 27, and 29, strike “(1)”, “(2)”, “(3)”, “(4)”, “(5)”, “(6)”, “(7)”, “(I)”, “(II)”, “1.”, and “2.”, respectively, and substitute “(I)”, “(II)”, “(III)”, “(IV)”, “(V)”, “(VI)”, “(VII)”, “1.”, “2.”, “A.”, and “B.”, respectively.

On page 8, in lines 1, 3, and 6, strike “(III)”, “(8)”, and “(9)”, respectively, and substitute “3.”, “(VIII)”, and “(IX)”, respectively; in line 5, strike “AND”; and in line 8, after “SERVICES” insert “;

(X) ANY STANDARDS ADOPTED BY THE FEDERAL CENTERS FOR MEDICARE AND MEDICAID SERVICES OR USED BY THE FEDERALLY FACILITATED MARKETPLACE; AND

(XI) ANY STANDARDS ADOPTED BY ANOTHER STATE”.

AMENDMENT NO. 7

On page 8, after line 8, insert:

“(E) (1) ON OR BEFORE DECEMBER 31, 2017, FOR A CARRIER THAT IS A DENTAL PLAN ORGANIZATION OR AN INSURER OR NONPROFIT HEALTH SERVICE PLAN THAT PROVIDES COVERAGE FOR DENTAL SERVICES, THE COMMISSIONER, IN CONSULTATION WITH APPROPRIATE STAKEHOLDERS, SHALL ADOPT REGULATIONS TO SPECIFY THE STANDARDS UNDER SUBSECTION (B)(1)(I) OF THIS SECTION FOR DENTAL SERVICES.

(2) THE REGULATIONS SHALL:

(I) ENSURE THAT ALL ENROLLEES, INCLUDING ADULTS AND CHILDREN, HAVE ACCESS TO PROVIDERS AND COVERED SERVICES WITHOUT UNREASONABLE DELAY AND TRAVEL;

(II) ENSURE ACCESS TO PROVIDERS, INCLUDING ESSENTIAL COMMUNITY PROVIDERS, THAT SERVE PREDOMINANTLY LOW-INCOME, MEDICALLY UNDERSERVED INDIVIDUALS; AND

(III) REQUIRE THE CARRIER TO SPECIFY HOW THE CARRIER WILL MONITOR, ON AN ONGOING BASIS, THE ABILITY OF ITS PARTICIPATING PROVIDERS TO PROVIDE COVERED SERVICES TO ITS ENROLLEES.

(3) IN ESTABLISHING THE STANDARDS FOR DENTAL SERVICES, THE COMMISSIONER MAY CONSIDER THE APPROPRIATENESS OF QUANTITATIVE AND NONQUANTITATIVE CRITERIA.”;

and in lines 9 and 16, strike “(E)” and “(F)”, respectively, and substitute “(F)” and “(G)”, respectively.

On page 9, in line 4, strike “(U)” and substitute “(V)”.

On page 10, in lines 5, 15, 16, and 25, strike “(G)”, “(K)”, “(H)”, and “(I)”, respectively, and substitute “(H)”, “(L)”, “(I)”, and “(J)”, respectively.

On page 12, in lines 7, 10, 14, 18, 30, and 33, strike “(J)”, “(K)”, “(K)”, “(L)”, “(M)”, and “(i)”, respectively, and substitute “(K)”, “(L)”, “(L)”, “(M)”, “(N)”, and “(1)”, respectively; and in line 30, strike “(1)”.

On page 13, in line 1, strike “(ii)” and substitute “(2)”.

On page 16, in line 23, strike “(O)” and substitute “(P)”.

AMENDMENT NO. 8

On page 12, in line 30, strike the second set of brackets; and in the same line, strike “SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A”.

On pages 13 through 16, strike in their entirety the lines beginning with line 3 on page 13 through line 17 on page 16, inclusive, and substitute:

“(O) (1) A CARRIER SHALL HAVE A CUSTOMER SERVICE TELEPHONE NUMBER, E-MAIL ADDRESS LINK, OR OTHER ELECTRONIC MEANS BY WHICH ENROLLEES AND PROSPECTIVE ENROLLEES MAY NOTIFY THE CARRIER OF INACCURATE INFORMATION IN THE CARRIER’S NETWORK DIRECTORY.”

On page 16, in line 18, strike “(7)” and substitute “(2)”; in line 19, after “DIRECTORY” insert “**BY A PERSON OTHER THAN THE PROVIDER**”; in the same line, after “THE” insert “**REPORTED**”; in line 21, strike “15” and substitute “**45**”; in the same line, after “RECEIVING” insert “**THE**”; in lines 21 and 22, strike “OF THE POTENTIAL

INACCURACY”; and in lines 28 and 31, in each instance, strike “SUBSECTIONS (M) AND (N)” and substitute “SUBSECTION (N)”.

On page 17, in lines 1, 17, 22, and 28, strike “(S)”, “(P)”, “(Q)”, and “(R)”, respectively, and substitute “(T)”, “(Q)”, “(R)”, and “(S)”, respectively; in line 2, strike “SUBSECTIONS (M) AND (N)” and substitute “SUBSECTION (N)”; and strike in their entirety lines 4 through 16, inclusive, and substitute:

“(3) A CARRIER SHALL:

(I) 1. PERIODICALLY REVIEW AT LEAST A REASONABLE SAMPLE SIZE OF ITS NETWORK DIRECTORY FOR ACCURACY; AND

2. RETAIN DOCUMENTATION OF THE REVIEW AND MAKE THE REVIEW AVAILABLE TO THE COMMISSIONER ON REQUEST; OR

(II) CONTACT PROVIDERS LISTED IN THE CARRIER’S NETWORK DIRECTORY WHO HAVE NOT SUBMITTED A CLAIM IN THE LAST 6 MONTHS TO DETERMINE IF THE PROVIDERS INTEND TO REMAIN IN THE CARRIER’S PROVIDER NETWORK.”.

On page 18, in lines 7, 18, and 32, strike “(S)”, “(T)”, and “(U)”, respectively, and substitute “(T)”, “(U)”, and “(V)”, respectively; in line 7, strike the second set of brackets; in line 9, strike “SUBSECTIONS (M) AND (N)” and substitute “SUBSECTION (N)”; in line 10, strike “notification” and substitute “ELECTRONIC NOTIFICATION OR NOTIFICATION BY FIRST-CLASS MAIL TRACKING METHOD”; in line 12, strike the bracket; in line 17, strike the bracket; and in line 32, strike “(F)(3)(III)” and substitute “(G)(3)(III)”.

On page 19, in lines 7, 23, 24, and 27, strike “(V)”, “(F)(3)(I)1”, “(F)(3)(III)2”, and “(F)(3)(III)2”, respectively, and substitute “(W)”, “(G)(3)(I)1”, “(G)(3)(III)2”, and “(G)(3)(III)2”, respectively; and in line 7, strike “(T)(1)” and substitute “(U)(1)”.

AMENDMENT NO. 9

On page 20, after line 15, insert:

“31-115.

(M) ANY CERTIFICATION STANDARDS ESTABLISHED UNDER SUBSECTION (K) OF THIS SECTION RELATED TO NETWORK ADEQUACY OR NETWORK DIRECTORY ACCURACY:

(1) SHALL BE CONSISTENT WITH THE PROVISIONS OF § 15-112 OF THIS ARTICLE; AND

(2) MAY NOT BE IMPLEMENTED UNTIL JANUARY 1, 2019.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Insurance

15-112.

(n) (1) A carrier shall make THE CARRIER'S NETWORK DIRECTORY available to prospective enrollees on the Internet and, on request of a prospective enrollee, in printed form[:

(1) a list of providers on the carrier's provider panel; and

(2) information on providers that are no longer accepting new patients].

(2) THE CARRIER'S NETWORK DIRECTORY ON THE INTERNET SHALL BE AVAILABLE:

(I) THROUGH A CLEAR LINK OR TAB; AND

(II) IN A SEARCHABLE FORMAT.

(3) THE NETWORK DIRECTORY SHALL INCLUDE:

(I) FOR EACH PROVIDER ON THE CARRIER'S PROVIDER PANEL:

1. THE NAME OF THE PROVIDER;

2. THE SPECIALTY AREAS OF THE PROVIDER;
 3. WHETHER THE PROVIDER CURRENTLY IS ACCEPTING NEW PATIENTS;
 4. FOR EACH OFFICE OF THE PROVIDER WHERE THE PROVIDER PARTICIPATES ON THE PROVIDER PANEL:
 - A. ITS LOCATION, INCLUDING ITS ADDRESS; AND
 - B. CONTACT INFORMATION FOR THE PROVIDER;
 5. THE GENDER OF THE PROVIDER, IF THE PROVIDER NOTIFIES THE CARRIER OR THE MULTI-CARRIER COMMON ONLINE PROVIDER DIRECTORY INFORMATION SYSTEM DESIGNATED UNDER § 15-112.3 OF THIS SUBTITLE OF THE INFORMATION; AND
 6. ANY LANGUAGES SPOKEN BY THE PROVIDER OTHER THAN ENGLISH, IF THE PROVIDER NOTIFIES THE CARRIER OR THE MULTI-CARRIER COMMON ONLINE PROVIDER DIRECTORY INFORMATION SYSTEM DESIGNATED UNDER § 15-112.3 OF THIS SUBTITLE OF THE INFORMATION;
- (II) FOR EACH HEALTH CARE FACILITY IN THE CARRIER'S NETWORK:
1. THE HEALTH CARE FACILITY'S NAME;
 2. THE HEALTH CARE FACILITY'S ADDRESS;
 3. THE TYPES OF SERVICES PROVIDED BY THE HEALTH CARE FACILITY; AND
 4. CONTACT INFORMATION FOR THE HEALTH CARE FACILITY; AND

(III) A STATEMENT THAT ADVISES ENROLLEES AND PROSPECTIVE ENROLLEES TO CONTACT A PROVIDER OR A HEALTH CARE FACILITY BEFORE SEEKING TREATMENT OR SERVICES, TO CONFIRM THE PROVIDER'S OR HEALTH CARE FACILITY'S PARTICIPATION IN THE CARRIER'S NETWORK.

(p) (1) A carrier shall notify each enrollee at the time of initial enrollment and renewal about how to access or obtain the information required under subsection (n) of this section.

(2) (i) 1. Information provided in printed form under subsection (n) of this section shall be [updated] ACCURATE ON THE DATE OF PUBLICATION.

2. A CARRIER SHALL UPDATE THE INFORMATION PROVIDED IN PRINTED FORM at least once a year.

(ii) 1. [Subject to subsection (t) of this section, information] INFORMATION provided on the Internet under subsection (n) of this section shall be [updated] ACCURATE ON THE DATE OF INITIAL POSTING AND ANY UPDATE.

2. IN ADDITION TO THE REQUIREMENT TO UPDATE ITS PROVIDER INFORMATION UNDER SUBSECTION (T)(1) OF THIS SECTION, A CARRIER SHALL UPDATE THE INFORMATION PROVIDED ON THE INTERNET at least once every 15 days.

(3) A carrier shall:

(i) 1. periodically review at least a reasonable sample size of its network directory for accuracy; and

2. retain documentation of the review and make the review available to the Commissioner on request; or

(ii) contact providers listed in the carrier's network directory who have not submitted a claim in the last 6 months to determine if the providers intend to remain in the carrier's provider network.

(4) A CARRIER SHALL DEMONSTRATE THE ACCURACY OF THE INFORMATION PROVIDED UNDER PARAGRAPH (3) OF THIS SUBSECTION ON REQUEST OF THE COMMISSIONER.

(5) BEFORE IMPOSING A PENALTY AGAINST A CARRIER FOR INACCURATE NETWORK DIRECTORY INFORMATION, THE COMMISSIONER SHALL TAKE INTO ACCOUNT, IN ADDITION TO ANY OTHER FACTORS REQUIRED BY LAW, WHETHER:

(I) THE CARRIER AFFORDED A PROVIDER OR OTHER PERSON IDENTIFIED IN § 15-112.3(C) OF THIS SUBTITLE AN OPPORTUNITY TO REVIEW AND UPDATE THE PROVIDER'S NETWORK DIRECTORY INFORMATION:

1. THROUGH THE MULTI-CARRIER COMMON ONLINE PROVIDER DIRECTORY INFORMATION SYSTEM DESIGNATED UNDER § 15-112.3 OF THIS SUBTITLE; OR

2. DIRECTLY WITH THE CARRIER;

(II) THE CARRIER CAN DEMONSTRATE THE EFFORTS MADE, IN WRITING, ELECTRONICALLY, OR BY TELEPHONE, TO OBTAIN UPDATED NETWORK DIRECTORY INFORMATION FROM A PROVIDER OR OTHER PERSON IDENTIFIED IN § 15-112.3(C) OF THIS SUBTITLE;

(III) THE CARRIER HAS CONTACTED A PROVIDER LISTED IN THE CARRIER'S NETWORK DIRECTORY WHO HAS NOT SUBMITTED A CLAIM IN THE LAST 6 MONTHS TO DETERMINE IF THE PROVIDER INTENDS TO REMAIN ON THE CARRIER'S PROVIDER PANEL;

(IV) THE CARRIER INCLUDES IN ITS NETWORK DIRECTORY THE LAST DATE THAT A PROVIDER UPDATED THE PROVIDER'S INFORMATION;

(V) THE CARRIER HAS IMPLEMENTED ANY OTHER PROCESS OR PROCEDURE TO:

1. ENCOURAGE PROVIDERS TO UPDATE THEIR NETWORK DIRECTORY INFORMATION; OR

2. INCREASE THE ACCURACY OF ITS NETWORK DIRECTORY; AND

(VI) A PROVIDER OR OTHER PERSON IDENTIFIED IN § 15-112.3(C) OF THIS SUBTITLE HAS NOT UPDATED THE PROVIDER'S NETWORK DIRECTORY INFORMATION, DESPITE OPPORTUNITIES TO DO SO.

15-112.3.

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

(2) (I) "CARRIER" HAS THE MEANING STATED IN § 15-112 OF THIS SUBTITLE.

(II) "CARRIER" DOES NOT INCLUDE A MANAGED CARE ORGANIZATION, AS DEFINED IN TITLE 15, SUBTITLE 1 OF THE HEALTH – GENERAL ARTICLE.

(3) "MULTI-CARRIER COMMON ONLINE PROVIDER DIRECTORY INFORMATION SYSTEM" MEANS THE SYSTEM DESIGNATED BY THE COMMISSIONER FOR USE BY PROVIDERS TO PROVIDE AND UPDATE THEIR NETWORK DIRECTORY INFORMATION WITH CARRIERS.

(B) THE COMMISSIONER MAY DESIGNATE A MULTI-CARRIER COMMON ONLINE PROVIDER DIRECTORY INFORMATION SYSTEM DEVELOPED BY A NONPROFIT ALLIANCE OF HEALTH PLANS AND TRADE ASSOCIATIONS IF:

(1) THE SYSTEM IS AVAILABLE TO PROVIDERS NATIONALLY;

(2) THE SYSTEM IS AVAILABLE TO PROVIDERS AT NO CHARGE;

(3) THE SYSTEM ALLOWS PROVIDERS TO:

(I) ATTEST ONLINE TO THE ACCURACY OF THEIR INFORMATION; AND

(II) 1. CORRECT ANY INACCURATE INFORMATION; AND

2. ATTEST TO THE CORRECTION; AND

(4) THE NONPROFIT ALLIANCE HAS A WELL-ESTABLISHED MECHANISM FOR OUTREACH TO PROVIDERS.

(C) A CARRIER SHALL ACCEPT NEW AND UPDATED NETWORK DIRECTORY INFORMATION FOR A PROVIDER SUBMITTED:

(1) (I) THROUGH THE MULTI-CARRIER COMMON ONLINE PROVIDER DIRECTORY INFORMATION SYSTEM; OR

(II) DIRECTLY TO THE CARRIER; AND

(2) FROM:

(I) THE PROVIDER;

(II) A HOSPITAL OR ACADEMIC MEDICAL CENTER THAT:

1. IS A PARTICIPATING PROVIDER ON THE CARRIER'S PROVIDER PANEL; AND

2. ACTS AS A CREDENTIALING INTERMEDIARY FOR THE CARRIER FOR PROVIDERS THAT:

A. PARTICIPATE ON THE CARRIER'S PROVIDER PANEL;

AND

B. HAVE PRIVILEGES AT THE HOSPITAL OR ACADEMIC MEDICAL CENTER; OR

(III) ANY OTHER PERSON THAT PERFORMS CREDENTIALING FUNCTIONS ON BEHALF OF A PROVIDER.”.

AMENDMENT NO. 10

On page 23, in line 2, strike “CONSISTENT” and substitute “IN ACCORDANCE”; in the same line, after “THE” insert “TIMELINESS”; and in line 7, strike “; OR” and substitute a period.

AMENDMENT NO. 11

On page 24, in line 2, strike “15-112(M)(1)” and substitute “15-112(N)(1)”; strike in their entirety lines 4 and 5 and substitute:

“SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect January 1, 2017.”;

in line 6, strike “3.” and substitute “4.”; and in the same line, after “That” insert “, except as provided in Section 3 of this Act.”.

The preceding 11 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1099 – Senators Feldman, Kagan, King, Lee, Madaleno, Manno, Raskin, and Zucker

EMERGENCY BILL

AN ACT concerning

State Highway Administration – Watkins Mill Road Interchange Project

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 756 – Senators Madaleno, Ferguson, Guzzone, Manno, Pugh, and Raskin

AN ACT concerning

**Primary and Secondary Education – Breakfast Program – School Requirements
(Breakfast After the Bell Act)**

SB0756/319439/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 756

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “a” and substitute “an optional”; in the same line, after “State” insert “for certain public schools”; in line 5, after the first “certain” insert “participating”; in line 7, after the second “certain” insert “participating”; and strike beginning with “authorizing” in line 11 down through “schools” in line 12 and substitute “requiring participating public schools to participate for an entire school year; providing for certain notification requirements; requiring the State to reimburse participating public schools for certain meals; requiring the State Department of Education to establish certain reimbursement procedures; requiring the Department to make a certain report to the General Assembly on or before certain dates”.

AMENDMENT NO. 2

On page 2, in line 20, after “(B)” insert “(1)”; in the same line, strike “A” and substitute “AN OPTIONAL”; after line 20, insert:

“(2) ONLY PUBLIC SCHOOLS THAT MEET THE FREE OR REDUCED-PRICE LUNCH OR DIRECT CERTIFICATION CRITERIA IN SUBSECTION (D) OF THIS SECTION MAY PARTICIPATE.”;

in lines 24 and 31, in each instance, strike “EACH” and substitute “A”; in lines 24 and 31, in each instance, strike “IN THE”; and in lines 25 and 32, in each instance, strike “STATE”.

On page 3, in line 7, strike “EACH” and substitute “A”; in the same line, strike “IN THE STATE”; and strike beginning with “THE” in line 28 down through “PROGRAM” in line 31 and substitute:

“(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A PUBLIC SCHOOL THAT PARTICIPATES IN THE PROGRAM IN ONE YEAR IS NOT REQUIRED TO CONTINUE TO PARTICIPATE IN ANY SUBSEQUENT YEAR.

(2) A PUBLIC SCHOOL THAT PARTICIPATES IN THE PROGRAM SHALL PARTICIPATE FOR AN ENTIRE SCHOOL YEAR.

(G) (1) A PUBLIC SCHOOL THAT PARTICIPATES IN THE PROGRAM SHALL NOTIFY THE DEPARTMENT OF ITS PARTICIPATION BEFORE THE BEGINNING OF THE SCHOOL YEAR.

(2) THE STATE SHALL REIMBURSE A PUBLIC SCHOOL FOR EACH FREE BREAKFAST PROVIDED UNDER THIS SECTION.

(3) THE DEPARTMENT SHALL ESTABLISH PROCEDURES FOR REIMBURSEMENT INCLUDING:

(I) THE REIMBURSEMENT SCHEDULE; AND

(II) DOCUMENTATION THAT A PUBLIC SCHOOL MUST PROVIDE THE DEPARTMENT TO VERIFY THE REIMBURSEMENT AMOUNT”.

AMENDMENT NO. 3

On page 3, after line 31, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before July 1 of 2017, 2018, and 2019, the State Department of Education shall report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on the implementation of this Act. The report shall include:

(1) the number of schools participating in each county;

(2) the number of free breakfasts provided;

(3) the number of students participating; and

(4) any adjustments made to the school day and transportation schedule.”;

and in line 32, strike “2.” and substitute “3.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 936 – Senator Manno

AN ACT concerning

Maryland Clean Energy Incentive Act of 2016

SB0936/589432/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 936

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “date;” insert “altering the definition of “qualified Maryland facility” for purposes of eligibility for the credit;” .

AMENDMENT NO. 2

On page 2, strike beginning with the colon in line 17 down through “(i)” in line 18; strike beginning with the semicolon in line 20 down through “service” in line 24; and in line 25, strike “paragraphs (2) and (3)” and substitute “**PARAGRAPH (2)**” .

On page 3, strike beginning with “If” in line 4 down through “(3)” in line 8.

The preceding 2 amendments were read only.

Senator Hershey moved, duly seconded, to make the Bill and Amendments a Special Order for the end of today's business.

The motion was adopted.

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

Senate Bill 998 – Senator Waugh

AN ACT concerning

St. Mary's County – Property Tax Credit – New or Expanding Businesses

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 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.

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

Senate Bill 1107 – Senators Manno, Edwards, Feldman, Hough, King, Madaleno, McFadden, Serafini, and Young

AN ACT concerning

Biotechnology Investment Tax Credit – Qualified Maryland Biotechnology Company – Definition

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1119 – Senator Rosapepe (By Request – Joint Committee on the Management of Public Funds) and Senators Benson and Madaleno

State Treasurer – Supranational Issuers

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 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**

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

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

Affirmative – 44 Negative – 0 (See Roll Call No. 628)

The Bill was then sent to the House of Delegates.

Senate Bill 954 – Senator Klausmeier

AN ACT concerning

**State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration
Contractors – Maintenance Technician – License Requirements**

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

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 629)

ADJOURNMENT

At 12:42 P.M. on motion of Senator Pugh, seconded, the Senate adjourned until 12:42 P.M. on Legislative Day March 19, 2016, Calendar Day, Monday, March 21, 2016.

Annapolis, Maryland
Legislative Day: March 19, 2016
Calendar Day: Monday, March 21, 2016
12:42 P.M. Session

The Senate met at 12:42 P.M.

QUORUM CALL

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

(See Roll Call No. 630)

On motion of Senator Pugh it was ordered that Senators Benson, DeGrange and Gladden be excused from today's session.

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

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #55

Senate Bill 462 – Senator Conway

AN ACT concerning

Public Health – Copies of Medical Records – Fees

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

Affirmative – 43 Negative – 0 (See Roll Call No. 631)

The Bill was then sent to the House of Delegates.

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 – 44 Negative – 0 (See Roll Call No. 632)

The Bill was then sent to the House of Delegates.

Senate Bill 497 – Senators Guzzone, Astle, Benson, Conway, Currie, Feldman, Ferguson, Kagan, Kelley, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Nathan-Pulliam, Peters, Pinsky, Pugh, Ramirez, Raskin, Rosapepe, Waugh, Young, ~~and Zirkin~~ Zirkin, and Zucker

AN ACT concerning

Behavioral Health Community Providers – Keep the Door Open Act

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

Affirmative – 35 Negative – 9 (See Roll Call No. 633)

The Bill was then sent to the House of Delegates.

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 – 43 Negative – 1 (See Roll Call No. 634)

The Bill was then sent to the House of Delegates.

Senate Bill 777 – Senators Astle and Hershey

AN ACT concerning

Unemployment Insurance – Exemption From Covered Employment – Messenger Service Business

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

Affirmative – 44 Negative – 0 (See Roll Call No. 635)

The Bill was then sent to the House of Delegates.

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

Senator Raskin moved, duly seconded, to place **Senate Bill 840** back on second reading for the purpose of adding amendments.

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

Affirmative – 8 Negative – 36 (See Roll Call No. 636)

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

Affirmative – 37 Negative – 8 (See Roll Call No. 637)

The Bill was then sent to the House of Delegates.

Senate Bill 843 – The President (By Request – Maryland Economic Development and Business Climate Commission)

AN ACT concerning

Tax Credits – Evaluations and Sunset Provisions

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

Affirmative – 45 Negative – 0 (See Roll Call No. 638)

The Bill was then sent to the House of Delegates.

Senate Bill 912 – Senator Feldman

AN ACT concerning

**Clean Energy Loan Program – Residential Property – ~~Repayment of Loans~~
Through Surcharge Study**

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

Affirmative – 45 Negative – 0 (See Roll Call No. 639)

The Bill was then sent to the House of Delegates.

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 – 45 Negative – 0 (See Roll Call No. 640)

The Bill was then sent to the House of Delegates.

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 – 45 Negative – 0 (See Roll Call No. 641)

The Bill was then sent to the House of Delegates.

Senate Bill 1113 – Senator Eckardt

AN ACT concerning

Talbot County – Deer Management Permit – Firearms

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

Affirmative – 43 Negative – 0 (See Roll Call No. 642)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #56

**Senate Bill 115 – ~~Chair, Budget and Taxation Committee (By Request –~~
~~Departmental Assessments and Taxation) Senator Kasemeyer~~**

AN ACT concerning

Property Tax Assessments – Inspection of Property

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

Affirmative – 41 Negative – 3 (See Roll Call No. 644)

The Bill was then sent to the House of Delegates.

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 – 45 Negative – 0 (See Roll Call No. 645)

The Bill was then sent to the House of Delegates.

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 – 42 Negative – 2 (See Roll Call No. 646)

The Bill was then sent to the House of Delegates.

Senate Bill 215 – Senators Norman, Hough, Klausmeier, Muse, Ramirez, Ready, and Salling

AN ACT concerning

Criminal Procedure – Expungement – Nolle Prosequi

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

Affirmative – 44 Negative – 0 (See Roll Call No. 647)

The Bill was then sent to the House of Delegates.

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 – 31 Negative – 14 (See Roll Call No. 648)

The Bill was then sent to the House of Delegates.

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 – 45 Negative – 0 (See Roll Call No. 649)

The Bill was then sent to the House of Delegates.

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 – 45 Negative – 0 (See Roll Call No. 650)

The Bill was then sent to the House of Delegates.

Senate Bill 413 – Senators Guzzone, Middleton, Raskin, Currie, Feldman, Ferguson, Kagan, Kelley, King, Klausmeier, Madaleno, Manno, Mathias, McFadden, Nathan-Pulliam, Peters, Pinsky, Reilly, ~~and Rosapepe~~ Rosapepe, and Benson

AN ACT concerning

**Developmental Disabilities Administration – Crisis Resolution and Prevention
Resolution Services – Funding and Reporting**

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

Affirmative – 41 Negative – 4 (See Roll Call No. 651)

The Bill was then sent to the House of Delegates.

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 – 39 Negative – 5 (See Roll Call No. 652)

The Bill was then sent to the House of Delegates.

Senate Bill 953 – Senator Ready

AN ACT concerning

~~Consumer Protection~~ State Fire Marshal – Unauthorized Billing – Prohibition

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

Affirmative – 44 Negative – 0 (See Roll Call No. 653)

The Bill was then sent to the House of Delegates.

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 – 45 Negative – 0 (See Roll Call No. 654)

The Bill was then sent to the House of Delegates.

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 – 45 Negative – 0 (See Roll Call No. 655)

The Bill was then sent to the House of Delegates.

Senate Bill 999 – Senator Waugh

AN ACT concerning

St. Mary’s County – Keeper of the Jail – Repeal

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

Affirmative – 45 Negative – 0 (See Roll Call No. 656)

The Bill was then sent to the House of Delegates.

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 – 45 Negative – 0 (See Roll Call No. 657)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #57**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 – 45 Negative – 0 (See Roll Call No. 658)

The Bill was then sent to the House of Delegates.

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 – 45 Negative – 0 (See Roll Call No. 659)

The Bill was then sent to the House of Delegates.

Senate Bill 377 – The President (By Request – Administration)

AN ACT concerning

Admissions and Amusement Tax – Revenue Distribution – Maryland State Arts Council

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

Affirmative – 45 Negative – 0 (See Roll Call No. 660)

The Bill was then sent to the House of Delegates.

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 – 45 Negative – 0 (See Roll Call No. 661)

The Bill was then sent to the House of Delegates.

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 – 45 Negative – 0 (See Roll Call No. 662)

The Bill was then sent to the House of Delegates.

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 – 45 Negative – 0 (See Roll Call No. 663)

The Bill was then sent to the House of Delegates.

Senate Bill 673 – Senator DeGrange

AN ACT concerning

Personal Property Tax – ~~Public Land and Public Use~~ State Land – Exemption

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

Affirmative – 45 Negative – 0 (See Roll Call No. 664)

The Bill was then sent to the House of Delegates.

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 – 31 Negative – 14 (See Roll Call No. 665)

The Bill was then sent to the House of Delegates.

Senate Bill 875 – Senator Serafini

AN ACT concerning

**State Retirement and Pension System – ~~Line of Duty and Non-Line of Duty
Disability Alterations~~ Disability Benefits Study**

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

Affirmative – 45 Negative – 0 (See Roll Call No. 666)

The Bill was then sent to the House of Delegates.

Senate Bill 884 – Senators Hough and Young

AN ACT concerning

Frederick County – Property Tax – Small Business Tax Credit

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

Affirmative – 45 Negative – 0 (See Roll Call No. 667)

The Bill was then sent to the House of Delegates.

Senate Bill 982 – Senators Kasemeyer and Miller

AN ACT concerning

~~Maryland State Retirement and Pension System – Private Equity and Venture
Capital Authority~~ Investments

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

Affirmative – 45 Negative – 0 (See Roll Call No. 668)

The Bill was then sent to the House of Delegates.

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 – 45 Negative – 0 (See Roll Call No. 669)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #58

CONSENT CALENDAR #5

BILL NO.	SPONSOR	CONTENT	COMMITTEE
SB 649	Sen. Astle	City of Annapolis – Alcoholic Beverages – Refillable Container Permit for Draft Beer	EHE
SB 804	Sen. Pugh	State Government – Occupational Licensing of Ex–Offenders – Transfer of Statutory Provisions	EHE & JPR
SB 852	Sen. Astle	Anne Arundel County – Alcoholic Beverages – Beer and Wine Festivals	EHE
SB 950	Sen. Conway	Ed – Students With Disabilities – Stdy of Parental Consent in the Individualized Ed Program Process	EHE
SB 1068	Sen. Eckardt	Alcoholic Beverages – Auxiliary Winery Permit	EHE

BILL NO.	SPONSOR	CONTENT	COMMITTEE
SB 1135	Washington County Senators	Washington County – Business Licenses – Repeal of Zoning Certification Requirement	EHE
SB 1140	Sen. Mathias	Wicomico County – Alcoholic Beverages – Youth and Civic Center License	EHE

By Order,
William B. C. Addison, Jr., Secretary

All of the above listed bills on the Third Reading Consent Calendar No. 5 were read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 670)

The Bills were then sent to the House of Delegates.

**Senate Bill 547 – Senators Pugh, Benson, Conway, Ferguson, Lee,
Nathan–Pulliam, and Rosapepe**

AN ACT concerning

Ex–Offenders Recidivism Reduction Act

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

Affirmative – 45 Negative – 0 (See Roll Call No. 671)

The Bill was then sent to the House of Delegates.

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 – 37 Negative – 8 (See Roll Call No. 672)

The Bill was then sent to the House of Delegates.

SPECIAL ORDERS

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

Senate Bill 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**

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

RECESS

At 1:30 P.M. on motion of Senator Pugh, seconded, the Senate recessed until 8:00 P.M. on Legislative Day, March 19, 2016, Calendar Day, Monday, March 21, 2016.

AFTER RECESS
Annapolis, Maryland
Legislative Day: March 19, 2016
Calendar Day: Monday, March 21, 2016

At 8:08 P.M. the Senate resumed its session.

QUORUM CALL

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

(See Roll Call No. 674)

On motion of Senator Pugh it was ordered that Senators DeGrange, Gladden and Pugh be excused from today's session.

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

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 498 – Senator Gail H. Bates:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Glenelg High School Girls Basketball Team
in recognition of
your winning the 3A State Girls Basketball Championship. We applaud your outstanding
season and wish you many more. Congratulations!
The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 21st day of March 2016.

Read and adopted by a roll call vote as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 675)

Senate Resolution No. 499 – Senator C. Anthony Muse:

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

D.C. Divas
in recognition of
your winning the 2015 Women's Football National Championship. We applaud your
outstanding season and
wish you many more. Congratulations!
The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 21st day of March 2016.

Read and adopted by a roll call vote as follows:

Affirmative – 43 Negative – 0 (See Roll Call No. 676)

YEAS AND NAYS

SENATE BILLS PASSED IN THE HOUSE

BILL NO.	SPONSOR	CONTENT
SB 1033 (Emerg)	Sen. Mathias	MCCBL of 2015 – Worcester Co – Delmarva Discovery Center and Museum

By Order,
William B. C. Addison, Jr., Secretary

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 9 – Baltimore County Delegation

AN ACT concerning

Baltimore County – Orphans' Court Judges – Compensation

FOR the purpose of repealing provisions of law that establish the annual compensation of the judges of the Orphans' Court for Baltimore County; requiring the annual compensation of the judges of the Orphans' Court for Baltimore County to be as set by the County Executive and the County Council in accordance with certain provisions of the Baltimore County Code; providing for the application of this Act;

and generally relating to the compensation of the judges of the Orphans' Court for Baltimore County.

BY repealing

Article – Estates and Trusts
Section 2–108(e)
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

BY adding to

Article – Estates and Trusts
Section 2–108(e)
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

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

House Bill 91 – ~~Delegate Morhaim~~ Delegates Morhaim, Hammen, Angel, Barron, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, McMillan, Miele, Morgan, Oaks, Pena-Melnyk, Pendergrass, Rose, Saab, Sample-Hughes, West, and K. Young

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 Education, Health, and Environmental Affairs.

House Bill 203 – Caroline County Delegation

AN ACT concerning

Caroline County – Sunday Hunting

FOR the purpose of authorizing the Department of Natural Resources to allow a person in Caroline County to hunt any game bird or game mammal, except migratory game birds and wetland game birds, on a Sunday on certain land during the open season for that game bird or game mammal; making certain conforming changes; and generally relating to Sunday hunting in Caroline County.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 10–410(a)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

House Bill 217 – Delegates Krebs, Fisher, Kittleman, ~~and W. Miller~~ W. Miller, Hammen, Angel, Barron, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, McDonough, McMillan, Miele, Morgan, Morhaim, Oaks, Pena–Melnyk, Pendergrass, Rose, Saab, Sample–Hughes, West, and K. Young

AN ACT concerning

Open Meetings Act – Requirements for ~~Providing~~ Agendas

FOR the purpose of requiring a public body to ~~provide~~ make available an agenda containing certain information within a certain time before a certain meeting is held by a public body; providing that certain information does not need to be included in a certain agenda; authorizing methods by which a public body may ~~provide~~ make available a certain agenda; authorizing a public body to ~~provide~~ make available an agenda within a certain time after a meeting is held under certain circumstances; providing for the construction of this Act; and generally relating to requirements for agendas and the Open Meetings Act.

BY adding to

Article – General Provisions

Section 3–302.1

Annotated Code of Maryland

(2014 Volume and 2015 Supplement)

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

House Bill 232 – Delegates Hayes, Angel, Barron, Cullison, Krebs, Morgan,
Pena–Melnyk, Reznik, and Saab

AN ACT concerning

~~Health Occupations~~ – Athletic Trainers – Evaluation and Treatment Protocols –
Approval

FOR the purpose of altering a certain provision of law to require the Athletic Trainer Advisory Committee to recommend to the State Board of Physicians approval, modification, or disapproval of individual evaluation and treatment protocols; authorizing, under certain circumstances, an athletic trainer to assume duties under an evaluation and treatment protocol after receiving a certain recommendation from the Committee; providing that certain specialized tasks may only be performed after an athletic trainer receives certain approval from the Board; authorizing the Board to disapprove, under certain circumstances, an evaluation and treatment protocol and specialized tasks included in an evaluation and treatment protocol; requiring the Board, under certain circumstances, to send certain notice to a primary supervising physician and an athletic trainer; requiring an athletic trainer who receives notice of a certain disapproval to cease practicing under a certain evaluation and treatment protocol or performing a certain specialized task; providing that a member of the Board is not civilly liable for certain actions and omissions; making a conforming change; the definition of “practice athletic training” to include instruction to tactical athletes regarding the care and prevention of athletic injuries while engaging in tactical athletic activity; granting, except under certain circumstances, immunity from civil liability to a member of the State Board of Physicians for an act or omission relating to the approval of a certain evaluation and treatment protocol; authorizing an athletic trainer to assume certain duties under an evaluation and treatment protocol on the date of receipt by the Board of a written recommendation of approval from the Athletic Trainer Advisory Committee under certain circumstances; authorizing an athletic trainer, on receipt of a temporary practice letter, to practice a certain specialized task under certain circumstances if an evaluation and treatment protocol is pending approval by the Board; requiring the Board to send a certain notice to a certain primary supervising physician and certain athletic trainer if the Board disapproves a certain protocol or a certain specialized task under a certain protocol; requiring a certain athletic trainer to cease to practice under a certain protocol or to perform a certain specialized task after receiving a certain notice of disapproval; altering certain definitions; defining certain terms; and generally relating to the practice regulation of athletic trainers.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section ~~14–5D–01~~ 14–5D–06 and 14–5D–11
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY adding to

Article – Health Occupations
Section 14–5D–11.3
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

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

House Bill 329 – Delegate Dumais

AN ACT concerning

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

FOR the purpose of requiring advertisements for certain child care services to include certain information; authorizing certain employees of the State Department of Education ~~or a law enforcement officer to visit and serve a certain civil citation to or the State Fire Marshal, a deputy State fire marshal, a special assistant State fire marshal, or a local fire marshal to visit,~~ and authorizing the employees of the Department to serve a civil citation to, certain child care homes and child care centers if the child care home or child care center is advertised and is not registered or licensed with the Department, ~~the Department sends a warning letter to the child care provider or child care center, and the child care provider or child care center does not respond within a certain period of time or responds in a certain manner; authorizing certain law enforcement officers to serve a certain civil citation to certain child care homes and child care centers in certain circumstances; authorizing the State Fire Marshal, a deputy State fire marshal, or a special assistant State fire marshal to inspect certain child care homes or child care centers under certain circumstances; altering the penalties for providing certain child care services without being registered or licensed;~~ authorizing the State Fire Marshal, a deputy State fire marshal, a special assistant State fire marshal, or a local fire marshal to take certain actions authorized by law; authorizing a certain penalty for advertising certain child care services without being licensed; stating the intent of the General Assembly that the Department expand its efforts to educate certain parents and certain child care providers about certain issues relating to child care services; requiring the Department to make a certain report on or before a certain date; defining a certain term; and generally relating to child care services in the State.

BY renumbering

Article – Family Law
Section 5–501(c) through (r), respectively
to be Section 5–501(d) through (s), respectively
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Family Law

Section 5–501(a), 5–550(a) and (b), 5–551(a), 5–570(a), (c), (d), and (f), and 5–574(a)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY adding to

Article – Family Law

Section 5–501(c) and 5–574(e) through ~~(e)~~ (f)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY repealing

Article – Family Law

Section 5–551(c)(10)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Family Law

Section 5–551(c)(11) and (12), 5–552, 5–557, 5–557.1, 5–582, 5–583, and 5–583.1

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

House Bill 384 – Delegates Anderson, Conaway, Glenn, Hayes, Lierman, McCray, McIntosh, Oaks, B. Robinson, Rosenberg, and M. Washington

AN ACT concerning

Baltimore City – Police Commissioner – Length of Term

FOR the purpose of repealing a provision requiring that the Police Commissioner of Baltimore City be appointed for a term of a certain number of years; providing that the Police Commissioner shall serve at the pleasure of the Mayor of Baltimore City; and generally relating to the appointment and term of office for the Police Commissioner of Baltimore City.

BY repealing and reenacting, with amendments,

The Public Local Laws of Baltimore City

Section 16–5(a)

Article 4 – Public Local Laws of Maryland

(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)

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

House Bill 396 – Delegates Stein, Holmes, Jalisi, and McCray

AN ACT concerning

Lead Risk Reduction Standards – Maintenance of Exemptions

FOR the purpose of altering the time period when an owner of certain residential rental property is required to submit a certain certification to the Department of the Environment in order to maintain a certain exemption from certain lead-based paint risk reduction standards; requiring an owner of certain residential rental property to submit a certain certification to the Department within a certain time period after receiving a written notice of chipping, peeling, or flaking paint on the exterior of the property in order to maintain a certain exemption; requiring an owner of a certain residential rental property to ~~submit~~ complete a certain affidavit on or before a certain date and annually thereafter in order to maintain a certain exemption; requiring an owner of a certain residential rental property to maintain a copy of each affidavit for a certain time period and, on request, to submit a copy of an affidavit to the Department within a certain number of days; requiring that a certain written notice of chipping, peeling, or flaking paint be sent in a certain manner; providing that a certain exemption for a multifamily rental dwelling expires on a certain date unless a certain inspection for the presence of lead-based paint was conducted in accordance with certain Department regulations ~~adopted by the Department effective on or after a certain date~~; and generally relating to exempting lead-free residential rental property from certain lead-based paint risk reduction standards.

BY repealing and reenacting, with amendments,
Article – Environment
Section 6–804
Annotated Code of Maryland
(2013 Replacement Volume and 2015 Supplement)

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

House Bill 413 – Delegates Carr and Cullison, Cullison, Hammen, Angel, Barron, Bromwell, 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

Open Meetings Act – Minutes – Maryland General Assembly – Pilot Program on Closed Captioning for Video and Audio Streaming

FOR the purpose of ~~altering the circumstances under which a public body need not prepare written minutes of an open session under the Open Meetings Act; and generally~~

relating to minutes under the Open Meetings Act requiring the Office of Information Systems in the Department of Legislative Services to establish the Pilot Program on Closed Captioning for Video Streaming; establishing the purpose of the Pilot Program; requiring that the Pilot Program allow for testing of a certain process during a certain session of the Maryland General Assembly; requiring the Office of Information Systems to report to certain committees of the Maryland General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to a pilot program on closed captioning for video streaming.

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

~~Article – General Provisions~~

~~Section 3–306~~

~~Annotated Code of Maryland~~

~~(2014 Volume and 2015 Supplement)~~

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

House Bill 431 – Delegates ~~Zucker~~, Bromwell, Kelly, Carozza, Anderton, Angel, Aumann, Barkley, B. Barnes, Barve, Beitzel, Brooks, Chang, Clippinger, Cluster, Cullison, Davis, Frush, Gaines, Ghrist, Gutierrez, Hammen, Hayes, Haynes, Hettleman, Hixson, Jackson, Jalisi, Jones, Kaiser, Kipke, Korman, Kramer, Krimm, Lafferty, Lierman, Luedtke, McIntosh, Miele, A. Miller, Morales, Morgan, Morhaim, Oaks, Pena–Melnyk, Platt, Reznik, B. Robinson, S. Robinson, Simonaire, Smith, Sophocleus, Sydnor, Waldstreicher, West, C. Wilson, ~~and P. Young~~ P. Young, Queen, Carr, Barron, Hill, Krebs, McDonough, McMillan, Pendergrass, Rose, Saab, Sample–Hughes, and K. Young

AN ACT concerning

Maryland Achieving a Better Life Experience (ABLE) Program – Establishment

FOR the purpose of requiring the College Savings Plans of Maryland Board to establish the Maryland Achieving a Better Life Experience (ABLE) Program for certain purposes subject to certain provisions; renaming the College Savings Plans of Maryland Board to be the Maryland 529 Board; requiring the Board to oversee the establishment and administration of the Maryland ABLE Program; altering the membership of the Board; requiring the Board to maintain the Maryland ABLE Program in compliance with certain standards; declaring that the goal of the State is that the Maryland ABLE Program be fully operational by a certain date; requiring the Board to work in consultation with the Department of Disabilities regarding the Maryland ABLE Program; authorizing the Board to collaborate and participate with other states or entities regarding the Maryland ABLE Program; requiring the Board to adopt certain procedures; requiring the Board to issue certain statements to account holders at least once each year; authorizing the Board to issue certain requests for proposals; requiring the Board to consider proposals that meet certain criteria;

authorizing the Board to require certain fees; establishing certain limitations and requirements for contributions to and administration of the Maryland ABLE Program; establishing participation and distribution requirements; prohibiting money and assets in an ABLE account in any state from being considered for a certain determination of eligibility for, or the amount of, certain assistance or benefits from certain local or State means-tested programs; authorizing the Maryland ABLE Program to receive money from certain sources; providing that neither the faith and credit nor the taxing power of the State is pledged to the payment of debts, contracts, and obligations of the Maryland ABLE Program; providing that certain entities are not liable for certain losses; prohibiting certain money from being considered or commingled with certain money or deposited in the State Treasury; exempting certain entities and accounts from the Insurance Article; providing that the assets and the income of the Maryland ABLE Program are exempt from State and local taxation; prohibiting a person from seizing a certain benefit or asset; requiring certain audits; requiring the Board to issue certain refunds under certain circumstances; authorizing any state to file a certain claim on the death of a designated beneficiary of an ABLE account; altering a certain power of attorney form; allowing a subtraction modification under the State income tax for certain contributions to and distributions from an account under the Maryland ABLE Program; allowing certain amounts disallowed under the subtraction modification as a result of a certain limitation to be carried over and subtracted for succeeding taxable years; requiring an addition modification for certain distributions made under certain accounts; making conforming changes; defining certain terms; requiring the publisher of the Annotated Code of Maryland, in consultation with the Department of Legislative Services, to correct cross-references and terminology in the Code that are rendered incorrect by this Act; providing for the application of certain provisions of this Act; and generally relating to the College Savings Plans of Maryland and the Maryland ABLE Program.

BY repealing and reenacting, with amendments,

Article – Education

Section 18–1901, 18–1902.1, 18–1904(a) through (d), 18–1905(d)(3), (e), and (f),
18–19A–05, and 18–19B–05

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section 18–1905(d)(1)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY adding to

Article – Education

Section 18–19C–01 through 18–19C–10 to be under the new subtitle “Subtitle 19C.
Maryland ABLE Program”

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 17–203
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 11–203(f)
Annotated Code of Maryland
(2015 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–803(a)(11)(ii)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–205(a), 10–207(a), and 10–208(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

BY adding to
Article – Tax – General
Section 10–205(l), 10–207(cc), and 10–208(v)
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

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

House Bill 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

FOR the purpose of establishing the Maryland Fiduciary Access to Digital Assets Act; authorizing a certain user to direct a certain custodian of certain digital assets to disclose or not to disclose those assets under certain circumstances and in a certain manner; providing that this Act does not change, impair, or expand certain rights with respect to the digital assets of a user; authorizing a custodian to grant a certain fiduciary or designated recipient certain access to a user’s account or a copy of certain

records under certain circumstances; authorizing a custodian to charge a reasonable administrative charge for the cost of disclosing digital assets under this Act; providing that a custodian need not disclose certain digital assets under certain circumstances; authorizing a custodian to seek a court order directing disclosure under certain circumstances; requiring a custodian to disclose the content of certain electronic communications under certain circumstances; requiring a custodian to disclose a catalogue of certain electronic communications and certain digital assets under certain circumstances; authorizing a court to grant a certain guardian access to the digital assets of a certain protected person; authorizing a guardian to request the custodian to suspend or terminate a certain account under certain circumstances; providing that the legal duties imposed on a fiduciary charged with managing certain tangible property apply to the management of digital assets; establishing certain limitations with respect to a certain fiduciary's or designated recipient's authority; providing that, under certain circumstances, a certain fiduciary may access certain tangible personal property and is an authorized user for the purpose of certain computer-related laws; authorizing a custodian to disclose certain information to a certain fiduciary under certain circumstances; authorizing a fiduciary of a user to request a custodian to terminate the user's account under certain circumstances; requiring a custodian to comply with certain requests by a fiduciary or designated recipient within a certain time period; authorizing a fiduciary or designated recipient to apply for a certain court order under certain circumstances; providing that this Act does not limit a custodian's ability to obtain or require a fiduciary or designated recipient to obtain a certain court order; authorizing a custodian to notify the user of a certain request; authorizing a custodian to deny a certain request under certain circumstances; providing that a custodian and its agents are immune from liability for an act or omission done in good faith compliance with this Act; requiring consideration to be given to the need to promote certain uniformity of the law in applying and construing this Act; providing that this Act modifies, limits, or supersedes certain federal law in a certain manner; providing for the scope and application of this Act; making the provisions of this Act severable; altering certain provisions in certain statutory forms for a power of attorney relating to authority to access and take control of certain digital assets in accordance with this Act; defining certain terms; making conforming changes; and generally relating to the Maryland Fiduciary Access to Digital Assets Act.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 13–213, 14.5–815(a), 17–202, and 17–203
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

BY adding to
Article – Estates and Trusts
Section 15–601 through 15–620 to be under the new subtitle “Subtitle 6. Maryland
Fiduciary Access to Digital Assets Act”
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

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

House Bill 697 – Delegates Otto and Carozza

AN ACT concerning

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

FOR the purpose of ~~repealing a certain provision of law that prohibits the issuance of a Class A beer, wine, and liquor license in Worcester County;~~ establishing a Class A beer, wine, and liquor license in Worcester County; authorizing the Board of License Commissioners to issue the license to an individual for use at a certain store or certain establishments under certain conditions; providing that a certain distance restriction expires on the earlier of certain dates; specifying the scope of authorization of the license; authorizing the Worcester County Board of License Commissioners to issue the license for an establishment that is outside a certain distance of a Worcester County owned or operated retail dispensary; authorizing the Worcester County Board of License Commissioners to issue the license for an establishment that is within a certain distance of a Worcester County owned or operated dispensary, with the consent of the Worcester County Commissioners; specifying a certain annual fee for a Class A beer, wine, and liquor license; providing that the license authorizes the sale of beer, wine, and liquor at the place described in the license for off-premises consumption under certain conditions; providing for an annual license fee and hours and days of sale; and generally relating to the sale of alcoholic beverages licenses in Worcester County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 33-102

Annotated Code of Maryland

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

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 33-901

Annotated Code of Maryland

(As enacted by Chapter ____ ~~(S.B. _____)(6h-1406)~~ (S.B. 724) of the Acts of the General Assembly of 2016)

BY adding to

Article – Alcoholic Beverages

Section ~~33-901~~ 33-2005(a)

Annotated Code of Maryland

(As enacted by Chapter ____ ~~(S.B. _____)(6h-1406)~~ (S.B. 724) of the Acts of the General Assembly of 2016)

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

House Bill 726 – Delegate Carr

AN ACT concerning

Ethics – Reports of Regulated Lobbyists – Open Data Format

FOR the purpose of requiring the State Ethics Commission to make certain reports filed on or after a certain date available electronically for public review in a machine-readable, searchable, and analyzable format; and generally relating to ethics, reports of regulated lobbyists, and open data.

BY repealing and reenacting, with amendments,
Article – General Provisions
Section 5–710
Annotated Code of Maryland
(2014 Volume and 2015 Supplement)

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

House Bill 733 – Delegate Barkley

AN ACT concerning

Alcoholic Beverages – Multiple Manufacturer’s Licenses – Sampling, Sale, and Consumption of Products

FOR the purpose of repealing certain provisions of law that prohibit certain holders of certain alcoholic beverage manufacturer’s licenses from selling or allowing to be consumed at certain locations certain products; authorizing the holder of a farm brewery license to apply for and obtain, under a different name, additional licenses for the same or different premises; authorizing the holder of multiple manufacturer’s licenses to allow the sampling, sale, and consumption of certain products at certain locations, subject to a certain restriction; and generally relating to authority for holders of certain alcoholic beverage manufacturer’s licenses to allow the sampling, sale, and consumption of certain products.

BY repealing and reenacting, with amendments,
Article – Alcoholic Beverages
Section 2–202(i), 2–204(g), 2–206(b)(10), 2–210(i), (j), (k), and (l), and 2–212(a)
Annotated Code of Maryland
(As enacted by Chapter ___ (S.B. ___)(6lr1406) of the Acts of the General Assembly of 2016)

BY repealing

Article – Alcoholic Beverages

Section 2–206(b)(9) and 2–210(h)

Annotated Code of Maryland

(As enacted by Chapter ___ (S.B.____)(6lr1406) of the Acts of the General Assembly of 2016)

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

House Bill 824 – Cecil County Delegation

AN ACT concerning

Cecil County – Orphans’ Court Judges – Traveling Expense Allowance and Pension

FOR the purpose of specifying that the annual compensation of the judges of the Orphans’ Court for Cecil County for certain fiscal years is to be paid quarterly by the county; increasing the allowance for traveling expenses for the judges of the Orphans’ Court for Cecil County; specifying that the allowance is to be paid by the county; requiring the county to pay a pension to certain former judges of the Orphans’ Court for Cecil County; providing that a judge of the Orphans’ Court for Cecil County who has completed a certain number of years of service is eligible for a pension; providing for the application of this Act; and generally relating to traveling expense allowances and pensions for judges of the Orphans’ Court for Cecil County.

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 2–108(a), (i), and (y)

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

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

House Bill 886 – Delegate West

AN ACT concerning

Maryland Medical Assistance Program – Telemedicine – Modifications

FOR the purpose of requiring the Department of Health and Mental Hygiene, under certain circumstances, to include primary care providers in the types of health care providers eligible to receive reimbursement for health care services that are delivered through telemedicine and provided to Maryland Medical Assistance Program recipients; ~~prohibiting~~ authorizing the Department ~~from requiring to require~~ a health care provider to ~~comply with administrative requirements for reimbursement for health~~

~~care services that are delivered through telemedicine that are not required for reimbursement for health care services that are delivered in person~~ submit a certain form to the Department; requiring the Department, in consultation with the Maryland Health Care Commission, to ~~provide an opportunity for stakeholders to participate in the development of certain regulations; requiring the Department to submit a draft of the regulations to certain legislative committees and provide a certain period of time for review and comment~~ submit a certain report to certain committees of the General Assembly on or before a certain date; and generally relating to Maryland Medical Assistance Program reimbursement for health care services that are delivered through telemedicine.

BY repealing and reenacting, with amendments,
 Article – Health – General
 Section 15–105.2
 Annotated Code of Maryland
 (2015 Replacement Volume)

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

House Bill 889 – St. Mary’s County Delegation

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 Budget and Taxation.

House Bill 971 – Delegates Waldstreicher, Barve, and Holmes

AN ACT concerning

Statute of Limitations ~~for Specialties~~ – ~~Exception for~~ Residential Leases Signed Under Seal

FOR the purpose of ~~altering~~ clarifying the time period within which a civil action on a residential lease that has been signed under seal must be filed; ~~providing for the~~

~~application of this Act; requiring a cause of action to collect the unpaid balance due on a residential lease that was signed under seal that arose before a certain date to be filed within a certain period of time~~ declaring the intent of the General Assembly; and generally relating to the statute of limitations for residential leases signed under seal.

BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings

Section 5–101

Annotated Code of Maryland

(2013 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 5–102

Annotated Code of Maryland

(2013 Replacement Volume and 2015 Supplement)

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

House Bill 981 – Delegates Kelly, Cullison, and West

AN ACT concerning

**Maryland Medical Assistance Program – Guardianship Fees – ~~Income Deduction~~
Personal Needs Allowance**

FOR the purpose of requiring the Department of Health and Mental Hygiene to ~~deduct as a remedial service~~ include as part of the personal needs allowance certain guardianship fees when determining the portion of income certain recipients of Maryland Medical Assistance Program benefits are required to contribute to the cost of their care under the Program; specifying the amount of ~~deductions~~ the personal needs allowance for certain guardianship fees; establishing that certain guardians are not entitled to receive more than a certain amount in compensation unless a certain finding is made by a certain court; defining certain terms; and generally relating to the Maryland Medical Assistance Program and compensation for guardianship services provided to Program recipients.

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 13–218

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

BY adding to

Article – Health – General

Section 15–122.3

Annotated Code of Maryland
(2015 Replacement Volume)

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

House Bill 998 – Delegates Hill, Jalisi, Lam, ~~and Morhaim~~ Morhaim, Jameson, Queen, Krebs, Morgan, Pena–Melnyk, and Saab

AN ACT concerning

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

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

BY adding to

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

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

House Bill 1009 – Delegates Platt, Carr, Clippinger, Cullison, Ebersole, Gutierrez, Holmes, Jackson, Korman, Luedtke, Moon, Morales, B. Robinson, Sample–Hughes, Sanchez, Smith, Tarlau, Turner, Waldstreicher, ~~and M. Washington~~ M. Washington, A. Washington, Fennell, and Patterson

AN ACT concerning

Task Force to Study Increased Voter Participation

FOR the purpose of establishing the Task Force to Study Increased Voter Participation; 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 evaluate policies that have the potential to increase voter participation; 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 Increased Voter Participation.

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

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

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 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 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 Budget and Taxation.

House Bill 1157 – Calvert County Delegation

AN ACT concerning

Calvert County – Assistant Sheriff – Salary and Status

FOR the purpose of altering the annual salary of the assistant sheriff in Calvert County under certain circumstances; clarifying that the assistant sheriff shall retain full merit status under certain circumstances; altering the placement and salary of the assistant sheriff at the end of an appointment under certain circumstances; and generally relating to the assistant sheriff in Calvert County.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 2-309(f)(3)

Annotated Code of Maryland

(2013 Replacement Volume and 2015 Supplement)

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

House Bill 1198 – Prince George’s County Delegation and Montgomery County Delegation

AN ACT concerning

**Prince George’s County – Maryland–National Capital Park and Planning Commission – Extraordinary Development District
PG/MC 109–16**

FOR the purpose of authorizing the designation of an extraordinary development district for certain purposes; authorizing the Maryland–National Capital Park and Planning Commission to ~~pledge~~ enter into an agreement to pay all or a portion of certain property taxes to Prince George’s County for deposit into a certain special fund for an extraordinary development district under certain circumstances; providing that a certain agreement regarding an extraordinary development district must be executed by the Commission and the governing body of Prince George’s County; prohibiting the Commission from being an obligor for certain bonds; providing that the Commission may not enter into a certain agreement regarding an extraordinary development district until certain resolutions are adopted ~~or approved~~; defining a certain term; altering a certain definition; and generally relating to extraordinary development districts in Prince George’s County.

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 12–201 and 12–210
Annotated Code of Maryland
(2008 Volume and 2015 Supplement)

BY adding to
Article – Land Use
Section 18–310
Annotated Code of Maryland
(2012 Volume and 2015 Supplement)

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

House Bill 1227 – Delegates Clippinger, Hammen, and Lierman

AN ACT concerning

Admissions and Amusement Tax – Baltimore City – Amateur Sports League Fees

FOR the purpose of authorizing the Mayor and City Council of Baltimore City to exempt from the admissions and amusement tax certain gross receipts from any charge or fee to participate in an amateur recreational sports event or league; prohibiting in Baltimore City the imposition of the admissions and amusement tax for certain gross receipts from a charge or fee to participate in an amateur recreational sports event

or league collected on or before a certain date; and generally relating to certain exemptions from the admissions and amusement tax.

BY adding to

Article – Tax – General

Section 4–104(f)

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)

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

House Bill 1288 – Delegates P. Young and M. Washington

AN ACT concerning

**Higher Education – Tuition Waivers for Foster Care Recipients and
Unaccompanied Homeless Youth**

FOR the purpose of ~~repealing the requirement that certain foster care recipients and certain unaccompanied homeless youth must be a certain candidate for certain certificate or degree programs in order to receive a certain tuition waiver;~~ defining the term vocational certificate to include completion of a certain course of study by taking credit-bearing courses or noncredit courses for purposes of establishing eligibility of foster care recipients for certain tuition waivers; altering a certain definition; and generally relating to tuition waivers for foster care recipients and unaccompanied homeless youth.

BY repealing and reenacting, without amendments,

Article – Education

Section 15–106.1(a)(1) and (3) and (c)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section ~~15–106.1(e)~~ 15–106.1(a)(2)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY adding to

Article – Education

Section 15–106.1(a)(6)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

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

House Bill 1328 – Delegates Lam, Tarlau, and S. Robinson

AN ACT concerning

Environment – Lead and Mercury Wheel Weights – Prohibited

FOR the purpose of prohibiting certain persons from using, allowing to be used, or selling certain lead or mercury wheel weights after certain dates; requiring the State to ensure that no vehicle in the State fleet is equipped with certain lead or mercury wheel weights after a certain date; ~~requiring the Department of the Environment to adopt certain regulations that at a minimum list environmentally safe lead and mercury free wheel weights; requiring the Department to update the regulations over a certain period of time; requiring the Department to inform certain persons, to the maximum extent practicable, regarding the requirements under the regulations; requiring the regulations to provide a certain phase in period for the prohibition against the use or sale of certain wheel weights;~~ requiring lead and mercury wheel weights removed and collected to be properly recycled; providing for the enforcement of this Act, including the required issuance of a warning for an initial violation; and generally relating to the prohibition against the use or sale of lead or mercury wheel weights in the State.

BY adding to

Article – Environment

Section 6–501 to be under the new subtitle “Subtitle 5. Lead and Mercury Wheel Weights”

Annotated Code of Maryland

(2013 Replacement Volume and 2015 Supplement)

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

House Bill 1371 – Delegate Folden

AN ACT concerning

Criminal Law – ~~Assault in the First Degree~~ – Strangulation – Lethality Screening Protocol and Training

FOR the purpose of ~~prohibiting a person from committing an assault by intentionally strangling, suffocating, or impeding the normal breathing or circulation of blood of another by applying pressure to the other person’s throat or neck or by blocking the other person’s nose or mouth; providing that a person who violates this Act is guilty of assault in the first degree; providing penalties for a violation of this Act;~~ requiring, on or before a certain date, the Police Training Commission to develop a certain lethality screening protocol and training for law enforcement officers to employ when investigating complaints of domestic violence and assault by strangulation;

requiring the Commission to make a certain report; and generally relating to assault by strangulation.

~~BY repealing and reenacting, with amendments,
Article—Criminal Law
Section 3-202
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)~~

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

House Bill 1385 – ~~Delegate Morhaim~~ Delegates Morhaim, Hammen, Angel, Barron, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke, Krebs, McDonough, McMillan, Miele, Morgan, Oaks, Pena-Melnyk, Pendergrass, Rose, Saab, Sample-Hughes, West, and K. Young

AN ACT concerning

**Public Health – ~~Electronic Advance Directives – Witness Requirements, Information Sheet, and Repository Services Procedures, Information Sheet, and~~
Use of Electronic Advance Directives**

FOR the purpose of providing that ~~certain provisions of law apply to managed care organizations in a certain manner; requiring each managed care organization to offer electronic advance directives to its enrollees at a certain time; authorizing managed care organizations to contract with an electronic advance directives service under certain circumstances; repealing a provision of law providing that an electronic advance directive created in a certain manner satisfies certain requirements; prohibiting a certain witness from being required to be physically present at the time a declarant signs or acknowledges the declarant's signature on an electronic advance directive; requiring managed care organizations and the Maryland Health Benefit Exchange to provide a certain information sheet in accordance with certain provisions of law; requiring a certain information sheet to encourage the use of electronic advance directives and provide certain information; prohibiting a certain information sheet from imposing certain requirements; requiring the Department of Health and Mental Hygiene, for a certain purpose, to contract with an electronic advance directives service to connect with health care providers in a certain manner; establishing certain requirements for an electronic advance directives service; requiring the Department to encourage certain persons and entities to engage in certain outreach efforts for a certain purpose; requiring the Department to encourage the use of electronic advance directives; requiring the State designated health information exchange to make an electronic advance directive available to a certain health care provider under certain circumstances; requiring health insurance carriers to offer electronic advance directives to their members and enrollees at a certain time; authorizing carriers to contract with an electronic advance directives service under certain circumstances; requiring the Exchange to provide a certain information sheet in a certain manner; requiring the Secretary of Budget and~~

~~Management to offer electronic advance directives to certain employees at a certain time~~ a certain expression of an individual's wishes regarding health care shall be considered under certain circumstances, notwithstanding any other provision of law; ~~repealing a provision of law establishing that a certain electronic advance directive satisfies a certain requirement; establishing that a witness is not required for an electronic advance directive under certain circumstances; authorizing the State-designated health information exchange to accept as valid a certain electronic advance directive in a certain form under certain circumstances; requiring the Maryland Health Benefit Exchange to provide a certain information sheet in accordance with certain provisions of this Act; altering the contents of a certain information sheet; requiring the Department of Health and Mental Hygiene to take certain actions regarding electronic advance directives; requiring the Department, for a certain purpose, to contract with an electronic advance directives service to connect with health care providers in a certain manner; requiring certain money in the Spinal Cord Injury Research Trust Fund to be used to administer the Advance Directive Registry in the Department; altering the date on or before which the Department must implement a certain plan; requiring the Department to offer to certain recipients a certain information sheet in a certain manner and the use of electronic advance directives through a certain service; requiring the Maryland Health Care Commission to develop certain criteria for a certain purpose; establishing certain requirements that an electronic advance directives service must meet to connect to the State-designated health information exchange; authorizing the State-designated health information exchange to charge a certain fee under certain circumstances; requiring the State-designated health information exchange to ensure that electronic advance directives services do not have access to certain information; altering a certain definition; making conforming changes; and generally relating to electronic advance directives.~~

~~BY repealing and reenacting, without amendments,
Article – Health – General
Section 5-602(a), 5-620, and 15-109.1
Annotated Code of Maryland
(2015 Replacement Volume)~~

BY repealing and reenacting, with amendments,
Article – Health – General
Section ~~5-602(e), 5-615, 5-622, and 5-623~~ 5-602(a) and (c), 5-615, 5-622, 13-1406,
and 15-109.1
Annotated Code of Maryland
(2015 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 5-620
Annotated Code of Maryland
(2015 Replacement Volume)

BY adding to

Article – Health – General
Section ~~15-102.9~~ 5-615.1 and 19-144
Annotated Code of Maryland
(2015 Replacement Volume)

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

Article – Insurance
Section ~~15-122.1~~ 6-103.1
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

BY adding to

Article – Insurance
Section 31-108(g)
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

~~BY adding to~~

~~Article – State Personnel and Pensions
Section 2-503(e)
Annotated Code of Maryland
(2015 Replacement Volume)~~

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

House Bill 1397 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

Participating Governmental Units – Amortization Schedule

FOR the purpose of altering the calculation of the accrued liability contributions required to be paid by a participating governmental unit on account of members of the Employees' Retirement System and Employees' Pension System who are employees of a participating governmental unit; clarifying the application of a certain amortization period to certain changes; and generally relating to the funding of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions
Section 21-305.2
Annotated Code of Maryland
(2015 Replacement Volume)

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

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

FOR the purpose of ~~establishing the hours and days of the week that each branch~~ requiring a State grant to be made available to fund certain operating expenses for certain branches of the Enoch Pratt Free Library is that are required to be open to the public during certain times; requiring the State to remit to Baltimore City ~~each year~~ beginning in certain fiscal years a certain percentage of certain additional operating expenses of the Enoch Pratt Free Library; requiring Baltimore City to provide funding for a certain percentage of certain additional operating expenses of the Enoch Pratt Free Library; authorizing Baltimore City to use certain funds to satisfy certain requirements; providing for a certain calculation; requiring the Enoch Pratt Free Library System and the State Department of Education to conduct a needs assessment and make recommendations regarding certain matters; requiring the Enoch Pratt Free Library System and the State Department of Education to report their findings and recommendations to certain committees of the General Assembly on or before a certain date; providing that the remittance of certain State funds to Baltimore City for a certain fiscal year is contingent on the submission of certain findings and recommendations to certain committees of the General Assembly; and generally relating to the hours of operation of the Enoch Pratt Free Library.

BY repealing and reenacting, with amendments,
 Article – Education
 Section 23–402(a)
 Annotated Code of Maryland
 (2014 Replacement Volume and 2015 Supplement)

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

House Bill 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**

FOR the purpose of ~~altering certain criteria for the prequalification of a student for a certain grant program; changing the name of the College Readiness Outreach Program to be the Next Generation Scholars of Maryland Program; altering the purpose and certain requirements of a certain program; establishing a certain pilot~~

~~program to be administered in certain school systems; requiring certain services to be provided; mandating certain funding for certain years for the pilot program; altering certain criteria for the prequalification of a student for a Guaranteed Access Grant; altering the name of the College Readiness Outreach Program to be the Next Generation Scholars of Maryland Program; altering the purpose and certain requirements of the Program; requiring the State Department of Education to solicit certain applications from certain nonprofit organizations and give priority to certain applications; requiring certain nonprofit organizations to provide certain guidance and certain services to certain students; establishing the Next Generation Scholars Pilot Program and providing for the administration of the Pilot Program; requiring the Governor to make a certain appropriation in the State budget for certain fiscal years; requiring the ~~State Department of Education~~ Department and the Maryland Higher Education Commission to submit a certain report on or before a certain date; and generally relating to the ~~Next Generation~~ Next Generation Scholars of Maryland Program.~~

BY repealing and reenacting, with amendments,
Article – Education
Section 18–303 and 18–303.1
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

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

House Bill 1552 – Prince George’s County Delegation and Montgomery County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Polybutylene Connection Pipe Replacement Loan Program PG/MC 115–16

FOR the purpose of requiring the Washington Suburban Sanitary Commission to establish a Polybutylene Connection Pipe Replacement Loan Program for replacement of certain pipes on certain property; requiring the Program to provide for certain eligibility requirements; requiring the Program to provide for loan terms and conditions, including a certain interest rate; requiring that the replacement of certain pipes be performed by a licensed plumber; prohibiting the Commission from replacing certain pipes; requiring the Program to require certain customers to repay the loan through a charge on the customer’s water and sewer bill or in another method determined by the Commission; prohibiting the Commission from setting a charge greater than an amount that allows the Commission to cover certain costs; providing that a person who acquires property subject to a certain charge assumes the obligation to pay the charge; providing that each loan provided under the Program is a lien against certain property and that the Commission is the sole holder

of the lien; requiring the Commission to record a certain lien in the land records of the county where the property is located; prohibiting a certain lien for a certain loan with a certain principal amount from being established without a certain express consent; providing that a certain lien shall secure payment of a certain loan; providing that enforcement of a certain lien shall be in accordance with a certain Act; prohibiting a certain lien from taking priority over a certain existing lien, mortgage, deed of trust, or other security interest; prohibiting the Program from providing more than a certain amount in loans; establishing a Polybutylene Connection Pipe Replacement Fund; specifying the purpose of the Fund; requiring the Commission to administer the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; defining a certain term; providing for the termination of this Act; and generally relating to the Polybutylene Connection Pipe Replacement Loan Program of the Washington Suburban Sanitary Commission.

BY adding to

Article – Public Utilities

Section 23–205

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)

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

House Bill 149 – Delegate Otto

AN ACT concerning

Somerset County – Commissioners – Salary and Expense Reimbursements

FOR the purpose of altering the salary of the County Commissioners of Somerset County; altering the limit on reimbursements that each Commissioner may receive for certain expenses; 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; providing for the application of this Act; and generally relating to the salary and expense reimbursement for the County Commissioners of Somerset County.

BY repealing and reenacting, with amendments,

The Public Local Laws of Somerset County

Section 2–101

Article 20 – Public Local Laws of Maryland

(2015 Edition)

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

House Bill 336 – Delegates Vallario, Anderson, Atterbeary, Carter, Conaway, Dumais, Glass, Kittleman, Moon, Morales, Rosenberg, Sanchez, Smith, Sydnor, Tarlau, and Valentino–Smith

AN ACT concerning

Criminal Procedure – Seizure and Forfeiture

FOR the purpose of altering the types of crimes for which certain property is subject to forfeiture; ~~authorizing the forfeiture of certain property under certain circumstances;~~ prohibiting a certain law enforcement agency or prosecuting authority from directly or indirectly transferring or referring seized property to a federal government agency or law enforcement authority for forfeiture under federal law unless certain conditions are met; authorizing a certain defendant or third party to file a motion for replevin in a certain criminal case at a certain time if the defendant or third party claims that he or she has the right to possession of certain property; requiring a motion for replevin under this Act to be in writing and state in detail the grounds on which it is based; requiring a claimant to notify the State's Attorney in writing of the filing of a motion for replevin under this Act; authorizing the State's Attorney to file a response to a motion for replevin at a certain time; requiring the court to hold a hearing on a motion for replevin at a certain time under certain circumstances; authorizing the court to dismiss a motion for replevin without a hearing under certain circumstances; requiring the court to grant a motion for replevin under certain circumstances; authorizing the court to order the return of funds or property sufficient to obtain legal counsel but less than the total amount seized; authorizing the court to take certain actions in lieu of ordering issuance of the writ of replevin; requiring a certain law enforcement agency to report, on an annual basis, certain information about each individual seizure and forfeiture completed by the agency under State or federal forfeiture law; authorizing the Maryland Statistical Analysis Center (MSAC) to require a law enforcement agency to provide relevant information not specified in this Act; requiring a certain law enforcement agency to file a certain report for the agency and the corresponding prosecutor's office with MSAC; requiring MSAC to develop a certain form, a process, and deadlines for certain data entry; requiring MSAC to compile certain submissions and issue a certain report; requiring MSAC to make certain reports available in a certain manner; requiring the Governor's Office of Crime Control and Prevention (GOCCP) to submit a certain report to the Governor, the General Assembly, and each law enforcement agency before a certain date each year; authorizing GOCCP to include in a certain report certain recommendations; requiring GOCCP to report information on law enforcement agencies not in compliance with this Act to the Police Training Commission; requiring the Police Training Commission to contact a certain law enforcement agency and request compliance; requiring GOCCP and the Police Training Commission to report certain noncompliance to the Governor and the Legislative Policy Committee of the General Assembly under certain circumstances; authorizing MSAC to recoup certain costs in a certain manner; authorizing a certain law enforcement agency to use forfeiture proceeds to pay the cost of compiling and

reporting information required under this Act; making a conforming change; defining certain terms; and generally relating to seizure and forfeiture.

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 12–102(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)

(As enacted by Chapter 5 of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section ~~12–102(a), 12–103, and~~ 12–203

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)

BY adding to

Article – Criminal Procedure

Section 12–103(f) and 12–203.1; and 13–601 and 13–602 to be under the new subtitle
“Subtitle 6. Reporting”

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)

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

House Bill 356 – Delegates Pendergrass, Atterbeary, Ebersole, Hammen, S. Howard, Jalisi, Jameson, Kipke, Kramer, Krebs, Lam, Luedtke, Malone, Patterson, Pena–Melnyk, Saab, Tarlau, Turner, West, ~~and K. Young~~ K. Young, Bromwell, Hill, McDonough, Miele, Morgan, Morhaim, and Sample–Hughes

AN ACT concerning

Supplemental Nutrition Assistance Program Benefits – ~~Exclusion of~~ Sugar–Sweetened Beverages and Other Nonnutritious Foods Grant Application

FOR the purpose of requiring the Department of Human Resources to ~~request permission from the U.S. Department of Agriculture to exclude sugar–sweetened beverages and, at the Department’s discretion, certain other foods from the food items that may be purchased with Supplemental Nutrition Assistance Program benefits~~ submit a grant application to the United States Department of Agriculture to support a pilot project that provides certain incentives and in response to a certain opportunity for funding; requiring the Department of Human Resources to report to the Governor and the General Assembly, ~~beginning on a certain date and at certain intervals~~ on or before certain dates, on the status of the ~~request~~ grant application submission; providing for the termination of this Act; and generally relating to the use of Supplemental Nutrition Assistance Program benefits.

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

House Bill 460 – The Speaker (By Request – Administration) and Delegates Adams, Arentz, Carozza, Cassilly, Ciliberti, Cluster, Fisher, Flanagan, Folden, Ghrist, Glass, Hornberger, Jacobs, Kipke, Kittleman, Long, Mautz, McComas, McConkey, McDonough, McKay, McMillan, Metzgar, Miele, Otto, Reilly, Rose, Saab, Shoemaker, Simonaire, Szeliga, Vogt, West, ~~and B. Wilson~~ B. Wilson, Beidle, Carr, Healey, Jalisi, O'Donnell, and A. Washington

AN ACT concerning

**Housing and Community Development – Community Development
Administration – Student and Residential Mortgage Loans**

FOR the purpose of authorizing the Community Development Administration in the Department of Housing and Community Development to ~~provide~~ make, participate in making, and undertake a commitment for financial assistance ~~to homeowners under certain circumstances; authorizing the Administration to provide financial assistance to purchase a home and pay off~~ to a homeowner for purchasing a homeowner's primary residence and making payments on the homeowner's student loan ~~debt~~ debt under certain circumstances; requiring the Secretary of Housing and Community Development to determine the terms and qualifications of certain financial assistance to homeowners; authorizing the Administration to purchase or commit to purchase from a mortgage lender a note or mortgage that evidences a residential mortgage loan for ~~the purchase of~~ purchasing a homeowner's primary residence and ~~pay off~~ making payments on student loan debt of the homeowner under certain circumstances; authorizing the Secretary to waive the requirements for a certain mortgage lender's certificate under certain circumstances; 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; and generally relating to the Community Development Administration and student and residential mortgage loans.

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 4–235(b), 4–237(a), 4–238(a)(1), and 4–240
Annotated Code of Maryland
(2006 Volume and 2015 Supplement)

BY adding to
Article – Housing and Community Development
Section 4–242
Annotated Code of Maryland
(2006 Volume and 2015 Supplement)

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

House Bill 554 – Delegates Bromwell and Kipke

AN ACT concerning

Insurance – Surplus Lines – Short-Term Medical Insurance

FOR the purpose of altering the scope of certain provisions of law governing surplus lines insurance to authorize the use of surplus lines insurance for certain short-term medical insurance coverage; authorizing the procurement of short-term medical insurance from a nonadmitted insurer under certain circumstances; specifying the conditions under which short-term medical insurance may be procured from a nonadmitted insurer; prohibiting the inclusion of certain provisions in a short-term medical insurance policy procured from a nonadmitted insurer; requiring the Maryland Insurance Commissioner to develop and make available on the Web site of the Maryland Insurance Administration a certain consumer guide; requiring a certain affidavit to include certain information; altering a certain requirement for an applicant for a certain certificate of qualification; providing for the application of this Act; and generally relating to surplus lines insurance and short-term medical insurance.

BY repealing and reenacting, without amendments,

Article – Insurance

Section 3–301(a), (c), and (g)

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 3–302 ~~and~~ 3–306.2, 3–307, and 3–311

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

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

House Bill 594 – Delegates Kramer, Barkley, B. Barnes, Brooks, Cullison, Fraser-Hidalgo, Frush, Krimm, Luedtke, McComas, ~~and Waldstreicher~~ Waldstreicher, Hammen, Angel, Barron, Bromwell, Hayes, Hill, Kelly, Kipke, McDonough, McMillan, Miele, Morgan, Oaks, Pena-Melnyk, Rose, Saab, West, and K. Young

AN ACT concerning

Humane Adoption of Companion Animals Used in Research Act of 2016

FOR the purpose of ~~limiting the period of time for which dogs or cats may be used in certain research facilities for certain scientific research purposes~~; requiring certain research facilities using dogs or cats for certain scientific research purposes to take certain steps to provide for the adoption of a dog or cat under certain circumstances; authorizing certain research facilities to enter into certain agreements with certain animal rescue organizations for certain purposes; requiring certain research facilities to submit certain information to the Secretary of Agriculture beginning on a certain date and each year thereafter; defining certain terms; and generally relating to regulation of research facilities that use dogs or cats.

BY adding to

Article – Agriculture

Section 15–101 to be under the new title “Title 15. Regulation of Research Facilities That Use Dogs or Cats”

Annotated Code of Maryland

(2007 Replacement Volume and 2015 Supplement)

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

House Bill 701 – Delegate Walker

AN ACT concerning

Task Force to Study the Warrant Intercept Program for Maryland Income Tax Refunds

FOR the purpose of establishing the Task Force to Study the Warrant Intercept Program for Maryland Income Tax Refunds; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study the Warrant Intercept Program for Maryland Income Tax Refunds.

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

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

FOR the purpose of altering the fees health care providers and hospitals may charge for copying and mailing certain medical records and for retrieving and preparing certain medical records; authorizing certain hospitals and other health care providers to charge ~~a certain fee~~ fees and ~~a certain cost~~ cost for electronic copies of medical records that are in an electronic format requested by certain persons; ~~repealing a certain provision of law that allowed for fees charged for copies of medical records to be adjusted annually for inflation in accordance with the Consumer Price Index~~; providing that certain fees may not be adjusted annually for inflation in accordance with the Consumer Price Index; making conforming changes; and generally relating to fees for copies of medical records.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 4–304(c)
Annotated Code of Maryland
(2015 Replacement Volume)

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

House Bill 777 – Delegates B. Wilson, Flanagan, Kittleman, W. Miller, Parrott, ~~and Szeliga~~ Szeliga, Jalisi, Valentino-Smith, Aumann, Beitzel, Cluster, Mautz, Metzgar, West, Arentz, Buckel, Carozza, Kipke, McKay, Rose, and Wivell

AN ACT concerning

**Criminal Law – ~~Smoking or Consuming~~ Marijuana in a Public Place –
Prohibition**

FOR the purpose of prohibiting a person from smoking ~~or consuming~~ marijuana in certain public places; providing for the application of this Act; establishing a certain penalty; providing that a conviction under this Act is a shieldable conviction for a certain purpose; providing for the expungement of a conviction under this Act; defining certain terms; and generally relating to smoking or consuming marijuana.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 5–601(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)
(As enacted by Chapter 4 of the Acts of the General Assembly of 2016)

BY repealing
Article – Criminal Law
Section 5–601(c)(4)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)
(As enacted by Chapter 4 of the Acts of the General Assembly of 2016)

BY adding to

Article – Criminal Law

Section 5–601.2

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 10–105(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 10–301(f)

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)

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

House Bill 790 – Delegate Wivell

AN ACT concerning

Washington County – Property Tax Credit – Disabled Veterans

FOR the purpose of authorizing the governing body of Washington County to grant, by law, a property tax credit against the county property tax imposed on certain residential property owned by certain disabled veterans of active military, naval, or air service; providing for the amount of the property tax credit; requiring certain disabled veterans or surviving spouses of disabled veterans to provide certain documents when applying for the property tax credit under this Act; prohibiting the inspection of a certain certificate of disability by certain individuals; authorizing the governing body of Washington County to provide, by law, for the duration of the credit and regulations, procedures, and any other provision necessary to carry out the tax credit; defining certain terms; providing for the application of this Act; and generally relating to a property tax credit for certain residential property in Washington County.

BY adding to

Article – Tax – Property

Section 9–323(g)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

House Bill 801 – Chair, Health and Government Operations Committee (By Request – Departmental – Maryland Insurance Administration)

AN ACT concerning

Health Insurance – Required Conformity With Federal Law

FOR the purpose of repealing certain provisions of law permitting certain preexisting condition limitations in group and blanket health insurance contracts and policies; altering certain provisions of law relating to certain preexisting condition exclusions in individual health benefit plans to comply with certain requirements of the federal Patient Protection and Affordable Care Act; altering the definition of “member”, for purposes of provisions of law governing a certain complaint process for coverage decisions, to include a certain individual who is denied coverage under a health benefit plan; altering a certain provision of law relating to participation requirements for health benefit plans in the small employer market to refer to a bronze level health plan instead of a Standard Plan; altering certain provisions of law relating to certain special open enrollment periods in the small employer health insurance market; clarifying the circumstances in which a grace period provision applies under a qualified health plan; requiring a student health plan to comply with the requirements of certain federal regulations, as interpreted and implemented by the federal Centers for Medicare and Medicaid Services; defining a certain term; making conforming changes; correcting a certain cross reference; and generally relating to health insurance and required conformity with federal law.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 15–137.1(b), 15–508.1, 15–10D–01(k), 15–1206(c), 15–1208.1, ~~and~~
15–1208.2(d), 15–1315, and 15–1318

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

BY repealing

Article – Insurance

Section 15–508

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

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

House Bill 823 – Delegates Morales, Angel, Barkley, Barron, Barve, Carr, Cullison, Dumais, Fraser–Hidalgo, Frick, Gutierrez, Hayes, Hixson, Kelly, Korman, Kramer, Luedtke, A. Miller, Moon, Platt, Reznik, S. Robinson, Smith, ~~and Waldstreicher~~ Waldstreicher, Hammen, Hill, McMillan, Morhaim, Oaks, Pena–Melnyk, Sample–Hughes, West, and K. Young

AN ACT concerning

General Provisions – Open Meetings Act – ~~Enforcement~~ Annual Reporting Requirement, Web Site Postings, and Training

FOR the purpose of ~~authorizing~~ altering the annual reporting requirement of the State Open Meetings Law Compliance Board; under certain circumstances, to issue certain orders and impose certain civil penalties not to exceed a certain amount; repealing certain provisions of law rendered obsolete by this Act; expanding the scope of the training requirements under the Open Meetings Act to include all employees, officials, and members of a public body; requiring certain individuals to complete certain training within certain periods of time; making conforming changes to require that certain information on certain violations be reported; requiring the Board to post certain information on a certain Web site; altering the scope of the training requirements under the Open Meetings Act to require the designation of at least a certain number of members with authority to close a meeting to receive the training; requiring that certain designated individuals attend certain meetings or that certain public bodies include a certain checklist in certain minutes; requiring the Board to collaborate with certain entities to implement a process for reporting the names of individuals who take a certain class and develop a certain list of contacts; requiring the Board to report to certain committees of the General Assembly on or before a certain date; defining a certain term; and generally relating to ~~enforcement~~ the annual reporting requirement, Web site postings, and training under the Open Meetings Act.

~~BY repealing~~

~~Article – General Provisions
Section 3–200 and 3–210
Annotated Code of Maryland
(2014 Volume and 2015 Supplement)~~

BY adding to

Article – General Provisions
Section 3–101(d–1)
Annotated Code of Maryland
(2014 Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – General Provisions
Section ~~3–211 and 3–213~~ 3–204(d) and (e), 3–211, and 3–213
Annotated Code of Maryland
(2014 Volume and 2015 Supplement)

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

House Bill 990 – Delegate Morhaim

AN ACT concerning

Civil Actions – Liability of Disability Insurer – Failure to Act in Good Faith

FOR the purpose of authorizing the recovery of actual damages, expenses, litigation costs, and interest in first-party claims against disability insurers in certain civil actions that allege that the insurer failed to act in good faith under certain circumstances; requiring the Maryland Insurance Administration to include in a certain annual report to the General Assembly certain information on certain complaints regarding first-party insurance claims under individual disability insurance policies; defining a certain term; providing for the application of this Act; and generally relating to liability of disability insurers for failure to act in good faith in settling first-party claims.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–1701
Annotated Code of Maryland
(2013 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 27–1001
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

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

House Bill 1001 – Delegates Smith, Dumais, Anderson, Angel, Atterbeary, Barkley, B. Barnes, Barron, Barve, Branch, Brooks, Busch, Carr, Chang, Clippinger, Conaway, Cullison, Davis, Ebersole, Fennell, Frick, Frush, Gaines, Gilchrist, Gutierrez, Haynes, Hettleman, Hill, Hixson, Holmes, C. Howard, Jalisi, Jones, Kaiser, Kelly, Korman, Kramer, Krimm, Lafferty, Lam, Lierman, Luedtke, McIntosh, A. Miller, Moon, Morales, Pena–Melnik, Platt, Proctor, Reznik, B. Robinson, S. Robinson, Rosenberg, Sample–Hughes, Sanchez, Stein, Sydnor, Tarlau, Turner, Valentino–Smith, Waldstreicher, Walker, A. Washington, M. Washington, and P. Young

AN ACT concerning

Criminal Procedure – Firearms – Transfer

FOR the purpose of providing an exception for a certain person from the prohibition against carrying or transporting a certain firearm under certain circumstances; requiring a court to inform a person convicted of a certain offense that the person is prohibited

from possessing a certain firearm under certain provisions of law; requiring the court to advise the person that certain proof must be provided to the court that certain firearms owned by the person or in the person's possession have been transferred from the person's possession; providing for the procedure to transfer certain firearms; requiring a person accepting a transferred firearm to issue a certain notice or proof of transfers; requiring a person who is subject to a certain order to file certain proof with the court or attest certain facts to the court within a certain period; authorizing the disposal of a certain firearm under certain circumstances; defining certain terms; and generally relating to firearms.

~~BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 6–233
Annotated Code of Maryland
(2008 Replacement Volume and 2015 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 4–203(b) and 4–302
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

BY adding to
Article – Criminal Procedure
Section 6–234
Annotated Code of Maryland
(2008 Replacement Volume and 2015 Supplement)

BY adding to
Article – Public Safety
Section 5–133(f)
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 5–205(c)
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

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

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

FOR the purpose of establishing State transportation goals; establishing measures by which the Department of Transportation is required to score the extent to which major capital projects satisfy the goals; requiring the Department to develop a project-based scoring system and promulgate certain regulations; requiring the Department to submit a certain list; requiring the Department to evaluate, score, and rank major capital projects for inclusion in the draft and final Consolidated Transportation Program, in a certain manner; requiring, with a certain exception, that certain capital projects with higher scores be ranked ahead of capital projects with lower scores; requiring the Department to incorporate the State transportation goals in the Consolidated Transportation Program and Maryland Transportation Plan; requiring that certain analyses and benchmarks are included in the Consolidated Transportation Program and Maryland Transportation Plan; providing for the application of this Act; defining a certain term; altering certain definitions; making certain conforming changes; and generally relating to State transportation goals.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 2–103.1
Annotated Code of Maryland
(2015 Replacement Volume and 2015 Supplement)

BY adding to
Article – Transportation
Section 2–103.7
Annotated Code of Maryland
(2015 Replacement Volume and 2015 Supplement)

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

House Bill 1092 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Keeper of the Jail – Repeal

FOR the purpose of repealing certain provisions related to the position of Keeper of the Jail of St. Mary’s County; and generally relating to the repeal of the position of Keeper of the Jail of St. Mary’s County.

BY repealing
The Public Local Laws of St. Mary’s County
Section 68–1 and the chapter “Chapter 68. Keeper of the Jail”

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 Judicial Proceedings.

House Bill 1101 – Montgomery County Delegation

AN ACT concerning

**Municipal Corporations – Closed Swimming Lake – Regulation
MC 32–16**

FOR the purpose of providing that certain closed swimming lakes are not subject to certain regulations; requiring that a municipal corporation that maintains a closed swimming lake establish a policy to assess and monitor the water quality of the lake; requiring the policy to be consistent with certain requirements; defining a certain term; and generally relating to the regulation of closed swimming lakes.

BY adding to

Article – Environment
Section 9–321.2
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

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

House Bill 1138 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – School Facilities Surcharge – Student Housing
Exemptions
PG 439–16**

FOR the purpose of altering the areas within which multifamily housing designated as student housing is exempt from the Prince George’s County school facilities surcharge; updating a certain reference; establishing an exemption from the school facilities surcharge for certain multifamily housing designated as graduate student housing by the City of College Park; authorizing the Prince George’s County Council, by resolution, to reverse a certain designation by the City of College Park of multifamily housing as graduate student housing within a certain number of days of the designation; and generally relating to exemptions from the school facilities surcharge in Prince George’s County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Prince George’s County

Section 10–192.01(b)(4)

Article 17 – Public Local Laws of Maryland

(2011 Edition, as amended)

(As enacted by Chapter 254 of the Acts of the General Assembly of 2002, Chapter 166 of the Acts of the General Assembly of 2007, Chapter 108 of the Acts of the General Assembly of 2008, and Chapter 637 of the Acts of the General Assembly of 2014)

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

House Bill 1277 – Delegates Cullison, Angel, Kelly, Kipke, McMillan, Miele, Morgan, Oaks, Pena–Melnyk, Saab, Sample–Hughes, West, ~~and K. Young~~ K. Young, Hammen, Barron, Bromwell, Hayes, Hill, Krebs, McDonough, Morhaim, Pendergrass, and Rose

AN ACT concerning

Hospitals – Designation of Lay Caregivers

FOR the purpose of requiring a hospital to provide a patient or the legal guardian of the patient with an opportunity to designate a certain lay caregiver before the patient is discharged from the hospital; requiring a hospital to document a certain decision by a certain patient or the legal guardian of the patient in the patient’s medical record; providing that a hospital shall be deemed to be in compliance with this Act under certain circumstances; requiring a hospital to record certain information in a patient’s medical record; requiring a hospital to request the written consent of a patient or the legal guardian of the patient to release certain medical information; providing that a hospital, under certain circumstances, is not required to provide certain notice required under a certain provision of this Act or to consult with or provide certain information to a certain lay caregiver; authorizing a patient or the legal guardian of a patient to change the designation of a certain lay caregiver under certain circumstances; providing that a designation of a certain lay caregiver does not obligate an individual to perform certain aftercare; providing that certain provisions of this Act may not be construed to require a patient or the legal guardian of the patient to designate a certain lay caregiver; requiring a hospital to notify a certain lay caregiver of the discharge of a patient or the transfer of a patient to another hospital or a certain facility as soon as practicable; requiring a hospital, as soon as practicable before discharge, to consult with a certain lay caregiver and issue a certain discharge plan; providing that the inability of a hospital to consult with a certain lay caregiver may not interfere with, delay, or otherwise affect certain medical care or a patient’s discharge; authorizing a hospital’s discharge process to incorporate certain standards of accreditation and certain Conditions of Participation; prohibiting the use of certain federal or State funds for a certain purpose; providing that no federal or State program funding may be impacted by this Act; providing for the construction of this Act; defining certain terms; and generally relating to hospitals and the designation of lay caregivers.

BY repealing and reenacting, without amendments,
 Article – Health – General
 Section 19–301(a) and (f)
 Annotated Code of Maryland
 (2015 Replacement Volume)

BY adding to
 Article – Health – General
 Section 19–380 through 19–385 to be under the new part “Part XI. Designation of
 Lay Caregivers”
 Annotated Code of Maryland
 (2015 Replacement Volume)

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

House Bill 1318 – Delegates Kelly, Angel, Cullison, Hill, Pena–Melnik, 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**

FOR the purpose of requiring certain carriers to maintain or adhere to certain standards that ensure that certain enrollees have certain access to certain health care providers and covered services; requiring certain carriers to file with the Maryland Insurance Commissioner, on or before a certain date and then annually, a certain plan for a certain review ~~and approval~~; requiring certain carriers to notify the Commissioner of a certain change within a certain time period under certain circumstances; requiring a certain notice to include certain information; ~~authorizing certain carriers to request that the Commissioner deem certain information as confidential information; requiring certain carriers to make a certain plan available to the public in a certain manner~~ authorizing the Commissioner to order corrective action under certain circumstances; requiring the Commissioner to deny inspection of the parts of a certain plan that contain certain confidential information; requiring certain regulations to identify the parts of a certain plan that may be considered confidential by the carrier; requiring a certain plan to include certain information; requiring certain carriers to monitor a certain clinical capacity of certain providers in a certain manner; requiring the Commissioner, in consultation with certain persons, to adopt certain regulations on or before a certain date; ~~establishing that certain carriers meet certain requirements by developing and making available to certain individuals a certain network directory; requiring certain carriers to develop and make available to certain individuals a certain network directory on the Internet and in printed form under certain circumstances; requiring a certain network directory to meet certain~~

~~requirements and include certain information; requiring certain carriers to update a certain network directory within a certain time period under certain circumstances; authorizing the Commissioner to take into consideration certain factors in adopting the regulations; requiring the Commissioner, in consultation with certain persons, to adopt regulations, on or before a certain date, that specify certain standards for dental services; requiring a carrier to have certain means by which enrollees and prospective enrollees may notify the carrier of certain information; requiring certain carriers, at certain occurrences, to notify enrollees how to access or obtain certain information; requiring certain information to be updated at certain intervals; requiring certain carriers periodically to review a certain sample of their network directory for a certain purpose and retain documentation of the review or to contact certain providers to make a certain determination under certain circumstances; requiring certain carriers to treat certain services in a certain manner for a certain purpose under certain circumstances;~~ altering a certain requirement on certain carriers to update certain information; requiring certain certification standards established by the Maryland Health Benefit Exchange to be consistent with certain provisions of law and prohibiting the standards from being implemented before a certain date; requiring a certain carrier to make the carrier's network directory available to certain enrollees in a certain manner; requiring a certain carrier's network directory to include certain information; requiring a certain carrier to notify each enrollee at certain times about how to obtain certain information; requiring certain information to be accurate on a certain date; requiring a certain carrier to update certain information at certain intervals; requiring the Commissioner to take into account certain factors before imposing a penalty on a certain carrier for inaccurate network directory information; requiring certain procedures established by certain carriers to ensure that certain requests are addressed in a certain manner; prohibiting a certain procedure established by certain carriers from being used for a certain purpose; requiring certain carriers to have a certain system in place for a certain purpose and to provide certain information to the Commissioner under certain circumstances; requiring certain carriers to file with the Commissioner a copy of certain procedures that includes certain information; requiring certain carriers to make a copy of certain procedures available to certain individuals in a certain manner and under certain circumstances; specifying the provisions of State insurance law relating to provider panels that apply to managed care organizations; repealing a requirement that certain carriers that use provider panels adhere to certain standards for accessibility of covered services in accordance with certain regulations; repealing a requirement that certain standards for health maintenance organizations set out in regulations adopted by the Secretary of Health and Mental Hygiene include provisions for assuring that certain services are accessible; repealing a certain condition for an insurer or nonprofit health service plan to receive authorization from the Commissioner to offer a certain insurance policy; authorizing the Commissioner to designate a certain system under certain circumstances; requiring a carrier to accept certain information for a provider submitted in a certain manner, from certain persons; defining certain terms; making conforming changes; providing for the application of certain provisions of this Act; providing for a delayed effective date for certain provisions of this Act; and generally relating to health benefit plans, network access standards, and provider network directories.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 15–102.3(a) and 19–705.1(b)(1)(i)

Annotated Code of Maryland

(2015 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Health – General

Section 19–705.1(a)

Annotated Code of Maryland

(2015 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Insurance

Section ~~15–112~~ 14–205.1(a), 15–112, and 15–830

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 15–112(n) and (p)

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

(As enacted by Section 1 of this Act)

BY adding to

Article – Insurance

Section 15–112.3 and 31–115(m)

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

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

House Bill 1411 – Delegates McMillan, Angel, Cullison, Kipke, McDonough, Miele, Morgan, Oaks, Saab, and ~~West~~ West, S. Howard, Hammen, Barron, Bromwell, Hayes, Hill, Kelly, Krebs, Morhaim, Pena–Melnik, Pendergrass, Rose, Sample–Hughes, and K. Young

AN ACT concerning

Health – Recovery Residences – Certification

FOR the purpose of requiring the Department of Health and Mental Hygiene to approve a credentialing entity to develop and administer a certification process for recovery residences; requiring the certification entity to establish certain requirements and processes, conduct a certain inspection, and issue a certain certificate of compliance;

providing that a certificate of compliance is valid for a certain period of time; authorizing the credentialing entity to revoke the certificate of compliance of a certified recovery residence under certain circumstances; requiring, on or before a certain date, the credentialing entity to submit a certain list to the Department; requiring, on or before a certain date, the Department to publish on its Web site a certain list that includes certain information; requiring, on or before a certain date, a credentialing entity to publish on its Web site a certain list that includes certain information; prohibiting a person from advertising, representing, or implying to the public that a recovery residence is a certified recovery residence unless the recovery residence has obtained a certain certificate of compliance; establishing a certain civil penalty; requiring the Department to consider certain factors when setting the amount of a certain civil penalty; defining certain terms; and generally relating to the certification of recovery residences.

BY adding to

Article – Health – General

Section 19–2401 through 19–2404 to be under the new subtitle “Subtitle 24. Recovery Residences”

Annotated Code of Maryland
(2015 Replacement Volume)

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

House Bill 1420 – Delegate Cullison

AN ACT concerning

State Board of Massage Therapy Examiners – Licensure, Registration, and Regulation

FOR the purpose of establishing the State Board of Massage Therapy Examiners in the Department of Health and Mental Hygiene; renaming the State Board of Chiropractic and Massage Therapy Examiners to be the State Board of Chiropractic Examiners, altering the membership of the State Board of Chiropractic Examiners, and transferring certain authority to license massage therapists and register massage practitioners to the State Board of Massage Therapy Examiners; providing for the composition, appointment, removal, terms, officers, compensation, and reimbursement for the expenses of the State Board of Massage Therapy Examiners members; establishing certain powers and duties of the Board; authorizing certain boards to employ a certain staff; requiring certain boards to jointly appoint an executive director; providing that the executive director has the powers and duties assigned by certain boards; providing for a certain quorum of members of the Board; establishing a certain fund; authorizing the Board to set certain fees; requiring certain fees collected by the Board to be paid to the Comptroller; requiring the Comptroller to distribute certain fees to a certain fund; providing for the administration and audit of the fund and the purpose for which the fund may be used; requiring that persons who give information to the Board or participate in

certain Board activities have the immunity from liability described in certain provisions of law; requiring an individual to be licensed or registered by the Board before the individual may practice massage therapy in the State or in certain settings in the State; establishing certain exceptions; establishing certain education, experience, criminal history records check, and examination requirements for licensed massage therapists and registered massage practitioners; establishing certain requirements for qualifying, renewing, reinstating, and surrendering a license for massage therapists or registration for massage practitioners; establishing certain requirements for submitting fingerprints to the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services under certain circumstances; requiring the Central Repository to forward to the Board and certain applicants certain criminal history record information; establishing certain requirements for applying for a license or registration; requiring the Board to issue a license or registration under certain circumstances; authorizing the Board to deny a license or registration to an applicant, refuse to renew a license or registration, reprimand a licensed massage therapist or registered massage practitioner, suspend or revoke a license or registration, or impose certain penalties under certain circumstances; establishing certain hearing and appeal procedures for massage therapists and massage practitioners; authorizing a certain action to be maintained to enjoin certain unauthorized practice or conduct under certain circumstances; providing that certain provisions of this Act do not limit the right of a certain individual to practice or advertise an occupation; requiring the Board to adopt regulations to establish standards for advertising or soliciting by licensed massage therapists and registered massage practitioners; establishing requirements for the use of a trade name by licensed massage therapists and registered massage practitioners; prohibiting a certain health care provider from referring patients to an individual who is not a licensed massage therapist; providing that certain health insurance carriers and third party administrators are not required to reimburse a licensed massage therapist or registered massage practitioner for services rendered; providing for the purpose and function of a certain rehabilitation committee; recodifying certain provisions of law that authorize certain counties to adopt certain ordinances and regulations and require certain county commissioners to provide certain authority to certain officers and offices to carry out certain regulations and ordinances; prohibiting an individual from practicing, attempting to practice, or offering to practice massage therapy in the State without a license or registration; prohibiting certain individuals from making certain representations to the public, using certain titles, and using certain initials; prohibiting certain persons from misrepresenting an individual's status of licensure or registration as a massage therapist or massage practitioner by the Board; establishing certain restrictions on the advertising of nonmedical massage services; recodifying certain provisions of law that prohibit certain individuals from performing a massage or offering to perform a massage for compensation in certain counties without a license or registration and authorize certain law enforcement to demand proof of licensure or registration; prohibiting a person from buying, selling, or fraudulently obtaining a certain license, registration, diploma, or degree; requiring a certain individual to reimburse the Board for certain costs; establishing certain criminal penalties; establishing a certain short title; requiring that an evaluation of the Board, and the statutes and

regulations that relate to the Board, be performed on or before a certain date; providing for the termination of this Act under certain circumstances; providing that certain positions on a certain board shall terminate as of a certain date; specifying the terms of the initial members of the Board; providing for the transition between certain boards of the regulation, licensure, and registration of massage therapists and massage practitioners; requiring certain employees of a certain board to become employees of certain boards established under certain provisions of this Act; defining certain terms; making certain technical and conforming changes; and generally relating to the establishment of the State Board of Massage Therapy Examiners and the licensing, registration, and regulation of massage therapists and massage practitioners.

BY renumbering

Article – State Government
Section 8–403(b)(36) through (57), respectively
to be Section 8–403(b)(37) through (58), respectively
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY repealing

Article – Health Occupations
Section 3–5A–01 through 3–5A–15 and the subtitle “Subtitle 5A. Licensure and
Registration of Massage Therapists”
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings
Section 5–704
Annotated Code of Maryland
(2013 Replacement Volume and 2015 Supplement)

BY adding to

Article – Courts and Judicial Proceedings
Section 5–725
Annotated Code of Maryland
(2013 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure
Section 10–233.1(b)
Annotated Code of Maryland
(2008 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 3–101(b); 3–201, 3–202, 3–204(d), and 3–206(a) to be under the amended subtitle “Subtitle 2. State Board of Chiropractic Examiners”; and 3–315(a) and (g), 3–316, 3–316.1(a), (d), and (f), 3–501 through 3–503, and 3–506(a)

Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY adding to

Article – Health Occupations

Section 6–101 through 6–602 to be under the new title “Title 6. Massage Therapy”

Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 8–403(a)

Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 8–403(b)(11)

Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY adding to

Article – State Government

Section 8–403(b)(36)

Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

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

House Bill 1465 – Delegate M. Washington

AN ACT concerning

Foster Care – Standards for Foster Parents

FOR the purpose of requiring the Social Services Administration of the Department of Human Resources to adopt regulations that ~~require local departments of social services to ensure that potential~~ provide for the selection of foster parents for a specific child considered for placement that have the capacity to value, respect, appreciate, and educate a the child regarding the child’s racial, ethnic, religious, and cultural heritage, disability, if any, and sexual orientation or gender identity; and generally relating to children in out-of-home care.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–525(j)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

**House Bill 1466 – Delegates A. Washington, Kaiser, Morales, Platt, ~~and Walker~~
Walker, and Ebersole**

AN ACT concerning

**Task Force to Study Restorative Justice Discipline Practices in Maryland
Public Schools**

FOR the purpose of establishing the Task Force to Study Restorative Justice Discipline Practices in Maryland Public Schools; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before certain dates; providing for the termination of this Act; and generally relating to the Task Force to Study Restorative Justice Discipline Practices in Maryland Public Schools.

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

House Bill 1493 – Calvert County Delegation

AN ACT concerning

Calvert County – Economic Development Incentive Fund – Eligibility Criteria

FOR the purpose of altering the number of full–time jobs a certain applicant must plan to create in order to be eligible for a direct loan or grant from the Economic Development Incentive Fund in Calvert County; and generally relating to the Economic Development Incentive Fund in Calvert County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Calvert County
Section 11–405
Article 5 – Public Local Laws of Maryland
(2002 Edition and May 2015 Supplement, as amended)

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

House Bill 1527 – Delegate O’Donnell**EMERGENCY BILL**

AN ACT concerning

Environment – Water Appropriation Permit – Aquaculture Exemption

FOR the purpose of creating an exemption from the requirement to obtain a water appropriation permit under certain circumstances for certain use of tidal waters for oyster aquaculture purposes; making this Act an emergency measure; and generally relating to an exemption for aquaculture purposes from the requirement to obtain a water appropriation permit.

BY repealing and reenacting, without amendments,
 Article – Environment
 Section 5–502(a)
 Annotated Code of Maryland
 (2013 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
 Article – Environment
 Section 5–502(b)
 Annotated Code of Maryland
 (2013 Replacement Volume and 2015 Supplement)

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

House Bill 1533 – Delegates P. Young, Aumann, Brooks, Cluster, Ebersole, Grammer, Hettleman, Jalisi, Krimm, Lafferty, Lam, Lisanti, Luedtke, Metzgar, Miele, Sydnor, West, and ~~K. Young~~ K. Young, Afzali, Long, and Patterson

AN ACT concerning

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

FOR the purpose of ~~authorizing a certain political subdivision to request that the Secretary of Commerce designate all or a part of a certain enterprise zone as a target redevelopment area for a certain period of time; providing that the request may be made on or before a certain submission date; requiring the Secretary to grant the request under certain circumstances; authorizing a person to apply to the Department of Economic Competitiveness and Commerce to certify that a construction project located in a certain target redevelopment area is a project for~~

~~which the purchase of certain construction material or warehousing equipment is entitled to a certain exemption from the sales and use tax; providing an exemption from the sales and use tax for certain construction material or warehousing equipment used on certain property in certain areas in Baltimore County under certain circumstances; requiring a buyer claiming the exemption to provide certain evidence to a vendor; providing that a person who utilizes certain exempt construction material or warehousing equipment for a purpose other than for a certain project is guilty of a misdemeanor and subject to a certain penalty; defining certain terms; providing for the termination of this Act; and generally relating to enterprise zones and the sales and use tax.~~

~~BY repealing and reenacting, without amendments,
Article – Economic Development
Section 5-701(a), (d), and (f)
Annotated Code of Maryland
(2008 Volume and 2015 Supplement)~~

~~BY adding to
Article – Economic Development
Section 5-706.1
Annotated Code of Maryland
(2008 Volume and 2015 Supplement)~~

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

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

House Bill 69 – Delegates Luedtke, Buckel, Hixson, Krebs, Shoemaker, and Tarlau

AN ACT concerning

Personal Property Tax – Credit for New or Small Business

FOR the purpose of authorizing the Mayor and City Council of Baltimore City or the governing body of a county or municipal corporation to provide a property tax credit against the county or municipal corporation property tax imposed on certain personal property that is owned or leased by certain new or small businesses; authorizing the Mayor and City Council of Baltimore City or the governing body of a county or municipal corporation to provide for certain matters relating to the tax credit; providing for the application of this Act; and generally relating to a property tax credit for personal property owned or leased by certain new or small businesses.

BY adding to

Article – Tax – Property
Section 9–257
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

House Bill 184 – Delegate Dumais

AN ACT concerning

Public Safety – Firearm Application

FOR the purpose of repealing a requirement that a certain firearm application contain a copy of the applicant's handgun qualification license; requiring that a firearm application contain the applicant's handgun qualification license number, with a certain exception; and generally relating to firearm applications.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 5–118(b)
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

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

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)

FOR the purpose of ~~prohibiting a person from selling at retail in the State certain seeds, material, or plants that have been treated with a neonicotinoid pesticide unless the seeds, material, or plants bear a label with, or are in close proximity to a sign that displays in a certain manner, a certain statement;~~ prohibiting a person from selling at retail in the State, on or after a certain date, a neonicotinoid pesticide unless the person also sells a restricted use pesticide; prohibiting a person from using a neonicotinoid pesticide on or after a certain date unless the person is a certified applicator or a person working under the supervision of a certified applicator, a farmer or a person working under the supervision of a farmer who uses the product for a certain purpose, or a veterinarian; establishing certain civil penalties for a

violation of this Act; providing for the application of certain provisions of this Act; defining a certain ~~terms~~ term; and generally relating to neonicotinoid pesticides.

BY repealing and reenacting, without amendments,
Article – Agriculture
Section 5–201(a), (c), and (r)
Annotated Code of Maryland
(2007 Replacement Volume and 2015 Supplement)

BY adding to
Article – Agriculture
Section ~~5–2A–01 and 5–2A–02~~ through 5–2A–03 to be under the new subtitle
“Subtitle 2A. Neonicotinoid Pesticides”
Annotated Code of Maryland
(2007 Replacement Volume and 2015 Supplement)

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

House Bill 312 – Delegates Saab, Afzali, Arentz, Aumann, Beitzel, Buckel, Carey, Cassilly, Cluster, Folden, Ghrist, Glass, Grammer, Hornberger, S. Howard, Kittleman, Krebs, Malone, McComas, McKay, Metzgar, Miele, W. Miller, Morgan, Otto, Reilly, Rey, Rose, Shoemaker, Simonaire, Sophocleus, Vogt, West, B. Wilson, and Wivell

AN ACT concerning

Public Safety – Renewal of Handgun Permits – Fingerprinting

FOR the purpose of specifying that a person who applies for the renewal of a handgun permit is not required to be fingerprinted except under certain circumstances; and generally relating to handgun permits.

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 5–301(a) and (d)
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 5–309(b)
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

BY adding to
Article – Public Safety

Section 5–309(c)
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

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

House Bill 337 – Delegate Long

AN ACT concerning

Baltimore County – Property Tax Credit – Revitalization Districts

FOR the purpose of authorizing the governing body of Baltimore County to grant, by law, a property tax credit against the county property tax imposed on a dwelling that is located in a revitalization district and is owned by a homeowner who, on or after a certain date, made certain substantial improvements to the dwelling that cause the dwelling to be reassessed at a higher value; requiring the credit to equal the amount of the county property tax attributable to the improvements made to the property multiplied by a certain percentage; providing that if ownership of a dwelling is transferred the grantee is eligible to claim the property tax credit in the same manner as the grantor; requiring the governing body of Baltimore County to define revitalization districts for purposes of the tax credit; authorizing the governing body of Baltimore County to provide for certain matters relating to the tax credit; providing for the application of this Act; defining certain terms; and generally relating to a property tax credit in Baltimore County for dwellings located in revitalization districts that have undergone substantial improvements.

BY adding to

Article – Tax – Property
Section 9–305(f)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

House Bill 406 – Delegates ~~Jameson and Folden~~, Folden, and Barve

AN ACT concerning

Motor Fuel Tax – Aviation Gasoline – Definition

FOR the purpose of altering the definition of aviation gasoline for purposes of the motor fuel tax; and generally relating to the definition of aviation gasoline for purposes of the motor fuel tax.

BY repealing and reenacting, without amendments,
Article – Tax – General

Section 9–101(a) and (g)
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 9–101(c)
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

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

House Bill 412 – Delegates Kaiser, Ebersole, Haynes, Hettleman, Kramer, Krimm, Lam, Lierman, Luedtke, A. Miller, Morales, Morhaim, Turner, Valentino-Smith, ~~and Zucker~~ Zucker, Afzali, Fennell, Patterson, and Tarlau

AN ACT concerning

Education – ~~Administration of Assessments~~ – Administration and Provision of Information

FOR the purpose of extending the period of time by which the State Department of Education is required to develop a certain assessment in a certain core content area; requiring certain county boards of education to provide certain information relating to certain assessments administered in a local school system under certain circumstances; requiring certain information relating to certain assessments to be updated, posted online, and included in a certain master plan on or before a certain date each year; defining a certain term; and generally relating to the provision of information regarding the administration of assessments.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–203(b)(3)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY adding to
Article – Education
Section 7–203.3
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

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

House Bill 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

FOR the purpose of ~~repealing the calculation of the interest rate on tax deficiencies and refunds; providing that the interest rate on tax deficiencies and refunds is a certain rate; repealing a requirement that the Comptroller annually set the interest rate on tax deficiencies and refunds; altering the calculation of the annual interest rate that the Comptroller sets for tax deficiencies and refunds; providing for a delayed effective date;~~ and generally relating to the annual interest rate on tax deficiencies and refunds.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 13–604
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

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

House Bill 451 – The Speaker (By Request – Administration)

AN ACT concerning

Admissions and Amusement Tax – Revenue Distribution – Maryland State Arts Council

FOR the purpose of altering a certain distribution of revenue from the State admissions and amusement tax on electronic bingo and electronic tip jars; repealing a certain special fund; providing that the Maryland State Arts Council is entitled to certain revenue distributed from the State admissions and amusement tax on electronic bingo and electronic tip jars; and generally relating to the distribution of revenue from the State admissions and amusement tax on electronic bingo and electronic tip jars.

BY repealing
Article – Economic Development
Section 4–801 and the subtitle “Subtitle 8. Special Fund for Preservation of Cultural Arts in Maryland”
Annotated Code of Maryland
(2008 Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,
Article – Economic Development
Section 4–501(a) and (c)
Annotated Code of Maryland

(2008 Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 4–512(a)
Annotated Code of Maryland
(2008 Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 2–202(a)(1)
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

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

House Bill 503 – Chair, Environment and Transportation Committee (By Request – Departmental – Transportation)

AN ACT concerning

Washington Metropolitan Area Transit Authority Compact – Board of Directors – Appointing Authority for Federal Members

FOR the purpose of requiring the ~~U.S. Secretary of Transportation~~ Secretary of the United States Department of Transportation, rather than the Administrator of General Services, to appoint the federal members and alternate federal members for the Board of Directors of the Washington Metropolitan Area Transit Authority; and generally relating to the Washington Metropolitan Area Transit Authority compact.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 10–204 Title III Article III Section 5(a)
Annotated Code of Maryland
(2015 Replacement Volume and 2015 Supplement)

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

House Bill 511 – Delegates Cullison, Bromwell, Brooks, Clippinger, Gilchrist, Gutierrez, Hayes, Hill, Kelly, Kipke, Moon, Morales, Morhaim, Oaks, Pena–Melnik, Platt, Reznik, Rose, Sample–Hughes, Valderrama, M. Washington, West, C. Wilson, ~~and K. Young~~ K. Young, Queen, and Jackson

AN ACT concerning

**Maryland Medical Assistance Program – Former Foster Care Adolescents –
Dental Care**

FOR the purpose of ~~requiring~~ authorizing the Maryland Medical Assistance Program, subject to the limitations of the State budget, and as permitted by federal law, to provide dental care for certain former foster care adolescents; requiring the Department of Health and Mental Hygiene to apply to the Centers for Medicare and Medicaid Services for a certain waiver; and generally relating to dental care services provided by the Maryland Medical Assistance Program to former foster care adolescents.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 15–103(a)(1)
Annotated Code of Maryland
(2015 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–103(a)(2)(x)
Annotated Code of Maryland
(2015 Replacement Volume)

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

**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**

FOR the purpose of making certain legislative findings and declarations; altering the findings that an order of a court authorizing a transfer of certain structured settlement rights is required to be based on; requiring a transferee to provide to a payee a certain disclosure statement; requiring ~~an application~~ a petition for a transfer of structured settlement payment rights to be filed in a certain court; authorizing the Attorney General to intervene as of right in a certain action; establishing certain requirements concerning a proposed transfer of structured settlement payment rights concerning certain tort claims; prohibiting a person from filing a petition for transfer of structured settlement payment rights unless the person is registered with the Attorney General or has a pending application for registration under certain circumstances; establishing registration requirements; requiring a transferee to file a certain letter of credit or bond with the Attorney General or deposit cash in a certain amount with the Attorney General; authorizing the Attorney General to suspend or revoke the registration of a structured settlement

transferee or deny an application for registration under certain circumstances; authorizing the Attorney General to impose a certain civil penalty; requiring the Attorney General to consider certain factors in making certain determinations; providing for the application of certain provisions of the Administrative Procedure Act; requiring a structured settlement obligor to submit a certain statement to certain persons under certain circumstances; authorizing the Attorney General to adopt ~~and enforce~~ certain regulations; altering ~~a~~ certain ~~definition~~ definitions; defining certain terms; and generally relating to structured settlements.

BY renumbering

Article – Courts and Judicial Proceedings
Section 5–1104 and 5–1105, respectively
to be Section 5–1105 and 5–1106, respectively
Annotated Code of Maryland
(2013 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
 Article – Courts and Judicial Proceedings
 Section ~~5–1101(e)~~ 5–1101, 5–1102, and ~~5–1103(a)~~ 5–1103
 Annotated Code of Maryland
 (2013 Replacement Volume and 2015 Supplement)

BY adding to
 Article – Courts and Judicial Proceedings
 Section ~~5–1101.1 and 5–1106~~, 5–1104, and 5–1107 through 5–1112
 Annotated Code of Maryland
 (2013 Replacement Volume and 2015 Supplement)

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

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**

FOR the purpose of requiring certain individualized education program teams to provide certain parents of a child with a disability with a certain oral and written explanation of the parent's right to request mediation, certain contact information under certain circumstances, and certain information regarding certain pro bono representation; authorizing certain parents to request certain information at certain times; requiring

the State Department of Education to make a certain staff member available to assist certain parents in understanding certain mediation processes; and generally relating to children with disabilities.

BY adding to

Article – Education
Section 8–405(b)(3) and 8–413(b)(7)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

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

House Bill 596 – Delegates Flanagan, Adams, Cullison, Gutierrez, Kelly, Kittleman, Mautz, Metzgar, Miele, Morhaim, Pena–Melnyk, Szeliga, and West

AN ACT concerning

State Department of Education – Hearing Aid Loan Bank Program – Age of Eligibility

FOR the purpose of altering the age of eligibility to participate in the Hearing Aid Loan Bank Program in the State Department of Education; and generally relating to the Hearing Aid Loan Bank Program for eligible children.

BY repealing and reenacting, with amendments,

Article – Education
Section 8–601 and 8–602
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Education
Section 8–603 and 8–604
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

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

House Bill 600 – Delegates Sanchez, Vallario, Glass, Kittleman, Moon, Morales, Parrott, Proctor, Sydnor, and Valentino–Smith

AN ACT concerning

Criminal Procedure – Expungement – Denial of Petition Without Hearing

FOR the purpose of altering a certain provision of law to authorize, rather than require, a court to hold a hearing on a certain petition for expungement if the State's Attorney files a timely objection to the petition; authorizing a court to deny a certain petition for expungement without a hearing if the court finds that the petition is barred as a matter of law; authorizing a certain petitioner to request a hearing within a certain amount of time under certain circumstances; requiring the court to hold a hearing under certain circumstances; making conforming changes; and generally relating to expungement of court and police records.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 10–105(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 10–105(e)
Annotated Code of Maryland
(2008 Replacement Volume and 2015 Supplement)

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

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

FOR the purpose of altering the definition of “DNA profile” for purposes of certain provisions of law concerning the admissibility of a DNA profile in a criminal proceeding; providing that a certain statement that the analysis of genetic loci has been validated according to certain quality assurance standards of the Federal Bureau of Investigation, rather than the standards established by the Technical Working Group on DNA Analysis Methods or the DNA Advisory Board of the Federal Bureau of Investigation, is sufficient to admit a DNA profile into evidence under certain provisions of law; providing for the application of this Act; and generally relating to criminal procedure and DNA profiles.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 10–915
Annotated Code of Maryland
(2013 Replacement Volume and 2015 Supplement)

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

House Bill 681 – Delegates Lam, Beitzel, Barve, Brooks, Buckel, Carr, Chang, Cullison, Ebersole, Glass, Hettleman, Hill, S. Howard, Jalisi, Kipke, Krimm, McKay, McMillan, Morhaim, Pena–Melnyk, Platt, S. Robinson, Shoemaker, Sophocleus, Tarlau, Turner, Valderrama, K. Young, and P. Young

AN ACT concerning

Vehicle Laws – School Vehicles – Definition

FOR the purpose of altering the definition of “school vehicle” to include certain vehicles that meet certain standards and requirements, were originally titled in another state and used to transport children, students, and teachers in that state, and are used only for transporting children to and from a certain program; and generally relating to school vehicles.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 11–154

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 11–173 and 11–174

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

House Bill 709 – Delegate Jones

AN ACT concerning

Education – Maryland School for the Blind – Funding

FOR the purpose of requiring teachers and professional personnel at the Maryland School for the Blind to be paid an annual salary at least equal to a certain amount paid in Baltimore County to certain personnel; requiring the Governor to appropriate a certain amount for certain services; adding to a certain calculation one–half of the average number of children served by the School for the Blind for a certain program; requiring the School for the Blind to submit certain information in a certain form; reorganizing and recodifying without substantive change provisions of law relating to the Maryland School for the Deaf; making stylistic changes; repealing obsolete provisions of law; making conforming changes; and generally relating to funding for

the Maryland School for the Blind and reorganizing and recodifying provisions of law for the Maryland School for the Deaf.

BY repealing

Article – Education

Section 8–304, 8–305, 8–310.1 through 8–310.3, 8–312, and 8–313

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 7–101(b)(4); and 8–301 through 8–303, 8–306, 8–307, 8–307.1, and 8–308 through 8–310, 8–311, and 8–314 through 8–319 to be under the amended subtitle “Subtitle 3. Education of Blind Children”

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY adding to

Article – Education

Section 8–3A–01 through 8–3A–11 to be under the new subtitle “Subtitle 3A. Education of Deaf Children”

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

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

House Bill 713 – Delegates Luedtke, Cullison, Ebersole, Hixson, Kelly, Platt, S. Robinson, ~~and M. Washington~~ M. Washington, Fennell, and Tarlau

AN ACT concerning

**State Department of Education – Community–Partnered School Behavioral Health Services Programs – Reporting System and Report
(School Behavioral Health Accountability Act)**

FOR the purpose of requiring the State Department of Education, in consultation with the Department of Health and Mental Hygiene, county boards of education, and certain other stakeholders, to develop and implement a certain reporting system to determine the effectiveness of community–partnered school behavioral health services programs; requiring a certain reporting system to use certain measures designed for a certain purpose; requiring the Department to submit certain reports to the Governor and the General Assembly on or before certain dates; defining certain terms; and generally relating to community–partnered school behavioral health services programs.

BY adding to

Article – Education

Section 7–438
 Annotated Code of Maryland
 (2014 Replacement Volume and 2015 Supplement)

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

House Bill 727 – Delegates West, Aumann, Hettleman, Morhaim, and Stein

AN ACT concerning

Horse Racing – ~~Intertrack~~ Satellite Simulcast Betting – Public Hearing Requirements

FOR the purpose of requiring the State Racing Commission to hold certain public hearings at certain ~~track~~ locations; requiring the Commission to give notice of certain public hearings to certain individuals ~~and businesses~~ within a certain area in a certain manner; requiring the Commission to require an applicant for a certain permit to take certain actions; and generally relating to public hearings on ~~intertrack~~ satellite simulcast betting on horse racing.

BY repealing and reenacting, without amendments,
 Article – Business Regulation
 Section ~~11–811(a), (b), and (c)~~ 11–816(a) and 11–817(a)
 Annotated Code of Maryland
 (2015 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
 Article – Business Regulation
 Section ~~11–811(d)~~ 11–819
 Annotated Code of Maryland
 (2015 Replacement Volume and 2015 Supplement)

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

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**~~

FOR the purpose of ~~establishing the Task Force to Study Family and Medical Leave Insurance; providing for the composition, chair, and staffing of the Task Force; requiring that the appointed members of the Task Force be appointed by a certain date; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Commission for Women to apply for certain funding; requiring the Task Force to receive certain public testimony and study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the General Assembly on or before a certain date; providing for the termination of this Act; establishing the Family and Medical Leave Insurance Program; prohibiting an employee from disclosing certain information; authorizing a self-employed individual to elect to participate in the Program by filing a certain notice with the Secretary of Labor, Licensing, and Regulation; providing that a certain election becomes effective on the date a certain notice is filed; requiring a certain individual to participate in the Program for a certain initial period; authorizing a certain individual to renew participation in the Program for a certain period; requiring a certain individual to notify the Secretary in writing of the individual's withdrawal from the Program within a certain time period; requiring a certain individual to pay a certain contribution rate during a certain period; providing that an employee's right to benefits under this Act may not be diminished by a collective bargaining agreement entered into or renewed or an employer policy adopted or retained after a certain date; providing that a certain agreement is void as against public policy; stating the purpose of the Program; providing for the manner in which the Program is to be administered; providing for the powers and duties of the Secretary under the Program; establishing the Family and Medical Leave Insurance Fund as a special fund; providing for the administration of the Fund; specifying the contents of the Fund; specifying the purposes for which the Fund may be used; requiring, beginning on a certain date, certain employees to pay the Secretary certain contributions; requiring the Secretary to establish in regulation the rate of contribution; requiring the rate of contribution to be sufficient to fund the benefits payable under this Act; requiring, beginning on a certain date, an individual to meet certain conditions to be eligible for benefits; authorizing a covered employee to take certain leave on an intermittent leave schedule; requiring a covered employee who is taking certain leave on an intermittent leave schedule to take certain action; prohibiting an employer from taking certain action if leave is taken on an intermittent leave schedule; providing for the manner in which benefits are to be calculated and paid; requiring the Division of Unemployment Insurance, under certain circumstances, to notify certain individuals of certain information regarding the federal income tax; requiring the Division, under certain circumstances, to deduct and withhold a certain amount from benefits paid; providing for the manner in which certain employees who receive benefits are to be treated by employers; establishing certain~~

~~prohibited acts; authorizing the Division to seek repayment of benefits under certain circumstances; authorizing the Secretary to waive the repayment of benefits under certain circumstances; exempting the Fund from a certain provision of law; providing for the construction and application of this Act; providing that this Act preempts the authority of a local jurisdiction to adopt certain laws, ordinances, rules, and regulations; requiring the Secretary to adopt certain regulations on or before a certain date; defining certain terms; stating the intent of the General Assembly; and generally relating to the Task Force to Study Family and Medical Leave Insurance Program.~~

~~BY repealing and reenacting, with amendments,
Article — Labor and Employment
Section 8-302
Annotated Code of Maryland
(2008 Replacement Volume and 2015 Supplement)~~

~~BY adding to
Article — Labor and Employment
Section 8.3-101 through 8.3-901 to be under the new title “Title 8.3. Family and
Medical Leave Insurance Program”
Annotated Code of Maryland
(2008 Replacement Volume and 2015 Supplement)~~

~~BY repealing and reenacting, without amendments,
Article — State Finance and Procurement
Section 6-226(a)(1) and (2)(i)
Annotated Code of Maryland
(2015 Replacement Volume)~~

~~BY repealing and reenacting, with amendments,
Article — State Finance and Procurement
Section 6-226(a)(2)(ii)84. and 85.
Annotated Code of Maryland
(2015 Replacement Volume)~~

~~BY adding to
Article — State Finance and Procurement
Section 6-226(a)(2)(ii)86.
Annotated Code of Maryland
(2015 Replacement Volume)~~

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

House Bill 780 – Delegates C. Wilson, Atterbeary, Folden, C. Howard, Luedtke, Malone, McComas, McMillan, Metzgar, Miele, Oaks, Patterson, Pena-Melnyk, Reilly, Shoemaker, Sophocleus, Turner, Valentino-Smith, Vaughn, Walker, ~~and M. Washington~~ M. Washington, Afzali, D. Barnes,

**Buckel, Ebersole, Fennell, Hixson, Hornberger, S. Howard, Kaiser, Long,
Platt, Simonaire, and Tarlau**

AN ACT concerning

Income Tax Checkoff – Maryland Veterans Trust Fund

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

BY adding to

Article – Tax – General
Section 2–115 and 10–804(l)
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government
Section 9–913(e), (f), (h), and (i)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government
Section 9–913(g)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

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

House Bill 852 – Delegates Lisanti, Fennell, and Tarlau

AN ACT concerning

Local Government – Municipal Elections – Tie Votes

FOR the purpose of requiring a municipality to establish a procedure for resolving a tie vote in an election for a municipal officer; providing that a certain election procedure

may be established by ordinance or charter amendment; and generally relating to tie votes in municipal elections.

BY adding to

Article – Local Government
Section 4–108.4
Annotated Code of Maryland
(2013 Volume and 2015 Supplement)

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

House Bill 854 – Delegates Lisanti, Fennell, ~~and Tarlau~~ Tarlau, and O’Donnell

AN ACT concerning

State Highway Administration – Relocation of Water or Sewer Lines – Cost Sharing

FOR the purpose of requiring the State Highway Administration to notify the political subdivision or agency that owns a water or sewer line that must be relocated due to a federal project of the cost of the relocation; requiring the Administration to ~~develop a plan to share the cost of the relocation with the political subdivision or agency that owns the water or sewer line as part of the cost of the federal project~~ investigate funding sources to help the political subdivision or agency that owns the utility to meet its share of the cost of relocating the water or sewer line and, if needed, to develop a payment plan; and generally relating to sharing the cost of relocating water or sewer lines of a publicly owned utility due to certain highway projects.

BY adding to

Article – Transportation
Section 8–657
Annotated Code of Maryland
(2015 Replacement Volume and 2015 Supplement)

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

House Bill 916 – Delegates Jacobs, Carozza, Cassilly, Hornberger, S. Howard, Mautz, Otto, and Reilly

AN ACT concerning

~~Hard-Shell Clams – Use of Hydraulic Clam Dredge – Atlantic Coastal Bays~~
Study on Harvesting Hard-Shell Clams in the Atlantic Coastal Bays and Aquaculture Areas in the Chincoteague Bay

FOR the purpose of ~~authorizing a person to catch hard-shell clams by hydraulic clam dredge in certain areas of the Atlantic Coastal Bays; prohibiting a person who catches hard-shell clams in the Atlantic Coastal Bays from using a hydraulic clam dredge that has a tooth bar that exceeds a certain length; limiting the number of licensees per vessel who may catch hard-shell clams by hydraulic clam dredge in the Atlantic Coastal Bays; requiring one licensee on a vessel catching hard-shell clams by hydraulic clam dredge in the Atlantic Coastal Bays to be the owner and operator of the vessel; establishing certain daily catch limits for and a certain season for catching hard-shell clams by hydraulic clam dredge in the Atlantic Coastal Bays; and generally relating to catching hard-shell clams by hydraulic clam dredge in the Atlantic Coastal Bays~~ requiring the Department of Natural Resources to study and make certain recommendations regarding harvesting hard-shell clams in the Atlantic Coastal Bays; requiring the Department to identify areas in the Chincoteague Bay that are restricted from being used under an aquaculture lease; requiring the Department to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; and generally relating to a study on harvesting hard-shell clams in the Atlantic Coastal Bays and aquaculture in the Chincoteague Bay.

~~BY repealing and reenacting, with amendments,
Article — Natural Resources
Section 4-1002 and 4-1021.1
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)~~

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

House Bill 963 – Delegates Luedtke, Hixson, A. Washington, and M. Washington

AN ACT concerning

Campaign Finance – Ballot Issue Committees – Prospective Questions

FOR the purpose of altering certain campaign finance law definitions to include campaign finance activity relating to prospective questions to be placed on the ballot; prohibiting a chief election official from certifying a petition if the petition sponsor fails to provide proof of filing a certain campaign finance report; repealing certain requirements that a statement of contributions and expenditures for a petition be filed at the time the petition is filed; prohibiting a circulator from collecting signatures for certain petitions until the sponsor of the petition establishes a ballot issue committee; requiring a petition sponsor's ballot issue committee to file a campaign finance report at the time the petition is filed; requiring a ballot issue committee opposing a prospective question to file a campaign finance report within a certain number of days after the petition to place the question on the ballot is filed; and generally relating to campaign finance activity relating to prospective questions to be placed on the ballot.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 1–101(f), (k), (o), (aa), and (gg), 6–208, 7–104(c), and 13–202
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

BY adding to
Article – Election Law
Section 13–309(e)
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

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

House Bill 1012 – Delegates McCray, Lierman, Barron, Beidle, Bromwell, Brooks, Busch, Cullison, Fennell, Frush, Gaines, Hettleman, Hixson, Korman, Krimm, Lafferty, Luedtke, Moon, Morhaim, Reznik, B. Robinson, Stein, A. Washington, ~~and M. Washington~~ M. Washington, Tarlau, Kaiser, Ebersole, Afzali, and Platt

AN ACT concerning

Income Tax Credit – Commuter Benefits – Eligibility and Credit Amount

FOR the purpose of increasing the maximum allowable amount per employee of the income and insurance premium tax credit for a business's cost of providing commuter benefits for its employees; altering the minimum seating capacity of a vehicle that may be used to provide qualifying commuter benefits for purposes of the income and insurance premium tax credit; providing for the application of this Act; and generally relating to the income and insurance premium tax credit for commuter benefits.

BY repealing and reenacting, with amendments,
Article – Environment
Section 2–901
Annotated Code of Maryland
(2013 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,
Article – Insurance
Section 6–120
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – General

Section 10–715
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

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

House Bill 1185 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Circuit Court Personnel – Repeal

FOR the purpose of repealing certain provisions of law concerning the appointment and compensation of a law clerk for the St. Mary’s County Circuit Court resident judge; ~~repealing certain provisions of law concerning the appointment and compensation of secretaries for judges in the Circuit Court for St. Mary’s County;~~ and generally relating to personnel in the Circuit Court for St. Mary’s County.

BY repealing

The Public Local Laws of St. Mary’s County
Section 19–1 ~~and 19–2~~
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 Judicial Proceedings.

House Bill 1254 – The Speaker (By Request – Maryland Economic Development and Business Climate Commission) and Delegates Beitzel, Frick, and Walker

AN ACT concerning

Corporate Income Tax – Federal Repatriation Holiday

FOR the purpose of providing a subtraction modification under the Maryland corporate income tax for certain dividends included in federal taxable income as a result of a certain repatriation holiday enacted by certain federal legislation; requiring the Comptroller to provide for the administration of this Act if certain federal legislation is enacted; stating the intent of the General Assembly; providing for the application of this Act; and generally relating to an income tax subtraction modification for certain dividends.

BY repealing and reenacting, without amendments,

Article – Tax – General
Section 10–307(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

BY adding to

Article – Tax – General

Section 10–307(e)

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)

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

House Bill 1281 – Delegates Jameson and Gaines

AN ACT concerning

Strategic Energy Investment Program and Advisory Board – Alterations

FOR the purpose of ~~providing that certain excess administrative expenses of the Strategic Energy Investment Fund shall be paid from a certain allocation for a certain fiscal year;~~ requiring the Maryland Energy Administration to provide certain plans to the Strategic Energy Investment Advisory Board in certain years; requiring the Administration to provide certain reports on the implementation of certain plans in certain years; providing for the ~~election~~ appointment of a chair of the Board; authorizing the Board to meet under certain circumstances; providing that copies of a certain report shall be provided to members of certain committees; providing that certain information concerning certain grants and certain amounts be included in the report; repealing an obsolete provision; and generally relating to the Strategic Energy Investment Program.

BY repealing and reenacting, without amendments,

Article – State Government

Section 9–20B–01, 9–20B–04, 9–20B–08, and 9–20B–09

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–20B–05, 9–20B–06, 9–20B–07, and 9–20B–12

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

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

House Bill 1290 – Delegates Adams and Folden

AN ACT concerning

Motor Fuel Dispensing Equipment – Tax Rate Information

FOR the purpose of requiring a sticker that the Comptroller requires to be affixed to dispensing equipment for motor fuel to include the address of a Web site maintained by the Comptroller where the current federal and State motor fuel tax rates may be viewed; and generally relating to requiring that information on motor fuel tax rates be made available to users of motor fuel dispensing equipment.

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 10–315(a)
Annotated Code of Maryland
(2015 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 10–315(b)
Annotated Code of Maryland
(2015 Replacement Volume and 2015 Supplement)

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

House Bill 1300 – Delegates C. Howard, Aumann, Beidle, Fennell, Gilchrist, McConkey, O’Donnell, Pendergrass, S. Robinson, Rose, and Shoemaker

AN ACT concerning

Income Tax – Credit for Task Force to Study Long–Term Care Insurance Premiums

~~FOR the purpose of altering a certain limitation on a certain credit against the State income tax for certain long term care insurance premiums paid by a taxpayer; altering the amount a taxpayer may claim as a credit for certain long term care insurance purchased after a certain date; providing for the application of this Act; and generally relating to a certain income tax credit for eligible long term care premiums.~~

FOR the purpose of establishing the Task Force to Study Long–Term Care Insurance Premiums; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Long–Term Care Insurance Premiums.

~~BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–718
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)~~

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

House Bill 1330 – Delegates Oaks, Rosenberg, Anderson, Branch, Carter, Clippinger, Conaway, Hammen, Hayes, Haynes, McCray, McIntosh, and B. Robinson

AN ACT concerning

Baltimore City – Table Games Proceeds – Recreational Facilities

FOR the purpose of providing that the proceeds of certain table games paid to Baltimore City for certain purposes related to recreational facilities may be used only to supplement and not to supplant existing expenses or obligations related to recreational facilities; making this Act subject to a certain contingency; and generally relating to the use of certain proceeds from table games.

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–1A–27(d)

Annotated Code of Maryland

(2014 Replacement Volume and 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 Budget and Taxation.

House Bill 1333 – Delegate M. Washington

AN ACT concerning

Income Tax – Filing of Withholding Statements ~~and Payment of Refund Claims~~

FOR the purpose of altering the date by which certain payors of amounts subject to income tax withholding are required to provide the Comptroller a copy of a certain statement; ~~prohibiting the Comptroller from paying a certain claim for refund of income tax before a certain date except under certain circumstances;~~ and generally relating to the filing of certain statements of withholding ~~and the payment of certain income tax refund claims.~~

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–911(b) ~~and 13–905~~

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)

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

House Bill 1352 – Wicomico County Delegation

AN ACT concerning

Wicomico County Board of Education – Election and Appointment of Members

FOR the purpose of requiring that, beginning with a certain election, certain members of the Wicomico County Board of Education be elected by districts and certain members be elected at large; providing that, alternatively, beginning with a certain election, certain members of the Wicomico County Board of Education be elected by districts and certain members be appointed; establishing the composition of the county board; providing for the qualifications, terms of office, and filling of a vacancy of certain members of the county board; establishing certain removal, hearing, and appeal procedures for certain members of the county board; establishing a Wicomico County School Board Nominating Commission to select nominees to be recommended to the Wicomico County Council to fill certain appointments or vacancies on the county board; providing for the membership and duties of the Commission; repealing certain provisions concerning the appointment by the Governor of the members of the Wicomico County Board of Education; providing for the termination of the terms of certain members of the county board; submitting this Act to a referendum of the qualified voters of Wicomico County for their adoption or rejection of certain provisions of this Act; and generally relating to the election and appointment of the members of the Wicomico County Board of Education.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–105 and 3–114
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY adding to
Article – Education
Section 3–13A–01 through 3–13A–06 to be under the new subtitle “Subtitle 13A.
Wicomico County”
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

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

House Bill 1363 – Delegates McMillan, Metzgar, Miele, Reilly, Simonaire, A. Washington, and M. Washington

AN ACT concerning

Property Tax – Appeals – Provision of Information to Taxpayers

FOR the purpose of requiring that a person making a certain appeal before a supervisor of assessments receive certain information from the Department of Assessments and Taxation regarding the property that is the subject of the appeal and a certain sales analysis at least a certain number of days before a certain hearing; requiring the Department to provide the information free of charge; repealing certain provisions of law relating to a request by a person making an appeal before a property tax assessment appeal board for certain information; requiring that a person making a certain appeal before a property tax assessment appeal board receive certain information from the Department regarding comparable properties at least a certain number of days before a certain hearing; requiring the Department to provide the information free of charge; repealing the authority of the Department to charge a fee for the information; requiring the Department to provide certain information to a person making an appeal before a supervisor or a property tax assessment appeal board at the scheduled hearing if the person states that the Department has not provided the information; requiring the assessed value of a property that is the subject of an appeal to remain at a certain level if the Department does not provide certain information at the scheduled hearing before a supervisor or a property tax assessment appeal board; providing that the hearing before a supervisor or a property tax assessment appeal board may be rescheduled at a certain time at the option of a person making the appeal if the person receives certain information for the first time on the date of the scheduled hearing; and generally relating to the provision of information to persons making property tax assessment appeals.

BY adding to

Article – Tax – Property
Section 14–510.1
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – Property
Section 14–511(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

House Bill 1387 – Delegates Hornberger, Afzali, Anderton, Arentz, B. Barnes, Beitzel, Buckel, Cassilly, Chang, Cluster, Fennell, Flanagan, Ghrist, Glass, Grammer, C. Howard, Jacobs, Jalisi, Kipke, Krebs, Lisanti, Long, Luedtke, Malone, Mautz, McCray, McKay, W. Miller, Moon, Morgan, O'Donnell, Otto, Patterson, Platt, Reilly, Rey, Rose, Shoemaker, Simonaire, Sophocleus, Szeliga, Walker, A. Washington, M. Washington, West, and B. Wilson

AN ACT concerning

Commercial Northern Snakehead Bowfishing License – Establishment

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

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–221 and 4–701(a), (b)(1), and (d)(2)(ii)4.
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 4–701(d)(2)(i)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

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

House Bill 1417 – Delegates Morgan, Jameson, Patterson, Rey, and C. Wilson

AN ACT concerning

Charles County and St. Mary’s County – Deer Management Permit – Firearms

FOR the purpose of authorizing an individual who holds a Deer Management Permit in Charles County and St. Mary’s County to use certain firearms to hunt deer throughout the year, including all deer hunting seasons, in the locations and under the conditions set forth in the permit; and generally relating to the use of certain

firearms under a Deer Management Permit in Charles County and St. Mary's County.

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 10–415(d)(1) and (3)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–415(d)(2)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

House Bill 1446 – Delegate McComas

AN ACT concerning

**State Department of Assessments and Taxation – Registering Entity Names –
Limitations**

FOR the purpose of prohibiting certain entity names from being registered with the State Department of Assessments and Taxation except under certain circumstances; requiring the Department to make a certain determination under certain circumstances; prohibiting the Department from registering a certain entity name under certain circumstances; ~~prohibiting the registration of a certain entity name for a certain period of time under certain circumstances;~~ and generally relating to registering entity names with the State Department of Assessments and Taxation.

BY adding to
Article – Corporations and Associations
Section 1–509
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

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

House Bill 1502 – Delegate Rosenberg

AN ACT concerning

**Child Support Enforcement – Noncustodial Parent Employment Assistance
Pilot Program**

FOR the purpose of requiring the Child Support Enforcement Administration of the Department of Human Resources, in cooperation with certain other entities, to develop and implement a Noncustodial Parent Employment Assistance Pilot Program in Baltimore City; establishing the purpose of the Program; establishing eligibility criteria for participation in the Program; requiring the Program to include certain components; specifying employment assistance services that may be provided under the Program; authorizing, in certain cases, a certain agreement between a noncustodial parent and the Child Support Enforcement Administration to provide for a certain reduction in child support arrearages on full completion of Program requirements; authorizing the Secretary of Human Resources to use certain funds for the development and implementation of the Program; requiring the Secretary to conduct evaluations of the Program using certain measures and to report to the General Assembly on or before a certain date each year on the effectiveness of the Program; authorizing the Secretary to adopt certain regulations; requiring the Child Support Enforcement Administration to notify the Motor Vehicle Administration to reinstate a certain license or privilege to drive of a participant in full compliance in the Program under certain circumstances; requiring the Child Support Enforcement Administration to notify a certain licensing authority to reinstate a certain occupational license of a participant in full compliance in the Program under certain circumstances; defining certain terms; providing for the termination of this Act; and generally relating to child support enforcement and the Noncustodial Parent Employment Assistance Pilot Program.

BY repealing and reenacting, without amendments,

Article – Family Law

Section 10–101(a) and (b), 10–119(a), 10–119.3(a)(1) and (2), 10–1A–01(b) and (d), and 10–301(dd)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY adding to

Article – Family Law

Section 10–112.2

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Family Law

Section 10–119(d) and 10–119.3(j)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

House Bill 326 – Chair, Environment and Transportation Committee (By Request – Departmental – Housing and Community Development)

AN ACT concerning

Housing and Community Development – Business Lending and Neighborhood Revitalization

FOR the purpose of authorizing the Maryland Housing Fund in the Department of Housing and Community Development to provide certain insurance or credit enhancement on business projects under certain circumstances; altering certain findings related to the Maryland Housing Fund to include certain business projects; specifying certain criteria for a project to qualify as a business project; providing for certain types of financial assistance to business projects by the Community Development Administration under certain circumstances; authorizing the Administration to purchase or issue securities for certain business projects; altering certain definitions; defining certain terms; authorizing the Department to charge certain fees for certain financial assistance provided under the Division of Neighborhood Revitalization; requiring the Department to provide certain notice of certain projects under the Division to certain local jurisdictions; altering the circumstances in which the Department may approve certain projects; altering the standards for receipt of certain financial assistance to certain businesses under the Division; altering the type of financial assistance that the Department may provide through certain entities under certain circumstances; expanding the areas in which the Neighborhood Business Development Program is authorized to provide financial assistance; requiring the Department to reserve a certain amount of money to make financial assistance available to certain projects located in sustainable communities; repealing certain requirements for applicants for financial assistance for projects in certain areas; repealing a requirement for the Department to establish certain minimum percentages for certain types of funding; altering certain limits on the amount of certain loans that the Department may sell; authorizing the Department to purchase certain financial assistance from certain entities for certain business purposes; authorizing the Department to pledge certain loans for certain purposes; altering where certain unencumbered funds in the Neighborhood Business Development Fund may be transferred for certain uses under certain circumstances; declaring the intent of the General Assembly; requiring the Department to report to certain committees of the General Assembly on or before a certain date; and generally relating to business lending and neighborhood revitalization in the Department of Housing and Community Development.

BY renumbering

Article – Housing and Community Development

Section 3–201(b) through (j), respectively, and 4–201(b) through (u), respectively to be Section 3–201(c) through (k), respectively, and 4–201(c) through (v), respectively

Annotated Code of Maryland

(2006 Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Housing and Community Development
Section 3–201(a) and 4–201(a)
Annotated Code of Maryland
(2006 Volume and 2015 Supplement)

BY adding to

Article – Housing and Community Development
Section 3–201(b), 4–201(b), and 4–223
Annotated Code of Maryland
(2006 Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Housing and Community Development
Section 3–202, 3–206(a), 4–201(e), 4–211(a)(12), 4–225(a), 4–234, 6–102, 6–206(b),
6–301, 6–302, 6–303, 6–304(b), 6–305, 6–308, 6–308.1, 6–310, and 6–405(c)
Annotated Code of Maryland
(2006 Volume and 2015 Supplement)

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

House Bill 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

FOR the purpose of excluding certain items from the definition of “assets” for purposes of certain property tax relief provided to certain renters; altering the calculation of the relief provided by altering the calculation of the combined income of a renter; increasing the maximum amount of property tax relief that may be provided; providing for the application of this Act; and generally relating to the renters’ property tax relief program.

BY repealing and reenacting, without amendments,

Article – Tax – Property
Section 9–102(a)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – Property
Section 9–102(a)(2), (h), and (i)
Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

House Bill 400 – Delegate M. Washington

AN ACT concerning

**Higher Education – Tuition Waivers for Foster Care Recipients and
Unaccompanied Homeless Youth – Modifications**

FOR the purpose of altering the definition of “foster care recipient” in relation to when certain individuals have to reside in a certain out-of-home placement to be eligible for a certain tuition waiver; altering a certain requirement that certain foster care recipients and certain unaccompanied homeless youth apply for certain financial aid by a certain time; requiring certain public institutions of higher education and the Maryland Higher Education Commission to make certain annual reports on or before certain dates; and generally relating to tuition waivers for foster care recipients and unaccompanied homeless youth.

BY repealing and reenacting, with amendments,
Article – Education
Section 15–106.1
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

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

House Bill 557 – Delegate Jameson

AN ACT concerning

Homeowner’s Insurance – Underwriting Standards – Deductibles

FOR the purpose of authorizing an insurer to issue a policy of homeowner’s insurance that includes a certain deductible, subject to certain limitations; authorizing the insurer to require a certain deductible in a policy of homeowner’s insurance or to offer a certain deductible as an option; requiring an insurer that has adopted a certain underwriting standard to apply a certain deductible only during a certain period of time and regardless of where the insured’s home is located in the State; repealing the requirement that an insurer that issues a policy of homeowner’s insurance file with the Maryland Insurance Commissioner for approval a certain underwriting standard that requires a certain deductible under certain circumstances before the insurer may implement the underwriting standard; requiring an insurer that issues a policy of homeowner’s insurance to file ~~for information~~ with the Commissioner a certain underwriting standard that requires a certain deductible under certain

circumstances at least a certain period of time before the insurer proposes to implement the underwriting standard; altering the contents of a certain filing; repealing a provision of law that prohibits a certain underwriting standard from taking effect until a certain period of time has passed; repealing the authority of the Commissioner to take certain actions with regard to a certain underwriting standard during certain periods of time; repealing a provision of law that a certain filing is deemed approved unless disapproved by the Commissioner during certain periods of time; ~~authorizing an insurer to adopt a certain underwriting standard that requires a certain deductible under certain circumstances if the deductible applies only during a certain period of time and regardless of where the insured's home is located in the State;~~ altering certain requirements relating to an annual statement that must be provided to a policyholder; requiring a certain insurer, under certain circumstances, to provide an insured with a certain statement about a certain deductible at certain times; requiring a certain statement to include certain information; authorizing a certain example required to be included in a certain statement to be provided in a certain manner; authorizing a certain insurer to satisfy certain notice requirements in a certain manner; requiring an insurer to send a copy of a certain form to the Commissioner for information under certain circumstances; providing for the application of this Act; providing for a delayed effective date; and generally relating to underwriting standards and deductibles under homeowner's insurance.

BY repealing and reenacting, with amendments,
 Article – Insurance
 Section 19–209
 Annotated Code of Maryland
 (2011 Replacement Volume and 2015 Supplement)

BY adding to
Article – Insurance
Section 19–209.1
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

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

House Bill 577 – Allegany County Delegation and Garrett County Delegation

AN ACT concerning

Allegany County and Garrett County – Annual Financial Reports – Filing Date

FOR the purpose of altering the date by which Allegany County and Garrett County are required to file certain financial reports with the Department of Legislative Services; and generally relating to the date by which Allegany County and Garrett County are required to file financial reports.

BY repealing and reenacting, with amendments,
Article – Local Government
Section 16–304
Annotated Code of Maryland
(2013 Volume and 2015 Supplement)

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

House Bill 720 – Delegate Kramer

AN ACT concerning

Motor Vehicle Insurance – Insurance Identification Card – Carrying Proof of Coverage – Uninsured Motorist Education and Enforcement Fund

FOR the purpose of requiring a certain insurer to provide a certain insurance identification card to certain insureds at certain times; providing that an insurance identification card may be produced in a certain electronic format; providing that the insurance identification card shall be valid for only a certain period except under certain circumstances; requiring a certain operator to be in possession of or carry in the motor vehicle at certain times certain evidence of required security; providing that a certain identification insurance card is a form of evidence of a certain required security; allowing a certain evidence of required security to be produced in a certain electronic format; providing for a certain fine; establishing the Uninsured Motorist Education and Enforcement Fund as a special, nonlapsing fund; providing that a certain fine may ~~not~~ be waived and shall be deposited into the Fund; specifying the purpose of the Fund; requiring the Motor Vehicle Administration to administer the Fund; providing that the Fund consists of certain revenues, interest, and other money; specifying the uses of the Fund; authorizing the Administration to delay the imposition of a certain fine for a certain period of time for a certain purpose; authorizing the Administration to adopt regulations; exempting the Fund from a certain provision of law requiring interest on State money in special funds to accrue to the General Fund of the State; authorizing the Administration to accept funding or another form of support from the Uninsured Claim and Judgment Fund of the Maryland Automobile Insurance Fund for a certain purpose; defining certain terms; and generally relating to carrying proof of coverage, educating operators of motor vehicles about and enforcing the Maryland Vehicle Law, and motor vehicle insurance.

BY adding to
Article – Insurance
Section 19–503.1
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement
Section 6–226(a)(2)(i)
Annotated Code of Maryland
(2015 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)84. and 85.
Annotated Code of Maryland
(2015 Replacement Volume)

BY adding to
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)86.
Annotated Code of Maryland
(2015 Replacement Volume)

BY adding to
Article – Transportation
Section 17–104.2
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

House Bill 743 – Delegates S. Robinson and Cassilly

AN ACT concerning

Yard Waste and Food Residuals Diversion and Infrastructure Task Force

FOR the purpose of establishing the Yard Waste and Food Residuals Diversion and Infrastructure Task Force; providing for the composition, cochairs, 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 identify, evaluate, study, and make recommendations regarding certain matters; requiring the Task Force to report its interim and final findings and recommendations to the Governor and the General Assembly on or before certain dates; providing for the termination of this Act; and generally relating to the Yard Waste and Food Residuals Diversion and Infrastructure Task Force.

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

House Bill 870 – Delegate Parrott

AN ACT concerning

**Natural Resources – Black Fly Management and Control – ~~Washington County~~
Study**

FOR the purpose of ~~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; requiring the Department of Natural Resources to conduct a study on the feasibility of establishing a program to control the spread of black flies in the State; requiring the study to include consideration of establishing a pilot program to control the spread of black flies in Washington County; requiring the Department of Natural Resources to consult with the Department of Agriculture and the Department of the Environment in conducting the study; requiring the Department of Natural Resources to report certain findings and recommendations to the Governor and certain committees of the General Assembly on or before a certain date; and generally relating to the management and control of black flies in the State.~~

~~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)~~

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

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

FOR the purpose of ~~requiring~~ authorizing the Department of Natural Resources to adopt certain 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~~ 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 generally relating to harvest times for crabs using trotlines and crab pots tidal fish licenses.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–803
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

House Bill 947 – ~~Delegate Sydnor~~ Delegates Sydnor and Conaway

AN ACT concerning

Public Information Act – Inspection of Records From Body–Worn Digital Recording Devices

FOR the purpose of requiring, except under certain circumstances, a custodian of records to deny inspection of the part of a recording from a certain body–worn digital recording device worn by a law enforcement officer regarding certain ~~incidents~~ individuals; requiring certain notification of certain individuals under certain circumstances; requiring the Attorney General to adopt certain regulations in consultation with certain groups; requiring a custodian of records to allow inspection of a recording from a certain body–worn digital recording device worn by a law enforcement officer by certain individuals; prohibiting a custodian of records from allowing copying of records from a certain body–worn digital recording device worn by a law enforcement officer by certain individuals; providing for the construction of this Act; defining a certain term; and generally relating to the inspection of recordings from body–worn digital recording devices worn by law enforcement officers.

BY repealing and reenacting, with amendments,
Article – General Provisions
Section 4–101
Annotated Code of Maryland
(2014 Volume and 2015 Supplement)

BY adding to
Article – General Provisions
Section 4–356
Annotated Code of Maryland

(2014 Volume and 2015 Supplement)

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

House Bill 1123 – Prince George’s County Delegation and Montgomery County Delegation

AN ACT concerning

**Maryland–Washington Metropolitan District – Boundaries – City of Greenbelt
PG/MC 117–16**

FOR the purpose of altering a certain provision of law to provide that the boundaries of the Maryland–Washington Metropolitan District do not include the City of Greenbelt as its boundaries are defined on a certain date; and generally relating to the boundaries of the Maryland–Washington Metropolitan District.

BY repealing and reenacting, with amendments,

Article – Land Use

Section 19–102

Annotated Code of Maryland

(2012 Volume and 2015 Supplement)

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

House Bill 1163 – Delegates Lam and S. Robinson

AN ACT concerning

Agriculture – Veterinary Feed Directives – Information Collection

FOR the purpose of requiring a certain veterinarian who issues a certain veterinary feed directive to submit to the Department of Agriculture certain information in a certain manner; requiring the Department to maintain certain information and make the information available for public review in a certain manner; requiring the Department to report to certain committees of the General Assembly on or before a certain date each year, beginning on or before a certain date; and generally relating to veterinary feed directives.

BY adding to

Article – Agriculture

Section 3–1001 to be under the new subtitle “Subtitle 10. Veterinary Feed Directives”

Annotated Code of Maryland

(2007 Replacement Volume and 2015 Supplement)

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

House Bill 1165 – Delegate Lisanti

AN ACT concerning

Vehicle Laws – Lapse or Termination of Required Security – Notice

FOR the purpose of requiring a certain insurer or other provider of required vehicle security to immediately provide electronic notice of a certain lapse or termination of required security to the Motor Vehicle Administration and, under certain circumstances, the vehicle owner; and generally relating to the lapse or termination of required security for a vehicle.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 17–106
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

House Bill 1183 – Delegates Angel, Atterbeary, Carter, Kelly, Morales, Pena–Melnyk, Proctor, Rosenberg, Sanchez, Sydnor, Tarlau, and Walker

AN ACT concerning

Family Law – Divorce – Restoration of Former Name

FOR the purpose of authorizing the court, on motion of a party ~~at any~~ filed within a certain period of time after a final decree of absolute divorce is entered, to change the name of the requesting party to a certain former name under certain circumstances; specifying that certain provisions of law relating to a change of name do not apply to a change of name in connection with a decree of absolute divorce; and generally relating to divorce and the restoration of a former name.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 7–105
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

House Bill 1226 – Delegate A. Washington

AN ACT concerning

Recordation and Transfer Taxes – Transfer of Controlling Interest – Exemptions

FOR the purpose of altering a certain exemption from recordation and transfer taxes so as to provide that a transfer of a controlling interest in a real property entity is not subject to recordation and transfer taxes if the transfer of the real property owned by the real property entity between the same transferor and transferee of the controlling interest under the same circumstances would have been exempt under certain provisions of law; altering a certain exemption from recordation and transfer taxes so as to provide that the recordation and transfer tax is not imposed on the transfer of a controlling interest in a real property entity to another entity if the ownership interests in the transferee entity are owned by the same persons and in the same proportion who own the transferor entity or the real property entity the controlling interest of which was transferred; repealing a provision of law providing that recordation and transfer taxes are not imposed on the transfer of a controlling interest in a real property entity if each transferor, each transferee, and each real property entity are certain types of business entities; and generally relating to exemptions from recordation and transfer taxes for certain transfers of controlling interests in a real property entity.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 12–117
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 13–103
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

House Bill 1236 – Delegates Valentino–Smith, Clippinger, Glenn, B. Robinson, Rosenberg, and Waldstreicher

AN ACT concerning

Vehicle Equipment – Counterfeit and Nonfunctional Airbags – Prohibitions

FOR the purpose of prohibiting a person from importing, manufacturing, distributing, selling, or offering for sale a counterfeit airbag or a nonfunctional airbag; prohibiting a person from installing a counterfeit airbag or a nonfunctional airbag in a motor vehicle; prohibiting a person from selling or installing a device that causes the vehicle diagnostic system to inaccurately indicate that the airbag is functional when

a counterfeit airbag, a nonfunctional airbag, or no airbag is installed; prohibiting a person from representing to another person that a counterfeit airbag or a nonfunctional airbag that is or will be installed in a motor vehicle is a functional airbag; prohibiting a person from assisting in or causing a violation of this Act; establishing certain penalties for a violation of this Act; defining certain terms; and generally relating to motor vehicle equipment and counterfeit airbags and nonfunctional airbags.

BY adding to

Article – Transportation

Section 22–419

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

House Bill 1247 – Delegates Hayes, Angel, Bromwell, Hettleman, Hill, Jalisi, Kipke, Lam, Lierman, McMillan, Oaks, Pena–Melnik, Sample–Hughes, Turner, M. Washington, and West

EMERGENCY BILL

AN ACT concerning

Insurance – Self-Funded Student Health Plans

FOR the purpose of exempting from certain State insurance laws a self-funded student health plan operated by an independent institution of higher education that provides health care services to its students and their dependents under certain circumstances; requiring a certain report of an independent institution of higher education to be filed on a certain date; ~~requiring certain certifications to be construed in a certain manner; providing for the application of this Act;~~ making a stylistic change; altering certain definitions; making this Act an emergency measure; and generally relating to self-funded student health plans and State insurance laws.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 1–202, 15–10A–01(c), and 15–10D–01(d)

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Insurance

Section 15–10A–01(a) and 15–10D–01(a)

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

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

**House Bill 1262 – Delegate Oaks (By Request – Baltimore City Administration)
and Delegates Anderson and Rosenberg**

AN ACT concerning

Baltimore City – Civilian Review Board

FOR the purpose of altering certain procedures for filing a complaint with the Baltimore City Civilian Review Board; repealing certain time limits on filing a complaint; authorizing the Board to review an incomplete complaint; authorizing a complainant to request that a complaint be confidential; ~~providing for certain procedures for certain confidential complaints; altering a certain authority of the Board to issue certain subpoenas;~~ providing that a certain report, under certain circumstances, remains subject to a certain review and certain recommendations by the Board; repealing a certain period of time within which the Board is required to submit a certain statement to the head of a certain law enforcement unit; repealing certain references to the Secretary of the Board; making certain stylistic and technical changes; altering certain definitions; and generally relating to the Baltimore City Civilian Review Board.

BY repealing and reenacting, with amendments,
The Public Local Laws of Baltimore City
Section 16–41
Article 4 – Public Local Laws of Maryland
(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)
(As enacted by Chapter 499 of the Acts of the General Assembly of 2006, as amended
by Chapter 130 of the Acts of the General Assembly of 2015)

BY repealing and reenacting, without amendments,
The Public Local Laws of Baltimore City
Section 16–42(a)
Article 4 – Public Local Laws of Maryland
(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)
(As enacted by Chapter 499 of the Acts of the General Assembly of 2006)

BY repealing and reenacting, with amendments,
The Public Local Laws of Baltimore City
~~Section 16–43(b) and 16–44(c) through (e)~~
Section 16–43(b), 16–44(c) through (e), and 16–48(a)
Article 4 – Public Local Laws of Maryland
(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)

BY repealing
The Public Local Laws of Baltimore City
Section 16–44(b)

Article 4 – Public Local Laws of Maryland
(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)

BY repealing and reenacting, without amendments,
The Public Local Laws of Baltimore City
Section 16–45
Article 4 – Public Local Laws of Maryland
(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)

BY repealing and reenacting, with amendments,
The Public Local Laws of Baltimore City
Section 16–46
Article 4 – Public Local Laws of Maryland
(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)
(As enacted by Chapter 499 of the Acts of the General Assembly of 2006)

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

House Bill 1341 – Delegate McMillan

AN ACT concerning

State Wetlands License – Temporary Installation of a Boat Canopy – Exemption

FOR the purpose of exempting the temporary installation of a certain boat canopy for a certain period annually from a certain State wetlands licensing requirement under certain circumstances; and generally relating to State wetlands licenses.

BY repealing and reenacting, without amendments,
Article – Environment
Section 16–202(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 16–202(h)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

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

House Bill 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–Melynk, 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

FOR the purpose of establishing the Seed Community Development Anchor Institution Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Department of Housing and Community Development to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; specifying certain eligibility criteria and a certain process for awarding grants and loans from the Fund; providing for the investment of money in and expenditures from the Fund; requiring interest earnings of the Fund to be credited to the Fund; beginning in a certain fiscal year, requiring the Governor to include in the annual budget bill an appropriation of a certain amount to the Fund; exempting the Fund from a certain provision of law requiring interest on State money in special funds to accrue to the General Fund of the State; defining certain terms; and generally relating to the Seed Community Development Anchor Institution Fund in the Department of Housing and Community Development.

BY adding to

Article – Housing and Community Development
Section 4–508
Annotated Code of Maryland
(2006 Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement
Section 6–226(a)(2)(i)
Annotated Code of Maryland
(2015 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement
Section 6–226(a)(2)(ii)84. and 85.
Annotated Code of Maryland
(2015 Replacement Volume)

BY adding to

Article – State Finance and Procurement
Section 6–226(a)(2)(ii)86.
Annotated Code of Maryland
(2015 Replacement Volume)

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

House Bill 1406 – Delegates Clippinger, Anderson, Branch, Carter, Conaway, Glenn, Hammen, Hayes, Haynes, Lierman, McCray, McIntosh, Oaks, B. Robinson, Rosenberg, and M. Washington

AN ACT concerning

~~Department of Labor, Licensing and Regulation – Adult Education – Adult High Schools~~

Task Force to Study the Adult High School Concept

FOR the purpose of ~~repealing certain provisions of law relating to the establishment and maintenance of certain schools for adults by county boards of education; requiring the Department of Labor, Licensing, and Regulation, in consultation with the State Department of Education, by regulation and on or before a certain date, to develop standards for the establishment of adult high schools; providing for the content of certain standards; prohibiting the Department from requiring public funding for approval of the establishment of adult high schools; defining a certain term; and generally relating to adult high schools and the Department of Labor, Licensing, and Regulation~~ establishing the Task Force to Study the Adult High School Concept; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters relating to the adult high school concept; requiring the Task Force to report its findings and recommendations to the presiding officers of the General Assembly and certain committees of the General Assembly on or before certain dates; providing for the termination of this Act; and generally relating to the Task Force to Study the Adult High School Concept.

~~BY repealing~~

~~Article – Labor and Employment~~

~~Section 11–805~~

~~Annotated Code of Maryland~~

~~(2008 Replacement Volume and 2015 Supplement)~~

~~BY adding to~~

~~Article – Labor and Employment~~

~~Section 11–805~~

~~Annotated Code of Maryland~~

~~(2008 Replacement Volume and 2015 Supplement)~~

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

House Bill 39 – Delegate A. Miller

AN ACT concerning

Education – Orange Ribbon for Healthy School Hours – Establishment

FOR the purpose of establishing the Orange Ribbon for Healthy School Hours certification within the State Department of Education beginning in a certain school year; providing for the purpose of the Orange Ribbon for Healthy School Hours certification; authorizing a local school system to submit to the Department an application for a certain certification; requiring that the Department grant a certain certification to a local school system that meets certain requirements; establishing the requirements for a local school system to ~~receive~~ qualify for an Orange Ribbon for Healthy School Hours certification; authorizing the Department to grant a certain limited certification to a local school system under certain circumstances; establishing the qualifications for an Orange Ribbon for Healthy School Hours – Commended certification and an Orange Ribbon for Healthy School Hours – Honorable Mention certification; requiring the State Board of Education to establish certain criteria on or before a certain date and provide certain information to certain local school systems on or before a certain date; requiring an Orange Ribbon for Healthy School Hours certification to be renewed each year under certain circumstances; requiring the Department to adopt certain regulations; defining a certain term; and generally relating to the Orange Ribbon for Healthy School Hours certification.

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 Education, Health, and Environmental Affairs.

House Bill 141 – Delegates Luedtke, Ebersole, Anderson, Atterbeary, Barkley, D. Barnes, Barve, Brooks, Carr, Cullison, Dumais, Fennell, Fraser–Hidalgo, Frick, Gutierrez, Hill, Jalisi, Jameson, Kelly, Lam, Moon, Morales, Patterson, Platt, Reznik, S. Robinson, Rosenberg, Sanchez, Smith, Stein, Tarlau, Turner, Valentino–Smith, Walker, A. Washington, M. Washington, P. Young, ~~and Zucker~~ Zucker, Afzali, and A. Miller

AN ACT concerning

Education – ~~Education Accountability Program~~ Assessments – Limits on Testing

FOR the purpose of requiring the State Board of Education to adopt certain regulations limiting the amount of time that may be spent on certain ~~tests~~ assessments; prohibiting certain types of ~~tests~~ assessments and activities from being counted

toward certain testing time limits; defining a certain term; providing for the construction of this Act; and generally relating to limits on testing in public schools.

BY repealing and reenacting, without amendments,
Article – Education
Section 7–203(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY adding to
Article – Education
Section 7–203(h)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

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

House Bill 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

FOR the purpose of authorizing the Mayor and City Council of Baltimore City to grant, by law, a certain property tax credit against the county property tax imposed on a certain dwelling in Baltimore City that is owned by a certain public safety officer under certain circumstances; providing that the credit may not exceed a certain amount ~~and may not be granted to more than one public safety officer~~ per dwelling; prohibiting a certain recipient of the property tax credit from receiving certain other property tax credits; authorizing the receipt of certain additional property tax credits subject to a certain limitation; authorizing the Mayor and City Council of Baltimore City to provide, by law, for certain matters relating to the tax credit; defining certain terms; providing for the application of this Act; and generally relating to a property tax credit for certain public safety officers in Baltimore City.

BY adding to
Article – Tax – Property
Section 9–304(i)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

**House Bill 162 – Chair, Judiciary Committee (By Request – Departmental –
Comptroller)**

AN ACT concerning

Comptroller – Taxpayer Protection Act

FOR the purpose of ~~altering the statute of limitations for certain offenses arising under the Tax – General Article~~; altering a certain definition of “public record” to exclude certain documents related to certain State employees; providing certain employees of the Field Enforcement Bureau of the Comptroller’s Office with certain police powers when enforcing laws pertaining to certain taxes; repealing the authority of certain employers or payors to submit certain information to the Comptroller in a certain format; requiring ~~all~~ certain employers or payors required to submit certain information to the Comptroller to submit the information in a certain format; providing that a certain definition of tax information includes certain information contained on certain types of returns filed with the Comptroller; requiring a tax collector to impose a certain penalty on certain paid tax preparers; requiring the Comptroller to assess a certain penalty on a person required to provide a certain annual report if the person fails to provide the report or provides a false report; authorizing a certain civil action to enjoin a person from acting as an income tax preparer under certain circumstances; providing when a court may enjoin a person from acting as an income tax preparer; requiring the Attorney General, ~~if a certain request is made~~, to bring a civil action in certain counties; making stylistic changes; and generally relating to the collection and enforcement of taxes.

~~BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–106(l)
Annotated Code of Maryland
(2013 Replacement Volume and 2015 Supplement)~~

BY repealing and reenacting, with amendments,
Article – General Provisions
Section 4–101(j)
Annotated Code of Maryland
(2014 Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 2–107(a), 10–911, 13–201, and 13–703
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

BY adding to
Article – Tax – General
Section 13–706.1 and 13–715(c)

Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

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

House Bill 242 – Delegates Moon, Anderson, Atterbeary, Barron, Carter, Glass, Gutierrez, Luedtke, Morales, Sanchez, Smith, and Sydnor

AN ACT concerning

Criminal Law – Betting, Wagering, and Gambling – Civil Offense

FOR the purpose of altering the penalty for certain conduct relating to betting, wagering, or gambling; making certain conduct relating to betting, wagering, or gambling a civil offense; establishing that adjudication of a violation under a certain provision of this Act is not a criminal conviction for any purpose and does not impose any of the civil disabilities that may result from a criminal conviction; altering certain penalties; authorizing a certain police officer to issue a certain citation under certain circumstances; establishing certain requirements for a citation issued under this Act; requiring the form of a certain citation to be uniform throughout the State and to be prescribed by the District Court; requiring the Chief Judge of the District Court to establish a schedule for the prepayment of a certain fine; requiring a certain police officer to forward a copy of a certain citation to a certain court; ~~requiring the court to promptly schedule a certain case for trial and summon the defendant to appear~~; providing that a person may request a trial within a certain time period of issuance of a citation; providing that the District Court may impose a certain fine and costs and find a person guilty of a certain violation; providing that a certain defendant is liable for certain costs of a certain proceeding; and generally relating to betting, wagering, and gambling.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 12–102 and 12–103
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

House Bill 276 – Delegates Stein, Aumann, Lafferty, Mautz, and West

AN ACT concerning

Income Tax Credit – Preservation and Conservation Easements

FOR the purpose of altering certain provisions of law concerning a credit against the State income tax for certain preservation and conservation easements to allow an

individual or a member of a pass-through entity to claim the credit for an easement conveyed to the Maryland Environmental Trust, the Maryland Agricultural Land Preservation Foundation, or the Department of Natural Resources under certain circumstances; 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; requiring the Comptroller to adopt certain regulations; defining certain terms; making certain stylistic changes; providing for the application of this Act; and generally relating to a State income tax credit for certain preservation and conservation easements.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–723
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

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

House Bill 785 – Delegates Anderson, Anderton, Arentz, Atterbeary, Barkley, Barron, Beidle, Bromwell, Brooks, Carey, Carter, Cluster, Conaway, Cullison, Fisher, Folden, Fraser-Hidalgo, Glass, Glenn, Grammer, Haynes, Hill, Holmes, Jackson, Jacobs, Kipke, Kittleman, Knotts, Kramer, Lafferty, Lam, Malone, Mautz, McComas, McCray, McKay, Metzgar, Moon, Morales, Morgan, O'Donnell, Oaks, Pena-Melnyk, Reilly, Rey, B. Robinson, Sanchez, Shoemaker, Simonaire, Smith, Sydnor, Szeliga, Valderrama, Valentino-Smith, Vallario, Vaughn, M. Washington, West, B. Wilson, and C. Wilson

AN ACT concerning

Public Safety – Motorcycle Profiling – Training

FOR the purpose of requiring the Police Training Commission to require a certain statement condemning motorcycle profiling to be included in certain written policies; requiring the Commission to include in certain curriculum and courses of study training on motorcycle profiling; defining a certain term; and generally relating to requiring certain training on motorcycle profiling.

BY renumbering
Article – Public Safety
Section 3–201(e) and (f), respectively
to be Section 3–201(f) and (g), respectively
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Safety
Section 3–201(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

BY adding to
Article – Public Safety
Section 3–201(e) and 3–207(18)
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–207(17) and (18)
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

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

**House Bill 839 – Delegates Lam, Barve, Ebersole, Fraser–Hidalgo, Frick, Krimm,
Lafferty, Luedtke, Platt, and Turner**

AN ACT concerning

Vehicle Laws – Plug-In Electric Drive Vehicles – Reserved Parking Spaces

FOR the purpose of prohibiting a person from stopping, standing, or parking a vehicle that is not a plug-in electric drive vehicle ~~connected for charging purposes~~ in a parking space that is designated in a certain manner for the use of plug-in electric drive vehicles; establishing certain standards for signage designating reserved parking for certain plug-in electric drive vehicles; requiring that a parking space that is for the use of plug-in electric drive vehicles have certain pavement markings; authorizing a parking facility to have a vehicle that is stopped, standing, or parked in violation of this Act towed or removed under certain circumstances and subject to certain standards and requirements; requiring that a parking space that is for the use of plug-in electric drive vehicles be counted in a certain way for complying with certain laws intended to meet certain requirements under the Americans with Disabilities Act; defining a certain term; establishing a civil penalty for a violation of this Act; and generally relating to reserved parking spaces for plug-in electric drive vehicles.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 11–145.1
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

BY adding to

Article – Transportation
Section 21–1003.2 and 27–116
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

House Bill 848 – Delegates Lam, Carr, Ebersole, Hill, Jalisi, Pena–Melnyk, and Pendergrass

AN ACT concerning

Vehicle Laws – Causing Diesel Emissions to Discharge Onto Another – Prohibition

FOR the purpose of prohibiting a person from causing a diesel–powered motor vehicle to emit certain ~~excess~~ clearly visible emissions onto another person or motor vehicle; providing for the application of this Act; and generally relating to a prohibition on the discharge of excess diesel–powered motor vehicle emissions.

BY adding to
Article – Transportation
Section 21–1130
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

House Bill 895 – Delegate Kaiser

AN ACT concerning

**Task Force to Study the Implementation of a Dyslexia Education Program
~~– Extension~~ – Membership, Duties, and Extension**

FOR the purpose of altering the ~~date by which~~ membership and duties of the Task Force to Study the Implementation of a Dyslexia Education Program; altering the date by which the Task Force is required to submit certain findings and recommendations; extending the termination date of the Task Force; and generally relating to the Task Force to Study the Implementation of a Dyslexia Education Program.

BY repealing and reenacting, with amendments,
Chapter 411 of the Acts of the General Assembly of 2015
Section ~~1(g)~~ 1(b), (f), and (g) and 2

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

House Bill 958 – Delegate Jameson

AN ACT concerning

Insurance – Rate Filings – Trade Secrets

FOR the purpose of establishing the confidentiality, under certain circumstances, of certain information that an insurer files with the Maryland Insurance Commissioner and identifies as proprietary rate-related information; ~~authorizing the Commissioner to make a certain determination concerning certain material and to make the material available to the public~~ providing that certain information is not subject to subpoena under certain circumstances; requiring the Commissioner, if the Commissioner makes a certain determination, to give an insurer certain notice of a certain determination and to make certain material open to public inspection at a certain time, with a certain exception; authorizing the Commissioner to disclose certain information for certain purposes or to certain persons in a certain manner; requiring the Commissioner to give an insurer certain notice at a certain time before disclosing certain information under certain circumstances; authorizing an insurer to seek to have a certain disclosure made in a certain manner; providing that certain disclosures do not waive a certain privilege or claim of confidentiality of certain information; providing for the construction of certain provisions of this Act; defining a certain term; and generally relating to insurance rate filings and confidentiality.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 11-307
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

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

House Bill 983 – Delegates D. Barnes, Pena-Melnyk, Barron, Buckel, Ebersole, Fennell, Frush, Metzgar, Proctor, Rey, Sanchez, Shoemaker, Tarlau, Valderrama, Valentino-Smith, Walker, and A. Washington

AN ACT concerning

Public Schools – Food Recovery Programs – Authorization

FOR the purpose of authorizing a county board of education to develop and implement a certain food recovery program for schools under the jurisdiction of the county board; authorizing a county board, if it exercises certain authority, to apply for recognition of its food recovery program under any food recovery certification program; defining a certain term; and generally relating to food recovery in public schools.

BY adding to

Article – Education
 Section 4–132
 Annotated Code of Maryland
 (2014 Replacement Volume and 2015 Supplement)

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

House Bill 1010 – Delegates Lierman, Gaines, Beidle, B. Barnes, Branch, Brooks, Busch, Clippinger, Davis, Ebersole, Fennell, Frush, Gutierrez, Haynes, Hettleman, Hixson, Holmes, C. Howard, Lafferty, Luedtke, McCray, McIntosh, A. Miller, Moon, Platt, B. Robinson, Smith, Tarlau, and Waldstreicher

AN ACT concerning

Maryland Transit Administration Oversight and Planning Board

FOR the purpose of establishing the Maryland Transit Administration Oversight and Planning Board; providing for the membership, term of office, powers, duties, and staffing of the Board; providing that a member of the Board may not receive compensation, but is entitled to reimbursement for certain expenses; requiring the Board to submit an annual report to the Secretary of Transportation, the Governor, and the General Assembly; requiring the Administration to produce and submit to the Board for review and approval a certain ~~strategic~~ comprehensive multimodal transit development plan and certain other plans and reports; requiring the Board to keep certain records on a public Web site that allows for citizen review and communication; requiring the Administration to establish the Citizens Advisory Council for the Maryland Transit Administration, the MARC Riders Advisory Council for the Maryland Transit Administration, and the Accessible Transportation Advisory Council for the Maryland Transit Administration; providing for the membership, term of office, powers, and duties of the ~~Council~~ respective Councils; providing that a member of ~~the~~ a Council may not receive compensation, but is entitled to reimbursement for certain expenses; defining ~~a certain term~~ certain terms; making a stylistic change; and generally relating to the Maryland Transit Administration Oversight and Planning Board.

BY repealing and reenacting, with amendments,
 Article – Transportation
 Section ~~7–203 and~~ 7–204(q)
 Annotated Code of Maryland
 (2015 Replacement Volume and 2015 Supplement)

BY adding to
 Article – Transportation
 Section ~~7–204(q), 7–205, and 7–213~~ 7–213, 7–214, and 7–215
 Annotated Code of Maryland

(2015 Replacement Volume and 2015 Supplement)

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

House Bill 1054 – Delegates Brooks, Morales, Anderson, Anderton, Angel, ~~Arentz~~, Atterbeary, Aumann, Barkley, Branch, Bromwell, Carter, Chang, Clippinger, Conaway, Ebersole, Fennell, Fisher, Fraser-Hidalgo, Frick, Ghrist, Glenn, Hayes, Haynes, Hettleman, Holmes, S. Howard, Impallaria, Jackson, Jalisi, Jameson, Jones, Knotts, Kramer, Krebs, Krimm, Lafferty, Lam, Lierman, Lisanti, Mautz, McCray, McDonough, McMillan, A. Miller, Morhaim, Oaks, Patterson, Rey, B. Robinson, S. Robinson, Rosenberg, Sample-Hughes, Sanchez, Smith, Sophocleus, Stein, Sydnor, Szeliga, Tarlau, Turner, Valderrama, Vaughn, Waldstreicher, A. Washington, M. Washington, West, C. Wilson, and P. Young

AN ACT concerning

Income Tax – Penalties – Assessment Schedule

FOR the purpose of altering the penalty the Comptroller is required to assess if a person fails to pay income tax when due; providing for the application of this Act; and generally relating to the assessment of a penalty for failure to pay income tax when due.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 13–701(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 13–701(b)
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

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

House Bill 1061 – Delegate Holmes

AN ACT concerning

Real Property – Common Ownership Communities – Registration

FOR the purpose of requiring a cooperative housing corporation, a condominium, and a homeowners association to register annually with the State Department of Assessments and Taxation; exempting certain common ownership communities from

the applicability of this Act; establishing a Common Ownership Community Registry in the Department; providing for a certain registration fee and certain contents of a registration form; making a failure to register a civil violation subject to a certain fine; requiring the Department to make a certain report annually to the General Assembly; establishing that the Registry is not a public record subject to the Public Information Act; providing that the Department may authorize access to the Registry only to certain persons; requiring the Department to report on or before a certain date to the General Assembly on recommendations for a training requirement for certain persons in a common ownership community; defining certain terms; and generally relating to the registration of common ownership communities.

BY adding to

Article – Corporations and Associations
Section 5–6B–12.1
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY adding to

Article – Real Property
Section 11–130.1 and 11B–115.2; and 14–601 through ~~14–605~~ 14–607 to be under the new subtitle “Subtitle 6. Registration of Common Ownership Communities”
Annotated Code of Maryland
(2015 Replacement Volume)

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

House Bill 1069 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Alcoholic Beverages – Entertainment Concessionaire and Facility Licenses PG 311–16

FOR the purpose of authorizing the Board of License Commissioners for Prince George’s County to issue an entertainment concessionaire license to certain persons for certain purposes; providing for the scope of the entertainment concessionaire license; authorizing the Board to issue an entertainment facility license to certain persons for certain purposes; providing for the scope of the entertainment facility license; providing that beer, wine, and liquor sold under an entertainment concessionaire license or an entertainment facility license may be taken and consumed anywhere in the entertainment facility; specifying that the licenses authorize the playing of music and dancing; authorizing certain license holders to ~~provide complimentary~~ accept customer-earned credits for the service of food and alcoholic beverages in an entertainment facility for consumption in the facility and for off-premises consumption, subject to a certain exception; specifying the hours of sale for the

licenses; ~~specifying that certain licenses authorize the sale of beer, wine, and liquor for off-premises consumption from certain retail outlets;~~ specifying that certain licenses authorize the sale and consumption of beer, wine, and liquor in a certain lounge in which the holder of the license may serve and sell ~~cigars, for smoking in the lounge,~~ and food; providing that certain provisions relating to a special Sunday license do not apply to an entertainment facility license or an entertainment concessionaire license; providing that license holders that seek to provide entertainment are not required to obtain a certain special entertainment permit; providing that license holders that seek to allow dancing are not required to obtain a local dance license issued by Prince George's County; providing for the annual fees and payment date for the licenses; providing for the application to certain persons of certain penalties and sanctions for violations occurring on certain premises; defining certain terms; and generally relating to alcoholic beverages and entertainment facilities in Prince George's County.

BY adding to

Article – Alcoholic Beverages

Section 26–1009.1 and 26–1009.2

Annotated Code of Maryland

(As enacted by Chapter ___ (S.B. ___)(6LR1406) of the Acts of the General Assembly of 2016)

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

House Bill 1094 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Video Lottery Terminal Proceeds – Use of Local Impact Grants PG 313–16

FOR the purpose of ~~specifying that~~ altering a certain provision of law to allow the local impact grants distributed to Prince George's County from certain proceeds of video lottery terminals are to be used for after-school and recreational activity projects instead of for in addition to public safety projects; providing that certain proceeds used for public safety projects may not exceed a certain amount; providing that certain proceeds to be used for public safety and after-school and recreational activity projects may be used only to supplement and not supplant existing expenses or obligations; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to local impact grants to Prince George's County.

BY repealing and reenacting, without amendments,

Article – State Government

Section 9–1A–31(a)(1)

Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–31(a)(2)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–1A–31(a)(1) through (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)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–31(a)(4)
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 Budget and Taxation.

House Bill 1106 – Delegates Frick, Davis, B. Barnes, Barkley, Barron, Barve, Brooks, Clippinger, Cullison, Dumais, Ebersole, Fraser–Hidalgo, Gilchrist, Gutierrez, Healey, Hill, Hixson, Jalisi, Kaiser, Kelly, Korman, Kramer, Lam, Lierman, Luedtke, A. Miller, Moon, Morhaim, Pena–Melnik, Platt, Reznik, S. Robinson, Smith, Tarlau, Turner, Valderrama, Valentino–Smith, Vaughn, Waldstreicher, and A. Washington

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; 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;~~ stating certain findings of the General Assembly; ~~defining certain terms;~~ providing for the application of this Act; making the provisions of this Act severable; and generally relating to clean energy jobs and the renewable energy portfolio standard.

~~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 11-709~~

~~Annotated Code of Maryland~~

~~(2008 Replacement Volume and 2015 Supplement)~~

BY repealing and reenacting, with amendments,

Article – Public Utilities

Section 7-702, ~~7-703(b)(12)~~ 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 repealing and reenacting, with amendments,~~

~~Article – State Government~~

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

~~Annotated Code of Maryland~~

~~(2014 Replacement Volume and 2015 Supplement)~~

~~BY adding to~~

~~Article – State Government
Section 9-20B-05(i)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)~~

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

House Bill 1129 – Prince George’s County Delegation and Montgomery County Delegation

AN ACT concerning

**Washington Suburban Sanitary Commission – Commissioners Appointed From Montgomery County – Qualifications
PG/MC 116-16**

FOR the purpose of ~~repealing a requirement that not more than two members of the Washington Suburban Sanitary Commission from Montgomery County be of the same political party~~ repealing a requirement that members of the Washington Suburban Sanitary Commission from Montgomery County reside in the Washington Suburban Sanitary District; and generally relating to qualifications of the members of the Washington Suburban Sanitary Commission appointed from Montgomery County.

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 17-102
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

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

House Bill 1448 – Delegate Vaughn

AN ACT concerning

Business Regulation – Home Builder Registration – Fees

FOR the purpose of increasing certain fees for applicants for a home builder registration and a home builder sales representative registration; increasing the administrative fee for the Home Builder Guaranty Fund for certain home builders; increasing the fee for renewal of a certain registration or registration certificate; adding a renewal of registration fee based on a certain number of certain building permits issued to a certain registrant; and generally relating to fees for home builder registration.

BY repealing and reenacting, with amendments,

Article – Business Regulation
Section 4.5–304, 4.5–304.1, and 4.5–305
Annotated Code of Maryland
(2015 Replacement Volume and 2015 Supplement)

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

House Bill 1453 – Delegate Vaughn

AN ACT concerning

Real Estate Licensees – Verification of Service Provider Licensing Status

FOR the purpose of providing that a licensee of the State Real Estate Commission need not verify that a certain service provider is licensed by the State under certain circumstances, notwithstanding any other provision of law and with a certain exception; requiring a licensee of the Commission to verify annually that a home improvement contractor is licensed by the Maryland Home Improvement Commission ~~at a certain time~~ under certain circumstances; requiring the licensee to give a client certain information for a certain purpose under certain circumstances; defining a certain term; and generally relating to verification of licensing status of service providers by licensees of the State Real Estate Commission.

BY adding to

Article – Business Occupations and Professions
Section 17–527.4
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

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

House Bill 1457 – Delegates Vaughn and Mautz

AN ACT concerning

Land Surveyors – Qualifications for License – Education, Experience, and Examination Requirements

FOR the purpose of altering and adding certain higher education, experience, and examination requirements that certain applicants for a license to practice land surveying must meet to qualify for a license; repealing certain dates after which, and certain dates on or before which, certain applicants must possess a certain minimum number of credit hours in certain land surveying–related courses, must have a certain minimum number of years of certain experience in land surveying, or must apply for a license to practice land surveying; authorizing the State Board of Land Surveyors to allow a certain credit up to a certain maximum towards certain

experience requirements for certain applicants under certain circumstances; requiring certain applicants to apply for a license on or before a certain date; and generally relating to qualifications of applicants for a license to practice land surveying.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 15–305
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

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

House Bill 1469 – Delegate Carey

AN ACT concerning

Real Estate Brokers – Agency Relationships in Residential Real Estate Transactions – Disclosure and Consent Requirements

FOR the purpose of altering the requirements for a certain disclosure that a licensee of the State Real Estate Commission must make under certain circumstances; establishing a certain exception to a certain disclosure requirement; establishing ~~a~~ certain ~~exception~~ exceptions to the time when a certain disclosure must occur; requiring the Commission to prepare and provide a certain required notice; requiring a subagent to make a certain required disclosure under certain circumstances; requiring a seller's agent to make a certain required disclosure under certain circumstances; requiring a buyer's agent to make a certain required disclosure under certain circumstances; altering the contents of a certain required disclosure; altering a certain exception to a certain prohibition on certain licensees acting as a dual agent; altering a certain prohibition on an intra-company agent disclosing certain confidential information; requiring a certain intra-company agent to provide certain services to a client under certain circumstances; prohibiting a dual agent from also acting as an intra-company agent under certain circumstances; prohibiting an intra-company agent from also acting as a dual agent under certain circumstances; altering the contents of a certain consent for dual agency; altering who may withdraw from representing a certain client under certain circumstances and the effect of the withdrawal; requiring certain licensees to use a certain standard disclosure form under certain circumstances; requiring a certain licensee or branch office manager to use a certain standard consent form under certain circumstances; repealing certain provisions of law regarding a presumed buyer's or lessee's agency relationship; altering certain definitions; repealing a certain definition; making stylistic and conforming changes; and generally relating to agency relationships of licensees of the State Real Estate Commission in residential real estate transactions.

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions
Section 17–528 and 17–530
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

BY repealing

Article – Business Occupations and Professions
Section 17–533
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

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

House Bill 1494 – Delegates Sample–Hughes, Carozza, Hayes, Haynes, Jacobs, Krimm, Otto, and Patterson

AN ACT concerning

Income Tax – Credit for ~~Physician~~ Preceptors in Areas With Health Care Workforce Shortages

FOR the purpose of authorizing a credit against the State income tax for certain individuals who, under certain circumstances, serve as ~~physician~~ preceptors in certain preceptorship programs and work in certain areas of the State with health care workforce shortages; providing that the credit may not exceed the State income tax for that taxable year and that any unused credit may not be carried over to any other taxable year; providing for the calculation of the credit; requiring the Department of Health and Mental Hygiene, on application of a taxpayer, to issue a tax credit certificate under certain circumstances; requiring the application to contain certain information; providing for the maximum amount of a tax credit certificate that may be issued; requiring the Department to approve applications on a first–come, first–served basis and notify applicants of approval or denial of an application within a certain number of days of receipt of the application; providing that the total number of tax credit certificates issued by the Department may not exceed a certain amount for each taxable year; providing that tax credit certificate amounts not issued during a taxable year may be carried over and issued during the next taxable year; requiring the Department to report certain information to the Comptroller and the General Assembly on or before a certain date each year; requiring the Department, in consultation with the Governor’s Workforce Investment Board, to adopt certain regulations; establishing the Nurse Practitioner Preceptorship Tax Credit Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Department to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; authorizing a certain amount of the unspent portion of money transferred to the Office of Student Financial Assistance

for use under the Health Personnel Shortage Incentive Grant Program to be transferred or revert to the General Fund only for a certain purpose; requiring the State Board of Nursing to assess a certain fee for the renewal of a certain certification; requiring the Board to pay the fee collected into the Fund; defining certain terms; providing for the application of this Act; providing for the termination of this Act; and generally relating to a credit against the State income tax for certain ~~physician~~ preceptors in certain areas with health care workforce shortages.

BY adding to

Article – Tax – General
Section 10–737 and 10–738
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Education
Section 18–803(b)(1) and (2)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Education
Section 18–803(e)(2)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY adding to

Article – Education
Section 18–803(e)(3)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations
Section 8–206(b)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

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

LETTERS OF REASSIGNMENT

ANNOUNCEMENT BY THE PRESIDENT

House Bill 1165 – Delegate Lisanti

AN ACT concerning

Vehicle Laws – Lapse or Termination of Required Security – Notice

Reassigned to the Committee on Finance under Rule 33(d).

Read and ordered journalized.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #39**

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

Senate Bill 973 – Senators Madaleno and Conway

AN ACT concerning

**Campaign Finance – Public Officials – Solicitation of Contributions or
Donations**

SB0973/544932/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 973

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Campaign Finance – Public Officials” and substitute “Election Law – Departmental Secretaries”; strike beginning with “public” in line 4 down through “officials” in line 7 and substitute “secretary of a principal department of the Executive Branch of State government from soliciting, transmitting, or depositing in a campaign account certain contributions or donations; 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; authorizing the State Board to impose a civil penalty on a secretary of a principal department of the Executive Branch of State government that engages in campaign fundraising activity prohibited by this Act; requiring a civil penalty under this Act to be”

distributed to the Fair Campaign Financing Fund; and generally relating to prohibiting departmental secretaries in the Executive Branch of State government”.

AMENDMENT NO. 2

On page 1, after line 19, insert:

“(2) (I) “DONATION”, AS TO AN INDEPENDENT EXPENDITURE, HAS THE MEANING STATED IN § 13–306 OF THIS TITLE.

(II) “DONATION”, AS TO AN ELECTIONEERING COMMUNICATION, HAS THE MEANING STATED IN § 13–307 OF THIS TITLE.”;

in line 20, strike “(2)” and substitute “(3)”; and strike beginning with “MEANS” in line 20 down through “LAW” in line 22 and substitute **“MEANS A PRINCIPAL DEPARTMENT OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT AS SET FORTH IN § 8–201(B) OF THE STATE GOVERNMENT ARTICLE”.**

On page 2, strike in their entirety lines 1 through 4, inclusive; after line 6, insert:

“(5) “SECRETARY” MEANS THE SECRETARY OF A GOVERNMENTAL UNIT.”;

in line 7, strike “(5)” and substitute “(6)”; in lines 8 and 9, in each instance, strike “PUBLIC OFFICIAL” and substitute **“SECRETARY”**; and in line 12, strike “PUBLIC OFFICIAL’S” and substitute **“SECRETARY’S”**.

AMENDMENT NO. 3

On page 2, after line 12, insert:

“(C) (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.

(D) THE STATE BOARD MAY IMPOSE A CIVIL PENALTY ON A SECRETARY WHO VIOLATES THIS SECTION:

(1) IN THE MANNER SPECIFIED IN § 13-604.1 OF THIS TITLE; AND

(2) FOR EACH VIOLATION, IN AN AMOUNT NOT EXCEEDING \$1,000.

(E) A CIVIL PENALTY IMPOSED UNDER SUBSECTION (C) OR (D) OF THIS SECTION SHALL BE DISTRIBUTED TO THE FAIR CAMPAIGN FINANCING FUND ESTABLISHED UNDER § 15-103 OF THIS ARTICLE.”.

The preceding 3 amendments were read only.

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

The motion was adopted.

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

Senate Bill 1158 – Senator McFadden

AN ACT concerning

Higher Education – Morgan State University – Office of Technology Transfer

SB1158/344433/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 1158

(First Reading File Bill)

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

The preceding amendment was read only.

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

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 677)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #59

Senate Bill 313 – Senators Klausmeier, Currie, DeGrange, Eckardt, Ferguson, Guzzone, Kagan, Manno, Muse, Nathan–Pulliam, Raskin, Ready, Salling, and Young

AN ACT concerning

Public ~~Institutions of Senior Higher Education Institutions~~ – Financial Aid – Reduction ~~Prohibited~~ Restrictions

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

Affirmative – 43 Negative – 0 (See Roll Call No. 678)

The Bill was then sent to the House of Delegates.

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 – 43 Negative – 0 (See Roll Call No. 679)

The Bill was then sent to the House of Delegates.

Senate Bill 756 – Senators Madaleno, Ferguson, Guzzone, Manno, Pugh, and Raskin

AN ACT concerning

Primary and Secondary Education – Breakfast Program – School Requirements (Breakfast After the Bell Act)

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

Affirmative – 43 Negative – 0 (See Roll Call No. 680)

The Bill was then sent to the House of Delegates.

Senate Bill 783 – Senator Rosapepe

AN ACT concerning

~~Higher Education~~ **Correctional Education Council – Adult Correctional Institutions – Credit-Bearing Courses Study of Access to the Internet and Higher Education Courses (Raising Education Attainment)**

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

Affirmative – 44 Negative – 0 (See Roll Call No. 681)

The Bill was then sent to the House of Delegates.

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 – 44 Negative – 0 (See Roll Call No. 682)

The Bill was then sent to the House of Delegates.

Senate Bill 898 – Senator Klausmeier

AN ACT concerning

Public Health – ~~Emergency Use Auto-Injectable Epinephrine Program for Food Service Facilities~~ – Certification for Emergency Administration

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

Affirmative – 44 Negative – 0 (See Roll Call No. 683)

The Bill was then sent to the House of Delegates.

Senate Bill 954 – Senator Klausmeier

AN ACT concerning

State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors – Maintenance Technician – License Requirements

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

Affirmative – 44 Negative – 0 (See Roll Call No. 684)

The Bill was then sent to the House of Delegates.

Senate Bill 998 – Senator Waugh

AN ACT concerning

St. Mary's County – Property Tax Credit – New or Expanding Businesses

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

Affirmative – 44 Negative – 0 (See Roll Call No. 685)

The Bill was then sent to the House of Delegates.

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 – 44 Negative – 0 (See Roll Call No. 686)

The Bill was then sent to the House of Delegates.

**Senate Bill 1107 – Senators Manno, Edwards, Feldman, Hough, King, Madaleno,
McFadden, Serafini, and Young**

AN ACT concerning

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

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

Affirmative – 44 Negative – 0 (See Roll Call No. 687)

The Bill was then sent to the House of Delegates.

**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 – 44 Negative – 0 (See Roll Call No. 688)

The Bill was then sent to the House of Delegates.

Senate Bill 1136 – Senator Eckardt

EMERGENCY BILL

AN ACT concerning

**Regulation of Radiation Sources – Fee – Exemption for Pro Bono Temporary
~~Pro Bono~~ Dental Clinics**

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

Affirmative – 44 Negative – 0 (See Roll Call No. 689)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #60

Senate Bill 56 – ~~Senators Mathias and Astle~~, Astle, Benson, Feldman, Hershey, Jennings, Kelley, Klausmeier, Middleton, Norman, and Pugh

AN ACT concerning

Transportation – Chesapeake Bay Bridge Crossing – Environmental Impact Study – Cost Estimate and Payment

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

Affirmative – 41 Negative – 3 (See Roll Call No. 690)

The Bill was then sent to the House of Delegates.

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 – 44 Negative – 0 (See Roll Call No. 691)

The Bill was then sent to the House of Delegates.

Senate Bill 544 – ~~Senator Middleton~~, Senators Middleton, Reilly, Astle, Benson, Feldman, Jennings, Kelley, Klausmeier, and Mathias

AN ACT concerning

Motor Vehicle Insurance – Insurance Identification Card – Carrying Proof of Coverage – Uninsured Motorist Education and Enforcement Fund

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

Affirmative – 44 Negative – 0 (See Roll Call No. 692)

The Bill was then sent to the House of Delegates.

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 – 44 Negative – 0 (See Roll Call No. 693)

The Bill was then sent to the House of Delegates.

Senate Bill 864 – ~~Senators Lee, Benson, and Madalene Brochin~~, Senators Lee, Benson, 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 – 44 Negative – 0 (See Roll Call No. 694)

The Bill was then sent to the House of Delegates.

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 – 44 Negative – 0 (See Roll Call No. 695)

The Bill was then sent to the House of Delegates.

**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 – 44 Negative – 0 (See Roll Call No. 696)

The Bill was then sent to the House of Delegates.

**Senate Bill 907 – Senators Middleton, Astle, Conway, DeGrange, Ferguson,
Gladden, Guzzone, Kagan, King, Klausmeier, Madaleno, Manno, McFadden,
Miller, Muse, Nathan–Pulliam, Peters, Pugh, Ramirez, Raskin, Rosapepe,
Zirkin, ~~and Zucker~~ Zucker, Benson, Feldman, and Kelley**

AN ACT concerning

Transportation – Harry W. Nice Memorial Potomac River Bridge – Replacement

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

Affirmative – 30 Negative – 14 (See Roll Call No. 697)

The Bill was then sent to the House of Delegates.

**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**

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

Affirmative – 44 Negative – 0 (See Roll Call No. 698)

The Bill was then sent to the House of Delegates.

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 – 44 Negative – 0 (See Roll Call No. 699)

The Bill was then sent to the House of Delegates.

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 – 44 Negative – 0 (See Roll Call No. 700)

The Bill was then sent to the House of Delegates.

Senate Bill 1099 – Senators Feldman, Kagan, King, Lee, Madaleno, Manno, Raskin, and Zucker

EMERGENCY BILL

AN ACT concerning

State Highway Administration – Watkins Mill Road Interchange Project

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

Affirmative – 30 Negative – 14 (See Roll Call No. 701)

The Bill was then sent to the House of Delegates.

SPECIAL ORDERS

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

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

AN ACT concerning

Justice Reinvestment Act

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (7) AND THE FAVORABLE REPORT.

SB1005/508476/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 1005

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 15, after the first “a” insert “certain screening tool and a”; and in line 22, after the first “certain” insert “violations and certain”.

On page 2, strike beginning with “Division” in line 11 down through “Probation” in line 12 and substitute “Department of Public Safety and Correctional Services”; strike beginning with “authorizing” in line 19 down through “sanctions;” in line 21; in line 21, strike “authorizing” and substitute “requiring”; strike beginning with “precludes” in line 25 down through “conviction” in line 27 and substitute “shall be considered by a licensing board when considering the qualifications of an applicant for a professional or occupational licensure or certification”; 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 parole;”; in line 42, after “parole;” insert “repealing a requirement that a 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;”; and in line 44, after “circumstances;” insert “authorizing the Commissioner to depart from certain periods of incarceration under certain circumstances;”.

On page 3, in line 1, after “facility;” insert “altering the maximum penalty for murder in the second degree; altering the maximum penalty for kidnapping;”; 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 “providing” in line 18 down through “guidelines;” in line 24; in line 26, after “circumstances;” insert “authoring a certain person to file a petition for expungement of certain offenses under certain circumstances; establishing certain procedures for a certain”.

expungement under certain circumstances; authorizing the court to depart from certain periods of imprisonment 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”; and strike beginning with “altering” in line 41 down through “license;” in line 42.

On page 4, in line 6, after “circumstances;” insert “requiring local correction authorities in consultation with certain departments to conduct a certain budget analysis and submit a report on or before a certain date; stating the intent of the General Assembly; providing for the application of certain provisions of this Act; providing for a delayed effective date for certain provisions of this Act;”; in line 32, after “Section” insert “2-204, 3-502, and”; in line 39, after “8-611,” insert “and”; and in the same line, strike “, and 14-101”.

On page 5, strike in their entirety lines 7 through 11, inclusive; strike in their entirety lines 12 through 16, inclusive; in line 19, strike “6-209” and substitute “1-101”; after line 21, insert:

“BY adding to

Article – Criminal Procedure

Section 10-110

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)”;

and in line 24, after “Section” insert “8-505 and”.

On page 6, strike in their entirety lines 9 through 23, inclusive.

AMENDMENT NO. 2

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

(III) A PLAN FOR THE PAYMENT OF RESTITUTION, 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 26, strike “**LAW**” and substitute “**PROCEDURE**”.

On page 10, in line 11, after “(b)” insert “**(1) “ABSCONDING” MEANS DISPLAYING AFFIRMATIVE BEHAVIOR WITH THE INTENT TO EVADE 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 “**OR**”; 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 page 13, strike beginning with “**MODIFY**” in line 1 down through “**IMPOSING**” in line 2 and substitute “**IMPOSE**”; 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 16, in line 17, strike “DIVISION” and substitute “DEPARTMENT”; in line 28, after “(B)” insert “(1)”; and after line 29, insert:

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

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 beginning with “A” in line 23 down through “CONVICTION” in line 26 and substitute “A LICENSING BOARD SHALL CONSIDER A CERTIFICATE OF REHABILITATION WHEN DETERMINING THE QUALIFICATION OF AN APPLICANT FOR A PROFESSIONAL OR OCCUPATIONAL LICENSURE OR CERTIFICATION”.

On page 19, in line 3, strike the second comma; in the same line, strike “THE SENTENCING JUDGE,”; in line 11, after “parole” insert “OR ADMINISTRATIVE RELEASE”; in line 18, strike “PAROLE” and substitute “RELEASE”; and in line 20, after “VICTIM” insert “OR A STATE’S ATTORNEY”.

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”; in line 17, after “(II)” insert “HAS BEEN SCREENED AS LOW RISK TO REOFFEND UNDER § 6-104 OF THIS ARTICLE;”

(III)”;

in line 22, strike “(III)” and substitute “(IV)”; in line 26, after “SHALL” insert “:

(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 lines 2 and 12, in each instance, strike “TO PAROLE”; in lines 4, 10, 14, 24, 28, and 30, in each instance, strike “PAROLE” and substitute “RELEASE”; in line 6, after “SHALL” insert “:

(I)”;

in line 8, strike the colon; in line 9, strike “(I)”; and in line 31, after “(E)” insert “(1) 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 7, after “(F)” insert “(1) THE COMMISSION SHALL NOTIFY THE STATE’S ATTORNEY OF THE ELIGIBLE INMATE’S ADMINISTRATIVE RELEASE ELIGIBILITY DATE.”

(2) THE STATE’S ATTORNEY MAY SUBMIT A WRITTEN OBJECTION TO AN INMATE’S RELEASE ON ADMINISTRATIVE RELEASE AND REQUEST AN OPEN HEARING.

(G)”;

in line 13, strike “30” and substitute “120”; in lines 13 and 19, in each instance, strike “PAROLE” and substitute “ADMINISTRATIVE RELEASE”; in line 14, after “VICTIM” insert “OR THE STATE’S ATTORNEY”; in line 15, after “(E)” insert “OR (F)”; and in lines 16 and 20, strike “(G)” and “(H)”, respectively, and substitute “(H)” and “(I)”, respectively.

On page 26, 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, THE DECISION BECOMES EFFECTIVE”.

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) THE COMMISSIONER MAY DEPART FROM THE LIMITS PROVIDED UNDER THIS SUBSECTION IF THE COMMISSIONER MAKES AN AFFIRMATIVE FINDING THAT ADHERING TO THE LIMITS WOULD CREATE A RISK TO PUBLIC SAFETY OR TO A VICTIM OR WITNESS OR FOR OTHER GOOD CAUSE.”;

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

On page 29, after line 11, insert:

“(3) THE COMMISSIONER MAY DEPART FROM THE LIMITS PROVIDED UNDER THIS SUBSECTION IF THE COMMISSIONER MAKES AN AFFIRMATIVE FINDING THAT ADHERING TO THE LIMITS WOULD CREATE A RISK TO PUBLIC SAFETY OR TO A VICTIM OR WITNESS OR FOR OTHER GOOD CAUSE.”.

On page 30, in line 1, strike “(I)”; and strike in their entirety lines 4 through 6, inclusive.

AMENDMENT NO. 3

On page 32, after line 13, insert:

“2–204.

(a) A murder that is not in the first degree under § 2–201 of this subtitle is in the second degree.

(b) A person who commits a murder in the second degree is guilty of a felony and on conviction is subject to imprisonment not exceeding [30] 40 years.

3–502.

(a) A person may not, by force or fraud, carry or cause a person to be carried in or outside the State with the intent to have the person carried or concealed in or outside the State.

(b) A person who violates this section is guilty of the felony of kidnapping and on conviction is subject to imprisonment not exceeding [30] 40 years.

(c) Kidnapping does not include the act of a parent in carrying a minor child of that parent in or outside the State.”.

On page 33, in lines 9, 11, and 13, in each instance, strike “\$25,000” and substitute “\$5,000”; in line 17, strike the brackets; in the same line, strike “1 year” and substitute “6 MONTHS”; in the same line, strike the colon; and strike beginning with “(1)” in line 18 down through “BOTH” in line 21.

On page 36, 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”; 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 "INTO" and substitute "WHEN IMPOSING"; in line 28, after "(I)" insert "EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH"; in the same line, strike "AN" and substitute "A"; in line 29, strike "IMMINENT"; in the same line, 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 TO PROVIDE THE MEDICALLY APPROPRIATE LEVEL OF TREATMENT".

On page 37, in line 1, strike "AN" and substitute "A"; in line 2, strike "IMMINENT"; in the same line, after "SAFETY" insert "OR OTHERWISE FOR GOOD CAUSE"; in line 4, strike "PROVIDE" and substitute "FACILITATE THE MEDICALLY APPROPRIATE LEVEL OF"; in line 5, after "TREATMENT" insert "FOR THE DEFENDANT"; and after line 5, insert:

"(4) THE COURT MAY NOT FIND GOOD CAUSE UNDER PARAGRAPH (3)(II) OF THIS SUBSECTION SOLELY BECAUSE THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE LACKS SUFFICIENT RESOURCES TO COMPLY WITH AN ORDER TO PROVIDE TREATMENT."

On page 49, strike beginning with "AT" in line 4 down through "BUT" in line 5; 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 "\$2,000".

On pages 61 through 64, strike in their entirety the lines beginning with line 13 on page 61 through line 7 on page 64, inclusive.

On page 64, 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.

[(i)] (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.”;

in line 11, strike “(P)” and substitute “**(Q)**”; in line 13, after “ARREST” insert “**OR A SUMMONS ISSUED BY A COMMISSIONER ON A STATEMENT OF CHARGES FILED BY A LAW ENFORCEMENT OFFICER**”; in line 14, strike “OR”; in line 15, after “NO CONTACT” insert “**OR STAY-AWAY**”; and in the same line, after “ORDER” insert “**; OR**”

(4) ABSCONDING”.

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.

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

On page 66, after line 8, insert:

(3) THE COURT MAY DEPART FROM THE LIMITS PROVIDED UNDER THIS SUBSECTION IF:

(I) THE COURT FINDS AND STATES ON THE RECORD:

1. THAT ADHERING TO THE LIMITS WOULD CREATE A RISK TO PUBLIC SAFETY OR TO A VICTIM OR WITNESS; OR

2. OTHER GOOD CAUSE; OR

(II) THE COURT COMMITS THE PROBATIONER OR DEFENDANT TO THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE FOR TREATMENT UNDER § 8–507 OF THE HEALTH – GENERAL ARTICLE.”;

and in line 28, strike “**IF**” and substitute “**(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, IF**”.

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) THE COURT MAY DEPART FROM THE LIMITS PROVIDED UNDER THIS SUBSECTION IF:

(I) THE COURT FINDS AND STATES ON THE RECORD:

1. THAT ADHERING TO THE LIMITS WOULD CREATE A RISK TO PUBLIC SAFETY OR TO A VICTIM OR WITNESS; OR

2. OTHER GOOD CAUSE; OR

(II) THE COURT COMMITS THE PROBATIONER OR DEFENDANT TO THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE FOR TREATMENT UNDER § 8-507 OF THE HEALTH – GENERAL ARTICLE.”

AMENDMENT NO. 4

On page 67, after line 13, insert:

“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.”.

AMENDMENT NO. 5

On page 67, after line 23, insert:

“8-505.

(a) (1) Before or during a criminal trial, before or after sentencing, or before or during a term of probation, the court may order the Department to evaluate a defendant to determine whether, by reason of drug or alcohol abuse, the defendant is in need of and may benefit from treatment if:

(i) It appears to the court that the defendant has an alcohol or drug abuse problem; or

(ii) The defendant alleges an alcohol or drug dependency.

(2) A court shall set and may change the conditions under which an examination is to be conducted under this section.

(3) The Department shall ensure that each evaluation under this section is conducted in accordance with regulations adopted by the Department.

(b) On consideration of the nature of the charge, the court:

(1) May require or permit an examination to be conducted on an outpatient basis; and

(2) If an outpatient examination is authorized, shall set bail for the defendant or authorize the release of the defendant on personal recognizance.

(c) (1) If a defendant is to be held in custody for examination under this section:

(i) The defendant may be confined in a detention facility until the Department is able to conduct the examination; or

(ii) The court may order confinement of the defendant in a medical wing or other isolated and secure unit of a detention facility, if the court finds it appropriate for the health or safety of the defendant.

(2) (i) If the court finds that, because of the apparent severity of the alcohol or drug dependency or other medical or psychiatric complications, a defendant in custody would be endangered by confinement in a jail, the court may order the Department to either:

1. Place the defendant, pending examination, in an appropriate health care facility; or

2. Immediately conduct an evaluation of the defendant.

(ii) Unless the Department retains a defendant, the defendant shall be promptly returned to the court after an examination.

(iii) A defendant who is detained for an examination under this section may question at any time the legality of the detention by a petition for a writ of habeas corpus.

(d) (1) If a court orders an evaluation under this section, the evaluator shall:

(i) Conduct an evaluation of the defendant; and

(ii) Submit a complete report of the evaluation within 7 days to the:

1. Court;

2. Department; and

3. Defendant or the defendant's attorney.

(2) On good cause shown, a court may extend the time for an evaluation under this section.

(3) Whenever an evaluator recommends treatment, the evaluator's report shall:

(i) Name a specific program able to IMMEDIATELY provide the recommended treatment; and

(ii) Give an actual or estimated date when the program can begin treatment of the defendant.

(e) (1) The Department shall IMMEDIATELY provide the services required by this section.

(2) A designee of the Department may carry out any of its duties under this section [if appropriate funding is provided].

(f) Evaluations performed in facilities operated by the Department of Public Safety and Correctional Services shall be conducted by the Administration.”.

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 line 1, after the closing bracket insert “**THE IMMEDIATE**”; strike beginning with “**WITHOUT**” in line 2 down through “**ORDER**” in line 3 and substitute “**UNLESS THE COURT FINDS EXIGENT CIRCUMSTANCES TO DELAY COMMITMENT FOR TREATMENT FOR NO LONGER THAN 30 DAYS**”; in line 5, strike “**30**” and substitute “**7**”; and strike beginning with “**MAY**” in line 6 down through “**PLACEMENT**” in line 7 and substitute “**MAY ISSUE A SHOW CAUSE ORDER FOR THE DEPARTMENT TO APPEAR AND EXPLAIN WHY THE DEPARTMENT SHOULD NOT BE HELD IN CONTEMPT UNDER TITLE 15 OF THE MARYLAND RULES**”.

AMENDMENT NO. 6

On page 72, in line 15, strike “**ONE MEMBER**” and substitute “**TWO MEMBERS**”; strike beginning with “**ONE**” in line 17 down through “**MARYLAND**” in line 18 and substitute “**ONE MEMBER APPOINTED BY THE MARYLAND SHERIFFS ASSOCIATION**”; in line 25, strike “**ONE MEMBER**” and substitute “**TWO MEMBERS**”; and in line 26, after “**ASSOCIATION**” insert “**THAT INCLUDES ONE REPRESENTATIVE FROM A LARGE CORRECTIONAL FACILITY AND ONE REPRESENTATIVE FROM A SMALL CORRECTIONAL FACILITY**”.

On page 73, in line 13, strike “EXECUTIVE DIRECTOR IS” and substitute “GOVERNOR SHALL APPOINT”.

On page 74, in line 9, after “GOVERNMENT” insert “JUSTICE”; and strike in their entirety lines 18 through 31, inclusive, and substitute:

“(5) CREATE PERFORMANCE MEASURES TO ASSESS THE EFFECTIVENESS OF THE GRANTS;

“(6) 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 IMPLEMENTATION OF THE RECOMMENDATIONS OF THE JUSTICE REINVESTMENT COORDINATING COUNCIL;

“(7) CREATE PERFORMANCE MEASURES TO ASSESS THE EFFECTIVENESS OF THE GRANTS ADMINISTERED UNDER § 9-3209 OF THIS SUBTITLE; AND

“(8) 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 SHALL ANNUALLY 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 SHALL ANNUALLY 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 COUNTY 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."

On page 75, in line 1, strike "(B)" and substitute "(C)"; strike beginning with "THE" in line 1 down through "MARYLAND" in line 2 and substitute "AN ACADEMIC INSTITUTION"; in line 17, strike "AND"; and in line 18, after "POPULATION" insert ";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”.

On page 76, in line 21, strike “AND”; and in line 22, after “(IX)” insert “PROVIDE FOR SUBSTANCE USE DISORDER AND MENTAL HEALTH SERVICE PROGRAMS; AND

(X)”.

On pages 79 through 81, strike in their entirety the lines beginning with line 18 on page 79 through line 22 on page 81, inclusive.

AMENDMENT NO. 7

On page 82, in lines 25, 26, 27, 28, 32, and 33, strike “2017”, “2018”, “2019”, “2020”, “2017”, and “2018”, respectively, and substitute “2018”, “2019”, “2020”, “2021”, “2018”, and “2019”, respectively.

On page 83, in lines 1 and 2, strike “2019” and “2020”, respectively, and substitute “2020” and “2021”, respectively; and after line 33, insert:

“SECTION 10. AND BE IT FURTHER ENACTED, That local correctional facilities shall, in coordination with the Department of Health and Mental Hygiene and local health departments, conduct an analysis to determine the budgetary requirements of this Act and shall report a plan for meeting the budgetary requirements to the General Assembly, in accordance with § 2-1246 of the State Government Article, on or before June 30, 2017.

SECTION 11. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that local correctional facilities and local health departments provide funding for treatment required for individuals diverted from incarceration for a violation of § 5-601 of the Criminal Law Article as enacted by Section 1 of this Act.

SECTION 12. AND BE IT FURTHER ENACTED, That § 3-704 of the Correctional Services Article, as enacted by Section 1 of this Act, shall be construed prospectively to apply only to inmates that are sentenced on or after October 1, 2017.

SECTION 13. AND BE IT FURTHER ENACTED, That Section 1, Section 6, and Section 7 of this Act shall take effect October 1, 2017.”.

On page 84, in line 1, strike “10.” and substitute “14.”; and in the same line, after “That” insert “, except as provided in Section 13 of this Act.”.

The preceding 7 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB1005/243728/1

BY: Senator Hough

AMENDMENT TO SENATE BILL 1005, AS AMENDED

On page 7 of the Judicial Proceedings Committee Amendments (SB1005/508476/1), in line 20 of Amendment No. 2, strike "OR FOR OTHER GOOD CAUSE".

On page 8 of the Judicial Proceedings Committee Amendments, in line 5 of Amendment No. 2, strike "OR FOR OTHER GOOD CAUSE".

On page 12 of the Judicial Proceedings Committee Amendments, in Amendment No. 3, strike beginning with the colon in line 18 down through "1." in line 19.

On page 13 of the Judicial Proceedings Committee Amendments, in Amendment No. 3, strike line 1 in its entirety; strike beginning with the colon in line 11 down through "1." in line 12; and strike line 14 in its entirety.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

SB1005/723125/1

BY: Senator Simonaire

AMENDMENTS TO SENATE BILL 1005, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 2 of the Judicial Proceedings Committee Amendments (SB1005/508476/1), in line 2 of Amendment No. 1, before "authorizing" insert "providing that, on a certain motion, the State may appeal the sentence in a certain manner; authorizing a certain review panel to review a certain sentence modification; prohibiting a certain review panel

from increasing a certain sentence in a certain manner;”; and in the fourth line from the bottom, after “Section” insert “6-234 and”.

On page 5 of the bill, in line 19, after “6-224,” insert “8-105.”.

AMENDMENT NO. 2

On page 67 of the bill, in line 13, strike the period and substitute “.

6-234.

IF THE COURT GRANTS A MOTION FOR A MODIFICATION OF SENTENCE FOR A CRIME OF VIOLENCE AS DEFINED IN § 14-101 OF THE CRIMINAL LAW ARTICLE, AND REDUCES THE SENTENCE BELOW THE MINIMUM SENTENCE RECOMMENDED BY THE SENTENCING GUIDELINES ESTABLISHED UNDER § 6-208 OF THIS SUBTITLE IN EFFECT AT THE TIME OF THE ORIGINAL SENTENCE, THE STATE MAY APPEAL THE SENTENCE TO A THREE-JUDGE PANEL DESCRIBED IN § 8-105 OF THIS ARTICLE.

8-105.

(a) A review panel consists of three or more circuit court judges of the judicial circuit in which the sentencing court is located.

(b) Notwithstanding any Maryland Rule, the sentencing judge may not be a member of the review panel, but on request of the sentencing judge, the sentencing judge may sit with the review panel only in an advisory capacity.

(c) (1) A review panel shall consider each application for review of a sentence OR SENTENCE MODIFICATION UNDER § 6-234 OF THIS ARTICLE.

(2) A review panel may require the Division of Parole and Probation to make investigations, reports, and recommendations.

(3) A review panel:

(i) with or without a hearing, may decide that the sentence OR SENTENCE MODIFICATION UNDER § 6-234 OF THIS ARTICLE under review should remain unchanged; or

(ii) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, after a hearing, may order a different sentence to be imposed or served, including:

1. an increased sentence;
2. subject to § 8–107(c) of this subtitle, a decreased sentence;
3. a suspended sentence to be served wholly or partly; or
4. a sentence to be suspended with or without probation.

(4) IF A REVIEW PANEL REVIEWING A SENTENCE MODIFICATION UNDER § 6–234 OF THIS ARTICLE CHOOSES TO INCREASE THE SENTENCE BEING REVIEWED, THE SENTENCE MAY NOT EXCEED A SENTENCE THAT CORRESPONDS WITH THE MINIMUM SENTENCE RECOMMENDED BY THE SENTENCING GUIDELINES FOR THE CRIME ESTABLISHED UNDER § 6–208 OF THIS SUBTITLE IN EFFECT AT THE TIME OF THE ORIGINAL SENTENCE.

[(4)] (5) In deciding to order a different sentence, the review panel may impose conditions that the review panel considers just and that could have been imposed lawfully by the sentencing court when the sentence OR SENTENCE MODIFICATION UNDER § 6–234 OF THIS ARTICLE was imposed.

(d) If the review panel orders a different sentence, the review panel shall resentence and notify the defendant AND THE STATE in accordance with the order of the panel.”.

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

Affirmative – 1 Negative – 43 (See Roll Call No. 702)

FLOOR AMENDMENT

SB1005/193324/1

BY: Senator Simonaire

AMENDMENTS TO SENATE BILL 1005, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 3, in line 18, after “adult;” insert “repealing a certain requirement that a certain report of the Maryland State Commission on Criminal Sentencing Policy review certain increases in certain sentences; requiring the Commission to annually report certain information about reconsiderations of sentences for certain crimes; requiring the Commission to review each judicial circuit’s compliance with providing certain data;”.

On page 5, in line 19, before “, 6–223” insert “, 6–209”.

AMENDMENT NO. 2

On page 64, after line 15, insert:

“6–209.

(a) The Commission shall review annually sentencing policy and practice and, on or before January 31 of each year, report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on the activities of the preceding calendar year.

(b) (1) The report shall:

(i) include any changes to the sentencing guidelines made during the preceding year;

(ii) review judicial compliance with the sentencing guidelines, including compliance by crime and by judicial circuit;

(iii) review reductions [or increases] in original sentences that have occurred because of reconsiderations of sentences imposed under § 14–101 of the Criminal Law Article; [and]

(iv) categorize information on the number of reconsiderations of sentences by crimes as listed in § 14–101(a) of the Criminal Law Article and by judicial circuit;

(V) PROVIDE INFORMATION ON RECONSIDERATIONS OF SENTENCES FOR CRIMES LISTED IN § 14–101(A) OF THE CRIMINAL LAW ARTICLE, INCLUDING:

1. THE CRIME;
 2. THE ORIGINAL SENTENCE AND SENTENCING DATE;
 3. THE MODIFIED SENTENCE AND SENTENCING DATE;
 4. THE REASON FOR MODIFICATION;
 5. THE RACE OF THE INDIVIDUAL RECEIVING THE SENTENCE; AND
 6. THE JUDICIAL CIRCUIT OF THE SENTENCING JUDGE;
- AND

(VI) REVIEW COMPLIANCE BY EACH JUDICIAL CIRCUIT WITH PROVIDING DATA TO THE COMMISSION IN ACCORDANCE WITH ITEMS (IV) AND (V) OF THIS PARAGRAPH.

(2) The Commission shall consider a sentence to a corrections options program to be within the sentencing guidelines if the sentence falls within a corrections options zone shown on the matrix.”.

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

Affirmative – 1 Negative – 42 (See Roll Call No. 703)

Senator Benson moved, duly seconded, to make the Bill a Special Order for March 23, 2016.

The motion was adopted.

Senate Bill 936 – Senator Manno

AN ACT concerning

Maryland Clean Energy Incentive Act of 2016

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

SB0936/589432/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 936

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “date;” insert “altering the definition of “qualified Maryland facility” for purposes of eligibility for the credit;”.”

AMENDMENT NO. 2

On page 2, strike beginning with the colon in line 17 down through “(i)” in line 18; strike beginning with the semicolon in line 20 down through “service” in line 24; and in line 25, strike “paragraphs (2) and (3)” and substitute “PARAGRAPH (2)”.

On page 3, strike beginning with “If” in line 4 down through “(3)” in line 8.

The preceding 2 amendments were read only.

Senator Middleton moved, duly seconded, to make the Bill and Amendments a Special Order for March 23, 2016.

The motion was adopted.

RECONSIDERATION

Senator Jennings moved, duly seconded, to reconsider the vote by which **Senate Bill 381** passed Third Reading.

The motion was adopted.

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**

Senator Jennings moved, duly seconded, to put **Senate Bill 381** on Third Reading on the same day in compliance with the Constitution.

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **Senate Bill 381** on Third Reading and Final Passage.

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

Affirmative – 44 Negative – 0 (See Roll Call No. 704)

The Bill was then sent to the House of Delegates.

QUORUM CALL

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

(See Roll Call No. 705)

ADJOURNMENT

At 9:26 P.M. on motion of Senator Pugh, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 20, 2016, Calendar Day, Tuesday, March 22, 2016.

Annapolis, Maryland
Legislative Day: March 20, 2016
Calendar Day: Tuesday, March 22, 2016
10:00 A.M. Session

The Senate met at 10:11 A.M.

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

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 707)

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

The Journal of March 19, 2016 was read and approved.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 526 – Senator George C. Edwards:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Fort Hill High School Football Team
in recognition of
winning the Maryland Class 1A State Football Championship for the 3rd consecutive year
with a
12–1 season. Congratulations!
The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 22nd day of March 2016.

Read and adopted by a roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 708)

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 44 – Delegate A. Miller

AN ACT concerning

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

FOR the purpose of exempting a transfer of real property from a sole proprietorship to a limited liability company from recordation and transfer taxes if the sole member of the limited liability company is identical to the converting sole proprietor and certain other conditions are met; and generally relating to an exemption from recordation and transfer taxes for property conveyed from a sole proprietorship to a limited liability company.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 12–108(y)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Tax – Property

Section 13–207(a)(18)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

House Bill 147 – Delegate Otto

AN ACT concerning

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

FOR the purpose of legalizing the 2016 Edition of the Somerset County Code of Public Local Laws and any supplement to the extent to which that code or supplement contains laws enacted by the General Assembly; and generally relating to the 2016 Edition of the Somerset County Code of Public Local Laws.

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

House Bill 148 – Delegate Otto

AN ACT concerning

Somerset County – Sheriff – Salary

FOR the purpose of altering the salary of the Sheriff of Somerset County; providing for the application of this Act; and generally relating to the salary of the Sheriff of Somerset County.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–309(u)(1)(i)
Annotated Code of Maryland
(2013 Replacement Volume and 2015 Supplement)

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

House Bill 157 – Delegates Valentino–Smith, Cluster, Folden, Fraser–Hidalgo, Jackson, Moon, Rey, Sanchez, Smith, Sydnor, Vallario, and B. Wilson

AN ACT concerning

Death or Life–Threatening Injury by Motor Vehicle or Vessel – Subsequent Offenders – Penalties

FOR the purpose of establishing subsequent offender penalties for certain offenses that result in the death of or life–threatening injury to another as the result of a certain person driving, operating, or controlling a vehicle or vessel; providing that certain offenses committed in another state or federal jurisdiction are to be considered for the application of certain subsequent offender penalties; and generally relating to death or life–threatening injuries by motor vehicles or vessels.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 2–209, 2–210, 2–503 through 2–506, and 3–211
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

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

FOR the purpose of prohibiting the Commissioner of Labor and Industry, ~~except~~ under certain circumstances, from authorizing certain work activities centers and certain sheltered workshops to pay employees with disabilities less than a certain minimum wage; ~~requiring that a certain State certificate issued by the Commissioner under a certain provision of law expires no later than a certain date~~ authorizing certain work activities centers and certain sheltered workshops to pay new employees a certain wage only under certain circumstances; requiring the ~~Department of Labor, Licensing, and Regulation~~ Developmental Disabilities Administration and the Department of Disabilities, in partnership with certain State agencies, to develop and implement a certain plan to phase out certain authorizations under a certain provision of law; providing for the scope of the plan; requiring the Administration and the Department to engage with certain organizations representing those impacted by the phase-out to implement a certain plan; requiring the Administration and the Department to submit a certain plan to the Governor and the General Assembly on or before a certain date; requiring the Department to report certain benchmarks, outcomes, and recommendations to the Governor and the General Assembly on or before a certain date each year ~~dates; prohibiting a certain work activities center or other sheltered workshop from receiving State funds on or after a certain date under certain circumstances;~~ requiring a certain individual and a certain resource coordinator, in consultation with certain individuals, to develop a certain supplemental plan; requiring a certain resource coordinator to use appropriate communication devices and techniques to facilitate the involvement of a certain individual in the development of the individual's supplemental plan; requiring that an individual's plan include certain information; requiring the Administration, in consultation with certain stakeholders, to develop the planning protocol and format for a supplemental plan; requiring a certain individual and the individual's resource coordinator and team to discuss a certain job setting on an annual basis and at any other time requested by the individual; requiring the resource coordinator to document certain information in a certain individual's annual individual plan; requiring the Administration to track the progress of certain individuals by collecting certain data; requiring the Administration to report certain information to the Governor and the General Assembly on or before certain dates; prohibiting the Administration from funding certain providers beginning on a certain date; requiring a certain new employee to be informed by the employee's employer of certain opportunities, have a plan of habilitation that includes certain information, be engaged in certain work when choosing to work, choose the employer

and employment, and be informed of certain rights; repealing certain provisions of law relating to the authorization of certain work activities centers and certain sheltered workshops to pay certain employees with disabilities less than a certain minimum wage; repealing certain provisions of law requiring the Administration and the Department to develop and implement a certain plan and make certain reports; repealing certain provisions of law requiring certain individuals to have a certain supplemental plan; repealing certain provisions of law requiring that a certain new employee be informed by the employee's employer of certain opportunities, have a plan of habilitation that includes certain information, be engaged in certain work when choosing to work, choose the employer and employment, and be informed of certain rights; authorizing certain work activities centers and other workshops, beginning on a certain date, to pay less than the federal prevailing wage of pay to the extent authorized under federal law and under certain circumstances; requiring the Administration and the Department to conduct a certain study, determine certain information, and make certain recommendations; requiring the Administration and the Department to consult certain State agencies, other entities, and relevant stakeholders in carrying out certain duties; requiring the Administration and the Department to report their findings and recommendations to the Governor and certain committees of the General Assembly on or before a certain date; altering certain terminology; providing for a delayed effective date for certain provisions of this Act; and generally relating to the payment of wages under the Maryland Wage and Hour Law and to and community integration of individuals with disabilities.

BY adding to

Article – Health – General
Section 7-207, 7-1012, 7-1013, and 7-1014
Annotated Code of Maryland
(2015 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Labor and Employment
Section 3-414
Annotated Code of Maryland
(2008 Replacement Volume and 2015 Supplement)

~~BY adding to~~

~~Article – Labor and Employment
Section 3-414.1
Annotated Code of Maryland
(2008 Replacement Volume and 2015 Supplement)~~

~~BY adding to~~

~~Article – State Finance and Procurement
Section 2-801 to be under the new subtitle “Subtitle 8. Miscellaneous”
Annotated Code of Maryland
(2015 Replacement Volume)~~

BY repealing

Article – Health – General
Section 7–1012, 7–1013, and 7–1014
Annotated Code of Maryland
(2015 Replacement Volume)
(As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,

Article – Labor and Employment
Section 3–414 ~~and 3–414.1~~
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 Finance.

House Bill 676 – Delegates McCray, Anderson, Barkley, Carter, Clippinger, Conaway, Glenn, Healey, Lierman, Moon, Morales, Oaks, Platt, Sydnor, Tarlau, Waldstreicher, A. Washington, and M. Washington

AN ACT concerning

**Labor and Employment – Maryland Apprenticeship and Training Council –
Annual Report**

FOR the purpose of requiring the Maryland Apprenticeship and Training Council to report to the General Assembly annually, on or before a certain date, certain information regarding apprenticeship programs registered in the State and the individuals enrolled in those programs; requiring the Council to sort the information in a certain manner and to publish the report on the Council’s Web site; and generally relating to the Maryland Apprenticeship and Training Council.

BY adding to

Article – Labor and Employment
Section 11–405(e)
Annotated Code of Maryland
(2008 Replacement Volume and 2015 Supplement)

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

House Bill 797 – Chair, Environment and Transportation Committee (By Request – Departmental – Environment)

AN ACT concerning

Nontidal Wetlands – Nontidal Wetland Mitigation Banking

FOR the purpose of altering a certain declaration to ~~remove~~ include the consideration of on-site alternatives ~~from a certain process~~ under certain circumstances for selecting the location of a mitigation site; repealing a requirement that the Department of the Environment develop standards and adopt regulations to establish certain compensation ratios for mitigation through mitigation banks; altering a requirement that the Department develop standards and adopt regulations to establish certain public notice and comment requirements for a wetland bank; repealing a requirement that certain standards and regulations adopted by the Department ensure that on-site mitigation is examined before conducting mitigation off site; requiring certain standards and regulations adopted by the Department to ensure that the potential for on-site mitigation is considered under certain circumstances; repealing a requirement that certain standards and regulations adopted by the Department ensure that mitigation through wetland banking should be accomplished in, and with preference to, the same watershed and county as the wetland for which the mitigation is required; requiring certain standards and regulations adopted by the Department to ensure that mitigation through a mitigation bank is accomplished in certain areas determined by the Department in a certain manner; requiring certain standards and regulations adopted by the Department to ensure that a certain service area meets certain requirements; ~~defining a certain term~~ certain terms; and generally relating to nontidal wetlands mitigation.

BY repealing and reenacting, ~~without~~ with amendments,
 Article – Environment
 Section ~~5-901(a)~~ 5-901 and 5-910
 Annotated Code of Maryland
 (2013 Replacement Volume and 2015 Supplement)

~~BY adding to~~
~~Article – Environment~~
~~Section 5-901(k)~~
~~Annotated Code of Maryland~~
~~(2013 Replacement Volume and 2015 Supplement)~~

~~BY repealing and reenacting, with amendments,~~
~~Article – Environment~~
~~Section 5-901(k) and 5-910~~
~~Annotated Code of Maryland~~
~~(2013 Replacement Volume and 2015 Supplement)~~

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

House Bill 816 – Cecil County Delegation

AN ACT concerning

Cecil County – Sheriff – Salary

FOR the purpose of altering the salary of the Sheriff of Cecil County beginning with a certain term of office; providing for the application of this Act; and generally relating to the salary of the Sheriff of Cecil County.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–309(i)(1)(i)
Annotated Code of Maryland
(2013 Replacement Volume and 2015 Supplement)

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

House Bill 831 – Washington County Delegation

AN ACT concerning

Washington County – Collection of Fees, Charges, Penalties, and Assessments

FOR the purpose of authorizing Washington County to include, for the purpose of collection, certain unpaid fees, charges, penalties, and assessments on annual tax bills; requiring that certain unpaid fees, charges, penalties, and assessments be collected in the same manner as ordinary taxes, subject to the same interest and penalty for nonpayment as provided by law for the nonpayment of county taxes; and generally relating to the collection of certain fees, charges, penalties, and assessments in Washington County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Washington County
Section 6–309
Article 22 – Public Local Laws of Maryland
(2007 Edition and October 2010 Supplement, as amended)

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

House Bill 867 – Washington County Delegation

AN ACT concerning

Washington County – Contributions to Nonprofit Organizations – Process

FOR the purpose of altering the process by which the County Commissioners of Washington County make contributions to certain nonprofit organizations in Washington County; altering the deadline for submission of applications for contributions; ~~altering the timing of a certain~~ requiring the County Commissioners to hold a public

hearing on ~~certain~~ the applications; authorizing the County Commissioners to remove certain organizations from a certain list and, on request by the organization, to revise or amend the name of an organization; and generally relating to contributions made to nonprofit organizations by the County Commissioners of Washington County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Washington County
Section 1–108
Article 22 – Public Local Laws of Maryland
(2007 Edition and October 2010 Supplement, as amended)

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

House Bill 898 – Delegates Metzgar, Anderson, Angel, Aumann, Barkley, Beitzel, Bromwell, Carter, Conaway, Fennell, Folden, Ghrist, Glass, Glenn, Grammer, Haynes, Hornberger, C. Howard, S. Howard, Jalisi, Kipke, Kittleman, Long, Malone, McComas, McConkey, McDonough, McKay, Miele, Oaks, Proctor, Reilly, B. Robinson, Rose, Shoemaker, Simonaire, Smith, Sophocleus, Vaughn, Vogt, C. Wilson, ~~and P. Young~~ P. Young, Hixson, Turner, Afzali, D. Barnes, Buckel, Ebersole, Kaiser, Luedtke, Patterson, Platt, Tarlau, Walker, A. Washington, and M. Washington

AN ACT concerning

Property Tax Credit – Elderly Individuals and Veterans

FOR the purpose of authorizing the Mayor and City Council of Baltimore City and the governing body of a county or municipal corporation to provide a property tax credit against the county or municipal corporation property tax imposed on the dwelling of certain individuals who are elderly or veterans; providing for the amount and duration of the tax credit; authorizing the Mayor and City Council of Baltimore City and the governing body of a county or municipal corporation to provide for certain matters relating to the tax credit; defining certain terms; providing for the application of this Act; and generally relating to a property tax credit for certain individuals who are elderly or veterans.

BY adding to
Article – Tax – Property
Section 9–257
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

House Bill 914 – ~~Delegate Carter~~ Delegates Carter, Anderson, Morales, Adams, Barron, Branch, Carozza, Conaway, Dumais, Folden, Fraser-Hidalgo, Glass,

Hayes, Moon, B. Robinson, Rosenberg, Smith, Sydnor, Vallario, Vaughn, Waldstreicher, Walker, M. Washington, West, and C. Wilson

AN ACT concerning

Criminal Procedure – Expungement – Acquittal, Dismissal, and Nolle Prosequi

FOR the purpose of ~~providing that a person who has been charged with the commission of a certain crime is entitled to automatic expungement of certain records under certain circumstances; requiring a certain court to take certain actions within a certain time after a certain disposition; requiring the Criminal Justice Information System Central Repository, a booking facility, and a certain law enforcement unit to take certain actions within a certain period of time after receipt of a certain notice; providing that a certain police or court record may not be expunged by obliteration during a certain time; requiring that certain records be removed to a certain area during a certain time; authorizing a certain person entitled to expungement to take certain actions if a court, a law enforcement unit, a booking facility, or the Central Repository fails to expunge a police or court record in accordance with this Act; providing that a person who is entitled to expungement under this Act a certain provision of law based on an acquittal, a dismissal, a nolle prosequi, or a nolle prosequi with the requirement of drug or alcohol treatment may not be required to pay any fee or costs in connection with the expungement; making conforming changes;~~ and generally relating to expungement.

~~BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 10-105
Annotated Code of Maryland
(2008 Replacement Volume and 2015 Supplement)~~

BY adding to
Article – Criminal Procedure
Section ~~10-105.1~~ 10-105(h)
Annotated Code of Maryland
(2008 Replacement Volume and 2015 Supplement)

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

House Bill 917 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Property Tax Credit – New or Expanding Businesses

FOR the purpose of authorizing St. Mary’s County or a municipal corporation in St. Mary’s County to grant a property tax credit against the county or municipal corporation property tax imposed on property that is owned or leased by certain new or

expanding businesses; providing that the property tax credit may not be granted for more than a certain number of years; providing for the application of this Act; and generally relating to a property tax credit for new or expanding businesses in St. Mary's County.

BY adding to

Article – Tax – Property

Section 9–320(d)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

House Bill 972 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County – Local Licenses – Repeal

FOR the purpose of repealing certain provisions of law that relate to certain licenses issued in St. Mary's County.

BY repealing

The Public Local Laws of St. Mary's County

Section 61–1 through 61–3 and the chapter “Chapter 61. Hucksters and Peddlers”

Article 19 – Public Local Laws of Maryland

(2007 Edition and March 2014 Supplement, as amended)

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

House Bill 1007 – Delegates Luedtke, Hettleman, Hixson, Rosenberg, M. Washington, Moon, Reznik, Smith, A. Washington, Anderson, Angel, Atterbeary, Barkley, B. Barnes, D. Barnes, Barron, Barve, Branch, Brooks, Busch, Carr, Clippinger, Conaway, Cullison, Davis, Dumais, Ebersole, Fennell, Fraser–Hidalgo, Frick, Frush, Gaines, Glenn, Gutierrez, Hammen, Hayes, Haynes, Healey, Hill, Holmes, C. Howard, Jackson, Jalisi, Jones, Kaiser, Kelly, Knotts, Korman, Kramer, Krimm, Lafferty, Lam, Lierman, McCray, McIntosh, A. Miller, Morales, Morhaim, Oaks, Patterson, Pena–Melnyk, Pendergrass, Platt, Proctor, B. Robinson, S. Robinson, Sanchez, Stein, Sydnor, Tarlau, Turner, Valderrama, Valentino–Smith, Vallario, Vaughn, Waldstreicher, Walker, C. Wilson, and P. Young

AN ACT concerning

Freedom to Vote Act

~~FOR the purpose of requiring the Motor Vehicle Administration to implement an automatic voter registration system on or before a certain date; requiring certain social service agencies to implement an automatic voter registration system on or before a certain date; requiring an automatic voter registration system to comply with certain requirements; requiring the State Board of Elections to register individuals whose voter registration information is transmitted to the State Board through an automatic voter registration system; prohibiting an agent of an automatic voter registration agency from taking certain actions; restricting the use of certain data related to automatic voter registration; authorizing the State Board to adopt regulations to implement automatic voter registration; requiring automatic voter registration agencies to submit certain reports to certain committees of the General Assembly on or before certain dates; providing that voter registration agencies that are designated automatic voter registration agencies are not subject to certain requirements; requiring voter registration agencies to ensure that certain applications may not be completed until the applicant has indicated whether the applicant wishes to register to vote; requiring a public institution of higher education to implement an electronic voter registration system on or before a certain date; requiring the State Board to register individuals whose voter registration information is transmitted to the State Board through an electronic voter registration system at a public institution of higher education; requiring the Maryland Higher Education Commission to submit certain reports to certain committees of the General Assembly on or before certain dates; requiring the State Board to adopt specified regulations regarding participants in address confidentiality programs; prohibiting a person acting under color of law from taking certain actions based on an individual's declination to register to vote or voter registration record; providing that an individual who unintentionally becomes registered to vote shall be considered to have registered to vote with the official authorization of the State Board and may not be considered to have violated certain provisions of law because of the unintended registration; requiring an automatic voter registration agency to provide electronic records relating to certain individuals to the State Board on or before a certain date; requiring the electronic records to include certain information; requiring the State Board to provide the electronic records of eligible individuals who are not registered to vote or whose voter registration record is out of date to the local board for the county where the individual resides; requiring the local board to send by mail to each eligible individual who is not registered to vote or whose voter registration record is out of date a notice that includes certain information; requiring the State Board to promptly add to the statewide voter registration list or update the voter registration record of each eligible individual who does not decline to register to vote or update the individual's voter registration record within a certain period of time after issuance of the notice; requiring that an individual added to the statewide voter registration list who has not affirmatively selected a political party affiliation be listed as not affiliated with any political party; authorizing the State Board to adopt certain regulations; requiring the State Board and each automatic voter registration agency to jointly submit a certain report to certain committees of the General Assembly on or before a certain date; requiring the State Board, in collaboration with each automatic voter registration agency, to take appropriate measures to educate the public about~~

~~automatic voter registration; repealing certain provisions of law relating to voter registration at the Motor Vehicle Administration; defining certain terms; and generally relating to automatic voter registration.~~

FOR the purpose of requiring certain State agencies that are deemed electronic voter registration agencies to implement electronic voter registration systems on or before a certain date; requiring an electronic voter registration system to comply with certain requirements; requiring the State Board of Elections to register individuals whose voter registration information is transmitted to the State Board through an electronic voter registration system; prohibiting an agent of an electronic voter registration agency who is responsible for carrying out certain voter registration functions from taking certain actions; restricting the use of certain data related to voter registration; authorizing the State Board to adopt regulations to implement electronic voter registration systems; requiring an electronic voter registration agency to submit certain reports to certain committees of the General Assembly on or before certain dates; requiring certain State agencies deemed automatic voter registration agencies to provide electronic records relating to certain individuals who have previously transacted business with the agency to the State Board on or before a certain date; requiring the electronic records to include certain information; requiring the State Board to review the electronic record of each individual it receives; requiring the State Board to provide the electronic records of individuals who are not registered to vote or whose voter registration record is eligible to be updated to the local board for the county where the individual resides; requiring the local board to send by mail to each individual who is not registered to vote or whose voter registration record is eligible to be updated certain notices that include certain information; requiring a local board to promptly add to the statewide voter registration list or update the voter registration record of each individual who does not decline to register to vote or update the individual's voter registration record within a certain period of time after issuance of the notice; requiring that an individual added to the statewide voter registration list who has not affirmatively selected a political party affiliation be listed as not affiliated with any political party; providing that an individual who becomes registered to vote after receiving a certain notice shall be considered to have become registered to vote based on information provided to the State Board by an automatic voter registration agency; requiring the State Board to permanently delete an individual's voter registration record if the individual was inadvertently registered to vote under certain circumstances; requiring the State Board to follow certain procedures to update the voter registration records of individuals who are registered to vote on or before certain dates; requiring the State Board to take appropriate measures to educate the public about automatic voter registration; authorizing the State Board to adopt certain regulations; requiring the State Board and each automatic voter registration agency jointly to submit a certain report to certain committees of the General Assembly on or before a certain date; designating all one-stop career centers in the Department of Labor, Licensing, and Regulation as voter registration agencies; providing that voter registration agencies that are subject to certain requirements are not subject to certain provisions of law; requiring voter registration agencies to ensure that certain applications for service or assistance may not be completed until the applicant has indicated whether the applicant wishes to register to vote; requiring a

public institution of higher education to provide a link to the online voter registration system on the home page of the online portal used by students to register for course work; requiring the Maryland Higher Education Commission to submit certain reports to certain committees of the General Assembly on or before certain dates; requiring the Department of Labor, Licensing, and Regulation to submit certain reports concerning voter registration at one-stop career centers to certain committees of the General Assembly on or before certain dates; requiring the State Board and the Department of Natural Resources to develop procedures for applicants who apply for hunting and fishing licenses online to register to vote through a link to the online voter registration system; requiring the State Board and the Department of Labor, Licensing, and Regulation to develop procedures for individuals who use the Maryland Workforce Exchange Web site to register to vote through a link to the online voter registration system; requiring the State Board to send by mail certain information concerning voter registration to certain individuals who conducted certain transactions with certain State agencies during the previous year; requiring the State Board to adopt certain regulations regarding participants in address confidentiality programs; authorizing the disclosure of information concerning an applicant for certain services and public assistance programs as necessary to administer electronic voter registration; requiring certain agencies to take certain actions to train employees of the agency concerning the requirements of this Act; repealing certain provisions of law relating to voter registration at the Motor Vehicle Administration; defining certain terms; and generally relating to voter registration.

~~BY adding to~~

~~Article — Election Law
Section 1-101(z-1) and 3-203
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)~~

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

~~Article — Election Law
Section 3-102
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)~~

~~BY repealing~~

~~Article — Election Law
Section 3-203
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)~~

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

~~Article — Election Law
Section 3-204, 3-506, and 16-101
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)~~

BY adding toArticle – Election LawSection 1–101(b–1), 3–203, 3–203.1, 3–204.2, and 3–204.3Annotated Code of Maryland(2010 Replacement Volume and 2015 Supplement)BY repealing and reenacting, without amendments,Article – Election LawSection 1–101(y)Annotated Code of Maryland(2010 Replacement Volume and 2015 Supplement)BY repealing and reenacting, without amendments,Article – Election LawSection 3–102Annotated Code of Maryland(2010 Replacement Volume and 2015 Supplement)(As enacted by Chapter 6 of the Acts of the General Assembly of 2016)BY repealingArticle – Election LawSection 3–203Annotated Code of Maryland(2010 Replacement Volume and 2015 Supplement)BY repealing and reenacting, with amendments,Article – Election LawSection 3–204 and 3–506Annotated Code of Maryland(2010 Replacement Volume and 2015 Supplement)BY repealing and reenacting, with amendments,Article – Human ServicesSection 1–201Annotated Code of Maryland(2007 Volume and 2015 Supplement)Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 1145 – Delegates Turner, Morales, Atterbeary, Barkley, Ebersole, Gutierrez, Haynes, Hill, Hixson, Kaiser, Kelly, Lam, A. Miller, Moon, Pendergrass, Platt, and Reznik

AN ACT concerning

Maryland Clean Energy Incentive Act of 2016

FOR the purpose of extending a certain credit against the State income tax for electricity produced by certain facilities from certain qualified energy resources until a certain date; extending the period in which the Maryland Energy Administration may issue certain qualifying certifications; and generally relating to a certain income tax credit for electricity produced from qualified energy resources.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–720
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

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

House Bill 1180 – Delegates Carter, Barron, Conaway, Dumais, Kittleman, Moon, Platt, Rosenberg, Sanchez, and Smith

AN ACT concerning

Correctional Services – Restrictive Housing – Report

FOR the purpose of requiring the Department of Public Safety and Correctional Services on or before a certain date each year to submit certain data to the Governor's Office of Crime Control and Prevention and the General Assembly relating to the use of certain restrictive housing in correctional facilities; requiring the ~~Department~~ Governor's Office of Crime Control and Prevention to make certain information available on ~~the Department's~~ its Web site; defining a certain term; and generally relating to correctional facilities.

BY adding to
Article – Correctional Services
Section 9–614
Annotated Code of Maryland
(2008 Replacement Volume and 2015 Supplement)

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

House Bill 1233 – Delegates Ebersole, Luedtke, Tarlau, ~~and P. Young~~ P. Young, and Afzali

AN ACT concerning

**Education – Administration of Standardized Tests and Mandated Assessments –
Notice**

FOR the purpose of requiring certain county boards of education to review and update annually a certain list of certain tests and assessments and a certain date range for the administration of certain tests and assessments; requiring certain county boards to provide parents and guardians, ~~via e-mail~~, certain information regarding certain tests and assessments on or before certain dates; requiring the State Superintendent of Schools to create a certain model and provide the model ~~and certain information regarding certain elements of certain tests and assessments~~ to certain county boards; requiring certain county boards to provide certain information in certain languages, to the extent practicable; requiring certain information to be posted on certain Web sites and updated within a certain number of days under certain circumstances; defining a certain term; and generally relating to providing notice of the administration of standardized tests and mandated assessments.

BY repealing and reenacting, without amendments,
Article – Education
Section 7–204(a)(4)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY adding to
Article – Education
Section 7–204.1
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

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

House Bill 1249 – ~~Delegate Carey~~ Delegates Carey, Rose, and Simonaire

AN ACT concerning

Hunting and Fishing – Complimentary Licenses – ~~Wounded Military and Veterans~~ Purple Heart Recipients

FOR the purpose of authorizing the Department of Natural Resources to issue a complimentary angler’s license, Chesapeake Bay and coastal sport fishing license, or hunting license and any associated State-issued stamps or permits to a person who is a ~~member of the armed services or a veteran and has a service-connected disability~~ recipient of the Purple Heart award; making certain stylistic changes; and generally relating to complimentary hunting and fishing licenses.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–607, 4–745(e), and 10–303
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 4–745(a)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

~~BY repealing and reenacting, without amendments,
Article – State Government
Section 9–901(a) and (d)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)~~

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

House Bill 1252 – The Speaker (By Request – Maryland Economic Development and Business Climate Commission) and Delegates Beitzel, Frick, and Walker

AN ACT concerning

Corporate Income Tax – Single Sales Factor Apportionment

FOR the purpose of altering the formula used to apportion certain income to the State for corporations that carry on a trade or business in and out of the State; repealing obsolete provisions; providing for the application of this Act; and generally relating to the apportionment formula under the Maryland income tax for corporations.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–402
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

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

House Bill 1297 – Delegate McKay

AN ACT concerning

Education – Public High Schools – Agriculture Science

FOR the purpose of ~~requiring~~ encouraging each county board of education, beginning in a certain school year, to implement a certain agriculture science curriculum in a certain number of public high schools in each county or a certain number of career and technology education centers in each county; requiring that the agriculture

science curriculum be selected from existing curricula developed by the State Department of Education or be developed by a county board and approved by the Department; and generally relating to the implementation of an agriculture science curriculum in each county.

BY adding to

Article – Education

Section 4–111.3

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

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

House Bill 1299 – Delegate A. Washington

AN ACT concerning

Property Tax – ~~Public Land and Public Use~~ Crane Located on State Property – Exemption

FOR the purpose of providing an exemption from property tax for the interest of a person in certain property that is located on property owned by ~~certain public entities~~ the State and used for certain ~~public~~ purposes; providing for the construction of this Act; providing for the application of this Act; and generally relating to an exemption from property tax for interests in certain property.

BY adding to

Article – Tax – Property

Section 7–211(i)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

House Bill 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

FOR the purpose of establishing the ~~Maryland Extended Day and Summer~~ Public School Opportunities Enhancement Program; requiring the State Department of Education

~~(Department)~~ to administer the program and consult with the Department of Natural Resources under certain circumstances; requiring the Department to develop a certain comprehensive plan on or before a certain date; requiring the Department to review and update a certain comprehensive plan annually; requiring the Department to use a certain framework to monitor and assess the quality of certain extended day and summer enhancement programs; establishing the ~~Maryland Extended Day and Summer~~ Public School Opportunities Enhancement Grant in the Program; requiring the Department to administer the grant program and establish certain policies for the administration of the grant program; authorizing the Department to award certain grants to certain local ~~education agencies~~ school systems, certain community schools, and certain nonprofit organizations to expand or create extended day and summer enhancement programs ~~or~~, to establish certain new partnerships, or to expand or support certain educational programming during the school day; encouraging certain public schools to partner with certain nonprofit organizations to extend certain day and summer enhancement programs; providing for the qualification for a certain grant; providing for the allocation of a certain grant; providing that certain applications shall receive priority; requiring the Department to ensure that certain grantees will administer a certain grant under certain circumstances; requiring the Governor to provide a certain annual appropriation in the State budget for certain fiscal years; requiring grantees to provide certain programs and ensure that certain programs contain an educational component; requiring that certain educational programs are aligned with certain standards; requiring certain grantees to provide certain matching funds; requiring the Department to make a certain annual report on or before a certain date; requiring the Department to adopt certain regulations; defining certain terms; and generally relating to the ~~Maryland Extended Day and Summer Enhancement Programs~~ Public School Opportunities Enhancement Act.

BY repealing

Article – Human Services

Section 8–1101 through 8–1107 and the subtitle “Subtitle 11. Maryland After–School and Summer Opportunity Fund Program”

Annotated Code of Maryland

(2007 Volume and 2015 Supplement)

BY adding to

Article – Education

Section 7–1701 through 7–1706 to be under the new subtitle “Subtitle 17. ~~Maryland Extended Day and Summer~~ Public School Opportunities Enhancement Program”

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

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

House Bill 1438 – Delegates Sophocleus, Haynes, Jackson, Jones, and Reznik

AN ACT concerning

Correctional Officers' Retirement System – Membership – Correctional Case Management Specialist

FOR the purpose of altering the membership of the Correctional Officers' Retirement System to include certain correctional case management specialists, supervisors, or managers; ~~authorizing certain individuals to transfer membership to the Correctional Officers' Retirement System; clarifying that certain individuals who do not elect to transfer are not members of the Correctional Officers' Retirement System; requiring certain individuals to deposit certain amounts in the annuity savings fund of the Correctional Officers' Retirement System; requiring the Board of Trustees for the State Retirement and Pension System to transfer certain funds to the annuity savings fund of the Correctional Officers' Retirement System; providing that certain accumulated contributions shall reduce the amount of a required deposit to the annuity savings fund of the Correctional Officers' Retirement System; prohibiting an individual who transfers membership to the Correctional Officers' Retirement System under this Act from receiving certain benefits if the individual retires within a certain number of years after transferring to the Correctional Officers' Retirement System; providing that certain members of the Correctional Officers' Retirement System who meet certain criteria may receive a normal service retirement allowance that is based on certain creditable service; requiring the State Retirement Agency, on or before a certain date, to notify certain individuals affected by this Act of their rights to transfer certain service credit to the Correctional Officers' Retirement System;~~ and generally relating to membership in the Correctional Officers' Retirement System.

BY repealing and reenacting, with amendments,
 Article – State Personnel and Pensions
 Section 25–201, ~~25–202~~, and 25–401
 Annotated Code of Maryland
 (2015 Replacement Volume)

~~BY repealing and reenacting, without amendments,
 Article – State Personnel and Pensions
 Section 25–203.1 and 29–302(e) and (d)
 Annotated Code of Maryland
 (2015 Replacement Volume)~~

~~BY adding to
 Article – State Personnel and Pensions
 Section 25–203.2 and 29–302(g)
 Annotated Code of Maryland
 (2015 Replacement Volume)~~

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

House Bill 1445 – Calvert County Delegation

AN ACT concerning

Calvert County – Property Tax Credit – Commerce Zones

FOR the purpose of authorizing a certain property tax credit for certain business entities that obtain certain new or expanded premises in a certain commerce zone in Calvert County; providing for the amount and duration of the property tax credit; authorizing the governing body of Calvert County to provide, by law, for certain matters relating to the tax credit; defining certain terms; providing for the application of this Act; and generally relating to a property tax credit in Calvert County for real property located in certain commerce zones.

BY adding to

Article – Tax – Property

Section 9–306(h)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

**House Bill 1462 – Delegates Bromwell, Krebs, ~~and Sample-Hughes~~
Sample-Hughes, Hammen, Angel, Barron, Cullison, Hayes, Hill, Kelly,
Kipke, McDonough, McMillan, Miele, Morgan, Morhaim, Oaks,
Pena-Melnyk, Pendergrass, Rose, Saab, West, and K. Young**

AN ACT concerning

Veterinarians, Pharmacies, and Pharmacists – Dispensing Compounded Preparations for Use by ~~Companion~~ Nonfarm Animals

FOR the purpose of ~~altering the definition of “practice of veterinary medicine” to include the practice of any person who dispenses compounded nonsterile or sterile preparations under certain circumstances; providing an exception~~ certain exceptions to a certain prohibition on the practice of veterinary medicine and dispensing certain medication 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 for a licensed veterinarian who dispenses certain compounded preparations to be used for a ~~companion~~ certain nonfarm animal under certain circumstances; providing that certain provisions of law do not prohibit a licensed veterinarian from dispensing, in accordance with a certain provision of this Act, certain compounded preparations provided by a certain pharmacy; authorizing a certain pharmacy to provide certain compounded preparations without a patient-specific prescription to a certain licensed veterinarian; authorizing a pharmacist to provide certain compounded preparations without a patient-specific prescription to a certain licensed veterinarian under

certain circumstances; prohibiting a pharmacy from providing certain compounded preparations in certain amounts to a licensed veterinarian under certain circumstances; providing that a certain subtitle does not affect a certain person while distributing certain compounded preparations; defining certain terms; making a stylistic change; repealing an obsolete provision of law; making a technical correction; and generally relating to veterinarians, pharmacies, pharmacists, and dispensing compounded preparations for use by ~~companion~~ nonfarm animals.

BY repealing and reenacting, without amendments,
Article – Agriculture
Section 2–301(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2015 Supplement)

BY adding to
Article – Agriculture
Section 2–301(b–1) ~~through (b–3)~~ and (b–2)
Annotated Code of Maryland
(2007 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 2–301(b–1) and (f) and 2–313
Annotated Code of Maryland
(2007 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 12–101(a), (d), and (aa) and 12–102(a)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY adding to
Article – Health Occupations
Section 12–101(c–1), (z–1), and (z–2), 12–403(c)(23), and 12–510
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 12–102(c)(2)(i), 12–403(c)(21) and (22), and 12–6C–02
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

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

House Bill 36 – ~~Delegate Haynes~~ Baltimore City Delegation

AN ACT concerning

Rebuilding Baltimore City Communities Act of 2016

FOR the purpose of ~~requiring~~ altering the definition of “vacant dwelling” for purposes of certain property tax credits against the property tax imposed on certain vacant dwellings and newly constructed dwellings located in Baltimore City; authorizing the Mayor and City Council of Baltimore City to grant, by law, a certain property tax credit against the property tax imposed on certain property located in certain ~~communities~~ neighborhoods in Baltimore City; establishing the amount and duration of the property tax credit; providing for the eligibility requirements of the property tax credit; requiring the Mayor and City Council of Baltimore City to provide certain procedures for granting the property tax credit; defining certain terms; providing for the application of this Act; and generally relating to a property tax credit in Baltimore City.

BY repealing and reenacting, without amendments,

Article – Tax – Property

Section 9–304(c)(1) and (d)(1)(i) and (ii)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY adding to

Article – Tax – Property

Section 9–304(i)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

House Bill 194 – Carroll County Delegation

AN ACT concerning

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

FOR the purpose of transferring the functions, powers, and duties of the Child Support Unit of the Office of the State’s Attorney for Carroll County to the Child Support Enforcement Administration of the Department of Human Resources; requiring that certain employees be transferred in accordance with certain provisions of law that provide for inclusion in the State Personnel Management System, seniority, compensation, annual leave accrual, transfer of certain pension contributions, and other personnel matters for employees transferring to the Child Support Enforcement Administration; requiring Carroll County to pay certain personnel

certain compensation as of a certain date; requiring the creation of certain Position Identification Numbers for certain transferred employees; providing for the determination of salary grade and seniority for transferred employees; ~~prohibiting the assignment of a transferred employee to a certain office for a certain period of time unless the employee agrees to the assignment;~~ requiring that certain transferred employees be given credit with the State for years of county employment for purposes of determining eligibility for participation as a retiree in the State Employee and Retiree Health and Welfare Benefits Program; requiring that certain transferred employees be subject to certain benefit selections in the Employees' Pension System; providing that certain transferred employees are not responsible for depositing the difference between certain member contributions and interest in the Carroll County Pension Plan and the Employees' Pension System for certain creditable service earned in the Carroll County Pension Plan; requiring a certain valuation to be performed by a certain actuary; and generally relating to the transfer of certain personnel to the Child Support Enforcement Administration of the Department of Human Resources.

BY repealing and reenacting, without amendments,
 Article – Family Law
 Section 10–117
 Annotated Code of Maryland
 (2012 Replacement Volume and 2015 Supplement)

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

House Bill 238 – ~~Delegate Sophocles~~ Anne Arundel County Delegation

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Disposition of Fees

FOR the purpose of requiring the Anne Arundel County Board of License Commissioners to remit a certain administrative fee to the ~~Office of the~~ Comptroller instead of using the fee to cover certain expenses; requiring the Board to remit to the ~~Office of the~~ Comptroller, rather than to Anne Arundel County, all fees that the Board collects; requiring the ~~Office of the~~ Comptroller, rather than the county, to pay from certain receipts certain salaries and expenses and to remit the balance to the county for certain purposes; and generally relating to the disposition of fees related to alcoholic beverages licenses in Anne Arundel County.

~~BY repealing and reenacting, with amendments,
 Article 2B – Alcoholic Beverages
 Section 10–104(e)(1) and 10–204(e)
 Annotated Code of Maryland
 (2011 Replacement Volume and 2015 Supplement)~~

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

~~Article 2B – Alcoholic Beverages
Section 10-204(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)~~

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages
Section 11-102
Annotated Code of Maryland
(As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages
Section 11-207, 11-1405, and 11-1406
Annotated Code of Maryland
(As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

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

House Bill 318 – Delegates Jacobs, Arentz, and Ghrist

AN ACT concerning

Kent County – Fisheries – Use of Haul Seines

FOR the purpose of authorizing in Kent County a person to catch certain fish with a haul seine during the period from Friday midnight until sunrise on Monday under certain circumstances; requiring the Department of Natural Resources to adopt certain regulations; and generally relating to the use of haul seines in Kent County.

BY repealing and reenacting, with amendments,

Article – Natural Resources
Section 4-713
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

House Bill 459 – The Speaker (By Request – Administration) and Delegates Adams, Afzali, Anderton, Arentz, Aumann, Beitzel, Bromwell, Buckel, Carozza, Cassilly, Ciliberti, Cluster, Fisher, Folden, Ghrist, Glass, Grammer, Hornberger, S. Howard, Impallaria, Jacobs, Kipke, Kittleman, Krebs, Long, Malone, Mautz, McComas, McConkey, McDonough, McKay, McMillan, Metzgar, Miele, W. Miller, Morgan, O'Donnell, Otto, Parrott,

Reilly, Rose, Saab, Shoemaker, Simonaire, Szeliga, Vogt, West, B. Wilson,
and Wivell

AN ACT concerning

~~**Fee, Surcharge, and Tax Reduction Act of 2016**~~
~~**Birth and Death Certificates – Fee Reduction**~~

FOR the purpose of ~~repealing a requirement that the Public Service Commission impose a certain environmental surcharge; altering certain application and renewal fees for certain licenses issued by the Maryland Home Improvement Commission; altering the fee that the State Court Administrator is required to charge for the special admission of an out-of-state attorney; repealing a requirement that the State Court Administrator pay a certain portion of a certain fee to a certain program; altering certain fees for certified copies of certain certificates; altering the portion of certain fees collected by local health departments required to be transferred to the General Fund; altering the distribution of certain proceeds from the sale of certain allowances; repealing the requirement that the Public Service Commission establish the amount of a certain surcharge; repealing a requirement that the Secretary of Natural Resources take certain actions in consultation with the Director of the Maryland Energy Administration; repealing a requirement that the Maryland Energy Administration receive certain administrative and fiscal support from a certain fund; providing the sales and use tax does not apply to certain sales in the form of a certain demurrage charge; altering a certain fee that certain vehicle owners are required to pay for the original and renewal application of certain special registrations; repealing the application and renewal fee for a certain handgun qualification license; altering certain fees for registering certain weight and measures used for certain commercial purposes; altering a certain fee related to certain wetlands and waterways authorizations; altering the annual license fees for certain fishing licenses; making conforming changes; providing for the delayed effective date for certain provisions of this Act; and generally relating to altering certain fees, surcharges, and taxes and distribution of certain revenue~~ fees for birth and death certificates.

~~BY repealing~~

~~Article — Public Utilities~~

~~Section 7-203~~

~~Annotated Code of Maryland~~

~~(2010 Replacement Volume and 2015 Supplement)~~

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

~~Article — Business Regulation~~

~~Section 8-303(a) and 8-308(d)(2)~~

~~Annotated Code of Maryland~~

~~(2015 Replacement Volume and 2015 Supplement)~~

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

~~Article — Courts and Judicial Proceedings
Section 7-202(f)
Annotated Code of Maryland
(2013 Replacement Volume and 2015 Supplement)~~

~~BY repealing and reenacting, with amendments,
Article — Education
Section 18-1504(a) and (b)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Health – General
Section 4-217(c)(1)(ii) and (3)
Annotated Code of Maryland
(2015 Replacement Volume)

~~BY repealing and reenacting, with amendments,
Article — Environment
Section 2-1002(g) and 5-203.1(b)(1)
Annotated Code of Maryland
(2013 Replacement Volume and 2015 Supplement)~~

~~BY repealing and reenacting, with amendments,
Article — Natural Resources
Section 3-302, 4-604(f)(1) and (2), and 4-745(a) and (d)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)~~

~~BY repealing and reenacting, without amendments,
Article — Natural Resources
Section 4-604(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)~~

~~BY repealing and reenacting, without amendments,
Article — State Government
Section 9-20B-05(a) through (d)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)~~

~~BY repealing and reenacting, with amendments,
Article — State Government
Section 9-20B-05(e)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)~~

~~BY adding to~~

~~Article – Tax – General~~

~~Section 11–202~~

~~Annotated Code of Maryland~~

~~(2010 Replacement Volume and 2015 Supplement)~~

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

~~Article – Transportation~~

~~Section 13–613~~

~~Annotated Code of Maryland~~

~~(2012 Replacement Volume and 2015 Supplement)~~

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

~~Article – Public Safety~~

~~Section 5–117.1(g) and (j)~~

~~Annotated Code of Maryland~~

~~(2011 Replacement Volume and 2015 Supplement)~~

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

~~Article – Agriculture~~

~~Section 11–204.7~~

~~Annotated Code of Maryland~~

~~(2007 Replacement Volume and 2015 Supplement)~~

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

House Bill 516 – Delegate Glass

AN ACT concerning

Harford County – Archery Hunting – Safety Zone

FOR the purpose of altering the size of the safety zone for archery hunters in Harford County within which archery hunting may not take place except under certain circumstances; requiring an archery hunter in Harford County to use a tree stand when hunting any wild bird or mammal within a certain distance of a certain building; and generally relating to archery hunting in Harford County.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 10–410(g)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

House Bill 525 – Delegates Beidle, Flanagan, Fraser–Hidalgo, Frush, Lam, McCray, Stein, and Szeliga

AN ACT concerning

Vehicle Laws – Manufacturers and Dealers

FOR the purpose of ~~prohibiting a motor vehicle manufacturer, distributor, or factory branch from prohibiting or taking certain punitive action against a motor vehicle dealer for providing certain notice to a customer or performing certain repairs on a motor vehicle under certain circumstances; requiring a dealer that sells at retail a used motor vehicle that is subject to a recall under federal law to provide to the buyer under certain circumstances a certain disclosure in a certain manner~~ prohibiting a motor vehicle manufacturer, distributor, or factory branch from taking certain action against a motor vehicle dealer for the provision of certain notice, documents, or information to certain persons; prohibiting a manufacturer from taking certain action against a dealer for performing certain repairs on a vehicle under certain circumstances; prohibiting a dealer from sending certain notice to a person that states or implies that certain circumstances exist based on certain information; requiring a manufacturer to provide certain compensation to certain dealers under certain circumstances; providing for the construction of certain provisions of this Act; and generally relating to motor vehicle manufacturers and dealers.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 15–212(c)(1) and (11)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

BY adding to
Article – Transportation
Section 15–212(c)(12), (13), (14), and (15)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 15–311
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

House Bill 646 – Delegates Dumais, Anderson, Angel, Arentz, Atterbeary, Barkley, B. Barnes, Barve, Beidle, Carozza, Carr, Chang, Clippinger, Cluster, Conaway, Cullison, Davis, Folden, Fraser–Hidalgo, Frick, Frush, Gaines, Gilchrist, Glass, Glenn, Gutierrez, Healey, Hettleman, Hill, Hixson, Holmes,

C. Howard, Jackson, Jameson, Jones, Kaiser, Kelly, Kittleman, Korman, Krebs, Lafferty, Lierman, Lisanti, Luedtke, Malone, McComas, McIntosh, A. Miller, Moon, Morales, Oaks, Parrott, Pena–Melnyk, Pendergrass, Platt, Proctor, Rey, Reznik, B. Robinson, S. Robinson, Rosenberg, Sample–Hughes, Sanchez, Smith, Stein, Sydnor, Szeliga, Tarlau, Valderrama, Valentino–Smith, Vogt, Waldstreicher, A. Washington, M. Washington, West, B. Wilson, C. Wilson, and P. Young

AN ACT concerning

**Family Law – Child Conceived Without Consent – Termination of Parental Rights
(Rape Survivor Family Protection Act)**

FOR the purpose of requiring a court, under certain circumstances, to terminate the parental rights of an individual convicted of or found to have committed an act of nonconsensual sexual conduct against the other parent that resulted in the conception of a child; prohibiting the court from terminating parental rights under certain circumstances; specifying that a termination of parental rights under this Act terminates completely certain rights of a parent; ~~authorizing the court to approve a certain supervised visitation arrangement under certain circumstances~~; specifying certain procedures for an action for termination of parental rights under this Act; authorizing the court to order certain means of service under certain circumstances; prohibiting the court from requiring publication of the name or personally identifying information of a party or the child; specifying that a party's testimony in a certain termination of parental rights proceeding is inadmissible as evidence in a criminal proceeding against that party under certain circumstances; requiring the Office of the Public Defender to represent certain respondents in a proceeding under this Act; defining certain terms; and generally relating to children conceived without consent and termination of parental rights.

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 16–204(b)(1)

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)

BY adding to

Article – Family Law

Section 5–1401 through 5–1404 to be under the new subtitle “Subtitle 14. Child Conceived Without Consent”

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

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

House Bill 815 – Cecil County Delegation and Delegate Metzgar

AN ACT concerning

Horse Racing – Fair Hill – Arabian Breed Racing Authorization

FOR the purpose of authorizing a licensee at the Fair Hill Natural Resources Management Area to conduct live racing of Arabian breed horses under certain circumstances; defining a certain term; and generally relating to horse racing at Fair Hill.

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 11–701 through 11–704
Annotated Code of Maryland
(2015 Replacement Volume and 2015 Supplement)

BY adding to
Article – Business Regulation
Section 11–705
Annotated Code of Maryland
(2015 Replacement Volume and 2015 Supplement)

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

House Bill 911 – Delegates Atterbeary, Morales, Anderson, Conaway, Folden, Kelly, Lierman, Lisanti, McComas, Moon, Pendergrass, Rosenberg, Smith, Sydnor, Turner, Valderrama, B. Wilson, and C. Wilson

AN ACT concerning

Family Law – Marriage – Age Requirements

FOR the purpose of ~~repealing certain provisions authorizing certain individuals under the age of majority to marry under certain circumstances~~ prohibiting, subject to a certain exception, an individual under the age of 18 from marrying; authorizing an individual 16 or 17 years old to marry under certain circumstances; making certain conforming changes; and generally relating to marriage.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 2–301, 2–402(f), and 2–405
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

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

FOR the purpose of adding to the individuals who may be a certain investigating officer or interrogating officer; requiring a certain complaint against a law enforcement officer to be signed under the penalty of perjury instead of before an official authorized to administer oaths; authorizing an individual who has a certain video recording to file a certain complaint against a law enforcement officer; altering the time period within which a certain complaint against a law enforcement officer may be filed; altering the number of days that a certain interrogation shall be suspended under certain circumstances; ~~authorizing the appointment to a certain hearing board of a member of the public who has received certain training; requiring that, in the case of a complaint alleging brutality, a certain hearing board consist of certain members, chosen from a certain pool of law enforcement officers in a certain manner; altering the membership of a certain hearing board; requiring a hearing board formed in a certain manner to include a certain member; requiring that a certain hearing be open to the public, with a certain exception; removing the Police Training Commission from the Department of Public Safety and Correctional Services to become an independent unit in the Executive Department;~~ renaming the Police Training Commission the Maryland Police Training and Standards Commission; establishing the Commission as an independent commission that functions in the Department of Public Safety and Correctional Services; repealing certain authority of the Secretary of Public Safety and Correctional Services; altering the composition of the Commission; requiring the election of a chair of the Commission; requiring the Commission to appoint an executive director with the approval of the Governor, rather than the Secretary; altering the powers and duties of the Commission; requiring the Commission to develop a certain reporting system by which certain law enforcement agencies shall report certain serious incidents and officer disciplinary actions; requiring the Commission, in consultation with the Department of Health and Mental Hygiene, to develop a certain hotline for certain purposes; requiring the Commission to establish a certain police complaint mediation program; requiring the Commission to develop best practices for the establishment and implementation of certain community policing programs and to develop a system by which each local law enforcement agency annually files a certain description of the local law enforcement agency's community policing program; requiring the Commission to review certain community policing programs and provide certain feedback regarding the programs; requiring the Commission to develop a certain uniform citizen complaint process; requiring the Commission to develop and administer a training program ~~on the Law Enforcement Officers' Bill of Rights for certain citizens~~ on matters relating to police procedures for certain citizens and administrative law judges; adding the submission to a certain psychological evaluation to the requirements for certification as a police officer; ~~prohibiting a law enforcement~~

~~agency from requiring a certain individual to undergo certain additional training under certain circumstances; requiring each law enforcement agency to require ensure that a certain incident report is filed by or on behalf of a certain law enforcement officer to file a certain incident report at a certain time, with a certain exception; requiring each law enforcement agency to post certain policies and collective bargaining agreements on certain Web sites; requiring each law enforcement agency to establish a certain policy for counseling certain officers; requiring each local law enforcement agency to adopt a certain community policing program and to post and file certain information about the program in a certain manner; requiring each law enforcement agency to annually report certain information to the Commission regarding certain officer-involved incidents and officer discipline; requiring each law enforcement agency to adopt a certain uniform complaint process and post a certain complaint process on its Web site under certain circumstances; establishing the Community Law Enforcement Program Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Executive Director of the Governor's Office of Crime Control and Prevention to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; requiring the Governor each fiscal year to include in the annual budget bill an appropriation of a certain amount to the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; requiring the Executive Director to establish a certain application procedure; requiring a local law enforcement agency that makes a certain application to provide the Executive Director with certain information; requiring the Executive Director to make certain grants to certain local law enforcement agencies in a certain manner; requiring local law enforcement agencies to submit certain proof to the Executive Director; providing that money distributed from the Fund is to supplement and not supplant any other funding; requiring the Governor's Office of Crime Control and Prevention and the Maryland Police Training and Standards Commission to provide certain technical assistance to certain law enforcement agencies; requiring the Executive Director to report to the General Assembly on or before a certain date on the distribution of money from the Fund; exempting the Fund from a certain provision of law requiring interest on State money in special funds to accrue to the General Fund of the State; prohibiting a supervisor, an appointing authority, and the head of a certain law enforcement agency from threatening or taking certain retaliatory actions against a certain law enforcement officer who discloses certain information or seeks a certain remedy; providing that certain protections apply to certain disclosures only under certain circumstances; requiring a law enforcement agency to provide certain law enforcement officers a copy of a certain subtitle under certain circumstances; authorizing a certain law enforcement officer to file a civil action against a certain law enforcement agency for certain relief under certain circumstances; authorizing the law enforcement officer to seek certain statutory damages instead of certain relief; providing that, under certain circumstances, the law enforcement agency has the burden of proving by clear and convincing evidence that certain personnel actions would have occurred despite a certain disclosure; requiring the trier of fact to consider certain factors in awarding certain statutory damages; authorizing the court to award certain relief and damages to the law~~

enforcement officer under certain circumstances; requiring the court to issue a certain injunction under certain circumstances; authorizing a court to award certain attorney's fees and litigation expenses to a law enforcement agency under certain circumstances; providing that this Act may not be construed to diminish certain rights, privileges, or remedies; requiring the Attorney General to take certain actions for certain purposes; providing that this Act does not preclude certain actions or prohibit certain personnel actions; providing for the continuity of the terms of office of certain appointed or elected persons; providing for the continuity of certain transactions, rights, duties, titles, and interests; providing for the continuity of the status of certain rules, regulations, and other associated duties and responsibilities affected by this Act; providing for the continuity of certain persons and schools certified by the Commission; providing for the application of this Act; requiring the Governor's Office of Crime Control and Prevention to conduct a certain study relating to best practices for the composition of law enforcement disciplinary hearing boards and submit a certain report; defining certain terms; making conforming changes; and generally relating to public safety and policing.

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

BY repealing and reenacting, with amendments,
Article – Public Safety
Section ~~3–104(e)~~ 3–104(b), (c), and (j), 3–107, 3–201, 3–202, 3–204, and 3–206
through 3–209
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

BY repealing
Article – Public Safety
Section 3–203
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

BY adding to
Article – Public Safety
Section 3–203 and 3–514 through 3–519; 3–801 through 3–806 to be under the new subtitle “Subtitle 8. Whistleblower Protections”; and 4–601 through 4–604 to be under the new subtitle “Subtitle 6. Community Law Enforcement Program Fund”
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement

Section 6–226(a)(2)(i)
Annotated Code of Maryland
(2015 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)84. and 85.
Annotated Code of Maryland
(2015 Replacement Volume)

BY adding to
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)86.
Annotated Code of Maryland
(2015 Replacement Volume)

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

House Bill 1115 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Cigarette Retailers – County License Fee MC 12–16

FOR the purpose of increasing the fee for a county license to sell cigarettes at retail in Montgomery County; requiring the Clerk of the Circuit Court for Montgomery County to distribute a certain amount of each license fee to the Comptroller and to distribute to Montgomery County a certain amount of each license fee to be used for a certain purpose; and generally relating to cigarette retailer licenses in Montgomery County.

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 16–101 and 16–301
Annotated Code of Maryland
(2015 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 16–302
Annotated Code of Maryland
(2015 Replacement Volume and 2015 Supplement)

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

House Bill 1404 – Delegates Brooks, Barkley, Branch, Carey, Clippinger, Davis, Frick, Glenn, Jones, Kramer, Lisanti, Valderrama, Vaughn, and C. Wilson

AN ACT concerning

**Maryland Center for Construction Education and Innovation – Codification
Establishment of Fund and Centers**

FOR the purpose of ~~establishing the Maryland Center for Construction Education and Innovation; providing that the Center is a body politic and corporate and is an instrumentality of the State; specifying the purposes of the Center; specifying what the Center shall seek to accomplish; establishing a Board of Directors for the Center; specifying the duties, membership, qualifications, terms, appointments, and removal of the members of the Board; specifying the manner of electing the chair of the Board; requiring the Center to employ an Executive Director; specifying the duties of the Executive Director of the Center;~~ establishing the Construction Education and Innovation Fund as a special, nonlapsing fund; requiring the Center to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; requiring the Governor, each fiscal year, to include in the annual State budget an appropriation of a certain amount to the Fund to support certain operations; specifying the purpose for which the Fund may be used; providing for expenditures from the Fund; requiring interest earnings of the Fund to be credited to the Fund; exempting the Fund from a certain provision of law requiring interest earnings on State money to accrue to the General Fund of the State; ~~providing that the Attorney General is the legal advisor to the Center; authorizing the Center to employ certain staff; specifying certain provisions of law from which the Center is exempt and to which the Center is subject; specifying the authority of the Center; requiring the Center to report on certain matters to certain persons on or before a certain date each year;~~ requiring the Department of Labor, Licensing, and Regulation to develop a framework for establishing a certain number of additional centers that have purposes and structure similar to those of the Maryland Center for Construction Education and Innovation; requiring the Department to establish certain centers; requiring the Department of Labor, Licensing, and Regulation to report to the General Assembly, on or before a certain date, on its findings and recommendations relating to development of a concerning the framework for establishing certain additional centers and certain other matters; defining certain terms; and generally relating to construction education and innovation.

BY adding to

Article – Labor and Employment

Section 11-1301 ~~through 11-1312~~ and 11-1302 to be under the new subtitle

“Subtitle 13. ~~Maryland Center For~~ Construction Education and Innovation
Fund”

Annotated Code of Maryland

(2008 Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(i)
Annotated Code of Maryland
(2015 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)84. and 85.
Annotated Code of Maryland
(2015 Replacement Volume)

BY adding to
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)86.
Annotated Code of Maryland
(2015 Replacement Volume)

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

LAID OVER BILLS

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

Senate Bill 937 – Senators Manno, Astle, Bates, Klausmeier, Raskin, and Zucker

AN ACT concerning

Sustainable Oyster Harvest Act of 2016

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

SB0937/274031/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 937

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “prohibiting” in line 6 down through “report;” in line 8.

AMENDMENT NO. 2

On page 3, in line 11, after “strategies” insert “, INCLUDING ROTATIONAL HARVESTING,”; and strike in their entirety lines 18 through 20, inclusive.

The preceding 2 amendments were read and adopted.

Senator Hershey moved, duly seconded, to make the Bill and Report a Special Order for the end of today’s business.

The motion was adopted.

Senate Bill 39 – Senator Simonaire

AN ACT concerning

General Provisions – State Designations – Great Seal and State Motto

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

SB0039/154638/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 39

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “and State Motto”; in line 5, strike “designating the Calvert family motto as the State motto;”; in line 6, strike “and the State motto”; and strike in their entirety lines 12 through 16, inclusive.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 17 through 19, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted by a roll call vote as follows:

Affirmative – 31 Negative – 13 (See Roll Call No. 709)

FLOOR COMMITTEE AMENDMENT

SB0039/154638/2

BY: Education, Health, and Environmental Affairs Committee

SUBSTITUTE COMMITTEE AMENDMENTS TO SENATE BILL 39

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Simonaire” and substitute “Senators Simonaire and Kagan”; in line 2, strike “and State Motto”; in line 5, strike “designating the Calvert family motto as the State motto;”; in line 6, strike “and the State motto”; and strike in their entirety lines 12 through 16, inclusive.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 17 through 19, inclusive.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

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

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (5) AND THE FAVORABLE REPORT.

SB0481/957476/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 481

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “providing” in line 11 down through “circumstances;” in line 12 and substitute “providing that certain provisions of this Act do not preclude an employee from demonstrating that an employer’s reliance on a certain”

exception is a pretext for certain discrimination;”; in line 26, after “work” insert “against an employer who knowingly violates a certain provision of law”; in line 25, strike “work of a comparable nature or”; and in line 27, after “employer” insert “who knowingly violates a certain provision of law”.

On page 2, strike beginning with “authorizing” in line 1 down through “employer;” in line 4 and substitute “altering a certain provision of law to require that a certain action be filed within a certain time period after the discovery of a certain act;”; strike beginning with “authorizing” in line 5 down through “Act;” in line 6; in line 7, strike “a certain term” and substitute “certain terms”; in line 12, after “Section” insert “3–301,”; in the same line, strike “3–307, and 3–308” and substitute “and 3–307”; and after line 19, insert:

“BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 3–308

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 22, insert:

“3–301.

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

(b) (1) “Employer” means:

(i) a person engaged in a business, industry, profession, trade, or other enterprise in the State;

(ii) the State and its units;

(iii) a county and its units; and

(iv) a municipal government in the State.

(2) “Employer” includes a person who acts directly or indirectly in the interest of another employer with an employee.

(c) “GENDER IDENTITY” HAS THE MEANING STATED IN § 20-101 OF THE STATE GOVERNMENT ARTICLE.

(D) (1) “Wage” means all compensation for employment.

(2) “Wage” includes board, lodging, or other advantage provided to an employee for the convenience of the employer.”;

in line 24, strike “(1)”; in line 25, after “MEANS” insert “:

(1)”;

in line 26, after “TRACK” insert “, IF CAREER TRACKS ARE OFFERED,”; in the same line, strike the period and substitute a semicolon; strike in their entirety lines 27 and 28; in line 29, strike “(I)” and substitute “(2)”; and strike in their entirety lines 32 and 33 and substitute:

“(3) LIMITING OR DEPRIVING AN EMPLOYEE OF EMPLOYMENT OPPORTUNITIES THAT WOULD OTHERWISE BE AVAILABLE TO THE EMPLOYEE BUT FOR THE EMPLOYEE’S SEX OR GENDER IDENTITY.”.

On page 6, in line 26, after “employer” insert “KNOWINGLY”; and in line 30, strike “WORK OF COMPARABLE NATURE OR”.

On page 7, in line 1, after “EMPLOYER” insert “KNOWINGLY”; in line 3, strike “BOTH”; in the same line, after “ACTUAL” insert “DAMAGES”; in the same line, after the second “AND” insert “AN ADDITIONAL EQUAL AMOUNT AS”; and strike beginning with “IN” in line 4 down through “(4)” in line 8.

AMENDMENT NO. 3

On page 4, strike beginning with “AN” in line 1 down through “PRACTICE” in line 8 and substitute “THIS SECTION DOES NOT PRECLUDE AN EMPLOYEE FROM DEMONSTRATING THAT AN EMPLOYER’S RELIANCE ON AN EXCEPTION LISTED IN SUBSECTION (C) OF THIS SECTION IS A PRETEXT FOR DISCRIMINATION ON THE BASIS OF SEX OR GENDER IDENTITY”.

AMENDMENT NO. 4

On page 7, in line 8, strike “**OR THE ATTORNEY GENERAL**”; strike beginning with “**ON**” in line 16 down through “**(D)**” in line 21; in lines 23 and 25, in each instance, strike the bracket; in line 23, strike “**(E)**”; and in line 25, strike “**(F)**”.

On page 8, in line 23, strike “**OR THE ATTORNEY GENERAL**”.

AMENDMENT NO. 5

On page 7, in line 21, strike “of” and substitute “**AFTER**”; and in the same line, after “the” insert “**DISCOVERY OF THE**”.

The preceding 5 amendments were read and adopted.

FLOOR AMENDMENT

SB0481/193020/2

BY: Senator Raskin

AMENDMENTS TO SENATE BILL 481, AS AMENDED

AMENDMENT NO. 1

On page 1 of the Finance Committee Amendments (SB0481/957476/1), in lines 5 and 7 of Amendment No. 1, in each instance, strike “knowingly” and substitute “knew or reasonably should have known that the employer’s action”.

AMENDMENT NO. 2

On page 3 of the Finance Committee Amendments, in lines 6 and 8 of Amendment No. 2, in each instance, strike “KNOWINGLY” and substitute “KNEW OR REASONABLY SHOULD HAVE KNOWN THAT THE EMPLOYER’S ACTION”.

The preceding 2 amendments were read only.

The President moved, duly seconded, to make the Bill and Amendments a Special Order for the end of today’s business.

The motion was adopted.

Senate Bill 973 – Senators Madaleno and Conway

AN ACT concerning

**Campaign Finance – Public Officials – Solicitation of Contributions or
Donations**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0973/544932/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 973

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Campaign Finance – Public Officials” and substitute “Election Law – Departmental Secretaries”; strike beginning with “public” in line 4 down through “officials” in line 7 and substitute “secretary of a principal department of the Executive Branch of State government from soliciting, transmitting, or depositing in a campaign account certain contributions or donations; 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; authorizing the State Board to impose a civil penalty on a secretary of a principal department of the Executive Branch of State government that engages in campaign fundraising activity prohibited by this Act; requiring a civil penalty under this Act to be distributed to the Fair Campaign Financing Fund; and generally relating to prohibiting departmental secretaries in the Executive Branch of State government”.

AMENDMENT NO. 2

On page 1, after line 19, insert:

“(2) (I) “DONATION”, AS TO AN INDEPENDENT EXPENDITURE, HAS THE MEANING STATED IN § 13–306 OF THIS TITLE.

(II) “DONATION”, AS TO AN ELECTIONEERING COMMUNICATION, HAS THE MEANING STATED IN § 13–307 OF THIS TITLE.”;

in line 20, strike “(2)” and substitute “(3)”; and strike beginning with “MEANS” in line 20 down through “LAW” in line 22 and substitute “MEANS A PRINCIPAL DEPARTMENT OF”

THE EXECUTIVE BRANCH OF STATE GOVERNMENT AS SET FORTH IN § 8–201(B) OF THE STATE GOVERNMENT ARTICLE.

On page 2, strike in their entirety lines 1 through 4, inclusive; after line 6, insert:

“(5) “SECRETARY” MEANS THE SECRETARY OF A GOVERNMENTAL UNIT.”;

in line 7, strike “(5)” and substitute “(6)”; in lines 8 and 9, in each instance, strike “PUBLIC OFFICIAL” and substitute “SECRETARY”; and in line 12, strike “PUBLIC OFFICIAL’S” and substitute “SECRETARY’S”.

AMENDMENT NO. 3

On page 2, after line 12, insert:

“(C) (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.

(D) THE STATE BOARD MAY IMPOSE A CIVIL PENALTY ON A SECRETARY WHO VIOLATES THIS SECTION:

- (1) IN THE MANNER SPECIFIED IN § 13-604.1 OF THIS TITLE; AND**
- (2) FOR EACH VIOLATION, IN AN AMOUNT NOT EXCEEDING \$1,000.**

(E) A CIVIL PENALTY IMPOSED UNDER SUBSECTION (C) OR (D) OF THIS SECTION SHALL BE DISTRIBUTED TO THE FAIR CAMPAIGN FINANCING FUND ESTABLISHED UNDER § 15-103 OF THIS ARTICLE.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0973/393827/1

BY: Senator Jennings

AMENDMENT TO SENATE BILL 973, AS AMENDED

(First Reading File Bill)

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments (SB0973/544932/1), in line 2 of Amendment No. 1, strike “Departmental Secretaries” and substitute “Public Officials”; strike beginning with “secretary” in line 3 down through “government” in line 4 and substitute “certain public official”; strike beginning with “secretary” in line 10 down through “that” in line 11 and substitute “certain public official who”; and in line 14, strike “departmental secretaries in the Executive Branch of State government” and substitute “public officials”.

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments, in line 2 of Amendment No. 2, after “**(2)**” insert “**“ADJUSTMENT AUTHORITY” INCLUDES THE AUTHORITY TO ADJUST OR SETTLE A DEBT OWED TO THE STATE.**”

(3)”;

in line 5, after “**TITLE.**” insert:

“(4) “ENFORCEMENT AUTHORITY” INCLUDES THE AUTHORITY TO:

(I) INVESTIGATE AN ALLEGED CIVIL OR CRIMINAL VIOLATION OF LAW;

(II) BRING OR DEFEND A CIVIL ACTION; OR

(III) PROSECUTE OR DEFEND A CRIMINAL ACTION.”;

and in line 6, strike “**(3)**” and substitute “**(5)**”.

On pages 1 and 2 of the Education, Health, and Environmental Affairs Committee Amendments, in Amendment No. 2, strike beginning with “**PRINCIPAL**” in line 7 on page 1 down through “**ARTICLE**” in line 2 on page 2 and substitute “**DEPARTMENT, AN AGENCY, AN OFFICE, OR ANY OTHER BODY OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT THAT IS ESTABLISHED BY LAW**”.

On page 2 of the bill, after line 4, insert:

“(6) “PROCUREMENT AUTHORITY” INCLUDES THE AUTHORITY TO PROCURE FINANCIAL AND INSURANCE SERVICES.

(7) “PUBLIC OFFICIAL” MEANS:

(I) THE HEAD OF A GOVERNMENTAL UNIT; OR

(II) THE HEAD OF AN OFFICE OR A DIVISION IN A GOVERNMENTAL UNIT.”;

in line 5, strike “**(4)**” and substitute “**(8)**”; and in line 11, after “**AUTHORITY**” insert “**ADJUSTMENT AUTHORITY, ENFORCEMENT AUTHORITY, OR PROCUREMENT AUTHORITY**”.

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments, in Amendment No. 2, strike beginning with “**(5)**” in line 4 down through “**UNIT.**” in line 5; in line 6, strike “**(6)**” and substitute “**(9)**”; in line 7, strike “**SECRETARY**” and substitute “**PUBLIC OFFICIAL**”; and in line 8, strike “**SECRETARY’S**” and substitute “**PUBLIC OFFICIAL’S**”.

On page 3 of the Education, Health, and Environmental Affairs Committee Amendments, in line 5 of Amendment No. 3, strike “SECRETARY” and substitute “PUBLIC OFFICIAL”.

The preceding amendment was read only.

Senator Raskin moved, duly seconded, to make the Bill and Amendment a Special Order for March 23, 2016.

The motion was adopted.

Senate Bill 1158 – Senator McFadden

AN ACT concerning

Higher Education – Morgan State University – Office of Technology Transfer

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

SB1158/344433/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 1158

(First Reading File Bill)

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

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

ANNOUNCEMENT

The President makes the following appointments to the legislative standing committees pursuant to Senate Rule 18(a)(1); the appointments are effective as of March 22, 2016.

BUDGET AND TAXATION

Senator Edward J. Kasemeyer, Chairman
 Senator Richard S. Madaleno, Jr., Vice–Chairman

Senator Ulysses Currie
 Senator James E. DeGrange, Sr.
 Senator Adelaide C. Eckardt
 Senator George C. Edwards
 Senator Bill Ferguson
 Senator Lisa A. Gladden

Senator Guy J. Guzzone
 Senator Nancy J. King
 Senator Roger P. Manno
 Senator Douglas J.J. Peters
 Senator Andrew A. Serafini

EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE

Senator Joan Carter Conway, Chairman
 Senator Paul Pinsky, Vice–Chairman

Senator Gail H. Bates
 Senator Cheryl C. Kagan
 Senator Shirley Nathan–Pulliam
 Senator James C. Rosapepe
 Senator Johnny Ray Salling

Senator Bryan W. Simonaire
 Senator Steve Waugh
 Senator Ronald N. Young
 Senator Craig J. Zucker

FINANCE COMMITTEE

Senator Thomas M. Middleton, Chairman
 Senator John C. Astle, Vice–Chairman

Senator Joanne C. Benson
 Senator Brian J. Feldman
 Senator Stephen S. Hershey, Jr.
 Senator J.B. Jennings
 Senator Delores G. Kelley

Senator Katherine A. Klausmeier
 Senator James N. Mathias, Jr.
 Senator Catherine E. Pugh
 Senator Edward R. Reilly

JUDICIAL PROCEEDINGS COMMITTEE

Senator Robert A. Zirkin, Chairman
 Vacancy, Vice–Chairman

Senator James Brochin
 Senator Robert Cassilly
 Senator Michael J. Hough
 Senator Susan C. Lee
 Senator Nathaniel J. McFadden

Senator C. Anthony Muse
 Senator Wayne Norman
 Senator Victor R. Ramirez
 Senator Jamie B. Raskin
 Senator Justin Ready

RULES COMMITTEE

Senator Katherine A. Klausmeier, Chairman

Senator James E. DeGrange, Sr., Vice–Chairman

Senator John C. Astle
Senator Joan Carter Conway
Senator George C. Edwards
Senator Stephen S. Hershey, Jr.
Senator J.B. Jennings

Senator Edward J. Kasemeyer
Senator Nathaniel J. McFadden
Senator Thomas M. Middleton
Senator Thomas V. Mike Miller, Jr.

Read and ordered journalized.

SPECIAL ORDERS

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

Senate Bill 191 – The President (By Request – Administration)

AN ACT concerning

**Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2016,
and the Maryland Consolidated Capital Bond Loans of 2007, 2008, 2009, 2011,
2012, 2013, 2014, and 2015**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (113) AND THE FAVORABLE REPORT.

Committee amendment 1 was read and adopted.

Committee amendments 2 through 12 were read and adopted.

Committee amendments 13 through 19 were read and adopted.

Committee amendments 20 through 30 were read and adopted.

Committee amendments 31 through 49 were read and adopted.

Committee amendments 50 through 113 were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #15

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation 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.

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

Senate Bill 910 – Senators Ferguson, Feldman, Guzzone, Madaleno, McFadden, Miller, Ramirez, Rosapepe, Young, and Zucker

AN ACT concerning

Maryland Education Development Collaborative – Established

SB0910/179931/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 910

(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 2, strike “9.5–114” and substitute “9.5–113”.

AMENDMENT NO. 2

On page 2, strike in its entirety line 27; in line 28, strike “(C)” and substitute “(B)”; and after line 29, 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 7, strike “STATE” and substitute “**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 “17”; 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; AND”;

in line 15, strike “(5)” and substitute “(11)”; in the same line, strike “11” and substitute “7”; strike in their entirety lines 19 and 20, inclusive; in line 23, after “SCHOOL” insert “THAT HAS SUCCESSFULLY ENHANCED 21ST CENTURY LEARNING AND SOCIOECONOMIC DIVERSITY”; and in lines 21, 23, 24, and 26, strike “(IV)”, “(V)”, “(VI)”, and “(VII)”, respectively, and substitute “(II)”, “(III)”, “(IV)”, and “(V)”, respectively.

On page 5, in lines 1 and 8, strike “(VIII)” and “(XI)”, respectively, and substitute “(VI)” and “(VII)”, respectively; in line 3, after “DESIGN;” insert “AND”; strike lines 4 through 7, inclusive; in line 9, after “ARCHITECTURE,” insert “DESIGN,”; in lines 10 and 11, in each instance, after the first “THE” insert “GOVERNING”; and in lines 15 and 16, in each instance, after “THE” insert “GOVERNING”.

On page 6, 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”; 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.

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

Senate Bill 976 – Senator Peters

AN ACT concerning

Commercial Daily Fantasy Sports – Authorization and Regulation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 980 – Senator Miller

AN ACT concerning

Gaming – Traditional Noncommercial Fantasy Competitions – Clarification

SB0980/319035/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 980

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “Commission;” insert “providing for a delayed effective date;”.

AMENDMENT NO. 2

On page 2, in line 18, strike “non-commercially” and substitute “noncommercially”; and in line 20, strike “websites” and substitute “Web sites”.

AMENDMENT NO. 3

On page 5, in line 29, strike “SECTION” and substitute “SUBTITLE”; in line 30, strike “July” and substitute “January”; and in line 31, strike “2016” and substitute “2017”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1004 – Senators Klausmeier, DeGrange, Edwards, Jennings, King, Mathias, Middleton, and Peters

AN ACT concerning

Gaming Payouts – Donation of Coins – Maryland Veterans Trust Fund

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 937 – Senators Manno, Astle, Bates, Klausmeier, Raskin, and Zucker

AN ACT concerning

Sustainable Oyster Harvest Act of 2016

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

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0937/463024/1

BY: Senator Hershey

AMENDMENT TO SENATE BILL 937

(First Reading File Bill)

On pages 1 and 2, strike in their entirety the lines beginning with line 9 on page 1 through line 33 on page 2, inclusive.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

SB0937/253525/1

BY: Senator Eckardt

AMENDMENTS TO SENATE BILL 937, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

In the Education, Health, and Environmental Affairs Committee Amendments (SB0937/274031/1), strike Amendment No. 1 in its entirety.

AMENDMENT NO. 2

On page 3 of the bill, after line 17, insert:

“(d) The Department may not issue a new oyster aquaculture lease until after the Center has made its report in accordance with subsection (c) of this section.”

The preceding 2 amendments were read and rejected.

Read the second time and ordered prepared for Third Reading.

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

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

FLOOR AMENDMENT

SB0481/193020/2

BY: Senator Raskin

AMENDMENTS TO SENATE BILL 481, AS AMENDED

AMENDMENT NO. 1

On page 1 of the Finance Committee Amendments (SB0481/957476/1), in lines 5 and 7 of Amendment No. 1, in each instance, strike “knowingly” and substitute “knew or reasonably should have known that the employer’s action”.

AMENDMENT NO. 2

On page 3 of the Finance Committee Amendments, in lines 6 and 8 of Amendment No. 2, in each instance, strike “KNOWINGLY” and substitute “KNEW OR REASONABLY SHOULD HAVE KNOWN THAT THE EMPLOYER’S ACTION”.

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

Affirmative – 28 Negative – 16 (See Roll Call No. 710)

Senator Cassilly moved, duly seconded, to make the Bill a Special Order for March 23, 2016.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 711)

ADJOURNMENT

At 11:53 A.M. on motion of Senator Klausmeier, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 21, 2016, Calendar Day, Wednesday, March 23, 2016.

Annapolis, Maryland
Legislative Day: March 21, 2016
Calendar Day: Wednesday, March 23, 2016
10:00 A.M. Session

The Senate met at 10:13 A.M.

Prayer by Rabbi Jonah Layman, Shaare Tefila Congregation, guest of Senator Zucker.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 713)

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

The Journal of March 20, 2016 was read and approved.

YEAS AND NAYS

SENATE BILLS PASSED IN THE HOUSE

BILL NO.	SPONSOR	CONTENT
SB 724	The President	Alcoholic Beverages Article

By Order,
William B. C. Addison, Jr., Secretary

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

LETTERS OF REASSIGNMENT

ANNOUNCEMENT BY THE PRESIDENT

House Bill 726 – Delegate Carr

AN ACT concerning

Ethics – Reports of Regulated Lobbyists – Open Data Format

Reassigned to the Committee on Education, Health, and Environmental Affairs under Rule 33(d).

Read and ordered journalized.

ANNOUNCEMENT BY THE PRESIDENT

House Bill 801 – Chair, Health and Government Operations Committee (By Request – Departmental – Maryland Insurance Administration)

AN ACT concerning

Health Insurance – Required Conformity With Federal Law

Reassigned to the Committee on Finance under Rule 33(d).

Read and ordered journalized.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #16

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

Senate Bill 844 – The President (By Request – Maryland Economic Development and Business Climate Commission)

AN ACT concerning

Interest Rate on Tax Deficiencies and Refunds

SB0844/659532/1

BY: Budget and Taxation Committee

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 20, strike the opening bracket; in line 21, strike the closing bracket; in line 22, after “(1)” insert “**(I)**”; in the same line, strike the opening bracket; in the same line, after “13%” insert “**FOR 2016**”; in the same line, strike “or] **11% FOR 2017;**”; and after line 22, insert:

“(II) 12.5% FOR 2017;

(III) 12% FOR 2018;

(IV) 11.5% FOR 2019;

(V) 11% FOR 2020;

(VI) 10.5% FOR 2021; AND

(VII) 10% FOR 2022 AND EACH YEAR THEREAFTER; OR”.

AMENDMENT NO. 2

On page 2, in line 1, strike the opening bracket; and strike beginning with the closing bracket in line 1 down through “2018,” in line 2.

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 RULES REPORT #7

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

Senate Bill 1168 – Senator Manno

AN ACT concerning

**Administrative Procedure Act – Proposed Regulation – Explanatory Reasons
Justifying Adoption**

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

QUORUM CALL

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

(See Roll Call No. 714)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #61

Senate Bill 39 – ~~Senator Simonaire~~ Senators Simonaire and Kagan

AN ACT concerning

General Provisions – State Designations – Great Seal ~~and State Motto~~

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

Affirmative – 40 Negative – 6 (See Roll Call No. 715)

The Bill was then sent to the House of Delegates.

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 – 32 Negative – 14 (See Roll Call No. 716)

The Bill was then sent to the House of Delegates.

Senate Bill 910 – Senators Ferguson, Feldman, Guzzone, Madaleno, McFadden, Miller, Ramirez, Rosapepe, Young, and Zucker

AN ACT concerning

Maryland Education Development Collaborative – Established

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

Affirmative – 46 Negative – 0 (See Roll Call No. 717)

The Bill was then sent to the House of Delegates.

Senate Bill 937 – Senators Manno, Astle, Bates, Klausmeier, Raskin, and Zucker

AN ACT concerning

Sustainable Oyster Harvest Act of 2016

Senator Salling moved, duly seconded, to place **Senate Bill 937** back on second reading for the purpose of adding amendments.

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

Affirmative – 14 Negative – 30 (See Roll Call No. 718)

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

Affirmative – 36 Negative – 10 (See Roll Call No. 719)

The Bill was then sent to the House of Delegates.

Senate Bill 976 – Senator Peters

AN ACT concerning

Commercial Daily Fantasy Sports – Authorization and Regulation

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

Affirmative – 46 Negative – 0 (See Roll Call No. 720)

The Bill was then sent to the House of Delegates.

Senate Bill 980 – Senator Miller

AN ACT concerning

Gaming – Traditional Noncommercial Fantasy Competitions – Clarification

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

Affirmative – 46 Negative – 0 (See Roll Call No. 721)

The Bill was then sent to the House of Delegates.

Senate Bill 1004 – Senators Klausmeier, DeGrange, Edwards, Jennings, King, Mathias, Middleton, and Peters

AN ACT concerning

Gaming Payouts – Donation of Coins – Maryland Veterans Trust Fund

Senator Eckardt moved, duly seconded, to place **Senate Bill 1004** back on second reading for the purpose of adding amendments.

The motion was adopted.

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

SB1004/119931/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 1004

(Bill as Printed for Third Reading)

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 “certain” and substitute “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 “certain licensees” and substitute “a licensee”; in the same line, strike the second “certain” and substitute “a”; in line 8, strike “facilities” and substitute “facility”; and in the same line, 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 “LICENSEES” and substitute “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 adopted.

Read the second time and ordered prepared for Third Reading.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 500 – Senator Stephen S. Hershey, Jr.:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Kent Island High School Boy’s Lacrosse Team
in recognition of
your winning the 2015 Boy’s Lacrosse Class 3A/2A State Championship. We applaud your
outstanding season and
wish you many more. Congratulations!
The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 23rd day of March 2016.

Read and adopted by a roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 722)

THIRD READING CALENDAR (SENATE BILLS) #61

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 – 37 Negative – 8 (See Roll Call No. 723)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #62

Senate Bill 191 – The President (By Request – Administration)

AN ACT concerning

**Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2016,
and the Maryland Consolidated Capital Bond Loans of 2007, 2008, 2009, 2011,
2012, 2013, 2014, and 2015**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 724)

The Bill was then sent to the House of Delegates.

SPECIAL ORDERS

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

Senate Bill 839 – Senator Feldman

AN ACT concerning

Insurance – Rate Filings – Trade Secrets

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

Senator Feldman moved, duly seconded, to make the Bill and Amendments a Special Order for March 24, 2016.

The motion was adopted.

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

AN ACT concerning

Justice Reinvestment Act

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

Read the second time and ordered prepared for Third Reading.

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

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

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0481/703323/1

BY: Senator Waugh

AMENDMENTS TO SENATE BILL 481, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, strike beginning with “altering” in line 3 down through “identity;” in line 4; and in lines 6, 24, and 25, in each instance, strike “or gender identity”.

On page 2 of the bill, in line 7, after “conforming” insert “and stylistic”.

AMENDMENT NO. 2

On page 1 of the Finance Committee Amendments (SB0481/957476/1), in line 12 of Amendment No. 1, strike “3–301”.

AMENDMENT NO. 3

On pages 1 and 2 of the Finance Committee Amendments, in Amendment No. 2, strike beginning with “3–301.” in line 2 on page 1 down through “employer.” in line 14 on page 2.

On page 3 of the Finance Committee Amendments, in line 5 of Amendment No. 2 and line 5 of Amendment No. 3, in each instance, strike “OR GENDER IDENTITY”.

AMENDMENT NO. 4

On page 3 of the bill, in lines 1, 2 and 3, 7, 15 and 16, 18, and 25, in each instance, strike “OR GENDER IDENTITY”.

On page 6 of the bill, in lines 28 and 29 and 29 and 30, in each instance, strike “OR GENDER IDENTITY”.

The preceding 4 amendments were read and rejected by a roll call vote as follows:

Affirmative – 13 Negative – 33 (See Roll Call No. 725)

FLOOR AMENDMENT

SB0481/173227/1

BY: Senator Norman

AMENDMENTS TO SENATE BILL 481, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Finance Committee Amendments (SB0481/957476/1), in line 10 of Amendment No. 1, strike the first “a”; and in the same line, strike “time period after the discovery of a certain act” and substitute “time periods”.

AMENDMENT NO. 2

On page 4 of the Finance Committee Amendments, in line 2 of Amendment No. 5, strike “DISCOVERY OF THE”.

On page 7 of the bill, in line 21, after “filed” insert “:

(1) FOR A WILLFUL VIOLATION,”;

and in line 22, after “based” insert “OCCURRED; OR”

(2) FOR A VIOLATION THAT IS NOT WILLFUL, WITHIN 2 YEARS AFTER THE ACT ON WHICH THE ACTION IS BASED OCCURRED.

The preceding 2 amendments were read only.

Senator Norman moved, duly seconded, to make the Bill and Amendments a Special Order for March 24, 2016.

The motion was adopted.

Senate Bill 936 – Senator Manno

AN ACT concerning

Maryland Clean Energy Incentive Act of 2016

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

SB0936/589432/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 936

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “date;” insert “altering the definition of “qualified Maryland facility” for purposes of eligibility for the credit;”.

AMENDMENT NO. 2

On page 2, strike beginning with the colon in line 17 down through “(i)” in line 18; strike beginning with the semicolon in line 20 down through “service” in line 24; and in line 25, strike “paragraphs (2) and (3)” and substitute “**PARAGRAPH (2)**”.

On page 3, strike beginning with “If” in line 4 down through “(3)” in line 8.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 973 – Senators Madaleno and Conway

AN ACT concerning

Campaign Finance – Public Officials – Solicitation of Contributions or Donations

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENT (1) OFFERED FROM THE FLOOR BY SENATOR JENNINGS.

SB0973/393827/1

BY: Senator Jennings

AMENDMENT TO SENATE BILL 973, AS AMENDED

(First Reading File Bill)

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments (SB0973/544932/1), in line 2 of Amendment No. 1, strike “Departmental Secretaries” and substitute “Public Officials”; strike beginning with “secretary” in line 3 down through “government” in line 4 and substitute “certain public official”; strike beginning with “secretary” in line 10 down through “that” in line 11 and substitute “certain public official who”; and in line 14, strike “departmental secretaries in the Executive Branch of State government” and substitute “public officials”.

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments, in line 2 of Amendment No. 2, after “(2)” insert ““ADJUSTMENT AUTHORITY” INCLUDES THE AUTHORITY TO ADJUST OR SETTLE A DEBT OWED TO THE STATE.”

(3)”;

in line 5, after “TITLE.” insert:

“(4) “ENFORCEMENT AUTHORITY” INCLUDES THE AUTHORITY TO:

(I) INVESTIGATE AN ALLEGED CIVIL OR CRIMINAL VIOLATION OF LAW;

(II) BRING OR DEFEND A CIVIL ACTION; OR

(III) PROSECUTE OR DEFEND A CRIMINAL ACTION.”;

and in line 6, strike “**(3)**” and substitute “**(5)**”.

On pages 1 and 2 of the Education, Health, and Environmental Affairs Committee Amendments, in Amendment No. 2, strike beginning with “**PRINCIPAL**” in line 7 on page 1 down through “**ARTICLE**” in line 2 on page 2 and substitute “**DEPARTMENT, AN AGENCY, AN OFFICE, OR ANY OTHER BODY OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT THAT IS ESTABLISHED BY LAW**”.

On page 2 of the bill, after line 4, insert:

“(6) “PROCUREMENT AUTHORITY” INCLUDES THE AUTHORITY TO PROCURE FINANCIAL AND INSURANCE SERVICES.

(7) “PUBLIC OFFICIAL” MEANS:

(I) THE HEAD OF A GOVERNMENTAL UNIT; OR

(II) THE HEAD OF AN OFFICE OR A DIVISION IN A GOVERNMENTAL UNIT.”;

in line 5, strike “**(4)**” and substitute “**(8)**”; and in line 11, after “**AUTHORITY**” insert “**ADJUSTMENT AUTHORITY, ENFORCEMENT AUTHORITY, OR PROCUREMENT AUTHORITY**”.

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments, in Amendment No. 2, strike beginning with “**(5)**” in line 4 down through “**UNIT.**” in line 5; in line 6, strike “**(6)**” and substitute “**(9)**”; in line 7, strike “**SECRETARY**” and substitute “**PUBLIC OFFICIAL**”; and in line 8, strike “**SECRETARY’S**” and substitute “**PUBLIC OFFICIAL’S**”.

On page 3 of the Education, Health, and Environmental Affairs Committee Amendments, in line 5 of Amendment No. 3, strike “**SECRETARY**” and substitute “**PUBLIC OFFICIAL**”.

The preceding amendment was read only.

Senator Conway moved, duly seconded, to make the Bill and Amendment a Special Order for March 25, 2016.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 726)

ADJOURNMENT

At 11:47 A.M. on motion of Senator Pugh, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 22, 2016, Calendar Day Thursday March 24, 2016.

Annapolis, Maryland
Legislative Day: March 22, 2016
Calendar Day: Thursday, March 24, 2016
10:00 A.M. Session

The Senate met at 10:05 A.M.

Prayer by Pastor Patrick Grach, Lifehouse Church, guest of Senator Serafini.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 728)

CONCURRENCE CALENDAR #3

AMENDED IN THE HOUSE

Senate Bill 190 – The President (By Request – Administration)

Budget Bill

(Fiscal Year 2017)

Senator Kasemeyer moved that the Senate not concur in the House amendments.

SB0190/903222/1

BY: Delegate Turner

AMENDMENT TO SENATE BILL 190
(Third Reading File Bill – Committee Reprint)

On page 21, under:

Heading: STATE BOARD OF ELECTIONS

Program: D38I01.01

Entitled: General Administration

In line 30, after "Appropriation" insert ", provided that it is the intent of the General Assembly that:

- (1) no Maryland voter should have to wait for more than 30 minutes to vote; and
- (2) the State Board of Elections (SBE) and local boards of elections take every possible action to ensure that voters casting ballots at early voting centers and polling places on Election Day are able to begin the voting process within 30 minutes of arrival at the early voting center or polling place.

Further provided that \$50,000 of this appropriation made for the purpose of administration may not be expended for that purpose and instead may only be used to conduct a study that includes:

- (1) collection of data on wait times in the 2016 general election at an appropriate selection of early voting centers and Election Day polling places that experienced wait times in excess of 30 minutes in the 2012 presidential general election;
- (2) analysis of the data collected to determine the causes of any wait times in excess of 30 minutes that occur in the 2016 general election; and
- (3) recommendations for reducing wait times in excess of 30 minutes in future elections.

Further provided that \$25,000 of this appropriation made for the purpose of administration may not be expended until SBE submits the study on wait times and a report that describes:

- (1) the actions taken by SBE and the local boards of elections to keep voter wait times under 30 minutes in the 2016 presidential general election; and
- (2) the plans of SBE and the local boards of elections to keep voter wait times under 30 minutes in future elections.

The study and report shall be submitted by December 31, 2016, to the House Appropriations Committee, House Ways and Means Committee, Senate Budget and

Taxation Committee, and Senate Education, Health, and Environmental Affairs Committee. The committees shall have 45 days to review and comment. Funds restricted pending the receipt of a study and a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the study and report are not submitted.”.

The preceding amendment was read and not concurred in.

SB0190/443123/1

BY: Delegate Turner

AMENDMENT TO SENATE BILL 190

(Third Reading File Bill – Committee Reprint)

On page 21, under:

Heading: STATE BOARD OF ELECTIONS

Program: D38I01.01

Entitled: General Administration

In line 30, after “Appropriation” insert “. provided that \$50,000 of this appropriation made for the purpose of administration may not be expended for that purpose and instead may only be used to conduct a post–election tabulation audit following the 2016 general election utilizing the voter–verifiable paper records provided by the State’s new optical scan voting system. The State Board of Elections (SBE) shall submit a report that includes:

(1) a detailed description of the post–election tabulation audit performed after the 2016 general election;

(2) the manner in which the public was permitted to comment on the audit procedures before the audit, observe the audit, and comment on how the audit was conducted and the results of the audit after the audit is complete;

(3) the cause of any discrepancies revealed by the audit and how any discrepancies revealed by the audit were resolved;

(4) the final results of the audit for each contest that is audited;

- (5) the calculated risk that the reported outcome of each audited contest is incorrect;
- (6) the cost of the audit;
- (7) if an audit is conducted using electronic images of voter-verifiable paper records, how the electronic images were validated through inspection of the corresponding voter-verifiable paper records by hand and eye; and
- (8) how SBE plans to conduct post-election tabulation audits in future elections.

The report shall be submitted by December 31, 2016, to the House Appropriations Committee, House Ways and Means Committee, Senate Budget and Taxation Committee, and Senate Education, Health, and Environmental Affairs Committee. The committees shall have 45 days to review and comment. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted.”.

The preceding amendment was read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **SB0190**
SPONSOR: President
SUBJECT: Budget Bill (Fiscal Year 2017)

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 DeGrange
Senator Madaleno
Senator King
Senator Edwards

In addition, the Senate has appointed in advisory capacity: Senators Currie, Serafini and Ferguson.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and adopted.

CONCURRENCE CALENDAR #2

AMENDED IN THE HOUSE

Senate Bill 58 – Senator Astle

AN ACT concerning

Natural Resources – Vessel Excise Tax Cap – Repeal of Termination

Senator Kasemeyer moved that the Senate concur in the House amendments.

SB0058/655561/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 58

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Cap –” insert “Amount and”; in line 3, after “a” insert “certain”; in line 4, after “vessel;” insert “requiring that the maximum amount of the excise tax imposed for any vessel be increased by a certain amount each year on a certain date;”.

AMENDMENT NO. 2

On page 2, in line 18, strike “The” and substitute “**(I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE**”; and after line 19, insert:

“(II) THE MAXIMUM AMOUNT OF THE EXCISE TAX IMPOSED FOR ANY VESSEL AS SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE INCREASED BY \$100 ON:

- 1. JULY 1, 2016; AND**
- 2. JULY 1 OF EACH SUBSEQUENT YEAR.”**

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 – 39 Negative – 6 (See Roll Call No. 729)

AMENDED IN THE HOUSE

Senate Bill 324 – Senators Miller, Astle, Benson, Conway, Currie, DeGrange, Feldman, Ferguson, Gladden, Kagan, Kasemeyer, Kelley, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Muse, Nathan–Pulliam, Peters, Pinsky, Pugh, Ramirez, Raskin, Young, and Zirkin

AN ACT concerning

Prince George’s County Regional Medical Center Act of 2016

Senator Kasemeyer moved that the Senate concur in the House amendments.

SB0324/204261/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 324

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, after “Assembly;” insert “making this Act subject to a certain contingency;”.

On page 2, in line 35, after “System” insert “Corporation”.

On page 3, in line 4, after “System” insert “Corporation”.

AMENDMENT NO. 2

On page 5, in line 6, strike “applications of replacement facilities”; strike beginning with the period in line 7 down through “2016” in line 9 and substitute “application for a replacement facility for the Prince George’s Hospital Center”; strike beginning with the comma in line 12 down through the comma in line 13 and substitute “this Act shall take effect contingent on”; in line 14, strike “shall become” and substitute “becoming”; in line 15, strike “and as a result”; in the same line, after the comma, insert “and”; in line 16, strike “shall be responsible for” and substitute “assuming responsibility of”; and in line 27, after “That” insert “, subject to Section 3 of this Act.”.

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 – 36 Negative – 9 (See Roll Call No. 730)

YEAS AND NAYS

SENATE BILLS PASSED IN THE HOUSE

BILL NO.	SPONSOR	CONTENT
SB 1159 (Emerg)	Sen. Conway	Baltimore City Board of License Commissioners – Members – Terms and Appointment

By Order,
William B. C. Addison, Jr., Secretary

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 28 – ~~Delegate McConkey~~ Anne Arundel County Delegation

AN ACT concerning

Commission on the Disposition of the Crownsville Hospital Center Property

FOR the purpose of establishing the Commission on the Disposition of the Crownsville Hospital Center Property as an independent unit in the Executive Branch of State government; placing the Commission under the Department of General Services for administrative and budgetary purposes; providing for the purpose, composition, chair, and staffing of the Commission; requiring the Commission to determine the times and places of its meetings; prohibiting a member of the Commission from receiving certain compensation, but authorizing the reimbursement of certain expenses; authorizing the Commission to sell, transfer, or otherwise dispose of certain property and enter into contracts and execute certain instruments to carry out its purpose; providing for the termination of this Act; and generally relating to the Commission on the Disposition of the Crownsville Hospital Center Property.

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

House Bill 571 – Delegates Barkley and W. Miller

AN ACT concerning

Gas Companies – Rate Regulation – Environmental Remediation Costs

FOR the purpose of ~~requiring~~ authorizing the Public Service Commission, when determining certain expenses while setting a just and reasonable rate for a gas company, to include certain costs incurred by the gas company for performing certain environmental remediation of certain real property; ~~requiring~~ authorizing that certain environmental remediation costs be included in a gas company's certain expenses regardless of certain circumstances; prohibiting certain environmental remediation costs from being included in a gas company's certain expenses if a court of competent jurisdiction makes a certain determination; requiring the Commission to balance certain interests when setting a certain recovery schedule; and generally relating to natural gas rate regulations and environmental remediation.

BY adding to

Article – Public Utilities

Section 4–211

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)

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

House Bill 671 – Howard County Delegation

AN ACT concerning

Howard County – Practice of Massage – Regulation
Ho. Co. 13–16

FOR the purpose of authorizing the governing body of Howard County, after consultation with the State Board of Chiropractic and Massage Therapy Examiners, to adopt ordinances or regulations relating to ~~massage establishments and the practices of certain individuals~~ verification, inspection, and display of certain licenses issued under certain provisions of law; requiring the governing body of Howard County to provide that the Howard County Health Officer and the Howard County Police Department have certain authority to carry out certain provisions of ordinances or regulations; and generally relating to the practice of massage in Howard County.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 3–5A–15
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

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

House Bill 699 – Delegates K. Young ~~and Krimm~~, Krimm, and Hill

AN ACT concerning

Department of Health and Mental Hygiene – Biosafety Level 3 Laboratories

FOR the purpose of requiring the Department of Health and Mental Hygiene to ~~identify certain biosafety level 3 (BSL–3) laboratories and, with certain assistance, the location of these laboratories; requiring the Department to collect certain information from the laboratories relevant to public health and safety~~ develop and make available a certain form; requiring certain BSL–3 laboratories to report annually, on or before a certain date, certain information to the Department; requiring the Department to report annually, on or before a certain date, the number and location of the laboratories, in total and by local jurisdiction, to certain officials in each local jurisdiction in the State, and the total number of the laboratories to the Governor and the General Assembly; providing that certain information is confidential and not subject to inspection under certain provisions of law; establishing certain penalties; requiring the Department to develop a strategy for a certain purpose; defining a certain term; providing for the application of this Act; and generally relating to biosafety level 3 (BSL–3) laboratories.

BY adding to
Article – Health – General
Section 17–701 to be under the new subtitle “Subtitle 7. Biosafety Level 3 (BSL–3) Laboratories That Do Not Work With Federally Regulated Biological Select Agents and Toxins or Their Products”
Annotated Code of Maryland
(2015 Replacement Volume)

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

MOTION

Senator Raskin moved, duly seconded, that the Senate receive in Open Session the following Report from the Committee on Executive Nominations.

The motion was adopted.

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #5

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments numbered 1 through 71, S-1 through S-18, and L-1 on the attached list and recommends that the Senate of Maryland advise and consent to these appointments.

The Committee reports **unfavorably** on the gubernatorial appointments listed as numbers 72 through 74 on the attached list and recommends that the Senate of Maryland reject these appointments.

Jamie Raskin
Chair

**Senate Executive Nominations Committee
Report #5
March 24, 2016**

Airport Zoning Appeals Board

1. Paul V. Arcuri District 5
820 William Avenue
Westminster, MD 21157

Member of the Airport Zoning Appeals Board; appointed to serve a term of four years from July 1, 2015

2. Allyson McMahan District 16
10500 Rock Run Drive
Potomac, MD 20854

Member of the Airport Zoning Appeals Board; appointed to serve a term of four years from July 1, 2016

3. Albert V. Nalley, Sr. District 44
2200 Tall Pines Court
Catonsville, MD 21228

Member of the Airport Zoning Appeals Board; appointed to serve a term of four years from July 1, 2016

Amusement Ride Safety Advisory Board, State

4. Steven M. Rothenberg District 15
13913 Little Tree Court
Rockville, MD 20850

Member of the State Amusement Ride Safety Advisory Board; appointed to serve a term of four years from July 1, 2016

Apprenticeship and Training Council

5. Alexander Edgar Poling District 6
515 48th Street
Baltimore, MD 21224

Member of the Apprenticeship and Training Council; appointed to serve a term of four years from July 1, 2016

Arts Council, Maryland State

6. Aileen Carlucci District 36
2925 Cox Neck Road E
Chester, MD 21619

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

7. Alejandro F. Castro District 36
207 S. Cross Street, Suite 300
Chestertown, MD 21620

Member of the Maryland State Arts Council; appointed to serve a term of three years from July 1, 2015

8. Anthony A. Cornwell District 1
31706 Old Adams Road, NE
Little Orleans, MD 21766

Member of the Maryland State Arts Council; appointed to serve a term of three years from July 1, 2015

9. Joan M.G. Lyon District 1
3482 Bear Creek Road
Accident, MD 21520

Member of the Maryland State Arts Council; appointed to serve a term of three years from July 1, 2015

10. Robinson S. Rowe District 19
3829 Park Lake Drive
Rockville, MD 20853

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

Atlantic States Marine Fisheries Commission

11. Rachel A. Dean District 29
P.O. Box 507
Lusby, MD 20657

Member of the Atlantic States Marine Fisheries Commission; appointed to serve a term of three years from June 1, 2016

Aviation Commission, Maryland

12. John H. Kiser District 18
9907 Stoneybrook Drive
Kensington, MD 20895

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

Canal Place Preservation and Development Authority

13. Rebecca L. Ruppert District 1
10105 Kealey Drive S.W.
LaVale, MD 21502

Member of the Canal Place Preservation and Development Authority; appointed to serve a term of four years from June 1, 2015

Certified Interior Designers, State Board of

14. Jessica M. Boyd District 9
115 Schoolhouse Road
Sykesville, MD 21784

Member of the State Board of Certified Interior Designers; appointed to serve a term of three years from July 1, 2016

15. Tanya M. Kriscumas District 12
2503 Gehb Avenue
Baltimore, MD 21227

Member of the State Board of Certified Interior Designers; appointed to serve a term of three years from July 1, 2014

16. Karen C. Zopf District 42
716 Hickory Lot Road
Towson, MD 21286

Member of the State Board of Certified Interior Designers; reappointed to serve a term of three years from July 1, 2015

Chesapeake and Atlantic Coastal Bays, Critical Area Commission for the

17. Michael F. McCarthy District 37
27329 Rest Circle
Easton, MD 21601

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

Community Health Resources Commission, Maryland

18. Allan A. Anderson, M.D. District 37
114 Riverside Drive
Cambridge, MD 21613

Member of the Maryland Community Health Resources Commission; appointed to serve a term of four years from July 1, 2015

19. J. Wayne Howard District 36
7830 Shore Drive
Preston, MD 21655

Member of the Maryland Community Health Resources Commission; appointed to serve a term of four years from July 1, 2015

Controlled Hazardous Substance Advisory Council

20. Kenneth George Younger District 32
8362 Williamstowne Drive
Millersville, MD 21108

Member of the Controlled Hazardous Substance Advisory Council; appointed to serve a term of ten years from July 1, 2012

Deaf and Hard of Hearing, Maryland Advisory Council for the

21. Gregory S. James District 41
5712 Roland Avenue
Baltimore, MD 21210

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve a term of four years from October 1, 2014

Dietetic Practice, State Board of

22. Betty R. Cooper District 11
11203 Woodland Drive
Lutherville, MD 21093

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

Economic Development Corporation Board of Directors, Maryland

23. Scott E. Dorsey District 42
10631 Pot Spring Road
Cockeysville, MD 21030

Member of the Maryland Economic Development Corporation Board of Directors; reappointed to serve a term of four years from July 1, 2016

24. Linda Ates Moran District 38
11500 Quillin Way
Berlin, MD 21811

Member of the Maryland Economic Development Corporation Board of Directors; appointed to serve remainder of a term of four years from July 1, 2014

Elevator Safety Review Board

25. Thomas C. Lindsay, Jr. District 33
9 Ridout Road
Severna Park, MD 21146

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

Environmental Health Specialists, State Board of

26. Yvonne S. DeLoatch District 44
200 Presstman Street
Baltimore, MD 21217

Member of the State Board of Environmental Health Specialists; reappointed to serve a term of four years from July 1, 2016

27. Bertram F. Nixon District 5
2125 Misty Meadow Road
Finksburg, MD 21048

Member of the State Board of Environmental Health Specialists; reappointed to serve a term of four years from July 1, 2016

28. Karl A. Paige District 43
1606 Gleneagle Road
Baltimore, MD 21239

Member of the State Board of Environmental Health Specialists; appointed to serve a term of four years from July 1, 2016

29. Amy M. Parrish District 4
2214 Bluebird Drive
Westminster, MD 21157

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

Fire–Rescue Education and Training Commission

30. Kiona Lee Black District 4
507 East Main Street
Thurmont, MD 21788

Member of the Fire–Rescue Education and Training Commission; appointed to serve a term of four years from July 1, 2016

31. Bradley Scott Graham District 15
30 Barley Field Court
Comus, MD 20842

Member of the Fire–Rescue Education and Training Commission; appointed to serve a term of four years from July 1, 2016

Foresters, State Board of

32. G. Jill Rhyne–Grey District 33
1309 North Road
Severna Park, MD 21146

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

Hart–Miller–Pleasure Island Citizens Oversight Committee

33. Karen Wynn District 6
23 Wendslow Road
Lutherville–Timonium, MD 21093

Member of the Hart–Miller–Pleasure Island Citizens Oversight Committee; appointed to serve a term of two years from July 1, 2015

Health and Mental Hygiene, Board of Review of the Department of

34. Ved K. Gupta District 11
8625 Valleyfield Road
Lutherville, MD 21093

Member of the Board of Review of the Department of Health and Mental Hygiene; appointed to serve a term of three years from July 1, 2014

35. Shirley Roach District 4
13754 John Kline Road
Smithburg, MD 21783

Member of the Board of Review of the Department of Health and Mental Hygiene; appointed to serve a term of three years from July 1, 2015

Health Care Commission, Maryland

36. Randolph S. Sergeant District 9
2513 Holly Springs Court
Ellicott City, MD 21043

Member of the Maryland Health Care Commission; appointed to serve remainder of a term of four years from October 1, 2012 and a term of four years from October 1, 2016

Heritage Areas Authority, Maryland

37. Wayne E. Clark District 27
3649 5th Street
North Beach, MD 20714

Member of the Maryland Heritage Areas Authority; reappointed to serve a term of four years from October 1, 2016

Higher Education Commission, Maryland

38. Donna M. Mitchell District 14
2317 Kaywood Lane
Silver Spring, MD 20905

Member of the Maryland Higher Education Commission; appointed to serve remainder of a term of five years from July 1, 2011 and a term of five years from July 1, 2016

Historical Trust, Board of Trustees of the Maryland

39. Laura Davis Mears District 38
11709 Gum Point Road
Berlin, MD 21811

Member of the Board of Trustees of the Maryland Historical Trust; appointed to serve a term of four years from July 1, 2016

40. Franklin A. Robinson, Jr. District 27
P.O. Box 90
Benedict, MD 20612

Member of the Board of Trustees of the Maryland Historical Trust; appointed to serve a term of four years from July 1, 2016

Industrial Development Financing Authority, Maryland

41. Richard B. Deemer District 25
2608 Ritchie Marlboro Road
Upper Marlboro, MD 20774

Member of the Maryland Industrial Development Financing Authority; reappointed to serve a term of five years from July 1, 2011 and a term of five years from July 1, 2016

42. Brian F. Sweeney District 9
15049 Double Bridges Court
Glenelg, MD 21737

Member of the Maryland Industrial Development Financing Authority; appointed to serve remainder of a term of five years from July 1, 2013

Infants and Toddlers, Interagency Coordinating Council for

43. Mi Ji Kim District 13
5910 Great Star Drive, Unit 202
Clarksville, MD 21029

Member of the Interagency Coordinating Council for Infants and Toddlers; reappointed to serve a term of three years from July 1, 2016

44. Karen Mull District 6
2806 Moorgate Road
Baltimore, MD 21222

Member of the Interagency Coordinating Council for Infants and Toddlers; appointed to serve a term of three years from July 1, 2016

45. Sarah C. James Nativ District 41
5903 Eastcliff Drive
Baltimore, MD 21209

Member of the Interagency Coordinating Council for Infants and Toddlers; appointed to serve remainder of a term of three years from July 1, 2013 and a term of three years from July 1, 2016

Judicial Disabilities, Commission on

46. Virginia Lee Fogle District 3
5312 Wye Creek Drive
Frederick, MD 21703

Member of the Commission on Judicial Disabilities; appointed to serve remainder of a term of four years from January 1, 2013

47. Robert B. Kershaw District 40
111 North Calvert Street
Baltimore, MD 21202

Judge of the Commission on Judicial Disabilities; appointed to serve a term of four years from January 1, 2016

Labor Relations Board, State

48. Doris S. Mason District 37
2700 Willow Oak Drive, #411
Cambridge, MD 21613

Member of the State Labor Relations Board; appointed to serve a term of six years from July 1, 2016

Maryland Environmental Service, Board of Directors of

49. Kevin Hedge District 10
809 Champions Court
Reisterstown, MD 21136

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

Maryland Legal Services Corporation Board of Directors

50. Sidney A. Butcher, Esq. District 32
7564B Stoney Run Drive
Hanover, MD 21076

Member of the Maryland Legal Services Corporation Board of Directors; appointed to serve a term of three years from July 1, 2014

Maryland Public–Private Partnership Marketing Corporation, Board of Directors of the

51. Laura M. Van Eperen District 16
11211 River View Drive
Potomac, MD 20854

Member of the Maryland Public–Private Partnership Marketing Corporation, Board of Directors of the; appointed to serve a term to expire September 30, 2019

52. Ammanuel Moore District 44
1185 Granville Road
Baltimore, MD 21207

Member of the Maryland Public–Private Partnership Marketing Corporation, Board of Directors of the; appointed to serve a term to expire September 30, 2020

53. David Rodich District 14
18902 Abbey Manor Drive
Brookeville, MD 20833

Member of the Maryland Public–Private Partnership Marketing Corporation, Board of Directors of the; appointed to serve a term to expire September 30, 2018

Master Electricians, State Board of

54. Francis E. Harrison, Jr. District 4
2858 Flag Marsh Road
Mount Airy, MD 21771

Member of the State Board of Master Electricians; appointed to serve a term of three years from July 1, 2014

Patuxent Institution Board of Review

55. Chester A. France, Jr. District 32
8111 F.E. Carter Road
Laurel, MD 20724

Member of the Patuxent Institution Board of Review; reappointed to serve a term of four years from March 21, 2016

Physicians, State Board of

56. Arun Bhandari, M.D. District 30
705 Fantail Court
Annapolis, MD 21401

Member of the State Board of Physicians; appointed to serve a term of four years from July 1, 2015

57. Lisa A. Burgess, M.D. District 10
9755 Mill Centre Drive, Apt. 530
Owings Mills, MD 21117

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

58. Damean W.E. Freas, O.D. District 33
1705 Mansion Ridge Road
Annapolis, MD 21401

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

59. Kevin D. Pereira, M.D. District 11
922 Dennisford Court
Cockeysville, MD 21030

Member of the State Board of Physicians; appointed to serve a term of four years from July 1, 2015

60. Martha C. Schaerr District 19
17502 Bowie Mill Road
Derwood, MD 20855

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

61. Thomas M. Walsh, M.D. District 36
113 River Run
Queenstown, MD 21658

Member of the State Board of Physicians; appointed to serve a term of four years from July 1, 2015

Port Commission, Maryland

62. Christian R. Dean District 43
4020 Deepwood Road
Baltimore, MD 21218

Member of the Maryland Port Commission; appointed to serve a term of three years from July 1, 2016

Professional Standards and Teacher Education Board

63. John L. Mayo, Ed.D. District 7
11550 Crossroads Circle, #604
Middle River, MD 21220

Member of the Professional Standards and Teacher Education Board; appointed to serve a term of three years from July 1, 2016

Public Defender, Office of the Board of Trustees of the

64. Philip T. Cronan, Esq. District 37
25952 Acorn Road, P.O. Box 411
Royal Oak, MD 21662

Member of the Board of Trustees of the Office of the Public Defender; appointed to serve a term of three years from June 1, 2015

Public Service Commission

65. Jeannette M. Mills District 9
3714 Bold Ruler Court
Glenelg, MD 21737

Member of the Public Service Commission; appointed to serve a term of five years from July 1, 2014

Real Estate Commission, State

66. Robin L. Pirtle District 20
1020 Heartfields Drive
Silver Spring, MD 20904

Member of the State Real Estate Commission; reappointed to serve a term of four years from June 1, 2016

Retirement and Pension Systems, Board of Trustees for the Maryland State

67. David B. Hamilton District 11
1913 Ridge Road
Reisterstown, MD 21136

Member of the Board of Trustees for the Maryland State Retirement and Pension Systems; appointed to serve a term of four years from August 1, 2016

State Higher Education Labor Relations Board, Maryland

68. Aurora Carmichael District 26
519 Broad Creek Drive
Fort Washington, MD 20744

Member of the State Higher Education Labor Relations Board; appointed to serve remainder of a term of six years from July 1, 2011

Stationary Engineers, State Board of

69. Brian Wodka District 42
808 Walker Station Court
Parkton, MD 21120

Member of the State Board of Stationary Engineers; appointed to serve a term of three years from July 1, 2014

Women, Maryland Commission for

70. Bonnie N. Luna District 38
1210 Orchard Circle
Salisbury, MD 21801

Member of the Maryland Commission for Women; appointed to serve a term of four years from July 1, 2014

Youth Camp Safety, Advisory Council on

71. Gregory G. May District 13
9489 Greco Garth
Columbia, MD 21045

Member of the Advisory Council on Youth Camp Safety; appointed to serve a term of three years from July 1, 2016

Baltimore City Board of License Commissioners

72. Elizabeth A. Hafey, Esq. District 46
1200 South Conkling Street, #246
Baltimore, MD 21224

Member of the Baltimore City Board of License Commissioners; appointed to serve a term of two years from July 1, 2014

73. Benjamin A. Neil, Esq. District 46
324 Imla Street
Baltimore, MD 21224

Chair/Member of the Baltimore City Board of License Commissioners; appointed to serve a term of two years from July 1, 2015

74. Douglas H. Trotter District 41
4332 N. Charles Street
Baltimore, MD 21218

Member of the Baltimore City Board of License Commissioners; appointed to serve a term of two years from July 1, 2015

Statewide Nominees

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

Health and Mental Hygiene, Board of Review of the Department of

- S-1. Betty Makell Coleman District 30
8 Kirby Lane
Annapolis, MD 21401

Member of the Board of Review of the Department of Health and Mental Hygiene; reappointed to serve a term of three years from July 1, 2016

Industrial Development Financing Authority, Maryland

- S-2. Carla A. Nealy District 8
15 Menteith Court
Nottingham, MD 21236

Member of the Maryland Industrial Development Financing Authority; reappointed to serve a term of five years from July 1, 2014

- S-3. Louna S. Primm District 5
59 Rockland Road
Westminster, MD 21158

Member of the Maryland Industrial Development Financing Authority; reappointed to serve a term of five years from July 1, 2015

Infants and Toddlers, Interagency Coordinating Council for

S-4. Cynthia Bouchard District 32
289 Scotts Glen
Glen Burnie, MD 21061

Member of the Interagency Coordinating Council for Infants and Toddlers;
reappointed to serve a term of three years from July 1, 2016

S-5. Curtisha Hopkins District 32
1805 Village Square Court
Severn, MD 21144

Member of the Interagency Coordinating Council for Infants and Toddlers;
reappointed to serve a term of three years from July 1, 2016

S-6. Karen Larenas District 13
8114 Mission Hill Place
Jessup, MD 20794

Member of the Interagency Coordinating Council for Infants and Toddlers;
reappointed to serve a term of three years from July 1, 2016

S-7. Mary L. O'Connor Leppert, M.B., B.Ch. District 9
1403 Quick Fox Court
Eldersburg, MD 21784

Member of the Interagency Coordinating Council for Infants and Toddlers;
reappointed to serve a term of three years from July 1, 2016

S-8. Laura Barbee Mathews District 27
10006 Graystone Drive
Upper Marlboro, MD 20772

Member of the Interagency Coordinating Council for Infants and Toddlers;
reappointed to serve a term of three years from July 1, 2016

S-9. Shannon Z. McRae District 45
5919 Theodore Avenue
Baltimore, MD 21214

Member of the Interagency Coordinating Council for Infants and Toddlers;
reappointed to serve a term of three years from July 1, 2016

S–10. Natasha Ramberg District 10
662 Saint Georges Station Road
Reisterstown, MD 21136

Member of the Interagency Coordinating Council for Infants and Toddlers;
reappointed to serve a term of three years from July 1, 2016

S–11. Elizabeth Snyder District 29
41685 Burnt Mill Drive
Hollywood, MD 20636

Member of the Interagency Coordinating Council for Infants and Toddlers;
reappointed to serve a term of three years from July 1, 2016

Landscape Architects, Board of Examiners

S–12. Gareth Diedrick District 23
412 Bloomfield Lane
Upper Marlboro, MD 20774

Member of the Board of Examiners of Landscape Architects; reappointed to serve a
term of three years from July 1, 2016

Maryland Legal Services Corporation Board of Directors

S–13. M. Natalie McSherry, Esq. District 41
5705 Roland Avenue
Baltimore, MD 21210

Member of the Maryland Legal Services Corporation Board of Directors; reappointed
to serve a term of three years from July 1, 2015

S–14. Corey J. Robey District 5
3711 Clydesdale Road Way
Reisterstown, MD 21136

Member of the Maryland Legal Services Corporation Board of Directors; reappointed
to serve a term of three years from July 1, 2015

S–15. Mark F. Scurti District 41
5800 Wabash Avenue
Baltimore, MD 21215

Member of the Maryland Legal Services Corporation Board of Directors; reappointed
to serve a term of three years from July 1, 2015

Open Meetings Law Compliance Board, State

S-16. Rachel Shapiro Grasmick, Esq. District 18
7347 Wisconsin Avenue, Apt. 202
Bethesda, MD 20814

Member of the State Open Meetings Law Compliance Board; reappointed to serve a term of three years from July 1, 2016

Optometry, State Board of Examiners in

S-17. Rona Diane Pepper District 11
12206 Faulkner Drive
Owings Mills, MD 21117

Member of the State Board of Examiners in Optometry; reappointed to serve a term of four years from June 1, 2016

Physicians, State Board of

S-18. Edward J. Brody District 43
101 Stratford Road
Baltimore, MD 21218

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

Local Nominees

Please Note: Local Nominees are not required to appear before the Senate Executive Nominations Committee.

Washington County Board of Commissioners

L-1. Wayne K. Keefer District 1
P.O. Box 363
Hancock, MD 21750

Commissioner of the Washington County Board of Commissioners; appointed to serve remainder of a term of four years from the General Election of 2014

Senator Raskin moved, duly seconded, to make the Report a Special Order for March 25, 2016.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 731)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #63

Senate Bill 844 – The President (By Request – Maryland Economic Development and Business Climate Commission)

AN ACT concerning

Interest Rate on Tax Deficiencies and Refunds

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

Affirmative – 46 Negative – 0 (See Roll Call No. 732)

The Bill was then sent to the House of Delegates.

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 – 46 Negative – 0 (See Roll Call No. 733)

The Bill was then sent to the House of Delegates.

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**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 734)

The Bill was then sent to the House of Delegates.

Senate Bill 1005 – The President (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 – 46 Negative – 0 (See Roll Call No. 735)

The Bill was then sent to the House of Delegates.

MESSAGE TO THE SENATE

BILL: **SB0190**
SPONSOR: President
SUBJECT: Budget Bill (Fiscal Year 2017)

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 DeGrange
Senator Madaleno
Senator King
Senator Edwards.

In addition, the Senate has appointed in advisory capacity: Senators Currie, Serafini and Ferguson.

The House appoints:

Delegate McIntosh, Chair

Delegate Gaines
Delegate Jones
Delegate Reznik
Delegate Beitzel

In addition, the House has appointed in advisory capacity: Delegates Haynes and Kaiser.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

THE COMMITTEE ON FINANCE REPORT #25

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

Senate Bill 537 – Senator Klausmeier

AN ACT concerning

Department of Health and Mental Hygiene – Prescription Drug Monitoring Program – Modifications

SB0537/967176/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 537

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Klausmeier” and substitute “Senators Klausmeier, Astle, Benson, Feldman, Hershey, Jennings, Kelley, Mathias, Middleton, Pugh, and Reilly”; in line 4, strike “and prescribers”; in line 6, strike “or by a certain date, whichever is sooner”; in the same line, after the semicolon insert “requiring that certain prescribers be registered with the Program before obtaining a certain new or renewal registration or by a certain date, whichever is sooner;”; in line 14, after “Program;” insert “requiring certain regulations adopted by the Secretary to specify a certain frequency for

dispensers to submit certain information;”; in the same line, strike “altering” and substitute “repealing”; strike beginning with the second “to” in line 16 down through “Program” in line 18; in line 21, after “or” insert “possible”; in lines 22, 28, and 30, in each instance, strike “and pharmacists”; and in line 31, after “actions;” insert “requiring a pharmacist or pharmacist delegate to request prescription monitoring data before dispensing a monitored prescription drug under certain circumstances and for a certain purpose; providing that a pharmacist shall have the responsibility described in a certain federal regulation; authorizing the Secretary to adopt regulations regarding certain exemptions;”.

On pages 1 and 2, strike beginning with “requiring” in line 31 on page 1 down through “requiring” in line 3 on page 2 and substitute “authorizing, instead of requiring, the Program to obtain from a certain technical advisory committee certain guidance and interpretation of certain data; authorizing””.

On page 2, in line 4, after the second “a” insert “possible”; in line 5, strike “pharmacist” and substitute “dispenser”; in the same line, strike “requiring” and substitute “authorizing”; in line 6, strike “information” and substitute “education”; in the same line, after “circumstances;” insert “requiring the Program to obtain certain guidance and certain interpretation of certain data before providing certain notification of certain possible violations; authorizing the Program, under certain circumstances, to request that a certain technical advisory committee review certain requests and provide certain clinical guidance; requiring the Program, in consultation with the Advisory Board on Prescription Drug Monitoring, to consider certain policies and procedures;”; in line 8, after “Assembly;” insert “altering the purpose and membership of a certain technical advisory committee;”; in line 14, after “law;” insert “requiring the Department of Health and Mental Hygiene to report to certain committees, on or before certain dates, regarding the ongoing implementation and use of the Program; requiring the Department to report to certain committees, on or before a certain date, on certain matters, for a certain purpose; requiring the Department to develop and implement a certain plan; making certain provisions of this Act subject to certain contingencies; requiring the Secretary to give certain notice to the Department of Legislative Services and certain committees of the General Assembly within a certain time period after the Secretary makes a determination that certain contingencies have been satisfied; providing that certain provisions of this Act shall be null and void under certain circumstances;”; in line 30 after “21-2A-07(b)” insert “and (c)”; in line 36, strike the second “and”; and in the same line, after “21-2A-04.2” insert “, and 21-2A-04.3”.

AMENDMENT NO. 2

On page 3, in line 11, strike “**OR BY JULY 1, 2017, WHICHEVER IS SOONER**”; and after line 20, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:”.

On page 7, after line 8, insert:

“(3) SPECIFY THAT THE INFORMATION BE SUBMITTED BY DISPENSERS ONCE EVERY 24 HOURS;”;

in line 9, strike “(3)” and substitute “**(4)**”; strike in their entirety lines 14 through 18, inclusive; and in line 27, after “OR” insert “**POSSIBLE**”.

AMENDMENT NO. 3

On page 8, in line 15, after “TRAINING” insert “**DEVELOPED BY THE DEPARTMENT**”; strike beginning with “DEVELOPED” in line 16 down through “SUBSTANCES” in line 19 and substitute “**INCLUDING THE EFFECTIVE USE OF THE PROGRAM**”; after line 19, insert:

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

Article – Health – General”;

in line 21, strike “OR PHARMACIST”; and in line 22, strike “12” and substitute “**4**”.

On page 9, strike in their entirety lines 9 through 27, inclusive; in line 28, strike “(C)” and substitute “**(B)**”; in the same line, strike “OR PHARMACIST”; and in line 31, strike “7” and substitute “**3**”.

On page 10, strike beginning with “ANOTHER” in line 1 down through “CANCER” in line 2 and substitute “**CANCER-RELATED PAIN**”; strike beginning with “A” in line 4 down through “(II)” in line 8; in line 8, strike “AT A” and substitute “**RECEIVING TREATMENT IN AN INPATIENT UNIT OF A**”; strike beginning with the comma in line 8 down through “EMPLOYEE” in line 13; in lines 14 and 18, strike “(III)” and “(IV)”, respectively, and substitute “**(II)**” and “**(III)**”, respectively; strike beginning with “AT” in line 14 down through “9” in line 15 and substitute “**IN A GENERAL HOSPICE CARE PROGRAM AS**

DEFINED IN § 19-901"; strike beginning with "AT" in line 18 down through "SURGERY" in line 27 and substitute "WHO RESIDES IN:

1. AN ASSISTED LIVING FACILITY;
2. A LONG-TERM CARE FACILITY;
3. A COMPREHENSIVE CARE FACILITY; OR
4. A DEVELOPMENTAL DISABILITIES FACILITY";

in line 28, after "TREAT" insert "OR PREVENT"; and strike beginning with "RESULTING" in line 28 down through "CHILDBIRTH" in line 29 and substitute "FOR A PERIOD OF NOT MORE THAN 14 DAYS FOLLOWING:

- (I) A SURGICAL PROCEDURE IN WHICH GENERAL ANESTHESIA WAS USED;
- (II) A FRACTURE;
- (III) SIGNIFICANT TRAUMA; OR
- (IV) CHILDBIRTH".

On page 11, in lines 1 and 14, strike "(D)" and "(E)", respectively, and substitute "(C)" and "(D)", respectively; in lines 1, 12, 14, and 17, in each instance, strike "OR PHARMACIST"; in line 13, strike ", AS DESCRIBED IN REGULATION"; in line 16, strike "(D)(2)" and substitute "(C)(2)"; and after line 22, insert:

"(E) IF A PHARMACIST OR PHARMACIST DELEGATE HAS A REASONABLE BELIEF THAT A PATIENT MAY BE SEEKING A MONITORED PRESCRIPTION DRUG FOR ANY PURPOSE OTHER THAN THE TREATMENT OF AN EXISTING MEDICAL CONDITION:

(1) BEFORE DISPENSING A MONITORED PRESCRIPTION DRUG TO THE PATIENT, THE PHARMACIST OR PHARMACIST DELEGATE SHALL REQUEST PRESCRIPTION MONITORING DATA TO DETERMINE IF THE PATIENT HAS RECEIVED

OTHER PRESCRIPTIONS THAT INDICATE MISUSE, ABUSE, OR DIVERSION OF A MONITORED PRESCRIPTION DRUG; AND

(2) THE PHARMACIST SHALL HAVE THE RESPONSIBILITY DESCRIBED IN 21 C.F.R. § 1306.04.

(F) THE SECRETARY MAY ADOPT REGULATIONS TO PROVIDE ADDITIONAL CLINICAL, TECHNICAL, OR ADMINISTRATIVE EXEMPTIONS BASED ON NEW STANDARDS OF PRACTICE.

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

Article – Health – General

21-2A-04.3.

A PRESCRIBER OR PHARMACIST MAY AUTHORIZE A PRESCRIBER DELEGATE OR PHARMACIST DELEGATE TO REQUEST PRESCRIPTION MONITORING DATA ON BEHALF OF THE PRESCRIBER OR PHARMACIST IF:

(1) THE PRESCRIBER OR PHARMACIST TAKES REASONABLE STEPS TO ENSURE THAT THE PRESCRIBER DELEGATE OR PHARMACIST DELEGATE IS COMPETENT IN THE USE OF THE PROGRAM;

(2) THE PRESCRIBER OR PHARMACIST REMAINS RESPONSIBLE FOR:

(I) ENSURING THAT ACCESS TO THE PROGRAM BY THE PRESCRIBER DELEGATE OR PHARMACIST DELEGATE IS LIMITED TO PURPOSES AUTHORIZED BY LAW;

(II) PROTECTING THE CONFIDENTIALITY OF THE PRESCRIPTION MONITORING DATA; AND

(III) ANY BREACH OF CONFIDENTIALITY BY THE PRESCRIBER DELEGATE OR PHARMACIST DELEGATE; AND

(3) THE DECISION WHETHER TO PRESCRIBE OR DISPENSE A MONITORED PRESCRIPTION DRUG FOR A PATIENT:

(I) REMAINS WITH THE PRESCRIBER OR PHARMACIST; AND

(II) IS REASONABLY INFORMED BY THE PRESCRIPTION MONITORING DATA OBTAINED FROM THE PROGRAM.

AMENDMENT NO. 4

On page 13, in line 6, strike “and” and substitute a comma; in the same line, strike the brackets; in the same line, before “(E)” insert “, **AND**”; in lines 19, 22, and 23, in each instance, strike the brackets; in line 19, strike “**SHALL**”; in line 22, strike “**SHALL**”; strike beginning with “**OR**” in line 24 down through “**DRUG**” in line 25; and in line 27, strike “shall” and substitute “**MAY**”.

On page 14, in lines 4 and 9, in each instance, strike “**SHALL**” and substitute “**MAY**”; in line 5, after the second “A” insert “**POSSIBLE**”; in lines 6 and 9, in each instance, strike “**PHARMACIST**” and substitute “**DISPENSER**”; in line 7, strike “**IF**” and substitute “**SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, IF**”; in line 8, after “**OR**” insert “**A POSSIBLE**”; strike beginning with “**APPROPRIATE**” in line 10 down through “**AGENCY**” in line 11 and substitute “**PRESCRIBER OR DISPENSER OF THE POSSIBLE VIOLATION OF LAW OR POSSIBLE BREACH OF PROFESSIONAL STANDARDS**”; strike beginning with “**INFORMATION**” in line 12 down through “**INVESTIGATION**” in line 13 and substitute “**EDUCATION TO THE PRESCRIBER OR DISPENSER**”; after line 13, insert:

“(3) BEFORE THE PROGRAM PROVIDES NOTIFICATION OF A POSSIBLE VIOLATION OF LAW OR A POSSIBLE BREACH OF PROFESSIONAL STANDARDS TO A PRESCRIBER OR A DISPENSER, THE PROGRAM SHALL OBTAIN FROM THE TECHNICAL ADVISORY COMMITTEE:

(I) CLINICAL GUIDANCE REGARDING INDICATIONS OF A POSSIBLE VIOLATION OF LAW OR A POSSIBLE BREACH OF PROFESSIONAL STANDARDS; AND

(II) INTERPRETATION OF THE PRESCRIPTION MONITORING DATA THAT INDICATES A POSSIBLE VIOLATION OF LAW OR A POSSIBLE BREACH OF PROFESSIONAL STANDARDS.”;

in line 15, after “(6),” insert “(8),”; in the same line, after “section,” insert “THE PROGRAM MAY REQUEST THAT”; in the same line, strike “shall”; and strike beginning with “Notwithstanding” in line 22 down through “committee” in line 26 and substitute “THE PROGRAM, IN CONSULTATION WITH THE BOARD, SHALL CONSIDER POLICIES AND PROCEDURES FOR DETERMINING THE CIRCUMSTANCES IN WHICH THE REVIEW OF REQUESTS FOR INFORMATION AND THE PROVISION OF CLINICAL GUIDANCE AND INTERPRETATION OF INFORMATION BY THE TECHNICAL ADVISORY COMMITTEE UNDER PARAGRAPH (1) OF THIS SUBSECTION IS FEASIBLE AND DESIRABLE”.

AMENDMENT NO. 5

On page 15, in line 27, after “(3),” insert “(4),”; in the same line, strike the brackets; in the same line, after “(8)” insert a comma; in the same line, strike “and”; in line 29, after “drug” insert “OR A POSSIBLE VIOLATION OF LAW OR A POSSIBLE BREACH OF PROFESSIONAL STANDARDS BY A PRESCRIBER OR A DISPENSER”; in line 30, strike “21–2A–06(c)(2)” and substitute “21–2A–06(C) AND (D)”; and after line 30, insert:

“(c) The technical advisory committee consists of [the following members.] MEMBERS appointed by the Secretary, INCLUDING:

- (1) A board certified anesthesiologist licensed and practicing in the State, nominated by the Maryland Society of Anesthesiologists;
- (2) A certified addiction medicine specialist licensed and practicing in the State, nominated by the Maryland Society for Addiction Medicine;
- (3) A pharmacist licensed and practicing in the State;
- (4) A medical professional, licensed and practicing in the State, who is treating cancer patients; [and]
- (5) A board certified physician specializing in the treatment of patients with pain, licensed and practicing in the State, nominated by the Maryland Society of Physical Medicine and Rehabilitation;
- (6) TWO MEDICAL PROFESSIONALS, LICENSED AND PRACTICING IN THE STATE WITH EXPERTISE OR EXPERIENCE IN PROVIDING CARE FOR PATIENTS WITH SUBSTANCE–RELATED OR MENTAL HEALTH DISORDERS;

(7) A DENTIST LICENSED AND PRACTICING IN THE STATE; AND

(8) A MEDICAL PROFESSIONAL LICENSED AND PRACTICING IN THE STATE IN THE FIELD OF INTERNAL MEDICINE OR FAMILY PRACTICE.”

AMENDMENT NO. 6

On page 16, after line 27, insert:

“SECTION 5. AND BE IT FURTHER ENACTED, That the Department of Health and Mental Hygiene shall report, subject to § 2–1246 of the State Government Article, to the Senate Finance Committee, the House Health and Government Operations Committee, and the Joint Committee on Behavioral Health and Opioid Use Disorders, regarding the ongoing implementation and use of the Prescription Drug Monitoring Program, including:

(1) on or before December 1, 2016:

(i) the technical capacity of the Program to analyze prescription drug monitoring data for possible violations of law and possible breaches of professional standards by a prescriber or a dispenser; and

(ii) an analysis of the possibility of reporting possible violations of law or possible breaches of professional standards by a prescriber or a dispenser to law enforcement agencies, licensing entities, or units of the Department of Health and Mental Hygiene; and

(2) on or before September 1, 2017:

(i) in consultation with the Advisory Board on Prescription Drug Monitoring, the status of the implementation of providing education and notice of a possible violation of law or a possible breach of professional standards to prescribers and dispensers, as authorized under § 21–2A–06(d) of the Health – General Article, as enacted by Section 4 of this Act; and

(ii) a recommendation on whether the authority of the Program to report possible violations of law or possible breaches of professional standards should be expanded to allow reporting to law enforcement agencies, licensing boards, or units of the Department of Health and Mental Hygiene.

SECTION 6. AND BE IT FURTHER ENACTED, That, on or before November 1, 2016, the Department of Health and Mental Hygiene shall report, subject to § 2-1246 of the State Government Article, to the Joint Committee on Behavioral Health and Opioid Use Disorders on the feasibility and desirability of analyzing prescription monitoring data through the regular and ongoing use of statistical and advanced analytical techniques, including outlier detection, cluster analysis, and unsupervised data analysis techniques, for the purpose of:

- (1) understanding patterns in pain management care, patient opioid use, and treatment plans;
- (2) detecting possible high risk opioid behavior;
- (3) improving detection of multiple provider episodes; and
- (4) facilitating the sharing of information contained in State health and criminal justice records, as allowed by State and federal law, and available from interstate data sources.

SECTION 7. AND BE IT FURTHER ENACTED, That the Department of Health and Mental Hygiene shall develop and implement a plan to conduct outreach to and education of prescribers and pharmacists about the process for registering with the Prescription Drug Monitoring Program, as required by § 21-2A-04.1 of the Health – General Article, as enacted by Section 2 of this Act.

SECTION 8. AND BE IT FURTHER ENACTED, That:

(a) Section 1 of this Act is contingent on a determination by the Secretary of Health and Mental Hygiene, made in consultation with the Advisory Board on Prescription Drug Monitoring, the Joint Committee on Behavioral Health and Opioid Use Disorders, and stakeholders, that:

- (1) the requirement to register with the Prescription Drug Monitoring Program will not adversely affect or delay the issuance of a new or renewal registration by the Department of Health and Mental Hygiene under § 5-304(a) of the Criminal Law Article; and

(2) the process for obtaining a new or renewal registration from the Department of Health and Mental Hygiene under § 5–304(a) of the Criminal Law Article is capable of delivering the registrations in a timely manner.

(b) The Secretary of Health and Mental Hygiene shall notify the Department of Legislative Services and, in accordance with § 2–1246 of the State Government Article, the Senate Finance Committee and the House Health and Government Operations Committee within 5 days after the Secretary determines that the contingencies under subsection (a) of this section have been satisfied.

(c) If the notice required under subsection (b) of this section is not received by the Department of Legislative Services on or before June 30, 2022, Section 1 of this Act shall be null and void without the necessity of further action by the General Assembly.

SECTION 9. AND BE IT FURTHER ENACTED, That:

(a) Section 3 of this Act is contingent on a determination by the Secretary of Health and Mental Hygiene, made in consultation with the Advisory Board on Prescription Drug Monitoring, the Joint Committee on Behavioral Health and Opioid Use Disorders, and stakeholders, that:

(1) the technical capabilities of the Prescription Drug Monitoring Program are sufficient to achieve a reasonable standard of access and usability by prescribers and pharmacists; and

(2) requiring a prescriber to request prescription monitoring data for a patient in accordance with § 21–2A–04.2 of the Health – General Article, as enacted by Section 3 of this Act, is important to protect public health and promote good patient care.

(b) The Secretary of Health and Mental Hygiene shall notify the Department of Legislative Services and, in accordance with § 2–1246 of the State Government Article, the Senate Finance Committee and the House Health and Government Operations Committee within 5 days after the Secretary determines that the contingencies under subsection (a) of this section have been satisfied.

(c) If the notice required under subsection (b) of this section is not received by the Department of Legislative Services on or before June 30, 2023, Section 3 of this Act shall be null and void without the necessity of further action by the General Assembly.”;

in line 28, strike “2.” and substitute “10.”; and in the same line, after “That” insert “, subject to Sections 8 and 9 of this Act.”.

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1001 – Senator Waugh

AN ACT concerning

St. Mary’s County – Taxicabs – Repeal of Local Provisions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1058 – Senator Conway

AN ACT concerning

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1116 – Cecil County Senators

AN ACT concerning

Horse Racing – Fair Hill – Arabian Breed Racing Authorization

SB1116/187377/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 1116
(First Reading File Bill)

On page 1, in the sponsor line, strike “Cecil County Senators” and substitute “Senators Norman, Hershey, Astle, Benson, Feldman, Jennings, Kelley, Klausmeier, Mathias, Middleton, Pugh, and Reilly”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance 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.

THE COMMITTEE ON FINANCE REPORT #26

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

Senate Bill 1081 – Senator Eckardt

AN ACT concerning

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

SB1081/537079/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 1081
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; in the sponsor line, strike “Senator Eckardt” and substitute “Senators Eckardt, Astle, Benson, Feldman, Hershey, Jennings, Kelley, Klausmeier, Mathias, Middleton, Pugh, and Reilly”; and in line 13, after “change;” insert “making this Act an emergency measure.”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 25 and 26 and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1094 – Senator Astle

AN ACT concerning

Health – Recovery Residences – Certification

SB1094/747574/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 1094

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, after “list” insert “that includes certain information; requiring, on or before a certain date, a credentialing entity to publish on its Web site a certain list that includes certain information”.

AMENDMENT NO. 2

On page 2, strike beginning with “MEANS” in line 12 down through “ENVIRONMENT” in line 15 and substitute “HAS THE MEANING STATED IN § 7.5–101 OF THIS ARTICLE”.

AMENDMENT NO. 3

On page 3, strike beginning with “RECOVERY” in line 16 down through “OWNER.” in line 20 and substitute “CREDENTIALING ENTITY AND THE CONTACT INFORMATION FOR THE CREDENTIALING ENTITY.”

(2) (i) ON OR BEFORE NOVEMBER 1, 2017, A CREDENTIALING ENTITY SHALL PUBLISH ON ITS WEB SITE A LIST OF EACH RECOVERY RESIDENCE THAT HOLDS A VALID CERTIFICATE OF COMPLIANCE.

(ii) THE LIST PUBLISHED UNDER SUBPARAGRAPH (i) OF THIS PARAGRAPH SHALL INCLUDE ONLY THE OWNER OF THE RECOVERY RESIDENCE AND THE CONTACT INFORMATION OF THE OWNER.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 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.

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

Senate Bill 1120 – Senator Reilly

AN ACT concerning

Railroad Grade Crossings – Exempt Highway–Rail Grade Crossing Plaque

SB1120/707976/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 1120

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “requiring” and substitute “authorizing”; and in line 5, strike “the plaque” and substitute “a plaque erected under this Act”.

AMENDMENT NO. 2

On page 2, in line 1, strike “SHALL” and substitute “MAY”; and in line 4, strike “THE PLAQUE” and substitute “A PLAQUE ERECTED UNDER THIS SECTION”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #40**

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

Senate Bill 540 – Senator Conway

AN ACT concerning

Morgan State University – Student Housing

SB0540/754030/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 540

(First Reading File Bill)

On page 1, in line 6, after “approves;” insert “requiring the Board of Regents to give certain notice to certain committees of the General Assembly under certain circumstances;”.

On page 1, after line 23, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That if the Board of Regents of Morgan State University enters into a contract for student housing in accordance with this Act, the Board of Regents shall notify the Senate Education, Health, and Environmental Affairs Committee and the House Appropriations Committee, in accordance with § 2-1246 of the State Government Article.”.

On page 2, in line 1, strike “2.” and substitute “3.”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0540/593026/2

BY: Senator Conway

AMENDMENTS TO SENATE BILL 540
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, before the first “and” insert “specifying certain height restrictions for certain student housing; requiring certain supervision of students who live in certain housing; requiring the Morgan State University Police and Public Safety Department to provide certain patrols of certain student housing subject to certain coordination; specifying a certain priority for certain student housing; requiring certain student housing to be converted to certain residential dwelling units under certain circumstances; requiring the developer of a certain shopping center to fulfill certain goals and employ certain individuals, to the extent practicable;”.

AMENDMENT NO. 2

On page 1, in line 23, after the period insert:

“(3) THE MAXIMUM HEIGHT OF THE STUDENT HOUSING SPECIFIED IN PARAGRAPH (2) OF THIS SUBSECTION MAY NOT EXCEED:

(I) TWO STORIES ABOVE ANY RETAIL DEVELOPMENT THAT IS LOCATED ON THE SOUTH SIDE OF THE 1600 BLOCK OF ARGONNE DRIVE;

(II) FOUR STORIES ABOVE ANY RETAIL DEVELOPMENT THAT IS LOCATED ON THE NORTH SIDE OF THE 1600 BLOCK OF SHEFFIELD ROAD;

(III) TWO STORIES ABOVE ANY RETAIL DEVELOPMENT THAT IS LOCATED ON THE NORTH SIDE OF THE 1600 BLOCK OF ARGONNE DRIVE; AND

(IV) THREE STORIES ABOVE ANY RETAIL DEVELOPMENT THAT IS LOCATED ON THE SOUTH SIDE OF THE 1600 BLOCK OF SHEFFIELD ROAD.

(4) THE MANAGEMENT COMPANY OF THE STUDENT HOUSING SPECIFIED IN PARAGRAPH (2) OF THIS SUBSECTION SHALL PROVIDE 24-HOUR SUPERVISION OF THE STUDENTS WHO LIVE IN THE HOUSING.

(5) (I) THE MORGAN STATE UNIVERSITY POLICE AND PUBLIC SAFETY DEPARTMENT SHALL PROVIDE 24-HOUR PATROLS OF THE STUDENT HOUSING SPECIFIED IN PARAGRAPH (2) OF THIS SUBSECTION.

(II) THE MANAGEMENT COMPANY OF THE STUDENT HOUSING SPECIFIED IN PARAGRAPH (2) OF THIS SUBSECTION AND THE MORGAN STATE UNIVERSITY POLICE AND PUBLIC SAFETY DEPARTMENT SHALL JOINTLY COORDINATE THE PATROLS REQUIRED UNDER THIS PARAGRAPH.

(6) PRIORITY FOR HOUSING IN THE STUDENT HOUSING SPECIFIED IN PARAGRAPH (2) OF THIS SUBSECTION SHALL BE GIVEN TO STUDENTS IN THE FOLLOWING ORDER:

(I) GRADUATE STUDENTS;

(II) SENIOR UNDERGRADUATE STUDENTS; AND

(III) JUNIOR UNDERGRADUATE STUDENTS.

(7) ON THE TERMINATION OF ANY CONTRACT ENTERED INTO BY THE BOARD OF REGENTS UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE HOUSING SHALL BE CONVERTED TO NONOWNER–OCCUPIED RESIDENTIAL DWELLING UNITS.

(8) TO THE EXTENT PRACTICABLE, THE DEVELOPER OF A SHOPPING CENTER LOCATED IN THE 1500 BLOCK OF HAVENWOOD ROAD IN BALTIMORE CITY SHALL:

(I) FULFILL MINORITY BUSINESS ACCELERATOR GOALS; AND

(II) EMPLOY INDIVIDUALS WHO RESIDE IN THE 43RD LEGISLATIVE DISTRICT.”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate 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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1083 – Senator Conway

AN ACT concerning

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

Senator Hershey moved, duly seconded, to make the Bill and Report a Special Order for March 28, 2016.

The motion was adopted.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #17

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

Senate Bill 311 – Senators King, Guzzone, Kagan, and Madaleno

AN ACT concerning

Criminal Law – Gaming – Home Games

SB0311/659134/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 311

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Criminal Law –”; in line 4, after “in” insert “a”; 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 16, after “**THE**” insert “**TOTAL**”; in the same line, strike “**OR**” and substitute a comma; in line 17, after “**MONEY**” insert “**, OR ANY OTHER THING OR CONSIDERATION OF VALUE**”; and in the same line, after “**WAGERED**” insert “**BY ALL PLAYERS DURING ANY 24-HOUR PERIOD**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 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 Reduction Act of 2016

SB0389/179332/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 389

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Fee, Surcharge, and Tax**” and substitute “**Fee**”; strike beginning with “**repealing**” in line 3 down through “**program;**” in line 8; strike beginning with “**altering**” in line 11 down through “**authorizations;**” in line 23; in line 24, strike “**making conforming changes;**”; and in line 26, strike “**fees, surcharges, and taxes**” and substitute “**fees**”.

AMENDMENT NO. 2

On pages 1 and 2, strike beginning with line 27 on page 1 through line 18 on page 2, inclusive.

On page 2, strike in their entirety lines 24 through 28, inclusive; in line 31, strike “3–302,”; in the same line, strike “and (2),”; and in the same line, strike “and (d)”.

On pages 2 and 3, strike beginning with line 39 on page 2 through line 32 on page 3, inclusive.

On page 3, in line 33, strike “2. AND BE IT FURTHER ENACTED” and substitute “1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND”.

On pages 3 through 5, strike beginning with line 35 on page 3 through line 14 on page 5, inclusive.

On pages 6 through 11, strike beginning with line 13 on page 6 through line 27 on page 11, inclusive.

On page 11, in line 28, strike “3.” and substitute “2.”.

On pages 12 and 13, strike beginning with line 1 on page 12 through line 17 on page 13, inclusive.

On pages 13 and 14, strike beginning with line 29 on page 13 through line 16 on page 14, inclusive.

On page 14, in line 31, strike the brackets; and in the same line, strike “\$14”.

On pages 15 and 16, strike beginning with line 9 on page 15 through line 23 on page 16, inclusive.

On page 16, in line 24, strike “4.” and substitute “3.”; in the same line, strike “3” and substitute “2”; in line 26, strike “5.” and substitute “4.”; and in line 27, strike “4” and substitute “3”.

The preceding 2 amendments were read only.

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

The motion was adopted.

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

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 and Regional Institution Strategic Enterprise Zones

SB0560/439833/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 560

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Incubators” insert “, Enterprise Zones,”; and in line 14, after “requirements;” insert “authorizing certain business incubators to claim a refund of certain project tax credits or start-up tax credits in certain taxable years.”

AMENDMENT NO. 2

On page 2 in line 14, on page 5 in line 16, on page 8 in lines 6, 15, and 26, on page 9 in line 16, and on page 10 in line 26, after “county” insert “, AN ENTERPRISE ZONE,”.

On page 3, in line 28, after the second “IN” insert “:

1. AN ENTERPRISE ZONE DESIGNATED UNDER TITLE 5, SUBTITLE 7 OF THIS ARTICLE; OR

2.

AMENDMENT NO. 3

On page 6, in line 15, after “applies” insert “:

(I) FOR A NONPROFIT ORGANIZATION THAT IS A BUSINESS INCUBATOR AS DEFINED IN § 9-247 OF THE TAX – PROPERTY ARTICLE, TO ANY TAXABLE YEAR FOLLOWING THE YEAR IN WHICH THE PROJECT IS PLACED IN SERVICE; OR

(II) FOR ANY OTHER QUALIFIED BUSINESS ENTITY.”.

On page 9, in line 14, after “applies” insert “:

(I) FOR A NONPROFIT ORGANIZATION THAT IS A BUSINESS INCUBATOR AS DEFINED IN § 9-247 OF THE TAX – PROPERTY ARTICLE, TO ANY TAXABLE YEAR FOLLOWING THE YEAR IN WHICH THE QUALIFIED BUSINESS ENTITY LOCATES IN A QUALIFIED DISTRESSED COUNTY, ENTERPRISE ZONE, OR REGIONAL INSTITUTION STRATEGIC ENTERPRISE ZONE; OR

(II) FOR ANY OTHER QUALIFIED BUSINESS ENTITY.”.

On page 10, in line 22, strike “If” and substitute “**(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, IF**”; and after line 26, insert:

“(B) SUBSECTION (A) OF THIS SECTION DOES NOT APPLY TO A NONPROFIT ORGANIZATION THAT IS A BUSINESS INCUBATOR AS DEFINED IN § 9-247 OF THE TAX – PROPERTY ARTICLE.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1007 – Senator Peters

AN ACT concerning

Maryland Small Business Retirement Savings Program and Trust

SB1007/759237/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 1007

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Peters” and substitute “Senators Peters, Astle, Benson, Currie, Feldman, Guzzone, Kasemeyer, Kelley, King, Klausmeier, Madaleno, Manno, McFadden, Middleton, Pugh, and Rosapepe”; 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 line 5, strike “(5)” and substitute “(V)”; 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 down 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 only.

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

The motion was adopted.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #18

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

House Bill 84 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

State Government – Office of Legislative Audits – Alterations in Audit Requirements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

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

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 adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 368 – Delegates Korman, B. Barnes, Barron, Chang, Gutierrez, Haynes, Hettleman, Jackson, Jones, Krimm, Lierman, A. Miller, Reznik, B. Robinson, Sophocleus, P. Young, and Zucker

AN ACT concerning

Board of Public Works Transparency Act of 2016

HB0368/659232/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 368

(Third Reading File Bill)

On page 2, in line 7, strike “**10 CONSECUTIVE**” and substitute “**3 BUSINESS**”; in line 11, after “**SITE**” insert “, IN A MACHINE–READABLE FORMAT,”; and in line 22, after “**PUBLICATION**” insert “, IN A MACHINE–READABLE FORMAT,”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 484 – Delegate Walker

AN ACT concerning

Income Tax – Corporation Returns – Filing Date

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 839 – Senator Feldman

AN ACT concerning

Insurance – Rate Filings – Trade Secrets

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

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0839/563426/1

BY: Senator Feldman

AMENDMENTS TO SENATE BILL 839

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “manner;” insert “requiring the People’s Insurance Counsel Division to maintain the confidentiality of certain proprietary rate-related information;”.

AMENDMENT NO. 2

On page 3, in line 20, strike “**OR**”; and in line 32, before the period insert “**;OR**”

3. IF THE PROPRIETARY RATE-RELATED INFORMATION IS PART OF A HOMEOWNER'S INSURANCE OR MEDICAL MALPRACTICE INSURANCE RATE FILING, TO THE PEOPLE'S INSURANCE COUNSEL DIVISION ACTING UNDER § 6-306 OF THE STATE GOVERNMENT ARTICLE.

(IV) THE PEOPLE'S INSURANCE COUNSEL DIVISION SHALL MAINTAIN THE CONFIDENTIALITY OF PROPRIETARY RATE-RELATED INFORMATION DISCLOSED TO THE DIVISION UNDER ITEM 3 OF THIS SUBPARAGRAPH".

On page 4, in lines 1, 5, and 10, strike "(IV)", "(V)", and "(VI)", respectively, and substitute "(V)", "(VI)", and "(VII)", respectively.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

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

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

FLOOR AMENDMENT

SB0481/173227/1

BY: Senator Norman

AMENDMENTS TO SENATE BILL 481, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Finance Committee Amendments (SB0481/957476/1), in line 10 of Amendment No. 1, strike the first "a"; and in the same line, strike "time period after the discovery of a certain act" and substitute "time periods".

AMENDMENT NO. 2

On page 4 of the Finance Committee Amendments, in line 2 of Amendment No. 5, strike “DISCOVERY OF THE”.

On page 7 of the bill, in line 21, after “filed” insert “:

(1) FOR A WILLFUL VIOLATION,”;

and in line 22, after “based” insert “OCCURRED; OR

(2) FOR A VIOLATION THAT IS NOT WILLFUL, WITHIN 2 YEARS AFTER THE ACT ON WHICH THE ACTION IS BASED OCCURRED”.

The preceding 2 amendments were withdrawn.

FLOOR AMENDMENT

SB0481/717575/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 481, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Finance Committee Amendments (SB0481/957476/1), in line 10 of Amendment No. 1, 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 4 of the Finance Committee Amendments, in line 2 of Amendment No. 5, strike “DISCOVERY OF THE”.

On page 7 of the bill, strike beginning with “act” in line 21 down through “based” in line 22 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 adopted.

FLOOR AMENDMENT

SB0481/503728/1

BY: Senator Cassilly

AMENDMENT TO SENATE BILL 481

(First Reading File Bill)

On page 3, strike beginning with “AND” in line 29 down through “NECESSITY” in line 30.

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

Affirmative – 14 Negative – 32 (See Roll Call No. 736)

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 737)

ADJOURNMENT

At 12:11 P.M. on motion of Senator Pugh, seconded, the Senate adjourned until 10:00 A.M. on Friday, March 25, 2016 in empathy for the families affected by the terrorist attack in Brussels.

Annapolis, Maryland
Legislative Day: March 23, 2016
Calendar Day: Friday, March 25, 2016
10:00 A.M. Session

The Senate met at 10:10 A.M.

Prayer by Reverend Greg St. Cyr, Bay Area Community Church, guest of Senator Reilly.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 739)

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

The Journal of March 22, 2016 was read and approved.

Senate Resolution No. 515 – The President and All Members:

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

Karl Aro

in recognition of

your 37 years of dedicated service to the Maryland General Assembly, serving as Director
of the Department of Legislative Services for 19 years.

The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 25th day of March 2016.

Read and adopted by a roll call vote as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 740)

MARYLAND DAY ADDRESS

Presented by Senator Waugh

Tolerance – Maryland’s Gift

Introduction

Good morning. It’s my honor to share a unique aspect of our great state as we commemorate this Maryland Day. Since 1903, the state has observed Maryland Day to celebrate the first settlers who landed at St. Clements Island, and colonized Maryland on March 25, 1634.

We are joined by two special guests today: archaeologist Dr. Henry Miller and Dr. Regina Faden, Executive Director of the Historic St. Mary’s City. They have graciously brought a gift for each of you — the Watery Highways map by Joseph M. Greeley — along with an exhibit of artifacts documenting life in the first colony of Maryland. You also have a separate map of the historic colony at St. Mary’s provided by former Senator Robert Neall.

Should you lose your way in St. Mary’s map, you may follow the lead of our Ensign flourishing the flag of Lord Calvert, both of whom join us tonight.

Tolerance Becomes Law of Land

Tuesday night we watched more election returns in one of the most colorful presidential primaries since Andrew Jackson in 1824, and the word ‘intolerant’ has been bandied about so much we forget its true meaning. But on the same day, ISIS terrorists attacked Belgium, killing and wounding hundreds of innocents, reminding us of its real meaning.

This is our states’ most important heritage. Maryland’s fight for religious tolerance began in England and became the foundation for our laws, our Constitutional Rights and democratic movements around the world.

While England was gripped between Protestants and Catholics in the Thirty Years War, George Calvert, the Lord Baltimore, convinced King Charles I to sign a charter for his new colony modeled on the Palatinate of Durham from the Middle Ages, rather than that of the already established English colonies of Virginia or Massachusetts.

The charter was purposely vague and did not mention particular faiths to ensure a policy of religious freedom would be followed in Maryland, thereby preventing a repeat in the colony of the unhappy religious and political troubles prevalent in England. Calvert made every effort to impress upon his settlers the necessity for avoiding religious controversy. But when King Charles I lost the English Civil War he also lost his head, and support for the charter was weakened.

Protestants and Puritans from other colonies began to settle in Maryland, bringing with them renewed religious friction and political discord. It became clear that the consent of the people of the colony would be problematic.

Listen to the words from the Governors oath of 1648: “I will do equal right and justice to the Poor and to the Rich within the same Province. And I do further swear that I will not by

myself nor any Person directly or indirectly trouble, molest or discountenance any Person whatsoever in the said Province professing to believe in Jesus, and in particular no Roman Catholic, for or in respect of His or Her Religion, not in His or Her Free Exercise thereof.”

In 1648 Maryland knew the essence of tolerance is allowing others the free practice of religion. And they explicitly included women. I suspect Margaret Brent, our first female lobbyist jammed it in with an amendment on 2nd reader.

In 1650 Lord Baltimore required every man and women in the colony to take an Oath of Fidelity, “*I swear to not anyways infringe or prejudice Liberty of Conscience in point of Religion.*” This may have extended to the Jewish faith, because some historians believe that Matthias da Sousa was our first Jewish assemblyman in St. Mary’s City – and African–American to boot. How’s that for diversity in 1642?

These principles became policy 140 years later when our Bill of Rights addressed freedom of religion. The key concept is that I will not infringe on your practice. I may not like it, I may be offended by it, but I won’t kill you or force you to convert. That was tolerance.

Intolerance turns into Maryland’s Colonial War

Despite their best efforts, the colonists could not escape religious persecution. Back in England they didn’t get the memo; the Glorious Revolution of 1688 deposed a Catholic King James, replacing him with the Protestant King William.

This boiled over into Maryland as Protestants felt Lord Baltimore favored Catholics and was disloyal to William and Mary. Armies massed, battles were fought up and down the Chesapeake. 700 men laid siege to loyalists at Mattapany House in St. Mary’s County.

In 1704 Protestants won out, moved the Capitol to Annapolis, Maryland reverted to royal control, Catholics were barred from holding office, and the Anglican Church declared the official religion. “An Act to prevent the Growth of Popery within the Province” barred Catholics from teaching school. The Sheriff locked the doors of the Church in St. Mary’s City to prevent Catholics from worshipping.

This was the death of Tolerance.

6 days ago the Sheriff ceremonially unlocked the door to the reconstructed chapel at Historic St. Mary’s City that now is the resting place for Phillip Calvert, his wife, his daughter, and a display of Father Andrew White’s account and Leonard Calvert’s letter describing the original intent for this colony.

Role of tolerance in today’s society

Switch to modern day.... and we see real intolerance within and outside our country. Discord in the Middle East reflects a “deadly” return of religious intolerance, often blaming western cultures that do not follow their twisted beliefs.

There are startling parallels between religious intolerance in the 1600's and Islamic persecution of persons who do not sympathize with the beliefs of ISIS. By August 2015, ISIS had already issued a warning to Iraq's Christian population that they could convert, pay extra taxes, or be killed. The group has murdered thousands in Iraq as well as raped women and girls in the name of Allah. That is intolerance.

A member of the ISIS terrorist organization, referring to Christians said, "There is nothing to give them but the sword".

That is intolerance.

Conclusions

Radical groups like ISIS target America and our allies because our commitment to tolerance is anathema to them. The AP reports, "**The Islamic State group has trained at least 400 fighters to target Europe in deadly waves of attacks...**". Colleagues, make no mistake, they are here too.

America is a shining beacon to people living in cultures of intolerance. I have seen it firsthand, all over the world.

It is also true that intolerance and hate manifested themselves within American history and culture. But tolerance in this country produced positive societal beliefs on religion, politics, gender, race, freedom of speech, employment, housing, targeted investments, and human rights. As Dr. Miller might say, remember our faults but celebrate our achievements.

For our present lives we must remember the difference between offense and intolerance. We may be offended by other people's words and ideas; but, forcing our beliefs and ideas on others is intolerant. Making others conform to our values is intolerance.

Since 1776, the United States of America remains one of the few large nations in the history of the world that has never been torn by the conflict of religious strife.

As Americans, we value freedom and the liberty to live as we wish with as little interference as possible. It is also the reason citizens of other countries envy our governance process and way of life.

The Maryland General Assembly, in particular, has a rich history of addressing tolerance in ways that enrich the lives of Marylanders.

Tolerance is truly an American value. Assaults on our politics and lifestyle only fortify our belief in the American way of life.

QUORUM CALL

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

(See Roll Call No. 741)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #64

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 – 44 Negative – 0 (See Roll Call No. 742)

The Bill was then sent to the House of Delegates.

Senate Bill 1001 – Senator Waugh

AN ACT concerning

St. Mary’s County – Taxicabs – Repeal of Local Provisions

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

Affirmative – 44 Negative – 0 (See Roll Call No. 743)

The Bill was then sent to the House of Delegates.

Senate Bill 1058 – Senator Conway

AN ACT concerning

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

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

Affirmative – 43 Negative – 0 (See Roll Call No. 744)

The Bill was then sent to the House of Delegates.

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 – 44 Negative – 0 (See Roll Call No. 745)

The Bill was then sent to the House of Delegates.

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 – 44 Negative – 0 (See Roll Call No. 746)

The Bill was then sent to the House of Delegates.

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

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

Affirmative – 44 Negative – 0 (See Roll Call No. 747)

The Bill was then sent to the House of Delegates.

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 – 44 Negative – 0 (See Roll Call No. 748)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (SENATE BILLS) #65**Senate Bill 311 – Senators King, Guzzone, Kagan, and Madaleno**

AN ACT concerning

~~Criminal Law~~ – Gaming – Home Games

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

Affirmative – 44 Negative – 0 (See Roll Call No. 749)

The Bill was then sent to the House of Delegates.

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 – 32 Negative – 13 (See Roll Call No. 750)

The Bill was then sent to the House of Delegates.

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 – 45 Negative – 0 (See Roll Call No. 751)

The Bill was then sent to the House of Delegates.

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

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

Affirmative – 45 Negative – 0 (See Roll Call No. 752)

The Bill was then sent to the House of Delegates.

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 – 44 Negative – 0 (See Roll Call No. 753)

The Bill was then sent to the House of Delegates.

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 – 45 Negative – 0 (See Roll Call No. 754)

The Bill was then sent to the House of Delegates.

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 – 45 Negative – 0 (See Roll Call No. 755)

The Bill was then sent to the House of Delegates.

Senate Bill 1120 – Senator Reilly

AN ACT concerning

Railroad Grade Crossings – Exempt Highway–Rail Grade Crossing Plaque

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

Affirmative – 45 Negative – 0 (See Roll Call No. 756)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #2

House Bill 84 – The Speaker (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 – 44 Negative – 0 (See Roll Call No. 757)

The Bill was then sent to the House of Delegates.

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

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

Affirmative – 45 Negative – 0 (See Roll Call No. 758)

The Bill was then sent to the House of Delegates.

House Bill 484 – Delegate Walker

AN ACT concerning

Income Tax – Corporation Returns – Filing Date

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

Affirmative – 45 Negative – 0 (See Roll Call No. 759)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #3

House Bill 368 – Delegates Korman, B. Barnes, Barron, Chang, Gutierrez, Haynes, Hettleman, Jackson, Jones, Krimm, Lierman, A. Miller, Reznik, B. Robinson, Sophocleus, P. Young, and Zucker

AN ACT concerning

Board of Public Works Transparency Act of 2016

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

Affirmative – 44 Negative – 0 (See Roll Call No. 760)

The Bill was then sent to the House of Delegates.

LAID OVER BILLS

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

Senate Bill 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 Reduction Act of 2016

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

SB0389/179332/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 389

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Fee, Surcharge, and Tax” and substitute “Fee”; strike beginning with “repealing” in line 3 down through “program;” in line 8; strike beginning with “altering” in line 11 down through “authorizations;” in line 23; in line 24, strike “making conforming changes;”; and in line 26, strike “fees, surcharges, and taxes” and substitute “fees”.

AMENDMENT NO. 2

On pages 1 and 2, strike beginning with line 27 on page 1 through line 18 on page 2, inclusive.

On page 2, strike in their entirety lines 24 through 28, inclusive; in line 31, strike “3–302;”; in the same line, strike “and (2),”; and in the same line, strike “and (d)”.

On pages 2 and 3, strike beginning with line 39 on page 2 through line 32 on page 3, inclusive.

On page 3, in line 33, strike “2. AND BE IT FURTHER ENACTED” and substitute “1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND”.

On pages 3 through 5, strike beginning with line 35 on page 3 through line 14 on page 5, inclusive.

On pages 6 through 11, strike beginning with line 13 on page 6 through line 27 on page 11, inclusive.

On page 11, in line 28, strike “3.” and substitute “2.”.

On pages 12 and 13, strike beginning with line 1 on page 12 through line 17 on page 13, inclusive.

On pages 13 and 14, strike beginning with line 29 on page 13 through line 16 on page 14, inclusive.

On page 14, in line 31, strike the brackets; and in the same line, strike “\$14”.

On pages 15 and 16, strike beginning with line 9 on page 15 through line 23 on page 16, inclusive.

On page 16, in line 24, strike “4.” and substitute “3.”; in the same line, strike “3” and substitute “2”; in line 26, strike “5.” and substitute “4.”; and in line 27, strike “4” and substitute “3”.

The preceding 2 amendments were read only.

Senator Ready moved, duly seconded, to reject committee amendments.

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

Affirmative – 16 Negative – 29 (See Roll Call No. 761)

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

Affirmative – 29 Negative – 16 (See Roll Call No. 762)

FLOOR AMENDMENT

SB0389/709631/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 389, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Budget and Taxation Committee Amendments (SB0389/179332/1), in line 1 of Amendment No. 1, before “Fee” insert “Birth and Death Certificates –”; and in line 5, strike “fees”.

On page 1 of the bill, in line 2, strike “Act of 2016”; strike beginning with “altering” in line 23 down through “licenses;” in line 24; strike beginning with “providing” in line 24 down through “Act;” in line 25; and strike beginning with “altering” in line 25 down through “revenue” in line 26 and substitute “fees for birth and death certificates”.

On page 2 of the bill, strike in their entirety lines 29 through 38, inclusive.

AMENDMENT NO. 2

On page 1 of the Budget and Taxation Committee Amendments, in line 13 of Amendment No. 2, strike “2.”.

On page 2 of the Budget and Taxation Committee Amendments, in line 8 of Amendment No. 2, strike “3.”; in line 9, strike “2”; in the same line, strike “4.” and substitute “2.”; and in line 10, strike “3”.

On page 11 of the bill, strike in their entirety lines 28 and 29.

On page 13 of the bill, strike in their entirety lines 18 through 28, inclusive.

On pages 14 and 15 of the bill, strike in their entirety the lines beginning with line 17 on page 14 through line 8 on page 15, inclusive.

On page 16 of the bill, strike in their entirety lines 24 and 25; and strike beginning with “, except” in line 26 down through “Act,” in line 27.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 1007 – Senator Peters

AN ACT concerning

Maryland Small Business Retirement Savings Program and Trust

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

SB1007/759237/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 1007

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Peters” and substitute “Senators Peters, Astle, Benson, Currie, Feldman, Guzzone, Kasemeyer, Kelley, King, Klausmeier, Madaleno, Manno, McFadden, Middleton, Pugh, and Rosapepe”; 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 line 5, strike “(5)” and substitute “(V)”; 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 down 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.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #41**

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

Senate Bill 605 – Senators Bates and Kagan

AN ACT concerning

Health Occupations – Athletic Trainers – Evaluation and Treatment Protocols – Approval**SB0605/854236/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 605

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Health Occupations –”; in line 4, after “altering” insert “a certain provision of law to require the Athletic Trainer Advisory Committee to recommend to the State Board of Physicians approval, modification, or disapproval of individual evaluation and treatment protocols; authorizing, under certain circumstances, an athletic trainer to assume duties under an evaluation and treatment protocol after receiving a certain recommendation from the Committee; providing that certain specialized tasks may only be performed after an athletic trainer receives certain approval from the Board; authorizing the Board to disapprove, under certain circumstances, an evaluation and treatment protocol and specialized tasks included in an evaluation and treatment protocol; requiring the Board, under certain circumstances, to send certain notice to a primary supervising physician and an athletic trainer; requiring an athletic trainer who receives notice of a certain disapproval to cease practicing under a certain evaluation and treatment protocol or performing a certain specialized task; providing that a member of the Board is not civilly liable for certain actions and omissions; making a conforming change;”; strike beginning with the second “the” in line 4 down through “terms;” in line 20; in line 20, strike “practice” and substitute “regulation”; and in line 23, strike “14–5D–01” and substitute “14–5D–06”.

AMENDMENT NO. 2

On pages 2 through 5, strike in their entirety the lines beginning with line 5 on page 2 through line 23 on page 5, inclusive, and substitute:

“14–5D–06.

(a) In addition to the powers set forth elsewhere in this subtitle, the Committee shall:

- (1) Develop and recommend to the Board regulations to carry out this subtitle;
 - (2) Develop and recommend to the Board continuing education requirements for license renewal;
 - (3) Provide the Board with recommendations concerning the practice of athletic training;
 - (4) Develop and recommend to the Board an evaluation and treatment protocol for use by an athletic trainer and the physician with whom the athletic trainer practices;
 - (5) [Provide advice and recommendations] **RECOMMEND** to the Board [on] **APPROVAL, MODIFICATION, OR DISAPPROVAL OF** individual evaluation and treatment protocols [when requested];
 - (6) Keep a record of its proceedings; and
 - (7) Submit an annual report to the Board.
- (b) The Board shall:
- (1) Consider all recommendations of the Committee; and
 - (2) Provide to the Committee an annual report on the disciplinary matters involving licensees.”.

AMENDMENT NO. 3

On page 6, in line 4, strike “Obtain” and substitute “**EXCEPT AS PROVIDED IN § 14-5D-11.3(A) OF THIS SUBTITLE, OBTAIN**”.

On pages 7 and 8, strike in their entirety the lines beginning with line 9 on page 7 through line 19 on page 8, inclusive, and substitute:

“14-5D-11.3.

(A) (1) AN ATHLETIC TRAINER MAY ASSUME THE DUTIES UNDER AN EVALUATION AND TREATMENT PROTOCOL AFTER RECEIVING A WRITTEN RECOMMENDATION OF APPROVAL FROM THE COMMITTEE IF:

(I) THE EVALUATION AND TREATMENT PROTOCOL DOES NOT INCLUDE SPECIALIZED TASKS; OR

(II) THE EVALUATION AND TREATMENT PROTOCOL INCLUDES SPECIALIZED TASKS THAT THE BOARD PREVIOUSLY HAS APPROVED UNDER § 14-5D-11 OF THIS SUBTITLE.

(2) IF AN EVALUATION AND TREATMENT PROTOCOL INCLUDES SPECIALIZED TASKS THAT HAVE NOT BEEN PREVIOUSLY APPROVED BY THE BOARD UNDER § 14-5D-11 OF THIS SUBTITLE, AN ATHLETIC TRAINER MAY ONLY PERFORM THE SPECIALIZED TASK AFTER RECEIVING WRITTEN APPROVAL FROM THE BOARD.

(B) THE BOARD MAY DISAPPROVE AN EVALUATION AND TREATMENT PROTOCOL OR A SPECIALIZED TASK INCLUDED IN THE EVALUATION AND TREATMENT PROTOCOL IF THE BOARD DETERMINES THAT:

(1) THE EVALUATION AND TREATMENT PROTOCOL DOES NOT MEET THE REQUIREMENTS OF § 14-5D-11(C) OF THIS SUBTITLE;

(2) THE ATHLETIC TRAINER IS UNABLE TO PERFORM THE SPECIALIZED TASK SAFELY; OR

(3) THE SPECIALIZED TASK IS OUTSIDE THE PRACTICE SCOPE OF AN ATHLETIC TRAINER.

(C) IF THE BOARD DISAPPROVES AN EVALUATION AND TREATMENT PROTOCOL OR A SPECIALIZED TASK INCLUDED IN AN EVALUATION AND TREATMENT PROTOCOL, THE BOARD SHALL SEND TO THE PRIMARY SUPERVISING PHYSICIAN AND THE ATHLETIC TRAINER WRITTEN NOTICE OF THE DISAPPROVAL.

(D) AN ATHLETIC TRAINER WHO RECEIVES NOTICE OF A DISAPPROVAL UNDER SUBSECTION (C) OF THIS SECTION SHALL IMMEDIATELY CEASE PRACTICING

UNDER THE EVALUATION AND TREATMENT PROTOCOL OR PERFORMING THE SPECIALIZED TASK.

(E) AN INDIVIDUAL MEMBER OF THE BOARD IS NOT CIVILLY LIABLE FOR ANY ACT OR OMISSION RELATING TO THE APPROVAL, MODIFICATION, OR DISAPPROVAL OF AN EVALUATION AND TREATMENT PROTOCOL.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 869 – Senator Nathan–Pulliam

AN ACT concerning

Commission on Reconciliation and Equity

SB0869/764835/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 869

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Nathan–Pulliam” and substitute “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”; in line 2, strike “Commission on” and substitute “Governor’s Office of Minority Affairs – Workgroup on”; strike beginning with “establishing” in line 3 down through “Equity” in line 15 and substitute “requiring the Governor’s Office of Minority Affairs to convene a certain workgroup to explore issues of reconciliation processes and racial equity that includes certain stakeholders; requiring a certain workgroup to hold certain hearings, evaluate race relations, human rights, social justice, disparities, and institutional bias in the State, study certain racial disparities and institutional bias, determine certain best practices, strategies, and legislation, and make certain recommendations; requiring a certain workgroup to submit a certain report to the

Governor and the General Assembly on or before a certain date; and generally relating to a workgroup on reconciliation and equity”; and strike in their entirety lines 16 through 21, inclusive.

AMENDMENT NO. 2

On page 1, in line 23, strike “the Laws of Maryland read as follows”; and after line 23, insert:

“(a) The Governor’s Office of Minority Affairs shall convene a workgroup to explore issues of reconciliation processes and racial equity that includes the following stakeholders:

- (1) the Commission on Civil Rights;
- (2) the Department of Health and Mental Hygiene;
- (3) the Department of Human Resources;
- (4) the Department of Housing and Community Development;
- (5) the State Department of Education;
- (6) the Department of Transportation;
- (7) the Department of Labor, Licensing, and Regulation;
- (8) the Department of Public Safety and Correctional Services;
- (9) the National Association for the Advancement of Colored People;
- (10) the American Civil Liberties Union;
- (11) the American Public Health Association;
- (12) the Joint Center for Political and Economic Studies;
- (13) organizations that advocate for racial justice;
- (14) interfaith organizations;

(15) sociologists with expertise concerning race relations;

(16) business sector coalitions; and

(17) law enforcement and community police personnel.

(b) The workgroup convened under subsection (a) of this section shall:

(1) hold hearings at various locations throughout the State and receive testimony from individuals, State and local agencies, community-based organizations, and other public and private organizations;

(2) evaluate race relations, human rights, social justice, disparities, and institutional bias throughout the State;

(3) study any current and prospective racial disparities and any institutional bias on individuals and communities, including the effects on health, employment and economic stability, access to safe and affordable housing, income inequality, educational opportunities, and employment and achievement gaps;

(4) determine the best practices, strategies, courses of action, and legislation that should be introduced to address the findings under items (1) through (3) of this subsection; and

(5) make recommendations to:

(i) improve race relations, promote healing, and foster reconciliation in the State; and

(ii) promote the overall health and success of individuals throughout the State, including improving access to employment opportunities, safe and affordable housing, adequate medical services and treatment, and quality education.

(c) On or before December 1, 2019, the Governor's Office of Minority Affairs shall report to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly regarding the findings and recommendations of the workgroup determined under this section."

On pages 1 through 6, strike in their entirety the lines beginning with line 24 on page 1 through line 21 on page 6, inclusive.

On page 6, in line 22, strike “3.” and substitute “2.”; and in line 23, strike “October” and substitute “July”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 928 – Senators Middleton and Nathan–Pulliam

AN ACT concerning

Task Force to Study the Nurse Shortage in Maryland

SB0928/984633/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 928

(First Reading File Bill)

On page 2, in line 1, strike “a representative of” and substitute “two representatives with expertise in nursing from”; in the same line, after “University” insert “System”; in the same line, strike “Baltimore,”; in line 3, after “representatives” insert “with expertise in nursing”; in line 5, strike “three” and substitute “four”; and in the same line, strike “of” and substitute “with expertise in nursing from”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1126 – Senators Pugh and Young

AN ACT concerning

Linking Youth to New Experiences (LYNX) High School – Pilot Program

SB1126/444937/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1126

(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;”; 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.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 514 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Lynne B. Porter
in recognition of

your 31 years of dedicated and exemplary service to the Maryland General Assembly and the Department of Legislative Services, serving as the Senate Reading Clerk for 29 years.

The entire membership extends its best wishes on this memorable occasion and directs this resolution be presented on this 25th day of March 2016.

Read and adopted by a roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 763)

THE COMMITTEE ON FINANCE REPORT #27

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

Senate Bill 784 – Senator Middleton

AN ACT concerning

Motor Vehicle Insurance – Personal Injury Protection – Optional Coverage

SB0784/677771/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 784

(First Reading File Bill)

AMENDMENT NO. 1

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

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

The motion was adopted.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #18

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

Senate Bill 945 – Senators Raskin, Feldman, Guzzone, King, Lee, Madaleno, Manno, Rosapepe, Young, and Zucker

AN ACT concerning

**Drunk Driving Reduction Act of 2016
(Noah’s Law)**

SB0945/468078/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 945
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “Raskin,” insert “Brochin.”; in the same line, after “Manno,” insert “Muse, Ramirez, Ready.”; and in the same line, after “Young,” insert “Zirkin.”

AMENDMENT NO. 2

On page 1, strike beginning with “requiring” in line 29 down through “Program;” in line 30.

On page 2, strike in their entirety lines 9 through 18, inclusive.

AMENDMENT NO. 3

On page 36, in line 4, strike “4” and substitute “3”.

AMENDMENT NO. 4

On pages 37 and 38, strike in their entirety the lines beginning with line 15 on page 37 through line 10 on page 38, inclusive.

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 BUDGET AND TAXATION REPORT #19

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

House Bill 120 – Delegates Krimm, Brooks, Carr, Chang, Ciliberti, Gutierrez, Hill, Jalisi, Jameson, Kelly, Korman, Kramer, Lierman, McCray, Patterson, B. Robinson, Smith, Vogt, West, K. Young, and P. Young

AN ACT concerning

**State Budget – Department of Budget and Management – Statement of
Dedicated State Funds**

HB0120/429434/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 120

(Third Reading File Bill)

On page 2, in line 2, after “SITE” insert “, IN A MACHINE-READABLE FORMAT,”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

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

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 adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

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

Senate Bill 973 – Senators Madaleno and Conway

AN ACT concerning

**Campaign Finance – Public Officials – Solicitation of Contributions or
Donations**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENTS (3) OFFERED FROM THE FLOOR BY SENATOR JENNINGS.

FLOOR AMENDMENT

SB0973/393827/1

BY: Senator Jennings

AMENDMENT TO SENATE BILL 973, AS AMENDED

(First Reading File Bill)

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments (SB0973/544932/1), in line 2 of Amendment No. 1, strike “Departmental Secretaries” and substitute “Public Officials”; strike beginning with “secretary” in line 3 down through “government” in line 4 and substitute “certain public official”; strike beginning with “secretary” in line 10 down through “that” in line 11 and substitute “certain public official who”; and in line 14, strike “departmental secretaries in the Executive Branch of State government” and substitute “public officials”.

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments, in line 2 of Amendment No. 2, after “(2)” insert ““ADJUSTMENT AUTHORITY” INCLUDES THE AUTHORITY TO ADJUST OR SETTLE A DEBT OWED TO THE STATE.”

(3)”;

in line 5, after “TITLE.” insert:

(4) “ENFORCEMENT AUTHORITY” INCLUDES THE AUTHORITY TO:

(I) INVESTIGATE AN ALLEGED CIVIL OR CRIMINAL VIOLATION OF LAW;

(II) BRING OR DEFEND A CIVIL ACTION; OR

(III) PROSECUTE OR DEFEND A CRIMINAL ACTION.”;

and in line 6, strike “(3)” and substitute “(5)”.

On pages 1 and 2 of the Education, Health, and Environmental Affairs Committee Amendments, in Amendment No. 2, strike beginning with “PRINCIPAL” in line 7 on page 1 down through “ARTICLE” in line 2 on page 2 and substitute “DEPARTMENT, AN AGENCY, AN OFFICE, OR ANY OTHER BODY OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT THAT IS ESTABLISHED BY LAW”.

On page 2 of the bill, after line 4, insert:

“(6) “PROCUREMENT AUTHORITY” INCLUDES THE AUTHORITY TO PROCURE FINANCIAL AND INSURANCE SERVICES.

(7) “PUBLIC OFFICIAL” MEANS:

(I) THE HEAD OF A GOVERNMENTAL UNIT; OR

(II) THE HEAD OF AN OFFICE OR A DIVISION IN A GOVERNMENTAL UNIT.”;

in line 5, strike “(4)” and substitute “(8)”; and in line 11, after “AUTHORITY” insert “ADJUSTMENT AUTHORITY, ENFORCEMENT AUTHORITY, OR PROCUREMENT AUTHORITY”.

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments, in Amendment No. 2, strike beginning with “(5)” in line 4 down through “UNIT.” in line 5; in line 6, strike “(6)” and substitute “(9)”; in line 7, strike “SECRETARY” and substitute “PUBLIC OFFICIAL”; and in line 8, strike “SECRETARY’S” and substitute “PUBLIC OFFICIAL’S”.

On page 3 of the Education, Health, and Environmental Affairs Committee Amendments, in line 5 of Amendment No. 3, strike “SECRETARY” and substitute “PUBLIC OFFICIAL”.

The preceding amendment was read only.

Senator Conway moved, duly seconded, to make the Bill and Amendment a Special Order for March 28, 2016.

The motion was adopted.

SPECIAL ORDERS

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

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #5

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments numbered 1 through 71, S–1 through S–18, and L–1 on the attached list and recommends that the Senate of Maryland advise and consent to these appointments.

The Committee reports **unfavorably** on the gubernatorial appointments listed as numbers 72 through 74 on the attached list and recommends that the Senate of Maryland reject these appointments.

Jamie Raskin
Chair

**Senate Executive Nominations Committee
Report #5
March 24, 2016**

Airport Zoning Appeals Board

1. Paul V. Arcuri District 5
820 William Avenue
Westminster, MD 21157

Member of the Airport Zoning Appeals Board; appointed to serve a term of four years from July 1, 2015

2. Allyson McMahan District 16
10500 Rock Run Drive
Potomac, MD 20854

Member of the Airport Zoning Appeals Board; appointed to serve a term of four years from July 1, 2016

3. Albert V. Nalley, Sr. District 44
2200 Tall Pines Court
Catonsville, MD 21228

Member of the Airport Zoning Appeals Board; appointed to serve a term of four years from July 1, 2016

Amusement Ride Safety Advisory Board, State

4. Steven M. Rothenberg District 15
13913 Little Tree Court
Rockville, MD 20850

Member of the State Amusement Ride Safety Advisory Board; appointed to serve a term of four years from July 1, 2016

Apprenticeship and Training Council

5. Alexander Edgar Poling District 6
515 48th Street
Baltimore, MD 21224

Member of the Apprenticeship and Training Council; appointed to serve a term of four years from July 1, 2016

Arts Council, Maryland State

6. Aileen Carlucci District 36
2925 Cox Neck Road E
Chester, MD 21619

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

7. Alejandro F. Castro District 36
207 S. Cross Street, Suite 300
Chestertown, MD 21620

Member of the Maryland State Arts Council; appointed to serve a term of three years from July 1, 2015

8. Anthony A. Cornwell District 1
31706 Old Adams Road, NE
Little Orleans, MD 21766

Member of the Maryland State Arts Council; appointed to serve a term of three years from July 1, 2015

9. Joan M.G. Lyon District 1
3482 Bear Creek Road
Accident, MD 21520

Member of the Maryland State Arts Council; appointed to serve a term of three years from July 1, 2015

10. Robinson S. Rowe District 19
3829 Park Lake Drive
Rockville, MD 20853

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

Atlantic States Marine Fisheries Commission

11. Rachel A. Dean District 29
P.O. Box 507
Lusby, MD 20657

Member of the Atlantic States Marine Fisheries Commission; appointed to serve a term of three years from June 1, 2016

Aviation Commission, Maryland

12. John H. Kiser District 18
9907 Stoneybrook Drive
Kensington, MD 20895

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

Canal Place Preservation and Development Authority

13. Rebecca L. Ruppert District 1
10105 Kealey Drive S.W.
LaVale, MD 21502

Member of the Canal Place Preservation and Development Authority; appointed to serve a term of four years from June 1, 2015

Certified Interior Designers, State Board of

14. Jessica M. Boyd District 9
115 Schoolhouse Road
Sykesville, MD 21784

Member of the State Board of Certified Interior Designers; appointed to serve a term of three years from July 1, 2016

15. Tanya M. Kriscumas District 12
2503 Gehb Avenue
Baltimore, MD 21227

Member of the State Board of Certified Interior Designers; appointed to serve a term of three years from July 1, 2014

16. Karen C. Zopf District 42
716 Hickory Lot Road
Towson, MD 21286

Member of the State Board of Certified Interior Designers; reappointed to serve a term of three years from July 1, 2015

Chesapeake and Atlantic Coastal Bays, Critical Area Commission for the

17. Michael F. McCarthy District 37
27329 Rest Circle
Easton, MD 21601

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

Community Health Resources Commission, Maryland

18. Allan A. Anderson, M.D. District 37
114 Riverside Drive
Cambridge, MD 21613

Member of the Maryland Community Health Resources Commission; appointed to serve a term of four years from July 1, 2015

19. J. Wayne Howard District 36
7830 Shore Drive
Preston, MD 21655

Member of the Maryland Community Health Resources Commission; appointed to serve a term of four years from July 1, 2015

Controlled Hazardous Substance Advisory Council

20. Kenneth George Younger District 32
8362 Williamstowne Drive
Millersville, MD 21108

Member of the Controlled Hazardous Substance Advisory Council; appointed to serve a term of ten years from July 1, 2012

Deaf and Hard of Hearing, Maryland Advisory Council for the

21. Gregory S. James District 41
5712 Roland Avenue
Baltimore, MD 21210

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve a term of four years from October 1, 2014

Dietetic Practice, State Board of

22. Betty R. Cooper District 11
11203 Woodland Drive
Lutherville, MD 21093

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

Economic Development Corporation Board of Directors, Maryland

23. Scott E. Dorsey District 42
10631 Pot Spring Road
Cockeysville, MD 21030

Member of the Maryland Economic Development Corporation Board of Directors; reappointed to serve a term of four years from July 1, 2016

24. Linda Ates Moran District 38
11500 Quillin Way
Berlin, MD 21811

Member of the Maryland Economic Development Corporation Board of Directors; appointed to serve remainder of a term of four years from July 1, 2014

Elevator Safety Review Board

25. Thomas C. Lindsay, Jr. District 33
9 Ridout Road
Severna Park, MD 21146

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

Environmental Health Specialists, State Board of

26. Yvonne S. DeLoatch District 44
200 Presstman Street
Baltimore, MD 21217

Member of the State Board of Environmental Health Specialists; reappointed to serve a term of four years from July 1, 2106

27. Bertram F. Nixon District 5
2125 Misty Meadow Road
Finksburg, MD 21048

Member of the State Board of Environmental Health Specialists; reappointed to serve a term four years from July 1, 2106

28. Karl A. Paige District 43
1606 Gleneagle Road
Baltimore, MD 21239

Member of the State Board of Environmental Health Specialists; appointed to serve a term of four years from July 1, 2016

29. Amy M. Parrish District 4
2214 Bluebird Drive
Westminster, MD 21157

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

Fire–Rescue Education and Training Commission

30. Kiona Lee Black District 4
507 East Main Street
Thurmont, MD 21788

Member of the Fire–Rescue Education and Training Commission; appointed to serve a term of four years from July 1, 2016

31. Bradley Scott Graham District 15
30 Barley Field Court
Comus, MD 20842

Member of the Fire–Rescue Education and Training Commission; appointed to serve a term of four years from July 1, 2016

Foresters, State Board of

32. G. Jill Rhyne–Grey District 33
1309 North Road
Severna Park, MD 21146

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

Hart–Miller–Pleasure Island Citizens Oversight Committee

33. Karen Wynn District 6
23 Wendslow Road
Lutherville–Timonium, MD 21093

Member of the Hart–Miller–Pleasure Island Citizens Oversight Committee; appointed to serve a term of two years from July 1, 2015

Health and Mental Hygiene, Board of Review of the Department of

34. Ved K. Gupta District 11
8625 Valleyfield Road
Lutherville, MD 21093

Member of the Board of Review of the Department of Health and Mental Hygiene; appointed to serve a term of three years from July 1, 2014

35. Shirley Roach District 4
13754 John Kline Road
Smithburg, MD 21783

Member of the Board of Review of the Department of Health and Mental Hygiene; appointed to serve a term of three years from July 1, 2015

Health Care Commission, Maryland

36. Randolph S. Sergent District 9
2513 Holly Springs Court
Ellicott City, MD 21043

Member of the Maryland Health Care Commission; appointed to serve remainder of a term of four years from October 1, 2012 and a term of four years from October 1, 2016

Heritage Areas Authority, Maryland

37. Wayne E. Clark District 27
3649 5th Street
North Beach, MD 20714

Member of the Maryland Heritage Areas Authority; reappointed to serve a term of four years from October 1, 2016

Higher Education Commission, Maryland

38. Donna M. Mitchell District 14
2317 Kaywood Lane
Silver Spring, MD 20905

Member of the Maryland Higher Education Commission; appointed to serve remainder of a term of five years from July 1, 2011 and a term of five years from July 1, 2016

Historical Trust, Board of Trustees of the Maryland

39. Laura Davis Mears District 38
11709 Gum Point Road
Berlin, MD 21811

Member of the Board of Trustees of the Maryland Historical Trust; appointed to serve a term of four years from July 1, 2016

40. Franklin A. Robinson, Jr. District 27
P.O. Box 90
Benedict, MD 20612

Member of the Board of Trustees of the Maryland Historical Trust; appointed to serve a term of four years from July 1, 2016

Industrial Development Financing Authority, Maryland

41. Richard B. Deemer District 25
2608 Ritchie Marlboro Road
Upper Marlboro, MD 20774

Member of the Maryland Industrial Development Financing Authority; reappointed to serve a term of five years from July 1, 2011 and a term of five years from July 1, 2016

42. Brian F. Sweeney District 9
15049 Double Bridges Court
Glenelg, MD 21737

Member of the Maryland Industrial Development Financing Authority; appointed to serve remainder of a term of five years from July 1, 2013

Infants and Toddlers, Interagency Coordinating Council for

43. Mi Ji Kim District 13
5910 Great Star Drive, Unit 202
Clarksville, MD 21029

Member of the Interagency Coordinating Council for Infants and Toddlers; reappointed to serve a term of three years from July 1, 2016

44. Karen Mull District 6
2806 Moorgate Road
Baltimore, MD 21222

Member of the Interagency Coordinating Council for Infants and Toddlers; appointed to serve a term of three years from July 1, 2016

45. Sarah C. James Nadv
5903 Eastcliff Drive
Baltimore, MD 21209
- District 41

Member of the Interagency Coordinating Council for Infants and Toddlers; appointed to serve remainder of a term of three years from July 1, 2013 and a term of three years from July 1, 2016

Judicial Disabilities, Commission on

46. Virginia Lee Fogle
5312 Wye Creek Drive
Frederick, MD 21703
- District 3

Member of the Commission on Judicial Disabilities; appointed to serve remainder of a term of four years from January 1, 2013

47. Robert B. Kershaw
111 North Calvert Street
Baltimore, MD 21202
- District 40

Judge of the Commission on Judicial Disabilities; appointed to serve a term of four years from January 1, 2016

Labor Relations Board, State

48. Doris S. Mason
2700 Willow Oak Drive, #411
Cambridge, MD 21613
- District 37

Member of the State Labor Relations Board; appointed to serve a term of six years from July 1, 2016

Maryland Environmental Service, Board of Directors of

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

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

Maryland Legal Services Corporation Board of Directors

50. Sidney A. Butcher, Esq. District 32
7564B Stoney Run Drive
Hanover, MD 21076

Member of the Maryland Legal Services Corporation Board of Directors; appointed to serve a term of three years from July 1, 2014

Maryland Public–Private Partnership Marketing Corporation, Board of Directors of the

51. Laura M. Van Eperen District 16
11211 River View Drive
Potomac, MD 20854

Member of the Maryland Public–Private Partnership Marketing Corporation, Board of Directors of the; appointed to serve a term to expire September 30, 2019

52. Ammanuel Moore District 44
1185 Granville Road
Baltimore, MD 21207

Member of the Maryland Public–Private Partnership Marketing Corporation, Board of Directors of the; appointed to serve a term to expire September 30, 2020

53. David Rodich District 14
18902 Abbey Manor Drive
Brookeville, MD 20833

Member of the Maryland Public–Private Partnership Marketing Corporation, Board of Directors of the; appointed to serve a term to expire September 30, 2018

Master Electricians, State Board of

54. Francis E. Harrison, Jr. District 4
2858 Flag Marsh Road
Mount Airy, MD 21771

Member of the State Board of Master Electricians; appointed to serve a term of three years from July 1, 2014

Patuxent Institution Board of Review

55. Chester A. France, Jr. District 32
8111 F.E. Carter Road
Laurel, MD 20724

Member of the Patuxent Institution Board of Review; reappointed to serve a term of four years from March 21, 2016

Physicians, State Board of

56. Arun Bhandari, M.D. District 30
705 Fantail Court
Annapolis, MD 21401

Member of the State Board of Physicians; appointed to serve a term of four years from July 1, 2015

57. Lisa A. Burgess, M.D. District 10
9755 Mill Centre Drive, Apt. 530
Owings Mills, MD 21117

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

58. Damean W.E. Freas, O.D. District 33
1705 Mansion Ridge Road
Annapolis, MD 21401

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

59. Kevin D. Pereira, M.D. District 11
922 Dennisford Court
Cockeysville, MD 21030

Member of the State Board of Physicians; appointed to serve a term of four years from July 1, 2015

60. Martha C. Schaerr District 19
17502 Bowie Mill Road
Derwood, MD 20855

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

61. Thomas M. Walsh, M.D. District 36
113 River Run
Queenstown, MD 21658

Member of the State Board of Physicians; appointed to serve a term of four years from July 1, 2015

Port Commission, Maryland

62. Christian R. Dean District 43
4020 Deepwood Road
Baltimore, MD 21218

Member of the Maryland Port Commission; appointed to serve a term of three years from July 1, 2016

Professional Standards and Teacher Education Board

63. John L. Mayo, Ed.D. District 7
11550 Crossroads Circle, #604
Middle River, MD 21220

Member of the Professional Standards and Teacher Education Board; appointed to serve a term of three years from July 1, 2016

Public Defender, Office of the Board of Trustees of the

64. Philip T. Cronan, Esq. District 37
25952 Acorn Road, P.O. Box 411
Royal Oak, MD 21662

Member of the Board of Trustees of the Office of the Public Defender; appointed to serve a term of three years from June 1, 2015

Public Service Commission

65. Jeannette M. Mills District 9
3714 Bold Ruler Court
Glenelg, MD 21737

Member of the Public Service Commission; appointed to serve a term of five years from July 1, 2014

Real Estate Commission, State

66. Robin L. Pirtle District 20
1020 Heartfields Drive
Silver Spring, MD 20904

Member of the State Real Estate Commission; reappointed to serve a term of four years from June 1, 2016

Retirement and Pension Systems, Board of Trustees for the Maryland State

67. David B. Hamilton District 11
1913 Ridge Road
Reisterstown, MD 21136

Member of the Board of Trustees for the Maryland State Retirement and Pension Systems; appointed to serve a term of four years from August 1, 2016

State Higher Education Labor Relations Board, Maryland

68. Aurora Carmichael District 26
519 Broad Creek Drive
Fort Washington, MD 20744

Member of the State Higher Education Labor Relations Board; appointed to serve remainder of a term of six years from July 1, 2011

Stationary Engineers, State Board of

69. Brian Wodka District 42
808 Walker Station Court
Parkton, MD 21120

Member of the State Board of Stationary Engineers; appointed to serve a term of three years from July 1, 2014

Women, Maryland Commission for

70. Bonnie N. Luna District 38
1210 Orchard Circle
Salisbury, MD 21801

Member of the Maryland Commission for Women; appointed to serve a term of four years from July 1, 2014

Youth Camp Safety, Advisory Council on

71. Gregory G. May District 13
9489 Greco Garth
Columbia, MD 21045

Member of the Advisory Council on Youth Camp Safety; appointed to serve a term of three years from July 1, 2016

Baltimore City Board of License Commissioners

72. Elizabeth A. Hafey, Esq. District 46
1200 South Conkling Street, #246
Baltimore, MD 21224

Member of the Baltimore City Board of License Commissioners; appointed to serve a term of two years from July 1, 2014

73. Benjamin A. Neil, Esq. District 46
324 Imla Street
Baltimore, MD 21224

Chair/Member of the Baltimore City Board of License Commissioners; appointed to serve a term of two years from July 1, 2015

74. Douglas H. Trotter District 41
4332 N. Charles Street
Baltimore, MD 21218

Member of the Baltimore City Board of License Commissioners; appointed to serve a term of two years from July 1, 2015

Statewide Nominees

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

Health and Mental Hygiene, Board of Review of the Department of

- S-1. Betty Makell Coleman District 30
8 Kirby Lane
Annapolis, MD 21401

Member of the Board of Review of the Department of Health and Mental Hygiene; reappointed to serve a term of three years from July 1, 2016

Industrial Development Financing Authority, Maryland

- S-2. Carla A. Nealy District 8
15 Menteith Court
Nottingham, MD 21236

Member of the Maryland Industrial Development Financing Authority; reappointed to serve a term of five years from July 1, 2014

- S-3. Louna S. Primm District 5
59 Rockland Road
Westminster, MD 21158

Member of the Maryland Industrial Development Financing Authority; reappointed to serve a term of five years from July 1, 2015

Infants and Toddlers, Interagency Coordinating Council for

- S-4. Cynthia Bouchard District 32
289 Scotts Glen
Glen Burnie, MD 21061

Member of the Interagency Coordinating Council for Infants and Toddlers; reappointed to serve a term of three years from July 1, 2016

- S-5. Curtisha Hopkins District 32
1805 Village Square Court
Severn, MD 21144

Member of the Interagency Coordinating Council for Infants and Toddlers; reappointed to serve a term of three years from July 1, 2016

- S-6. Karen Larenas District 13
8114 Mission Hill Place
Jessup, MD 20794
- Member of the Interagency Coordinating Council for Infants and Toddlers;
reappointed to serve a term of three years from July 1, 2016
- S-7. Mary L. O'Connor Leppert, M.B., B.Ch. District 9
1403 Quick Fox Court
Eldersburg, MD 21784
- Member of the Interagency Coordinating Council for Infants and Toddlers;
reappointed to serve a term of three years from July 1, 2016
- S-8. Laura Barbee Mathews District 27
10006 Graystone Drive
Upper Marlboro, MD 20772
- Member of the Interagency Coordinating Council for Infants and Toddlers;
reappointed to serve a term of three years from July 1, 2016
- S-9. Shannon Z. McRae District 45
5919 Theodore Avenue
Baltimore, MD 21214
- Member of the Interagency Coordinating Council for Infants and Toddlers;
reappointed to serve a term of three years from July 1, 2016
- S-10. Natasha Ramberg District 10
662 Saint Georges Station Road
Reisterstown, MD 21136
- Member of the Interagency Coordinating Council for Infants and Toddlers;
reappointed to serve a term of three years from July 1, 2016
- S-11. Elizabeth Snyder District 29
41685 Burnt Mill Drive
Hollywood, MD 20636
- Member of the Interagency Coordinating Council for Infants and Toddlers;
reappointed to serve a term of three years from July 1, 2016

Landscape Architects, Board of Examiners

S-12. Gareth Diedrick District 23
412 Bloomfield Lane
Upper Marlboro, MD 20774

Member of the Board of Examiners of Landscape Architects; reappointed to serve a term of three years from July 1, 2016

Maryland Legal Services Corporation Board of Directors

S-13. M. Natalie McSherry, Esq. District 41
5705 Roland Avenue
Baltimore, MD 21210

Member of the Maryland Legal Services Corporation Board of Directors; reappointed to serve a term of three years from July 1, 2015

S-14. Corey J. Robey District 5
3711 Clydesdale Road Way
Reisterstown, MD 21136

Member of the Maryland Legal Services Corporation Board of Directors; reappointed to serve a term of three years from July 1, 2015

S-15. Mark F. Scurti District 41
5800 Wabash Avenue
Baltimore, MD 21215

Member of the Maryland Legal Services Corporation Board of Directors; reappointed to serve a term of three years from July 1, 2015

Open Meetings Law Compliance Board, State

S-16. Rachel Shapiro Grasmick, Esq. District 18
7347 Wisconsin Avenue, Apt. 202
Bethesda, MD 20814

Member of the State Open Meetings Law Compliance Board; reappointed to serve a term of three years from July 1, 2016

Optometry, State Board of Examiners in

S–17. Rona Diane Pepper District 11
12206 Faulkner Drive
Owings Mills, MD 21117

Member of the State Board of Examiners in Optometry; reappointed to serve a term of four years from June 1, 2016

Physicians, State Board of

S–18. Edward J. Brody District 43
101 Stratford Road
Baltimore, MD 21218

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

Local Nominees

Please Note: Local Nominees are not required to appear before the Senate Executive Nominations Committee.

Washington County Board of Commissioners

L–1. Wayne K. Keefer District 1
P.O. Box 363
Hancock, MD 21750

Commissioner of the Washington County Board of Commissioners; appointed to serve remainder of a term of four years from the General Election of 2014

STATUS: QUESTION IS WILL THE SENATE ADVISE AND CONSENT TO THE NOMINATIONS OF THE EXECUTIVE?

The President of the Senate put the following question: With the exception of Nominees 72, 73 and 74 “Will the Senate advise and consent to the above nominations of the Executive?”

The above nominations of the Executive, with the exception of Nominees 72, 73 and 74, were all confirmed by roll call vote as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 764)

72. Elizabeth A. Hafey, Esq. District 46
1200 South Conkling Street, #246
Baltimore, MD 21224

Member of the Baltimore City Board of License Commissioners; appointed to serve a term of two years from July 1, 2014

73. Benjamin A. Neil, Esq. District 46
324 Imla Street
Baltimore, MD 21224

Chair/Member of the Baltimore City Board of License Commissioners; appointed to serve a term of two years from July 1, 2015

74. Douglas H. Trotter District 41
4332 N. Charles Street
Baltimore, MD 21218

Member of the Baltimore City Board of License Commissioners; appointed to serve a term of two years from July 1, 2015

The President of the Senate put the following question: "Will the Senate advise and consent to the above nominations of the Executive?"

Nominee No.72 – Elizabeth A. Hafey, Esq., Nominee No.73 – Benjamin A. Neil, Esq., and Nominee No.74 – Douglas H. Trotter were rejected by roll call vote as follows:

Affirmative – 12 Negative – 31 (See Roll Call No. 765)

QUORUM CALL

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

(See Roll Call No. 766)

ADJOURNMENT

At 11:56 A.M. on motion of Senator Pugh, seconded, the Senate adjourned until 8:00 P.M. on Legislative Day March 24, 2016, Calendar Day, Monday, March 28, 2016.

Annapolis, Maryland
Legislative Day: March 24, 2016
Calendar Day: Monday, March 28, 2016
8:00 P.M. Session

The Senate met at 8:13 P.M.

Prayer by Father Steve Hook, St. Ursula's Catholic Church, guest of Senator Klausmeier.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 768)

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

The Journal of March 23, 2016 was read and approved.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 525 – The President and All Members:

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

Chairing the Maryland Crime Victims' Resource Center and spearheading the victim's
rights movement and manifesting that justice for all includes crime victims and their
family members.

The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 28th day of March 2016.

Read and adopted by a roll call vote as follows:

Affirmative – 43 Negative – 0 (See Roll Call No. 769)

QUORUM CALL

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

(See Roll Call No. 770)

Senate Resolution No. 521 – Senator Katherine Klausmeier:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Madeleine Greene
in recognition of
receiving a Financial Education & Capability Award, for your dedication to your
community and exemplifying excellence in financial education.
The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 28th day of March 2016.

Read and adopted by a roll call vote as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 771)

QUORUM CALL

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

(See Roll Call No. 772)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #66

**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~~

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

Affirmative – 45 Negative – 0 (See Roll Call No. 773)

The Bill was then sent to the House of Delegates.

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 – 45 Negative – 0 (See Roll Call No. 774)

The Bill was then sent to the House of Delegates.

**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**

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

Affirmative – 45 Negative – 0 (See Roll Call No. 775)

The Bill was then sent to the House of Delegates.

Senate Bill 928 – Senators Middleton and Nathan Pulliam

AN ACT concerning

Task Force to Study the Nurse Shortage in Maryland

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

Affirmative – 45 Negative – 0 (See Roll Call No. 776)

The Bill was then sent to the House of Delegates.

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)**

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

Affirmative – 45 Negative – 0 (See Roll Call No. 777)

The Bill was then sent to the House of Delegates.

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

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

Affirmative – 45 Negative – 0 (See Roll Call No. 778)

The Bill was then sent to the House of Delegates.

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 – 44 Negative – 1 (See Roll Call No. 779)

The Bill was then sent to the House of Delegates.

House Bill 120 – Delegates Krimm, Brooks, Carr, Chang, Ciliberti, Gutierrez, Hill, Jalisi, Jameson, Kelly, Korman, Kramer, Lierman, McCray, Patterson, B. Robinson, Smith, Vogt, West, K. Young, and P. Young

AN ACT concerning

State Budget – Department of Budget and Management – Statement of Dedicated State Funds

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

Affirmative – 45 Negative – 0 (See Roll Call No. 780)

The Bill was then sent to the House of Delegates.

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

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

Affirmative – 45 Negative – 0 (See Roll Call No. 781)

The Bill was then sent to the House of Delegates.

YEAS AND NAYS

SENATE BILLS PASSED IN THE HOUSE

BILL NO.	SPONSOR	CONTENT
SB 17	Sen. Reilly	Open Meetings Act – Retention of Minutes and Recordings – Revision
SB 64	Baltimore County Senators	Baltimore County – Orphans’ Court Judges – Compensation
SB 147	Sen. Hough	Ethan Saylor Alliance for Self-Advocates as Edctrs – Mbrshp and Duties – Cmnty Incls n Trng Oversight

BILL NO.	SPONSOR	CONTENT
SB 252	Sen. Pugh	Maryland Medical Assistance Program – Former Foster Care Adolescents – Dental Care
SB 393	Sen. Nathan–Pulliam	Maryland Nurse Practice Act – Peer Review and Advisory Committees and Penalties
SB 449	Sen. Kelley	Maryland Medical Assistance Program – Guardianship Fees – Personal Needs Allowance
SB 536	Sen. Klausmeier	Office of Cemetery Oversight – Perpetual Care Trust Funds – Report Submission Requirement

By Order,
William B. C. Addison, Jr., Secretary

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 227 – Delegates Hixson, Beidle, Bromwell, Carey, Chang, Lisanti, Sample–Hughes, ~~and Sophocleus~~ Sophocleus, Afzali, D. Barnes, Buckel, Ebersole, Fennell, Hornberger, C. Howard, Jackson, Kaiser, Long, Luedtke, Metzgar, Patterson, Platt, Reilly, Shoemaker, Simonaire, Tarlau, Turner, Walker, and A. Washington

AN ACT concerning

Income Tax Subtraction Modification – Retirement Income of Law Enforcement, Fire, Rescue, and Emergency Services Personnel

FOR the purpose of providing a subtraction modification under the Maryland income tax under certain circumstances for certain retirement income attributable to a resident's employment as a law enforcement officer or the individual's service as fire, rescue, or emergency services personnel; providing for the application of this Act; and generally relating to a subtraction modification under the Maryland income tax for certain retirement income attributable to a resident's employment as a law enforcement officer or the individual's service as fire, rescue, or emergency services personnel.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–209
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

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

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #42**

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

House Bill 87 – Montgomery County Delegation

AN ACT concerning

**Montgomery County Board of Education – Student Member – Voting
MC 11–16**

Favorable report adopted.

Senator Hershey moved, duly seconded, to make the Bill a Special Order for March 29, 2016.

The motion was adopted.

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

House Bill 107 – Delegates Rosenberg, Tarlau, and A. Washington

AN ACT concerning

**Higher Education – Walter Sondheim Jr. Public Service Internship Scholarship
Program – Scholarship Amount**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

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

HB0172/174937/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 172

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after the first “of” insert “requiring the Governor’s appointment of a member of the Anne Arundel County Board of Education to be subject to confirmation by the Senate of Maryland;”.

On page 2, in line 6, strike “3–110(b)” and substitute “3–110(a), (b).”.

AMENDMENT NO. 2

On page 2, after line 12, insert:

“(a) (1) The Anne Arundel County Board consists of 9 members who shall be appointed as follows:

(i) 3 from the county at large;

(ii) 1 each from legislative districts 30, 31, 32, 33, and that portion of legislative district 21 that lies within Anne Arundel County; and

(iii) 1 student member.

(2) Except for the student member, the Governor shall appoint a member of the county board, SUBJECT TO CONFIRMATION BY THE SENATE OF MARYLAND, from a list of nominees submitted by the School Board Nominating Commission of Anne Arundel County as provided in subsection (b) of this section.”.

On page 6, in line 2, after “Governor,” insert “AND CONFIRMATION BY THE SENATE OF MARYLAND,”.

The preceding 2 amendments were read only.

Senator Astle moved, duly seconded, to make the Bill and Amendments a Special Order for March 29, 2016.

The motion was adopted.

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

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

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 only.

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

The motion was adopted.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #43**

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

House Bill 67 – Chair, Ways and Means Committee (By Request – Departmental – Office for Children)

AN ACT concerning

Maryland Infants and Toddlers Program – Composition

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 72 – Delegates Luedtke, M. Washington, Ebersole, Hixson, and Kaiser

AN ACT concerning

**Education – Sexual Abuse and Assault Awareness and Prevention Program –
Development and Implementation**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 85 – Delegates Luedtke, Carr, Ebersole, Hixson, Tarlau, and Zucker

AN ACT concerning

**Education – Children With Disabilities – Support Services – Parental
Notification**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 119 – ~~Delegate Reznik~~ Delegates Reznik, Hammen, Angel, Barron, Bromwell, Cullison, Hill, Kelly, Kipke, Krebs, McDonough, McMillan, Miele, Morgan, Morhaim, Oaks, Pena-Melnyk, Pendergrass, Rose, Saab, Sample-Hughes, West, and K. Young

AN ACT concerning

State Board of Physicians – Licensing Exemption – Physicians With Traveling Athletic and Sports Teams

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 185 – Delegates Morhaim, Beitzel, Cluster, Frush, Hill, Jalisi, Kelly, Kipke, Lam, Morgan, Rose, Stein, and West

AN ACT concerning

State Board of Physicians – Licensed Physicians – Continuing Education Requirements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 186 – Chair, Health and Government Operations Committee (By Request – Departmental – Veterans Affairs) and Delegates Hammen, Angel, Barron, Bromwell, Cullison, Hill, Kelly, Kipke, Krebs, McDonough, McMillan, Miele, Morgan, Morhaim, Oaks, Pena-Melnyk, Pendergrass, Rose, Saab, Sample-Hughes, West, and K. Young

AN ACT concerning

Department of Veterans Affairs – Charlotte Hall Veterans Home Fund – Establishment

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 567 – Delegate Kipke

AN ACT concerning

State Board of Cosmetologists – Mobile Beauty Salons – Permit Requirement

HB0567/394839/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 567

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “State Board of” and substitute “Barbers and”; in the same line, after “Mobile” insert “Barbershops and”; in line 3, after “of” insert “altering the definition of “barbershop” to include a certain mobile barbershop; requiring an applicant for a barbershop permit for a mobile barbershop to hold a certain permit to operate a certain barbershop and to lease or own the motor vehicle or trailer in which a certain mobile barbershop is located for which a certain application is made;”; in line 7, strike “altering a certain definition;”; in lines 7 and 8, strike “a certain term” and substitute “certain terms”; in line 8, after “to” insert “barbershops and”; in line 9, after “the” insert “State Board of Barbers and the”; in line 12, after “Section” insert “4–101, 4–502,”; and in the same line, after “5–101” insert a comma.

AMENDMENT NO. 2

On page 1, after line 17, insert:

“4–101.

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

(b) “Apprentice barber” means an individual who, under the supervision of a master barber, is learning to practice barbering or to provide barber–stylist services in a barbershop that holds a barbershop permit.

(c) “Barber” means an individual who practices barbering.

(d) “Barber–stylist” means an individual who provides barber–stylist services.

(e) (1) “Barbershop” means any commercial establishment, except a beauty salon, in which an individual practices barbering or provides barber–stylist services.

(2) “BARBERSHOP” INCLUDES A MOBILE BARBERSHOP.

~~[(2)]~~ (3) “Barbershop” does not include a clinic in a barber school.

(f) “Barbershop permit” means a permit issued by the Board to operate a barbershop.

(g) “Board” means the State Board of Barbers.

(h) (1) “License” means, unless the context requires otherwise, a license issued by the Board to practice barbering or to provide barber–stylist services.

(2) “License” includes, unless the context requires otherwise, each of the following licenses:

(i) a master barber license;

(ii) a barber license; and

(iii) a barber–stylist limited license.

(i) (1) “Limited license” means a license issued by the Board to practice barbering as limited in § 4–301 of this title.

(2) “Limited license” includes, unless the context requires otherwise, a limited license to provide barber–stylist services.

(j) “Master barber” means a barber who:

(1) has at least 15 months experience as a licensed barber; and

(2) has passed a test approved by the Board.

(K) “MOBILE BARBERSHOP” MEANS A BARBERSHOP THAT IS LOCATED IN A MOTOR VEHICLE OR A TRAILER THAT IS DESIGNED, CONSTRUCTED, AND EQUIPPED AS A PLACE FOR AN INDIVIDUAL TO PRACTICE BARBERING AND FOR USE AS A CONVEYANCE ON HIGHWAYS.

~~[(k)]~~ **(L)** (1) “Practice barbering” means to provide to an individual for compensation the service of:

(i) cutting, razor cutting, styling, relaxing, body waving, shampooing, or coloring the hair;

(ii) shaving or trimming the beard;

(iii) massaging the face;

(iv) designing, fitting, or cutting a hairpiece; or

(v) performing any other similar procedure on the hair, beard, face, or hairpiece of the individual.

(2) “Practice barbering” does not include:

(i) the mere sale of wigs or hairpieces; or

(ii) the services performed by an employee under the supervision of a master barber in a barbershop that holds a barbershop permit that are restricted to:

1. shampooing;

2. removal of a hair solution;

3. sterilization of equipment; or

4. similar activities.

~~[(l)]~~ **(M)** “Provide barber–stylist services” means to provide to an individual for compensation the service of:

(1) cutting, razor cutting, or styling the hair;

- (2) shaving or trimming the beard;
- (3) massaging the face; or
- (4) performing any other similar procedure on the hair, beard, or face of the individual.

4-502.

(a) To qualify for a barbershop permit, an applicant shall be a person who meets the requirements of this section.

(b) **(1) An applicant shall own the FACILITY IN WHICH THE barbershop for which the application is made IS LOCATED.**

(2) TO QUALIFY FOR A BARBERSHOP PERMIT FOR A MOBILE BARBERSHOP, THE APPLICANT SHALL:

(I) HOLD A BARBERSHOP PERMIT TO OPERATE A BARBERSHOP THAT IS NOT A MOBILE BARBERSHOP; AND

(II) OWN OR LEASE THE MOTOR VEHICLE OR TRAILER IN WHICH THE MOBILE BARBERSHOP FOR WHICH THE APPLICATION IS MADE IS LOCATED.

(c) An applicant shall satisfy the Board that the location and equipment of the barbershop for which the application is made meets the requirements of:

- (1) the Board;
- (2) the Department of Health and Mental Hygiene; and
- (3) the applicable local zoning code.

(d) As a condition of the issuance of a barbershop permit, the barbershop for which the application is made shall pass a pre-opening inspection conducted under § 4-512 of this subtitle.”

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 BUDGET AND TAXATION REPORT #20

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

Senate Bill 558 – Senators Ferguson, Currie, Guzzone, Klausmeier, Madaleno, McFadden, and Pugh

AN ACT concerning

Baltimore Regional Neighborhood Initiative Program – Codified

SB0558/959338/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 558

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “information;” insert “providing that community enhancement projects may be located in more than one political subdivision;”; in line 10, strike “approval from” and substitute “notification to”; in line 22, after “Governor” insert “, in certain fiscal years;”; and in line 23, after “Fund;” insert “requiring the Governor to include a certain appropriation for a certain fiscal year;”.

AMENDMENT NO. 2

On page 4, in line 8, strike “AND”; and in line 9, after “(7)” insert “WORKFORCE AND EMPLOYMENT DEVELOPMENT PROGRAMS; AND

(8)”.

AMENDMENT NO. 3

On page 5, after line 2, insert:

“(D) THE COMMUNITY ENHANCEMENT PROJECTS FOR WHICH A COMMUNITY DEVELOPMENT ORGANIZATION APPLIES FOR PROGRAM FUNDS MAY BE LOCATED IN MORE THAN ONE POLITICAL SUBDIVISION.”

AMENDMENT NO. 4

On page 7, in line 1, strike “UNLESS” and substitute “**UNTIL THE DEPARTMENT HAS PROVIDED WRITTEN NOTICE AND A REASONABLE OPPORTUNITY TO COMMENT TO**”; strike beginning with “APPROVES” in line 3 down through “SUBDIVISION” in line 6; in line 8, after the first “THE” insert “**DEPARTMENT MUST PROVIDE NOTICE AND A REASONABLE OPPORTUNITY TO COMMENT TO THE**”; strike beginning with “MUST” in line 9 down through “SUBSECTION” in line 10; in line 12, after “SUBDIVISION,” insert “**THE DEPARTMENT MUST PROVIDE NOTICE AND A REASONABLE OPPORTUNITY TO COMMENT TO**”; and strike beginning with “MUST” in line 12 down through “SUBDIVISION” in line 16.

AMENDMENT NO. 5

On page 11, in line 9, strike “EACH FISCAL YEAR” and substitute “**FISCAL YEARS 2018 THROUGH 2022**”.

AMENDMENT NO. 6

On page 11, after line 25, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That for fiscal year 2018, the Governor shall include in the budget bill an appropriation to the Baltimore Metropolitan Council in the amount of \$250,000 for planning and programmatic efforts that facilitate coordination and collaboration among local jurisdictions and organizations in the Baltimore region to foster economic growth and development.”;

and in line 26, strike “2.” and substitute “3.”.

AMENDMENT NO. 7

On page 3, in lines 27 and 28, strike “AND REHABILITATE VACANT HOMES FOR RESALE TO NEW HOMEBUYERS” and substitute “**OR REHABILITATE VACANT OR BLIGHTED PROPERTIES**”.

On page 4, in line 28, after “WITH” insert “**ANOTHER COMMUNITY DEVELOPMENT ORGANIZATION OR WITH**”.

On page 6, in line 21, strike the second “AND”; and in line 24, 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 7, in line 27, strike “15%” and substitute “40%”.

The preceding 7 amendments were read only.

Senator McFadden moved, duly seconded, to make the Bill and Amendments a Special Order for March 30, 2016.

The motion was adopted.

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

Senate Bill 559 – Senator Ferguson

AN ACT concerning

Department of Housing and Community Development – Strategic Demolition and Smart Growth Impact Fund – Establishment

SB0559/669439/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 559

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “used;” insert “specifying certain eligibility criteria for certain fiscal years for awarding grants and loans from the Fund;”; in line 12, after the first “Fund” insert “for certain fiscal years and requiring the appropriation to be allocated in a certain manner”; and in line 14, after “term;” insert “requiring a certain amount appropriated in a certain supplemental budget for a certain program in the Department for a certain fiscal year to be appropriated to the Fund and allocated in a certain manner;”.

AMENDMENT NO. 2

On page 3, after line 7, insert:

“(2) (I) FOR FISCAL YEARS 2017 THROUGH 2019, TO BE ELIGIBLE FOR A GRANT OR LOAN FROM THE FUND, A GOVERNMENT AGENCY OR COMMUNITY DEVELOPMENT ORGANIZATION SHALL PROVIDE EVIDENCE OF A MATCHING FUND THAT IS EQUAL TO \$1 FOR EVERY \$4 IN STATE FUNDING THAT THE AGENCY OR ORGANIZATION IS APPLYING FOR FROM THE FUND.

(II) THE MATCHING FUND REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY INCLUDE:

1. MONEY FROM THE FEDERAL GOVERNMENT, LOCAL GOVERNMENT, OR ANY OTHER PUBLIC OR PRIVATE SOURCE;

2. REAL PROPERTY;

3. IN-KIND CONTRIBUTIONS; AND

4. FUNDS EXPENDED BEFORE THE DATE THE GRANT OR LOAN IS AWARDED.

(3) FOR FISCAL YEAR 2020 AND EACH FISCAL YEAR THEREAFTER, TO BE ELIGIBLE FOR A GRANT OR LOAN FROM THE FUND, A GOVERNMENT AGENCY OR COMMUNITY DEVELOPMENT ORGANIZATION IS NOT REQUIRED TO PROVIDE EVIDENCE OF A MATCHING FUND.”;

and in line 8, strike “(2)” and substitute “(4)”.

AMENDMENT NO. 3

On page 3, in line 16, after “(J)” insert “(1)”; and strike beginning with “2018” in line 16 down through “FUND” in line 18 and substitute “**2018, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$25,625,000 TO THE FUND, WHICH SHALL BE ALLOCATED AS FOLLOWS:**”

1. \$22,125,000 FOR PROJECTS IN BALTIMORE CITY;

AND

2. \$3,500,000 FOR PROJECTS THROUGHOUT THE STATE.

(2) FOR FISCAL YEAR 2019, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$28,500,000 TO THE FUND, WHICH SHALL BE ALLOCATED AS FOLLOWS:

(I) \$25,000,000 FOR PROJECTS IN BALTIMORE CITY; AND

(II) \$3,500,000 FOR PROJECTS THROUGHOUT THE STATE”.

AMENDMENT NO. 4

On page 4, after line 2, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the amount appropriated in Supplemental Budget No. 2 to Chapter ____ (S.B. 190) of the Acts of the General Assembly of 2016 (Budget Bill Fiscal Year 2017) to the Department of Housing and Community Development Neighborhood Revitalization – Capital Program for fiscal year 2017 shall be appropriated to the Strategic Demolition and Smart Growth Impact Fund established under § 4–508 of the Housing and Community Development Article and shall be allocated as follows:

(1) \$18,000,000 for projects in Baltimore City; and

(2) \$3,500,000 for projects throughout the State.”;

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

The preceding 4 amendments were read only.

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

The motion was adopted.

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

Senate Bill 1125 – Senator Ferguson

AN ACT concerning

Education – Maryland Extended Day and Summer Enhancement Programs Act**SB1125/169835/1**

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 1125

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 28, in each instance, strike “Maryland Extended Day and Summer Enhancement Programs” and substitute “Public School Opportunities Enhancement”; in lines 3 and 10, in each instance, strike “Maryland Extended Day and Summer” and substitute “Public School Opportunities”; in line 4, strike “(Department)”; strike beginning with “education” in line 13 down through “agencies” in line 14 and substitute “school systems, certain community schools,”; in line 15, strike “or” and substitute a comma; and in the same line, after “partnerships” insert “, or to expand or support certain educational programming during the school day”.

On page 2, strike beginning with “Maryland” in line 7 down through “Summer” in line 8 and substitute “Public School Opportunities”.

AMENDMENT NO. 2

On page 2, strike beginning with “**MARYLAND**” in line 18 down through “**PROGRAM**” in line 19 and substitute “**PUBLIC SCHOOL OPPORTUNITIES ENHANCEMENT PROGRAM**”; after line 22, insert:

“(B) “COMMUNITY SCHOOL” MEANS AN EXISTING PUBLIC SCHOOL IN THE STATE THAT UTILIZES A COMMUNITY SCHOOL STRATEGY THAT IS RECOGNIZED BY THE MARYLAND OUT OF SCHOOL TIME NETWORK.”;

in lines 23 and 24, in each instance, strike “**PROGRAMS**” and substitute “**PROGRAM**”; in lines 23 and 29, strike “**(B)**” and “**(C)**”, respectively, and substitute “**(C)**” and “**(D)**”, respectively; in line 23, after “**MEANS**” insert “**AN**”; in line 25, strike “**TAKE**” and substitute “**TAKES**”; in line 29, strike “**OR**” and substitute “**, A COMMUNITY SCHOOL, OR A**”; and in line 30, strike beginning with “**MARYLAND**” through “**SUMMER**” and substitute “**PUBLIC SCHOOL OPPORTUNITIES**”.

On page 2 in line 29, on page 5 in line 5, and on page 7 in line 1, in each instance, strike “**EDUCATION AGENCY**” and substitute “**SCHOOL SYSTEM**”.

On page 3, in lines 1, 3, and 5, strike “**(D)**”, “**(E)**”, and “**(F)**”, respectively, and substitute “**(E)**”, “**(F)**”, and “**(G)**”, respectively; and in lines 3 and 16, in each instance, strike “**MARYLAND EXTENDED DAY AND SUMMER**” and substitute “**PUBLIC SCHOOL OPPORTUNITIES**”.

On page 4, in line 26, strike “**MARYLAND EXTENDED DAY AND SUMMER**” and substitute “**PUBLIC SCHOOL OPPORTUNITIES**”.

AMENDMENT NO. 3

On page 4, in line 29, strike “**LOCAL EDUCATION AGENCIES**” and substitute “**:**”

(I) LOCAL SCHOOL SYSTEMS, COMMUNITY SCHOOLS,”;

in line 30, after “**ORGANIZATIONS**” insert “**IN THE STATE**”; and in line 31, after “**PROGRAMS**” insert “**;** **AND**”

(II) NONPROFIT ORGANIZATIONS IN THE STATE AND COMMUNITY SCHOOLS IN EXPANDING OR SUPPORTING EXISTING EDUCATIONAL PROGRAMMING DURING THE SCHOOL DAY”.

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

“(II) WHEN AWARDING GRANTS TO NONPROFIT ORGANIZATIONS, THE DEPARTMENT SHALL GIVE PRIORITY TO:

1. MARYLAND-BASED NONPROFIT ORGANIZATIONS;

AND

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

in line 5, before “**OR**” insert “**, COMMUNITY SCHOOL,**”; after line 20, insert:

“(2) A NONPROFIT ORGANIZATION MAY APPLY TO THE DEPARTMENT FOR A GRANT TO SUPPORT EXISTING EDUCATIONAL PROGRAMMING DURING THE SCHOOL DAY, INCLUDING THE RECRUITMENT, TRAINING, AND ONGOING PROFESSIONAL DEVELOPMENT OF NEW TEACHERS.”;

strike beginning with “EXTENDED” in line 25 down through “PROGRAMS” in line 26 and substitute “**THE SERVICES LISTED IN SUBSECTION (C) OF THIS SECTION**”; and in line 21, strike “(2)” and substitute “(3)”.

AMENDMENT NO. 4

On page 6, in line 14, strike “AND”; in line 20, after “OPPORTUNITIES” insert “;**AND**”

(IV) FOR EDUCATIONAL PROGRAMMING DURING THE SCHOOL DAY, ENHANCE:

- 1. THE EDUCATIONAL PURPOSE OF THE SCHOOL; OR**
- 2. STUDENTS’ ACCESS TO PHYSICAL, SOCIAL, AND EMOTIONAL SUPPORT”;**

in line 23, strike “THIS SUBTITLE” and substitute “**SUBSECTION (C)(1) OF THIS SECTION**”; and strike beginning with the colon in line 24 down through “ENSURE” in line 27 and substitute “**ENSURE**”.

AMENDMENT NO. 5

On page 7, strike beginning with the third comma in line 9 down through “PURPOSES” in line 10; in line 9, strike “\$10,000,000” and substitute “**\$7,500,000**”; strike beginning with “EXTENDED” in line 15 down through “ENHANCEMENT” in line 16; and in line 16, after “PROGRAMS” insert “**AND SERVICES**”.

The preceding 5 amendments were read only.

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

The motion was adopted.

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

Senate Bill 1130 – Senator Rosapepe

AN ACT concerning

Maryland Center for Construction Education and Innovation – Codification**SB1130/889332/1**

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 1130

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Maryland Center for”; in the same line, strike “Codification” and substitute “Establishment of Fund”; strike beginning with “establishing” in line 3 down through “Center;” in line 10; in line 13, after the second “Fund;” insert “requiring the Governor, each fiscal year, to include in the annual State budget an appropriation of a certain amount to the Fund to support certain operations;”; strike beginning with “providing” in line 17 down through “centers;” in line 24; in line 28, strike “through 11–1312” and substitute “and 11–1302”; in lines 28 and 29, strike “Maryland Center For”; and in line 29, after “Innovation” insert “Fund”.

AMENDMENT NO. 2

On page 2, in line 20, strike “**MARYLAND CENTER FOR**”; in line 21, after “**INNOVATION**” insert “FUND”; strike line 25 in its entirety; in lines 26 and 28, strike “**(C)**” and “**(D)**”, respectively, and substitute “**(B)**” and “**(C)**”, respectively; in line 27, strike “**ESTABLISHED UNDER § 11–1302 OF THIS SUBTITLE**”; and in line 29, strike “**ESTABLISHED UNDER § 11–1305 OF THIS SUBTITLE**”.

On pages 2 through 6, strike in their entirety the lines beginning with line 30 on page 2 through line 7 on page 6, inclusive.

On page 6, in line 8, strike “**11–1305.**” and substitute “**11–1302.**”; strike beginning with “**IT**” in line 22 down through “**YEAR**” in line 23 and substitute “**FOR FISCAL YEAR 2018 AND EACH FISCAL YEAR THEREAFTER**”; and in line 25, strike “**ESTABLISHED UNDER THIS SUBTITLE**”.

On pages 7 through 9, strike in their entirety the lines beginning with line 5 on page 7 through line 10 on page 9, inclusive.

On pages 9 and 10, strike in their entirety the lines beginning with line 26 on page 9 through line 20 on page 10, inclusive.

On page 10, in line 21, strike and “4.” and substitute “2”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1171 – Senators Pugh, Conway, McFadden, Ferguson, and Nathan–Pulliam

AN ACT concerning

Enoch Pratt Free Library – Hours of Operation

SB1171/349432/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 1171

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Operation” insert “– Funding”; in line 3, strike “establishing the hours and days of the week that each branch” and substitute “requiring a State grant to be made available to fund certain operating expenses for certain branches”; in line 4, strike “is open to the public” and substitute “that increase their operating hours above those as of a certain date”; strike beginning with “State” in line 4 down through “of” in line 5 and substitute “Governor to include in the State operating budget in certain fiscal years a certain amount in general funds to support”; in line 7, strike “funding for a certain percentage of” and substitute “a certain percentage match for each dollar of State funds granted to support”; in line 8, after “Library;” insert “authorizing Baltimore City to use certain funds to satisfy certain requirements;” and in the same line, after “calculation;” insert “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, in line 3, strike “**EACH BRANCH**” and substitute “**A STATE GRANT SHALL BE MADE AVAILABLE TO FUND THE INCREASED OPERATING EXPENSES FOR THE BRANCHES**”; strike beginning with “**SHALL**” in line 3 down through “**HOLIDAYS**” in line 4 and substitute “**THAT INCREASE THEIR OPERATING HOURS ABOVE THE HOURS IN EFFECT AS OF JANUARY 1, 2016**”; strike beginning with “**AS**” in line 5 down through “**2018**” in line 6 and substitute “**FOR FISCAL YEAR 2018 THROUGH FISCAL YEAR 2022,**”; strike beginning with “**STATE**” in line 6 down through the second “**TO**” in line 7 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 8 and 12, in each instance, strike “**ALL**” and substitute “**THE**”; in lines 9 and 13, in each instance, after “**LIBRARY**” insert “**THAT, IN THAT FISCAL YEAR, WILL BE SUBJECT TO INCREASED OPERATING HOURS AS**”; in line 10, after “**(II)**” insert “**1. TO RECEIVE ANY STATE FUNDS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH,**”; strike beginning with “**BE**” in line 10 down through “**OF**” in line 11 and substitute “**PROVIDE A 25% MATCH FOR EACH DOLLAR OF STATE FUNDS GRANTED TO SUPPORT**”; after line 14, insert:

2. BALTIMORE CITY MAY USE PUBLIC AND PRIVATE FUNDS TO SATISFY THE REQUIREMENTS OF SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH.”;

in line 15, after “**(III)**” insert “**1.**”; after line 18, 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.

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.”;

and in line 19, strike “2.” and substitute “4.”.

The preceding 2 amendments were read only.

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

The motion was adopted.

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

Senate Bill 1172 – Senators Pugh, Conway, McFadden, Ferguson, and Nathan–Pulliam

AN ACT concerning

Seed Community Development Anchor Institution Fund

SB1172/609035/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 1172

(First Reading File Bill)

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

On page 4, in line 1, strike “**YEAR 2018 AND EACH FISCAL YEAR THEREAFTER**” and substitute “**YEARS 2018 THROUGH 2022**”; and in line 3, strike “**\$10,000,000**” and substitute “**\$5,000,000**”.

The preceding amendment was read only.

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

The motion was adopted.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #21

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

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

AN ACT concerning

Baltimore Regional Neighborhood Initiative Program – Codified

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 only.

Senator McFadden moved, duly seconded, to make the Bill and Amendment a Special Order for March 30, 2016.

The motion was adopted.

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

House Bill 686 – Delegates Hammen, Anderson, Branch, Busch, Carey, Carter, Clippinger, Conaway, Glenn, Hayes, Haynes, Lafferty, Lierman, Lisanti, McCray, McIntosh, Oaks, Pena-Melnyk, Pendergrass, B. Robinson, S. Robinson, Rosenberg, Smith, Sophocleus, Walker, M. Washington, West, and P. Young

AN ACT concerning

**Department of Housing and Community Development – Strategic Demolition
and Smart Growth Impact Fund – Establishment**

Senator Jennings moved, duly seconded, to make the Bill and Report a Special Order for March 29, 2016.

The motion was adopted.

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

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–Melnik, 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

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 only.

Senator Jennings moved, duly seconded, to make the Bill and Amendment a Special Order for March 29, 2016.

The motion was adopted.

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

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

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 only.

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

The motion was adopted.

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

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**

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 only.

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

The motion was adopted.

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

House Bill 1404 – Delegates Brooks, Barkley, Branch, Carey, Clippinger, Davis, Frick, Glenn, Jones, Kramer, Lisanti, Valderrama, Vaughn, and C. Wilson

AN ACT concerning

~~Maryland Center for~~ **Construction Education and Innovation – Codification**
Establishment of Fund and Centers

HB1404/419438/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1404

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "and Centers"; and in line 24, strike "requiring the Department of".

On page 2, strike beginning with “Labor,” in line 1 down through “matters;” in line 7.

AMENDMENT NO. 2

On page 10, strike in their entirety lines 9 through 25, inclusive; and in line 26, 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.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #19

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

Senate Bill 262 – Senators Raskin, Benson, Brochin, Currie, Guzzone, Hough, Kelley, King, Lee, Madaleno, Manno, Muse, Ramirez, Ready, Rosapepe, Salling, Young, and Zirkin

AN ACT concerning

Family Law – Protecting the Resources of Children in State Custody

SB0262/238074/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 262

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 6, after “**PAYEE**” insert “**FOR A CHILD RECEIVING SUPPLEMENTAL SECURITY INCOME OR SOCIAL SECURITY BENEFITS**”; in the same line, strike “**IN ANY OTHER**” and substitute “**AS**”; in the same line, strike “**CAPACITY**”; strike beginning with “**SUPPLEMENTAL**” in line 7 down through “**BENEFITS,**” in line 8; and in line 35, strike “**CONSERVE**” and substitute “**DEPOSIT**”.

On page 3, in line 11, strike “**USING**” and substitute “**IT WOULD BE IN THE CHILD’S BEST INTEREST TO USE**”.

AMENDMENT NO. 2

On page 2, in line 13, strike “WHEN” and substitute “FROM BIRTH UNTIL”; and strike in their entirety lines 19 and 20 and substitute:

- “(I) FROM BIRTH THROUGH AGE 13, 100%;
- “(II) FROM AGE 14 THROUGH AGE 15, AT LEAST 80%; AND
- “(III) FROM AGE 16 TO AGE 17, AT LEAST 60%;”.

The preceding 2 amendments were read only.

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

The motion was adopted.

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

Senate Bill 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

SB0502/898071/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 502

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Bates,”; in the same line, strike “Eckardt, Edwards,”; in the same line, strike “Jennings,”; in the same line, strike “Norman,”; and in the same line, strike “Salling, Serafini, Waugh,”.

AMENDMENT NO. 2

On page 4, in line 1, before “**THE**” insert “**(A)**”; in line 3, strike “**ELECTED, REELECTED, APPOINTED, OR REAPPOINTED**” and substitute “**FIRST ELECTED OR APPOINTED TO OFFICE**”; and strike in their entirety lines 7 through 15, inclusive, and substitute:

“(2) (I) IS IN OFFICE ON THE DATE ON WHICH THE GOVERNOR ISSUES A PROCLAMATION UNDER ARTICLE XIV, § 1 OF THIS CONSTITUTION DECLARING THE AMENDMENTS TO BE ADOPTED;

(II) WILL REACH THE AGE OF SEVENTY YEARS BEFORE THE JUDGE COMPLETES THE END OF THE JUDGE’S TERM; AND

(III) APPLIES FOR, AND IS GRANTED, AN EXTENSION BY THE GOVERNOR TO SERVE UNTIL THE JUDGE COMPLETES THE JUDGE’S TERM OR ATTAINS THE AGE OF SEVENTY-THREE YEARS, WHICHEVER OCCURS FIRST.

(B) THE GOVERNOR MAY EXTEND A JUDGE’S TERM FOR THE PURPOSE OF IMPLEMENTING SUBSECTION (A)(2) 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.

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

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

SB0734/938174/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 734
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Transfers” insert “and Registration of Structured Settlement Transferees”; in line 5, strike “an application” and substitute “a petition”; in line 5, after “on;” insert “requiring a transferee to provide to a payee a certain disclosure statement;”; in line 6, after “court;” insert “establishing certain requirements concerning a proposed transfer of structured settlement payment rights concerning certain tort claims; prohibiting a person from filing a petition for transfer of structured settlement payment rights unless the person is registered with the Attorney General or has a pending application for registration under certain circumstances; establishing registration requirements; requiring a transferee to file a certain letter of credit or bond with the Attorney General or deposit cash in a certain amount with the Attorney General; authorizing the Attorney General to suspend or revoke the registration of a structured settlement transferee or deny an application for registration under certain circumstances; authorizing the Attorney General to impose a certain civil penalty; requiring the Attorney General to consider certain factors in making certain determinations; providing for the application of certain provisions of the Administrative Procedure Act; requiring a structured settlement obligor to submit a certain statement to certain persons under certain circumstances;”; in line 7, strike “and enforce”; in the same line, strike “a”; in line 8, strike “definition” and substitute “definitions”; and in the same line, after the semicolon insert “defining certain terms;”.

AMENDMENT NO. 2

On page 1, after line 8, insert:

“BY renumbering

Article – Courts and Judicial Proceedings

Section 5–1104 and 5–1105, respectively

to be Section 5–1105 and 5–1106, respectively

Annotated Code of Maryland

(2013 Replacement Volume and 2015 Supplement)”;

in line 11, strike “5–1101(c)” and substitute “5–1101”; in the same line, strike “5–1103(a)” and substitute “5–1103”; in line 16, strike “and 5–1106” and substitute “, 5–1104, and 5–1107 through 5–1112”; and strike in their entirety lines 19 and 20 and substitute:

“SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 5–1104 and 5–1105, respectively, of Article – Courts and Judicial Proceedings of the Annotated Code of Maryland be renumbered to be Section(s) 5–1105 and 5–1106, respectively.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:”

AMENDMENT NO. 3

On page 1, after line 22, insert:

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

(b) “Discounted present value” means the fair present value of future payments, as determined by discounting payments to the present using the most recently published applicable federal rate for determining the present value of an annuity, as issued by the United States Internal Revenue Service.

(c) “GIFT” MEANS A TRANSFER TO A PAYEE OF ANYTHING OF ECONOMIC VALUE, REGARDLESS OF FORM, AS AN INDUCEMENT TO ENTER INTO A TRANSFER AGREEMENT OR PURSUE A TRANSFER, EXCEPT:

(1) THE ACTUAL COST, NOT TO EXCEED \$100, OF THE PAYEE’S TRANSPORTATION TO A HEARING CONCERNING A PETITION FILED UNDER § 5–1102 OF THIS SUBTITLE; AND

(2) THE COSTS OF POSTAGE, OVERNIGHT DELIVERY SERVICES, DOCUMENT RETRIEVAL FEES, AND NOTARY SERVICES ASSOCIATED WITH THE FILING OF A PETITION UNDER § 5–1102 OF THIS SUBTITLE.”;

and in line 23, strike “(c)” and substitute “**(D)**”.

On page 2, after line 7, insert:

“~~(d)~~ **(E)** “Interested parties” means the payee, each beneficiary designated under the annuity contract to receive payments following the payee’s death, the annuity issuer, the structured settlement obligor, and any other party that has continuing rights or obligations under a structured settlement.

~~[(e)] (F)~~ “Payee” means an individual who receives damage payments that are not subject to income taxation under a structured settlement and proposes to make a transfer of payment rights.

~~(G)~~ “REGISTRANT” MEANS A PERSON REGISTERED WITH THE ATTORNEY GENERAL UNDER THIS SUBTITLE.

~~[(f)] (H)~~ “Responsible administrative authority” means a government authority vested with exclusive jurisdiction over the settled claim resolved by a structured settlement.

~~[(g)] (I)~~ (1) “Structured settlement” means an arrangement for periodic payment of damages for personal injury established by a settlement or judgment in resolution of a tort claim.

(2) “Structured settlement” does not include an arrangement for periodic payment of damages for personal injury established by a judgment by confession.

~~[(h)] (J)~~ “Structured settlement agreement” means an agreement, judgment, stipulation, or release embodying the terms of a structured settlement.

~~[(i)] (K)~~ “Structured settlement obligor” means a party who has the continuing periodic payment obligation to the payee under a structured settlement agreement or a qualified assignment agreement.

~~[(j)] (L)~~ “Structured settlement payment rights” means the rights to receive periodic payments, including lump-sum payments under a structured settlement, whether from the settlement obligor or the annuity issuer, if:

(1) [An interested party is domiciled] THE PAYEE RESIDES in this State;

(2) The structured settlement agreement was approved by a court or responsible administrative authority in this State, AND THE PAYEE DOES NOT RESIDE IN ANOTHER STATE OR JURISDICTION THAT HAS ENACTED A STATUTE PROVIDING FOR ENTRY OF A QUALIFIED ORDER AS DEFINED IN 26 U.S.C. § 5891(B)(2); or

(3) The settled claim was pending before a court of this State when the parties entered into the structured settlement agreement, AND THE PAYEE DOES NOT RESIDE IN ANOTHER STATE OR JURISDICTION THAT HAS ENACTED A STATUTE PROVIDING FOR ENTRY OF A QUALIFIED ORDER AS DEFINED IN 26 U.S.C. § 5891(B)(2).

[(k)] (M) “Terms of the structured settlement” includes the terms of the structured settlement agreement, the annuity contract, a qualified assignment, and an order or approval of a court or responsible administrative authority authorizing or approving a structured settlement.

[(l)] (N) “Transfer” means a sale, assignment, pledge, hypothecation, or other form of alienation or encumbrance made by a payee for consideration.

[(m)] (O) “Transfer agreement” means the agreement providing for the transfer of structured settlement payment rights from a payee to a transferee.

(P) “TRANSFEREE” MEANS A PERSON ACQUIRING OR PROPOSING TO ACQUIRE STRUCTURED SETTLEMENT PAYMENT RIGHTS THROUGH A TRANSFER.”.

AMENDMENT NO. 4

On page 2, in line 24, after “future” insert “] THE FINANCIAL TERMS OF THE TRANSFER AGREEMENT ARE FAIR TO ALL PARTIES, TAKING INTO ACCOUNT:

(I) THE DIFFERENCE BETWEEN THE AMOUNT PAYABLE TO THE PAYEE AND THE DISCOUNTED PRESENT VALUE OF THE PAYMENTS TO BE TRANSFERRED; AND

(II) THE DISCOUNT RATE APPLICABLE TO THE TRANSFER”;

in line 25, strike the closing bracket; in line 27, strike the brackets; in the same line, strike “(3)”; and strike beginning with “The” in line 27 down through “value” in line 28 and substitute “AT LEAST 10 DAYS BEFORE THE DATE ON WHICH THE PAYEE SIGNED THE TRANSFER AGREEMENT, THE TRANSFEREE PROVIDED TO THE PAYEE A SEPARATE DISCLOSURE STATEMENT, IN AT LEAST 14 POINT BOLDFACE TYPE, THAT STATES:

(I) THE AMOUNTS AND DUE DATES OF THE STRUCTURED SETTLEMENT PAYMENTS TO BE TRANSFERRED;

(II) THE AGGREGATE AMOUNT OF THE PAYMENTS TO BE TRANSFERRED;

(III) THE DISCOUNTED PRESENT VALUE OF THE PAYMENTS TO BE TRANSFERRED;

(IV) THE AMOUNT PAYABLE TO THE PAYEE IN EXCHANGE FOR THE PAYMENTS TO BE TRANSFERRED;

(V) AN ITEMIZED LISTING OF ALL BROKERS' COMMISSIONS, SERVICE CHARGES, APPLICATION FEES, PROCESSING FEES, CLOSING COSTS, FILING FEES, ADMINISTRATIVE FEES, NOTARY FEES, AND OTHER CHARGES PAYABLE BY THE PAYEE OR DEDUCTIBLE FROM THE GROSS AMOUNT OTHERWISE PAYABLE TO THE PAYEE, EXCEPT ATTORNEY'S FEES AND RELATED DISBURSEMENTS;

(VI) THE TRANSFEREE'S BEST ESTIMATE OF THE AMOUNT OF ANY ATTORNEY'S FEES AND DISBURSEMENTS PAYABLE BY THE PAYEE OR DEDUCTIBLE FROM THE GROSS AMOUNT OTHERWISE PAYABLE TO THE PAYEE;

(VII) THE NET AMOUNT PAYABLE TO THE PAYEE AFTER DEDUCTION OF ALL COMMISSIONS, FEES, COSTS, EXPENSES, AND CHARGES DESCRIBED IN ITEMS (V) AND (VI) OF THIS ITEM;

(VIII) THE DISCOUNT RATE APPLICABLE TO THE TRANSFER, WHICH SHALL BE DISCLOSED IN THE FOLLOWING STATEMENT: "BASED ON THE NET AMOUNT THAT YOU WILL RECEIVE FROM US AND THE AMOUNTS AND TIMING OF THE STRUCTURED SETTLEMENT PAYMENTS THAT YOU ARE TRANSFERRING TO US, YOU WILL, IN EFFECT, BE PAYING INTEREST TO US AT A RATE OF _____ PERCENT PER YEAR.";

(IX) THE AMOUNT OF ANY PENALTY OR LIQUIDATED DAMAGES PAYABLE BY THE PAYEE IN THE EVENT OF ANY BREACH OF THE TRANSFER AGREEMENT BY THE PAYEE; AND

(X) A STATEMENT THAT THE PAYEE HAS THE RIGHT TO CANCEL THE TRANSFER AGREEMENT, WITHOUT PENALTY OR FURTHER OBLIGATION, AT ANY TIME BEFORE THE TRANSFER IS AUTHORIZED BY A COURT UNDER THIS SUBTITLE”.

AMENDMENT NO. 5

On page 3, in line 3, strike “AN application” and substitute “**A PETITION**”; in line 6, after “**RESIDES;**” insert “**OR**”; and strike in their entirety lines 7 through 13, inclusive, and substitute:

“(2) IF THE PAYEE DOES NOT RESIDE IN THIS STATE, IN THE CIRCUIT COURT:

(I) THAT APPROVED THE STRUCTURED SETTLEMENT AGREEMENT; OR

(II) IN WHICH THE SETTLED CLAIM WAS PENDING WHEN THE PARTIES ENTERED INTO THE STRUCTURED SETTLEMENT AGREEMENT, IF THE STRUCTURED SETTLEMENT WAS NOT COURT APPROVED.

(b) A transferee shall file with the court and serve on the interested parties at least 20 days before the hearing on the [application] PETITION, a notice of the proposed transfer and [an application] A PETITION for its authorization, including:

(1) A copy of the transferee’s [application] PETITION;

(2) A copy of the transfer agreement; and

(3) Notification:

(i) Of the time and place of the hearing; and

(ii) That each interested party is entitled to support, oppose, or otherwise respond to the transferee’s [application] PETITION, in person or by counsel, by submitting written comments to the court or by participating in the hearing.

(A) IF, IN ANY PROPOSED TRANSFER OF STRUCTURED SETTLEMENT PAYMENT RIGHTS, THE STRUCTURED SETTLEMENT WAS ESTABLISHED IN RESOLUTION OF A TORT CLAIM SEEKING COMPENSATION FOR COGNITIVE INJURIES, INCLUDING ANY CLAIM ARISING FROM CHILDHOOD EXPOSURE TO LEAD PAINT, THE TRANSFEREE SHALL:

(1) NOTIFY THE COURT, IN THE PETITION FILED UNDER THIS SUBTITLE, THAT THE PAYEE MAY BE COGNITIVELY IMPAIRED;

(2) ATTACH TO THE PETITION A COPY OF ANY COMPLAINT THAT WAS PENDING WHEN THE STRUCTURED SETTLEMENT WAS ESTABLISHED; AND

(3) IDENTIFY ANY ALLEGATIONS OR STATEMENTS IN THE COMPLAINT THAT DESCRIBE THE NATURE, EXTENT, OR CONSEQUENCES OF THE PAYEE'S COGNITIVE INJURIES.

(B) (1) IN DETERMINING WHETHER TO AUTHORIZE A TRANSFER OF STRUCTURED SETTLEMENT PAYMENT RIGHTS INVOLVING A STRUCTURED SETTLEMENT ESTABLISHED IN RESOLUTION OF A TORT CLAIM SEEKING COMPENSATION FOR COGNITIVE INJURIES, INCLUDING ANY CLAIM ARISING FROM CHILDHOOD EXPOSURE TO LEAD PAINT, THE COURT SHALL CONSIDER WHETHER TO APPOINT A GUARDIAN AD LITEM FOR THE PAYEE OR TO REQUIRE THE PAYEE TO BE EXAMINED BY AN INDEPENDENT MENTAL HEALTH SPECIALIST DESIGNATED BY THE COURT.

(2) THE TRANSFEREE SHALL BE RESPONSIBLE FOR THE PAYMENT OF ANY FEES OF A GUARDIAN AD LITEM OR AN INDEPENDENT MENTAL HEALTH SPECIALIST APPOINTED OR DESIGNATED BY THE COURT UNDER THIS SUBSECTION, AS SET FORTH IN A BILLING STATEMENT SPECIFYING TO THE TENTH OF AN HOUR THE AMOUNT OF WORK PERFORMED AND A REASONABLE HOURLY FEE FOR THE WORK.

5-1107.

A PERSON MAY NOT FILE A PETITION FOR A TRANSFER OF STRUCTURED SETTLEMENT PAYMENT RIGHTS UNDER THIS SUBTITLE UNLESS THE PERSON:

(1) IS REGISTERED WITH THE ATTORNEY GENERAL AS A STRUCTURED SETTLEMENT TRANSFEREE; OR

(2) HAS A PENDING APPLICATION FOR REGISTRATION, AND THE ATTORNEY GENERAL HAS NOT ACTED ON THE APPLICATION WITHIN THE TIME SPECIFIED IN THIS SUBTITLE.

5-1108.

(A) (1) TO APPLY FOR REGISTRATION AS A STRUCTURED SETTLEMENT TRANSFEREE, AN APPLICANT SHALL:

(I) SUBMIT TO THE ATTORNEY GENERAL UNDER OATH AN APPLICATION ON THE FORM PROVIDED BY THE ATTORNEY GENERAL; AND

(II) PAY A REGISTRATION FEE OF \$2,000, OF WHICH \$1,500 SHALL BE REFUNDABLE IN THE EVENT THAT THE ATTORNEY GENERAL DENIES THE APPLICATION FOR REGISTRATION.

(2) ALL FEES COLLECTED UNDER THIS SUBSECTION SHALL BE USED TO ADMINISTER THE REGISTRATION PROGRAM.

(3) IN THE CASE OF AN APPLICANT THAT, AT THE TIME OF ITS APPLICATION, IS NOT REGISTERED WITH THE ATTORNEY GENERAL AS A STRUCTURED SETTLEMENT TRANSFEREE, THE ATTORNEY GENERAL SHALL GRANT OR DENY AN APPLICATION FOR REGISTRATION WITHIN 90 DAYS OF SUBMISSION OF THE COMPLETE APPLICATION AND ALL APPLICABLE FEES.

(B) (1) THE ATTORNEY GENERAL MAY REQUIRE A STRUCTURED SETTLEMENT TRANSFEREE TO REAPPLY FOR REGISTRATION ON AN ANNUAL BASIS OR LESS FREQUENTLY, AS THE ATTORNEY GENERAL DETERMINES.

(2) IN THE CASE OF A REGISTRANT APPLYING FOR RENEWAL OF ITS REGISTRATION, THE ATTORNEY GENERAL SHALL GRANT OR DENY AN APPLICATION

FOR REGISTRATION WITHIN 30 DAYS OF SUBMISSION OF THE COMPLETE APPLICATION AND ALL APPLICABLE FEES.

(C) IF THE ATTORNEY GENERAL DETERMINES THAT ADDITIONAL INFORMATION FROM AN APPLICANT IS NEEDED, THE ATTORNEY GENERAL MAY EXTEND UNILATERALLY THE DEADLINE FOR GRANTING OR DENYING THE APPLICATION FOR REGISTRATION BY AN ADDITIONAL 60 DAYS.

(D) THE APPLICATION FOR REGISTRATION AS A STRUCTURED SETTLEMENT TRANSFEREE SHALL REQUIRE AN APPLICANT TO PROVIDE:

(1) THE APPLICANT'S FULL NAME;

(2) THE ADDRESS OF THE APPLICANT'S PRINCIPAL OFFICE OR PLACE OF BUSINESS;

(3) IN THE CASE OF AN APPLICANT WHO IS AN INDIVIDUAL, THE APPLICANT'S SOCIAL SECURITY NUMBER;

(4) IN THE CASE OF AN APPLICANT OTHER THAN AN INDIVIDUAL:

(i) THE APPLICANT'S FEDERAL EMPLOYER IDENTIFICATION NUMBER; AND

(ii) THE NAME AND BUSINESS ADDRESS OF:

1. EACH OFFICER, DIRECTOR, GENERAL PARTNER, MEMBER, AND MANAGER, IF A LIMITED LIABILITY COMPANY, OF THE APPLICANT;

2. IF THE APPLICANT IS NOT SUBJECT TO REPORTING REQUIREMENTS UNDER THE SECURITIES EXCHANGE ACT OF 1934, EACH PERSON WHO OWNS 5% OR MORE OF THE APPLICANT; AND

3. EACH OFFICER, DIRECTOR, MEMBER, AND PRINCIPAL OF THE APPLICANT;

(5) ANY TRADE NAME THROUGH WHICH THE APPLICANT INTENDS TO DO BUSINESS AS A TRANSFEREE IN THE STATE, PROVIDED THAT A TRANSFEREE MAY MAINTAIN REGISTRATION OF NO MORE THAN FOUR TRADE NAMES; AND

(6) ANY OTHER INFORMATION THAT THE ATTORNEY GENERAL REQUIRES.

(E) IF THE ATTORNEY GENERAL DENIES AN APPLICATION FOR REGISTRATION, THE ATTORNEY GENERAL SHALL SPECIFY IN WRITING THE REASON FOR THE DENIAL.

5-1109.

(A) ON ACCEPTANCE BY THE ATTORNEY GENERAL OF A TRANSFEREE'S APPLICATION FOR REGISTRATION AS A STRUCTURED SETTLEMENT TRANSFEREE, THE TRANSFEREE SHALL PROMPTLY:

(1) FILE WITH THE ATTORNEY GENERAL AN IRREVOCABLE LETTER OF CREDIT IN THE AMOUNT OF \$100,000 ISSUED BY A FINANCIAL INSTITUTION;

(2) DEPOSIT WITH THE ATTORNEY GENERAL CASH IN THE AMOUNT OF \$100,000; OR

(3) FILE WITH THE ATTORNEY GENERAL A BOND THAT IS:

(I) IN FAVOR OF THE STATE;

(II) IN THE PENAL SUM OF \$100,000; AND

(III) EXECUTED BY AN AUTHORIZED SURETY INSURER.

(B) A BOND SHALL REMAIN IN FORCE UNTIL THE SURETY INSURER IS RELEASED FROM LIABILITY BY THE ATTORNEY GENERAL OR UNTIL THE BOND IS CANCELED BY THE SURETY INSURER.

(C) THE TOTAL LIABILITY OF THE SURETY INSURER UNDER A BOND MAY NOT EXCEED THE PENAL SUM OF THE BOND.

(D) (1) (I) THE SURETY INSURER MAY CANCEL A BOND AFTER FILING A WRITTEN NOTICE WITH THE ATTORNEY GENERAL AT LEAST 30 DAYS BEFORE THE EFFECTIVE DATE OF THE CANCELLATION.

(II) A CANCELLATION UNDER THIS SUBSECTION DOES NOT AFFECT ANY LIABILITY THAT ACCRUED BEFORE THE CANCELLATION.

(2) AFTER NOTIFICATION OF THE CANCELLATION OF THE BOND, THE TRANSFEREE SHALL ACT PROMPTLY TO REPLACE THE BOND.

(3) IF THE TRANSFEREE FAILS TO ACT PROMPTLY TO REPLACE THE BOND, THE ATTORNEY GENERAL MAY DENY, SUSPEND, OR REVOKE THE REGISTRATION OF THE TRANSFEREE UNTIL THE REQUIRED BOND IS FILED.

(E) IF, AT ANY TIME, A STRUCTURED SETTLEMENT TRANSFEREE FAILS TO COMPLY WITH SUBSECTION (A) OF THIS SECTION, THE ATTORNEY GENERAL MAY DENY, SUSPEND, OR REVOKE THE REGISTRATION OF THE TRANSFEREE UNTIL THE TRANSFEREE COMPLIES WITH SUBSECTION (A) OF THIS SECTION.

5-1110.

(A) THE ATTORNEY GENERAL MAY SUSPEND OR REVOKE THE REGISTRATION OF A STRUCTURED SETTLEMENT TRANSFEREE, OR DENY AN APPLICATION FOR REGISTRATION, IF THE ATTORNEY GENERAL FINDS THAT THE TRANSFEREE OR ANY OF ITS EMPLOYEES, AFFILIATES, OR AGENTS HAS:

(1) DIRECTLY OR INDIRECTLY PAID ANY FEE OR CHARGE TO ANY PERSON AS AN INDUCEMENT TO REFER A PAYEE TO THE TRANSFEREE IN CONNECTION WITH A TRANSFER SUBJECT TO THIS SUBTITLE;

(2) DIRECTLY OR INDIRECTLY OFFERED OR PROVIDED ANY GIFT TO A PAYEE OR A MEMBER OF A PAYEE'S FAMILY IN CONNECTION WITH A TRANSFER SUBJECT TO THIS SUBTITLE;

(3) DIRECTLY OR INDIRECTLY OFFERED ANY LOAN, EXTENSION OF CREDIT, OR ADVANCE TO A PAYEE OR A MEMBER OF A PAYEE'S FAMILY AS AN INDUCEMENT TO TRANSFER STRUCTURED SETTLEMENT PAYMENT RIGHTS;

(4) MADE ANY REFERRAL OF A PAYEE FOR INDEPENDENT PROFESSIONAL ADVICE CONCERNING A PROPOSED TRANSFER SUBJECT TO THIS SUBTITLE OTHER THAN A REFERRAL TO A LOCAL OR STATE BAR ASSOCIATION OR NOT-FOR-PROFIT LAWYER REFERRAL SERVICE UNAFFILIATED WITH ANY STRUCTURED SETTLEMENT TRANSFEREE THAT MAKES REFERRALS TO ATTORNEYS, CERTIFIED PUBLIC ACCOUNTANTS, OR LICENSED FINANCIAL CONSULTANTS;

(5) COMMUNICATED WITH A PAYEE OR A PERSON RELATED TO A PAYEE WITH OBSCENE OR GROSSLY ABUSIVE LANGUAGE, WITH THE FREQUENCY, AT UNUSUAL HOURS, OR IN ANY OTHER MANNER AS REASONABLY CAN BE EXPECTED TO ABUSE OR HARASS THE PAYEE IN CONNECTION WITH A TRANSFER SUBJECT TO THIS SUBTITLE;

(6) ENGAGED IN ANY UNFAIR OR DECEPTIVE TRADE PRACTICE, UNDER § 13-301 OF THE COMMERCIAL LAW ARTICLE;

(7) CONDUCTED BUSINESS IN THE STATE RELATED TO THE TRANSFER OF STRUCTURED SETTLEMENT PAYMENT RIGHTS IN ANY NAME OTHER THAN THE NAME OR TRADE NAME REGISTERED WITH THE ATTORNEY GENERAL;

(8) WITH RESPECT TO A TRANSFEREE, ITS AFFILIATES, DIRECTORS, MEMBERS, GENERAL PARTNERS, OFFICERS, OR EXECUTIVE, MANAGERIAL, PROFESSIONAL, OR SALES AND MARKETING EMPLOYEES, BEEN CONVICTED OF A CRIME INVOLVING DISHONESTY, DECEPTION, OR MORAL TURPITUDE;

(9) BEEN FOUND BY A COURT OF COMPETENT JURISDICTION OR A GOVERNMENT AGENCY TO HAVE COMMITTED FRAUD, ENGAGED IN UNFAIR TRADE PRACTICES, OR COMMITTED ANY OTHER CIVIL WRONG OR REGULATORY VIOLATION INVOLVING DISHONESTY OR DECEPTION; OR

(10) OTHERWISE FAILED TO COMPLY WITH THE PROVISIONS OF THIS SUBTITLE IN CONNECTION WITH A TRANSFER SUBJECT TO THIS SUBTITLE.

(B) IN ADDITION TO, OR INSTEAD OF, DENYING AN APPLICATION FOR REGISTRATION, OR SUSPENDING OR REVOKING THE REGISTRATION OF ANY REGISTRANT, THE ATTORNEY GENERAL MAY IMPOSE A CIVIL PENALTY FOR EACH VIOLATION OF THIS SUBTITLE IN AN AMOUNT NOT EXCEEDING:

(1) \$1,000 FOR A FIRST VIOLATION; AND

(2) \$5,000 FOR EACH SUBSEQUENT VIOLATION.

(C) IN DETERMINING WHETHER TO DENY AN APPLICATION FOR REGISTRATION OR SUSPEND OR REVOKE THE REGISTRATION OF A REGISTRANT, OR THE AMOUNT OF ANY CIVIL PENALTY TO BE IMPOSED, THE ATTORNEY GENERAL SHALL CONSIDER:

(1) THE SERIOUSNESS OF THE VIOLATION;

(2) THE GOOD FAITH OF THE TRANSFEREE;

(3) ANY HISTORY OF PREVIOUS VIOLATIONS; AND

(4) ANY OTHER FACTOR RELEVANT TO THE DETERMINATION.

(D) (1) THE ATTORNEY GENERAL SHALL PROVIDE TO A REGISTRANT NOTICE AND AN OPPORTUNITY TO REQUEST A HEARING UNDER TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE TO CONTEST A PROPOSED DISCIPLINARY ACTION UNDER THIS SECTION, EXCEPT THAT THE ATTORNEY GENERAL MAY DELEGATE THE AUTHORITY TO CONDUCT A HEARING TO A DEPUTY OR ASSISTANT ATTORNEY GENERAL.

(2) ANY PARTY AGGRIEVED BY A DECISION AND ORDER OF THE ATTORNEY GENERAL UNDER THIS SECTION AND § 5-1108 OF THIS SUBTITLE MAY PETITION FOR JUDICIAL REVIEW AS PROVIDED UNDER §§ 10-222 AND 10-223 OF THE STATE GOVERNMENT ARTICLE.

5-1111.

IF, IN CONNECTION WITH A TRANSFER OF STRUCTURED SETTLEMENT PAYMENT RIGHTS, A STRUCTURED SETTLEMENT OBLIGOR IMPOSES TOTAL FEES AND CHARGES IN EXCESS OF \$350, THE STRUCTURED SETTLEMENT OBLIGOR SHALL SUBMIT A STATEMENT TO THE PAYEE AND THE TRANSFEREE IDENTIFYING EACH PERSON WHO PERFORMED WORK IN CONNECTION WITH THE TRANSFER, SPECIFYING TO THE TENTH OF AN HOUR THE AMOUNT OF WORK THE PERSON PERFORMED, AND SPECIFYING A REASONABLE HOURLY FEE FOR THE PERSON’S WORK.”.

AMENDMENT NO. 6

On page 3, strike in their entirety lines 14 through 19, inclusive, and substitute:

“5-1112.

THE ATTORNEY GENERAL MAY ADOPT REGULATIONS TO CARRY OUT THIS SUBTITLE.”;

and in line 20, strike “2.” and substitute “3.”.

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 771 – The President (By Request – Office of the Attorney General)

AN ACT concerning

**Courts and Judicial Proceedings – Consumer Debt Collection Actions –
Restrictions**

SB0771/308475/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 771

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the first “a” in line 6 down through “action” in line 7 and substitute “certain actions may not revive or extend a certain statute of limitations”; in line 11, after “terms;” insert “providing for the application of this Act;”; and in line 15, strike “5-1203” and substitute “5-1204”.

AMENDMENT NO. 2

On page 2, after line 2, insert:

“(B) “CHARGE-OFF” MEANS THE ACT OF A CREDITOR THAT TREATS AN ACCOUNT RECEIVABLE OR ANY OTHER DEBT AS A LOSS OR AN EXPENSE BECAUSE PAYMENT IS UNLIKELY.

“(C) “CHARGE-OFF BALANCE” MEANS THE AMOUNT DUE ON THE ACCOUNT OR DEBT AT THE TIME OF CHARGE-OFF.”;

in lines 3, 5, 11, 14, 16, 23, and 25, strike “(B)”, “(C)”, “(E)”, “(F)”, “(G)”, “(H)”, and “(I)”, respectively, and substitute “(D)”, “(E)”, “(G)”, “(H)”, “(I)”, “(J)”, and “(K)”, respectively; in line 8, strike “(D)” and substitute “(F) (1)”; after line 10, insert:

“(2) “CONSUMER DEBT COLLECTION ACTION” DOES NOT INCLUDE AN ACTION BROUGHT UNDER § 8-401 OF THE REAL PROPERTY ARTICLE BY A LANDLORD OR AN ATTORNEY, A PROPERTY MANAGER, OR AN AGENT ON BEHALF OF A LANDLORD.”;

in line 19, strike “A” and substitute “:

(I) A;

and in line 22, after “MERCHANT” insert “:

(II) A BUSINESS ENTITY THAT, IN THE BUSINESS ENTITY’S ORDINARY COURSE OF BUSINESS, DOES NOT PURCHASE OR OTHERWISE ACQUIRE

CONSUMER DEBT FROM AN ORIGINAL CREDITOR OR FROM A SUBSEQUENT OWNER OF THE DEBT AND ACQUIRED THE CONSUMER DEBT:

1. AS A DIRECT RESULT OF THE BUSINESS ENTITY BEING THE SUCCESSOR IN A MERGER WITH THE ORIGINAL CREDITOR OF THE DEBT; OR

2. BECAUSE THE BUSINESS ENTITY PURCHASED OR OTHERWISE ACQUIRED THE ORIGINAL CREDITOR IN WHOLE;

(III) A BANK, CREDIT UNION, OR SAVINGS AND LOAN ASSOCIATION THAT ACQUIRED THE CONSUMER DEBT AS A DIRECT RESULT OF BEING THE SUCCESSOR IN A MERGER WITH ANOTHER BANK, CREDIT UNION, OR SAVINGS AND LOAN ASSOCIATION THAT HAD OWNED THE CONSUMER DEBT;

(IV) A MORTGAGE SERVICER THAT IS LICENSED UNDER TITLE 11, SUBTITLE 5 OF THE FINANCIAL INSTITUTIONS ARTICLE, UNLESS THE MORTGAGE SERVICER OR A COLLECTOR ACTING ON THE MORTGAGE SERVICER'S BEHALF COLLECTS OR ATTEMPTS TO COLLECT A DEFICIENCY BALANCE OR DEFICIENCY JUDGMENT IN ANY WAY RELATED TO OR ARISING FROM A FORECLOSURE OR SHORT SALE OF REAL PROPERTY THAT SECURED THE MORTGAGE LOAN;

(V) A SALES FINANCE COMPANY OR ANY OTHER PERSON THAT ACQUIRES CONSUMER DEBT ARISING FROM A RETAIL INSTALLMENT SALE AGREEMENT IF:

1. THE SALES FINANCE COMPANY OR OTHER PERSON ACQUIRED THE DEBT BEFORE THE FIRST INSTALLMENT PAYMENT WAS DUE FROM THE CONSUMER; AND

2. THE RETAIL INSTALLMENT SALE AGREEMENT EXPRESSLY STATED THAT THE CONSUMER WOULD BE REQUIRED TO MAKE THE CONSUMER'S PAYMENTS TO THAT SALES FINANCE COMPANY OR PERSON;

(VI) A BANK, CREDIT UNION, OR SAVINGS AND LOAN ASSOCIATION THAT ACQUIRED FROM ANOTHER BANK, CREDIT UNION, OR SAVINGS

AND LOAN ASSOCIATION, IN THE ORDINARY COURSE OF BUSINESS, ALL OF A SPECIFIC TYPE OF CONSUMER DEBT OWNED BY THE OTHER BANK, CREDIT UNION, OR SAVINGS AND LOAN ASSOCIATION EXCEPT FOR CONSUMER DEBT THAT HAD BEEN CHARGED OFF; OR

(VII) AN ATTORNEY, A LICENSED DEBT COLLECTION AGENCY, A PROPERTY MANAGER, OR ANY OTHER PERSON THAT COLLECTS OR ATTEMPTS TO COLLECT CONSUMER DEBT IN AN ACTION UNDER § 8-401 OF THE REAL PROPERTY ARTICLE ON BEHALF OF AN ORIGINAL CREDITOR THAT IS A RESIDENTIAL RENTAL PROPERTY OWNER”.

AMENDMENT NO. 3

On page 3, strike in their entirety lines 5 through 8, inclusive, and substitute:

“(B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ON THE EXPIRATION OF THE STATUTE OF LIMITATIONS APPLICABLE TO THE CONSUMER DEBT COLLECTION ACTION, ANY SUBSEQUENT PAYMENT TOWARD, WRITTEN OR ORAL AFFIRMATION OF, OR ANY OTHER ACTIVITY ON THE DEBT MAY NOT REVIVE OR EXTEND THE LIMITATIONS PERIOD.”.

AMENDMENT NO. 4

On page 3, in line 13, strike “(B)(3)(I) THROUGH (V)” and substitute “(B)(3)”; in line 18, after “RULE,” insert “UNLESS THE ACTION IS RESOLVED BY JUDGMENT ON AFFIDAVIT,”; strike beginning with the colon in line 20 down through “INTRODUCES” in line 21 and substitute “INTRODUCES”; in line 22, after “SUBSECTION” insert “IN ACCORDANCE WITH THE RULES OF EVIDENCE APPLICABLE TO ACTIONS THAT ARE NOT SMALL CLAIMS ACTIONS BROUGHT UNDER § 4-405 OF THIS ARTICLE”; and strike beginning with the semicolon in line 22 down through “ASSERTED” in line 25.

On pages 3 and 4, strike in their entirety the lines beginning with line 29 on page 3 through line 13 on page 4, inclusive, and substitute:

“(I) PROOF OF THE EXISTENCE OF THE DEBT OR ACCOUNT MADE BY A CERTIFIED OR OTHERWISE PROPERLY AUTHENTICATED PHOTOCOPY OR ORIGINAL OF AT LEAST ONE OF THE FOLLOWING:

1. A DOCUMENT SIGNED BY THE DEBTOR EVIDENCING THE DEBT OR THE OPENING OF THE ACCOUNT;

2. A BILL OR OTHER RECORD REFLECTING PURCHASES, PAYMENTS, OR OTHER ACTUAL USE OF A CREDIT CARD OR AN ACCOUNT BY THE DEBTOR; OR

3. AN ELECTRONIC PRINTOUT OR OTHER DOCUMENTATION FROM THE ORIGINAL CREDITOR ESTABLISHING THE EXISTENCE OF THE ACCOUNT AND SHOWING PURCHASES, PAYMENTS, OR OTHER ACTUAL USE OF A CREDIT CARD OR AN ACCOUNT BY THE DEBTOR;

(ii) IF THERE WAS A DOCUMENT EVIDENCING THE TERMS AND CONDITIONS TO WHICH THE CONSUMER DEBT WAS SUBJECT, A CERTIFIED OR OTHERWISE PROPERLY AUTHENTICATED PHOTOCOPY OF THE ORIGINAL DOCUMENT APPLICABLE TO THE CONSUMER DEBT UNLESS:

1. THE CONSUMER DEBT IS AN UNPAID BALANCE DUE ON A CREDIT CARD;

2. THE ORIGINAL CREDITOR IS OR WAS A FINANCIAL INSTITUTION SUBJECT TO REGULATION BY THE FEDERAL FINANCIAL INSTITUTIONS EXAMINATION COUNCIL OR A CONSTITUENT FEDERAL AGENCY OF THE COUNCIL; AND

3. THE CLAIM DOES NOT INCLUDE A DEMAND OR REQUEST FOR ATTORNEY'S FEES OR INTEREST ON THE CHARGE-OFF BALANCE;

(iii) DOCUMENTATION INDICATING THAT THE DEBT BUYER OR COLLECTOR ACTING ON BEHALF OF THE DEBT BUYER OWNS THE CONSUMER DEBT, INCLUDING:

1. A CHRONOLOGICAL LISTING OF THE NAMES OF ALL PRIOR OWNERS OF THE DEBT AND THE DATE OF EACH TRANSFER OF OWNERSHIP OF THE DEBT, BEGINNING WITH THE NAME OF THE ORIGINAL CREDITOR; AND

2. A CERTIFIED OR OTHER PROPERLY AUTHENTICATED COPY OF THE BILL OF SALE OR OTHER DOCUMENT THAT TRANSFERRED OWNERSHIP OF THE DEBT TO EACH SUCCESSIVE OWNER, INCLUDING THE DEBT BUYER OR COLLECTOR, WITH EACH BILL OF SALE OR OTHER DOCUMENT THAT TRANSFERRED OWNERSHIP CONTAINING SPECIFIC REFERENCE TO THE DEBT;

(IV) DOCUMENTATION OF THE IDENTIFICATION AND NATURE OF THE DEBT OR ACCOUNT, INCLUDING:

- 1. THE NAME OF THE ORIGINAL CREDITOR;**
- 2. THE FULL NAME OF THE DEBTOR AS IT APPEARS ON THE ORIGINAL ACCOUNT;**
- 3. THE LAST FOUR DIGITS OF THE SOCIAL SECURITY NUMBER OF THE DEBTOR APPEARING ON THE ORIGINAL ACCOUNT, IF KNOWN;**
- 4. THE LAST FOUR DIGITS OF THE ORIGINAL ACCOUNT NUMBER; AND**
- 5. THE NATURE OF THE CONSUMER TRANSACTION, SUCH AS UTILITY EXPENSES, CREDIT CARD, CONSUMER LOAN, RETAIL INSTALLMENT SALES AGREEMENT, SERVICE, OR FUTURE SERVICES;**

(V) IF THE CLAIM IS BASED ON A FUTURE SERVICES CONTRACT, EVIDENCE THAT THE DEBT BUYER OR COLLECTOR IS ENTITLED TO AN AWARD OF DAMAGES UNDER THAT CONTRACT;

(VI) IF THERE HAS BEEN A CHARGE-OFF OF THE DEBT OR ACCOUNT, DOCUMENTATION OF:

- 1. THE DATE OF THE CHARGE-OFF;**
- 2. THE CHARGE-OFF BALANCE;**

3. AN ITEMIZATION OF ANY FEES OR CHARGES CLAIMED BY THE DEBT BUYER OR COLLECTOR IN ADDITION TO THE CHARGE-OFF BALANCE;

4. AN ITEMIZATION OF ALL PAYMENTS RECEIVED AFTER THE CHARGE-OFF AND OTHER CREDITS TO WHICH THE DEBTOR IS ENTITLED; AND

5. THE DATE OF THE LAST PAYMENT ON THE CONSUMER DEBT OR THE LAST TRANSACTION GIVING RISE TO THE CONSUMER DEBT;

(VII) IF THERE HAS BEEN NO CHARGE-OFF OF THE DEBT OR ACCOUNT:

1. AN ITEMIZATION OF ALL MONEY CLAIMED BY THE DEBT BUYER OR COLLECTOR THAT:

A. INCLUDES PRINCIPAL, INTEREST, FINANCE CHARGES, SERVICE CHARGES, LATE FEES, AND OTHER FEES OR CHARGES ADDED TO THE PRINCIPAL BY THE ORIGINAL CREDITOR AND, IF APPLICABLE, BY SUBSEQUENT ASSIGNEES OF THE CONSUMER DEBT; AND

B. ACCOUNTS FOR ANY REDUCTION IN THE AMOUNT OF THE CLAIM BY VIRTUE OF ANY PAYMENT MADE OR OTHER CREDIT TO WHICH THE DEFENDANT IS ENTITLED;

2. A STATEMENT OF THE AMOUNT AND DATE OF THE CONSUMER TRANSACTION GIVING RISE TO THE CONSUMER DEBT OR, IN INSTANCES OF MULTIPLE TRANSACTIONS, THE AMOUNT AND DATE OF THE LAST TRANSACTION; AND

3. A STATEMENT OF THE AMOUNT AND DATE OF THE LAST PAYMENT ON THE CONSUMER DEBT; AND

(VIII) A LIST OF ALL MARYLAND COLLECTION AGENCY LICENSES THAT THE DEBT BUYER OR COLLECTOR CURRENTLY HOLDS AND, AS TO EACH LICENSE;

1. THE LICENSE NUMBER;
2. THE NAME APPEARING ON THE LICENSE; AND
3. THE DATE OF ISSUE OF THE LICENSE.”.

AMENDMENT NO. 5

On page 4, after line 13, insert:

“5-1204.

THIS SUBTITLE MAY NOT BE CONSTRUED TO ALTER ANY LICENSING REQUIREMENT UNDER FEDERAL OR MARYLAND LAW APPLICABLE TO DEBT BUYERS OR COLLECTORS.”.

AMENDMENT NO. 6

On page 4, before line 14, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any debt collection action commenced before the effective date of this Act.”;

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

The preceding 6 amendments were read only.

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

The motion was adopted.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #20

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

Senate Bill 235 – Senators Brochin, Cassilly, Raskin, and Ready

AN ACT concerning

Courts – Evidence of Prior Sexual Offense – Admissibility

SB0235/578679/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 235

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Ready” and substitute “Lee, McFadden, Muse, Ramirez, and Ready”.

AMENDMENT NO.2

On page 1, in line 2, strike “Prior Sexual Offense” and substitute “Sexually Assaultive Behavior”; in line 3, strike “prohibiting” and substitute “providing that”; strike beginning with the second “the” in line 3 down through the first “certain” in line 4; in line 4, strike “a”; strike beginning with “prior” in line 5 down through “offense;” in line 7 and substitute “sexually assaultive behavior may be admissible for certain reasons; requiring that the State file a certain motion to introduce evidence of certain sexually assaultive behavior within a certain period of time; requiring a motion to include certain information; requiring a court to hold a hearing on a motion outside the presence of a jury; authorizing the court to admit certain evidence if the court makes certain findings; providing factors that a court shall consider;”; and strike beginning with “prohibiting” in line 8 down through “manner;” in line 12.

AMENDMENT NO. 3

On page 1, in line 24, strike “**PRIOR SEXUAL OFFENSE**” and substitute “**SEXUALLY ASSAULTIVE BEHAVIOR**”.

On page 2, in line 11, strike “**(1)**”; and strike beginning with “**A**” in line 12 down through “**SECTION**” in line 17 and substitute “**EVIDENCE OF OTHER SEXUALLY ASSAULTIVE BEHAVIOR BY THE DEFENDANT OCCURRING BEFORE OR AFTER THE OFFENSE FOR WHICH THE DEFENDANT IS ON TRIAL MAY BE ADMISSIBLE**”.

On pages 2 and 3, strike in their entirety the lines beginning with line 18 on page 2 through line 14 on page 3, inclusive, and substitute:

“(C) (1) THE STATE SHALL FILE A MOTION OF INTENT TO INTRODUCE EVIDENCE OF SEXUALLY ASSAULTIVE BEHAVIOR AT LEAST 90 DAYS BEFORE TRIAL OR AT A LATER TIME IF AUTHORIZED BY THE COURT FOR GOOD CAUSE.

(2) A MOTION FILED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE A DESCRIPTION OF THE EVIDENCE.

(3) THE STATE SHALL PROVIDE A COPY OF A MOTION FILED UNDER PARAGRAPH (1) OF THIS SUBSECTION TO THE DEFENDANT AND INCLUDE ANY OTHER INFORMATION REQUIRED TO BE DISCLOSED UNDER MARYLAND RULE 4-262 OR 4-263.

(D) THE COURT SHALL HOLD A HEARING OUTSIDE THE PRESENCE OF A JURY TO DETERMINE THE ADMISSIBILITY OF EVIDENCE OF SEXUALLY ASSAULTIVE BEHAVIOR.

(E) THE COURT MAY ADMIT EVIDENCE OF SEXUALLY ASSAULTIVE BEHAVIOR IF THE COURT FINDS AND STATES ON THE RECORD THAT:

(1) THE EVIDENCE IS BEING OFFERED TO:

(I) PROVE LACK OF CONSENT; OR

(II) REBUT AN EXPRESS OR IMPLIED ALLEGATION THAT A MINOR VICTIM FABRICATED THE SEXUAL OFFENSE;

(2) THE SEXUALLY ASSAULTIVE BEHAVIOR WAS PROVEN BY CLEAR AND CONVINCING EVIDENCE; AND

(3) THE PROBATIVE VALUE OF THE EVIDENCE IS NOT SUBSTANTIALLY OUTWEIGHED BY THE DANGER OF UNFAIR PREJUDICE.

(F) BEFORE MAKING THE FINDINGS UNDER SUBSECTION (E) OF THIS SECTION, THE COURT SHALL CONSIDER:

(1) WHETHER THE ISSUE FOR WHICH THE EVIDENCE OF THE SEXUALLY ASSAULTIVE BEHAVIOR IS BEING OFFERED IS IN DISPUTE;

(2) THE SIMILARITY BETWEEN THE SEXUALLY ASSAULTIVE BEHAVIOR AND THE SEXUAL OFFENSE FOR WHICH THE DEFENDANT IS ON TRIAL;

(3) THE CLOSENESS IN TIME OF THE SEXUALLY ASSAULTIVE BEHAVIOR AND THE SEXUAL OFFENSE FOR WHICH THE DEFENDANT IS ON TRIAL;
AND

(4) THE INDEPENDENCE OF THE SEXUALLY ASSAULTIVE BEHAVIOR FROM THE SEXUAL OFFENSE FOR WHICH THE DEFENDANT IS ON TRIAL.”.

On page 3, in line 15, strike “(E)” and substitute “(G)”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 276 – Senators Klausmeier, Bates, Cassilly, DeGrange, Eckardt, Edwards, Hough, Norman, Reilly, and Salling

AN ACT concerning

Public Safety – Handgun Permits – Expiration

SB0276/498471/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 276

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “if” in line 4 down through “commission” in line 6 and substitute “to coincide with the expiration of a certain holder’s handgun qualification license”.

AMENDMENT NO. 2

On page 1, strike beginning with “IF” in line 20 down through “FOR” in line 21 and substitute “TO COINCIDE WITH THE EXPIRATION DATE OF THE HOLDER’S HANDGUN QUALIFICATION LICENSE, IF THE HOLDER IS LICENSED, REGISTERED, OR COMMISSIONED AS”.

AMENDMENT NO. 3

On page 2, in line 4, after “ARTICLE;” insert “OR”; and in line 6, strike “(4)” and substitute “(3)”.

AMENDMENT NO. 4

On page 2, strike line 5 in its entirety.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 573 – Senators Mathias, Eckardt, Guzzone, and Norman

AN ACT concerning

Motor Vehicles – Gross Weight and Axle Load – Poultry

SB0573/318373/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 573

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute “Task Force to Study the Impact of Hauling Grain, Poultry, and Dairy on State Highways”; strike beginning with “exempting” in line 3 down through “changes;” in line 8 and substitute “establishing the Task Force to Study the Impact of Hauling Grain, Poultry, and Dairy on State Highways; providing for the composition, chair, and staffing of the Task Force; prohibiting a member

of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations 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;”; in line 9, strike “gross weight and axle load for certain poultry carriers” and substitute “the Task Force to Study the Impact of Hauling Grain, Poultry, and Dairy on State Highways”; strike in their entirety lines 10 through 14, inclusive; and in line 16, strike “the Laws of Maryland read as follows”.

AMENDMENT NO. 2

On page 1, after line 16, insert:

“(a) There is a Task Force to Study the Impact of Hauling Grain, Poultry, and Dairy on State Highways.

(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) one representative of the Department of State Police, appointed by the Secretary of State Police;

(4) one representative of the State Highway Administration, appointed by the State Highway Administrator;

(5) one representative of the Department of Agriculture, appointed by the Secretary of Agriculture;

(6) one representative of the Maryland Farm Bureau, appointed by the Maryland Farm Bureau;

(7) one representative of the grain industry, appointed by the Secretary of Agriculture;

(8) one representative of the poultry industry, appointed by the Secretary of Agriculture;

(9) one representative of the dairy industry, appointed by the Secretary of Agriculture; and

(10) one representative of the trucking industry, appointed by the State Highway Administrator.

(c) The representative of the State Highway Administration shall chair the Task Force.

(d) The State Highway Administration 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 study and make recommendations regarding the impact of short and long distance truck hauling of grain, poultry, and dairy on State highways, including:

(1) safety impacts;

(2) infrastructure needs; and

(3) costs associated with short and long distance truck hauling of grain, poultry, and dairy that the State Highway Administration incurs or would incur.

(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 General Assembly.”.

On pages 1 through 6, strike in their entirety the lines beginning with line 17 on page 1 through line 9 on page 6, inclusive.

On page 6, in line 11, 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.

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

Senator Zirkin, Chair, for the Committee on Judicial Proceedings 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

SB0943/748472/2

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 943

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after the first “of” insert “providing an exception for a certain person from the prohibition against carrying or transporting a certain firearm under certain circumstances;”; in line 6, strike “court” and substitute “Department of Public Safety and Correctional Services”; in the same line, strike “owned by the person or”; in line

10, in each instance, strike “court” and substitute “Department of Public Safety and Correctional Services”; after line 12, insert:

“BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 4–203(b) and 4–302

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)”;

and after line 22, insert:

“BY adding to

Article – Public Safety

Section 5–133(f)

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 5–205(c)

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 24, insert:

“Article – Criminal Law

4–203.

(b) This section does not prohibit:

(1) the wearing, carrying, or transporting of a handgun by a person who is authorized at the time and under the circumstances to wear, carry, or transport the handgun as part of the person’s official equipment, and is:

(i) a law enforcement official of the United States, the State, or a county or city of the State;

(ii) a member of the armed forces of the United States or of the National Guard on duty or traveling to or from duty;

(iii) a law enforcement official of another state or subdivision of another state temporarily in this State on official business;

(iv) a correctional officer or warden of a correctional facility in the State;

(v) a sheriff or full-time assistant or deputy sheriff of the State; or

(vi) a temporary or part-time sheriff's deputy;

(2) the wearing, carrying, or transporting of a handgun, in compliance with any limitations imposed under § 5-307 of the Public Safety Article, by a person to whom a permit to wear, carry, or transport the handgun has been issued under Title 5, Subtitle 3 of the Public Safety Article;

(3) the carrying of a handgun on the person or in a vehicle while the person is transporting the handgun to or from the place of legal purchase or sale, or to or from a bona fide repair shop, or between bona fide residences of the person, or between the bona fide residence and place of business of the person, if the business is operated and owned substantially by the person if each handgun is unloaded and carried in an enclosed case or an enclosed holster;

(4) the wearing, carrying, or transporting by a person of a handgun used in connection with an organized military activity, a target shoot, formal or informal target practice, sport shooting event, hunting, a Department of Natural Resources-sponsored firearms and hunter safety class, trapping, or a dog obedience training class or show, while the person is engaged in, on the way to, or returning from that activity if each handgun is unloaded and carried in an enclosed case or an enclosed holster;

(5) the moving by a bona fide gun collector of part or all of the collector's gun collection from place to place for public or private exhibition if each handgun is unloaded and carried in an enclosed case or an enclosed holster;

(6) the wearing, carrying, or transporting of a handgun by a person on real estate that the person owns or leases or where the person resides or within the confines of a business establishment that the person owns or leases;

(7) the wearing, carrying, or transporting of a handgun by a supervisory employee:

(i) in the course of employment;

(ii) within the confines of the business establishment in which the supervisory employee is employed; and

(iii) when so authorized by the owner or manager of the business establishment;

(8) the carrying or transporting of a signal pistol or other visual distress signal approved by the United States Coast Guard in a vessel on the waterways of the State or, if the signal pistol or other visual distress signal is unloaded and carried in an enclosed case, in a vehicle; [or]

(9) the wearing, carrying, or transporting of a handgun by a person who is carrying a court order requiring the surrender of the handgun, if:

(i) the handgun is unloaded;

(ii) the person has notified the law enforcement unit, barracks, or station that the handgun is being transported in accordance with the court order; and

(iii) the person transports the handgun directly to the law enforcement unit, barracks, or station; OR

(10) THE CARRYING OR TRANSPORTING OF A HANDGUN BY A PERSON WHO IS PROHIBITED FROM POSSESSING A HANDGUN BECAUSE THE PERSON HAS BEEN CONVICTED OF A FELONY OR CONVICTED OF A DISQUALIFYING CRIME, AS DEFINED IN § 5-101 OF THE PUBLIC SAFETY ARTICLE, IF:

(I) THE HANDGUN IS UNLOADED;

(II) IT IS WITHIN 2 BUSINESS DAYS AFTER THE CONVICTION;

(III) THE PERSON HAS NOTIFIED A LAW ENFORCEMENT UNIT, BARRACKS, OR STATION THAT THE HANDGUN IS BEING TRANSPORTED TO A STATE OR LOCAL LAW ENFORCEMENT OFFICIAL OR TO A FEDERALLY LICENSED FIREARMS DEALER FOR THE PURPOSES OF TRANSFERRING THE FIREARM TO THE OFFICIAL OR DEALER; AND

(IV) THE PERSON TRANSPORTS THE HANDGUN DIRECTLY TO THE STATE OR LOCAL LAW ENFORCEMENT OFFICIAL OR FEDERALLY LICENSED FIREARMS DEALER.

4-302.

This subtitle does not apply to:

(1) if acting within the scope of official business, personnel of the United States government or a unit of that government, members of the armed forces of the United States or of the National Guard, law enforcement personnel of the State or a local unit in the State, or a railroad police officer authorized under Title 3 of the Public Safety Article or 49 U.S.C. § 28101;

(2) a firearm modified to render it permanently inoperative;

(3) possession, importation, manufacture, receipt for manufacture, shipment for manufacture, storage, purchases, sales, and transport to or by a licensed firearms dealer or manufacturer who is:

(i) providing or servicing an assault weapon or detachable magazine for a law enforcement unit or for personnel exempted under item (1) of this section;

(ii) acting to sell or transfer an assault weapon or detachable magazine to a licensed firearm dealer in another state or to an individual purchaser in another state through a licensed firearms dealer; or

(iii) acting to return to a customer in another state an assault weapon transferred to the licensed firearms dealer or manufacturer under the terms of a warranty or for repair;

(4) organizations that are required or authorized by federal law governing their specific business or activity to maintain assault weapons and applicable ammunition and detachable magazines;

(5) the receipt of an assault weapon or detachable magazine by inheritance, and possession of the inherited assault weapon or detachable magazine, if the decedent lawfully possessed the assault weapon or detachable magazine and the person inheriting the assault weapon or detachable magazine is not otherwise disqualified from possessing a regulated firearm;

(6) the receipt of an assault weapon or detachable magazine by a personal representative of an estate for purposes of exercising the powers and duties of a personal representative of an estate;

(7) possession by a person who is retired in good standing from service with a law enforcement agency of the State or a local unit in the State and is not otherwise prohibited from receiving an assault weapon or detachable magazine if:

(i) the assault weapon or detachable magazine is sold or transferred to the person by the law enforcement agency on retirement; or

(ii) the assault weapon or detachable magazine was purchased or obtained by the person for official use with the law enforcement agency before retirement;

(8) possession or transport by an employee of an armored car company if the individual is acting within the scope of employment and has a permit issued under Title 5, Subtitle 3 of the Public Safety Article; [or]

(9) possession, receipt, and testing by, or shipping to or from:

(i) an ISO 17025 accredited, National Institute of Justice–approved ballistics testing laboratory; or

(ii) a facility or entity that manufactures or provides research and development testing, analysis, or engineering for personal protective equipment or vehicle protection systems; OR

(10) THE CARRYING OR TRANSPORTING OF AN ASSAULT WEAPON BY A PERSON WHO IS PROHIBITED FROM POSSESSING THE ASSAULT WEAPON BECAUSE

THE PERSON HAS BEEN CONVICTED OF A FELONY OR CONVICTED OF A DISQUALIFYING CRIME, AS DEFINED IN § 5-101 OF THE PUBLIC SAFETY ARTICLE, IF:

(I) THE FIREARM IS UNLOADED;

(II) IT IS WITHIN 2 BUSINESS DAYS AFTER THE CONVICTION;

(III) THE PERSON HAS NOTIFIED A LAW ENFORCEMENT UNIT, BARRACKS, OR STATION THAT THE FIREARM IS BEING TRANSPORTED TO A STATE OR LOCAL LAW ENFORCEMENT OFFICIAL OR TO A FEDERALLY LICENSED FIREARMS DEALER FOR THE PURPOSES OF TRANSFERRING THE FIREARM TO THE OFFICIAL OR DEALER; AND

(IV) THE PERSON TRANSPORTS THE FIREARM DIRECTLY TO THE STATE OR LOCAL LAW ENFORCEMENT OFFICIAL OR FEDERALLY LICENSED FIREARMS DEALER.”.

AMENDMENT NO. 3

On page 2, strike in their entirety lines 29 through 32, inclusive.

On page 3, in line 7, strike “OWNED BY THE PERSON OR”; in line 10, strike “A” and substitute “EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF THIS PARAGRAPH, A”; in line 11, after “2” insert “BUSINESS”; in line 15, strike “§ 5-206” and substitute “§ 5-207”; after line 17, insert:

“(III) A PERSON WHO IS PROHIBITED FROM POSSESSING A RIFLE OR SHOTGUN UNDER § 5-205 OF THE PUBLIC SAFETY ARTICLE SHALL TRANSFER THE RIFLE OR SHOTGUN WITHIN 2 BUSINESS DAYS AFTER THE CONVICTION TO:

1. A STATE OR LOCAL LAW ENFORCEMENT OFFICIAL;
2. A FEDERALLY LICENSED FIREARMS DEALER; OR
3. ANOTHER PERSON WHO:

A. IS NOT PROHIBITED FROM POSSESSING THE FIREARM UNDER STATE AND FEDERAL LAW; AND

B. DOES NOT LIVE IN THE SAME RESIDENCE.;

in line 22, after “(4)” insert “(I)”; in the same line, strike “A” and substitute “**EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, A**”; in lines 24, 25, and 26, strike “(I)”, “(II)”, and “(III)”, respectively, and substitute “**1.**”, “**2.**”, and “**3.**”, respectively; after line 26, insert:

“(II) FOR A FIREARM MANUFACTURED BEFORE 1968, IDENTIFYING MARKS MAY BE SUBSTITUTED FOR THE SERIAL NUMBER REQUIRED BY THIS PARAGRAPH.”;

strike beginning with “OWNED” in line 31 down through “OR” in line 32; and in line 33, strike “OWN OR”.

On page 4, in lines 1 and 2, in each instance, strike “OWN OR”.

AMENDMENT NO. 4

On page 3, in line 1, strike “(3)” and substitute “(2)”; and in lines 6 and 31, in each instance, strike “COURT” and substitute “**DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES**”.

On page 4, in line 1, strike “COURT” and substitute “**DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES**”; and after line 5, insert:

“(F) THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES SHALL DEVELOP PROCEDURES FOR THE COLLECTION OF THE FILING REQUIRED UNDER SUBSECTION (D)(1) OF THIS SECTION.

Article – Public Safety

5-133.

(F) THIS SECTION DOES NOT APPLY TO THE CARRYING OR TRANSPORTING OF A REGULATED FIREARM BY A PERSON WHO IS PROHIBITED FROM POSSESSING

THE REGULATED FIREARM BECAUSE THE PERSON HAS BEEN CONVICTED OF A FELONY OR CONVICTED OF A DISQUALIFYING CRIME, AS DEFINED IN § 5-101 OF THIS SUBTITLE, IF:

(1) THE FIREARM IS UNLOADED;

(2) IT IS WITHIN 2 BUSINESS DAYS AFTER THE CONVICTION;

(3) THE PERSON HAS NOTIFIED A LAW ENFORCEMENT UNIT, BARRACKS, OR STATION THAT THE FIREARM IS BEING TRANSPORTED TO A STATE OR LOCAL LAW ENFORCEMENT OFFICIAL OR TO A FEDERALLY LICENSED FIREARMS DEALER FOR THE PURPOSES OF TRANSFERRING THE FIREARM TO THE OFFICIAL OR DEALER; AND

(4) THE PERSON TRANSPORTS THE FIREARM DIRECTLY TO THE STATE OR LOCAL LAW ENFORCEMENT OFFICIAL OR FEDERALLY LICENSED FIREARMS DEALER.

5-205.

(c) This section does not apply to:

(1) a person transporting a rifle or shotgun if the person is carrying a civil protective order requiring the surrender of the rifle or shotgun and:

[(1)] (I) the rifle or shotgun is unloaded;

[(2)] (II) the person has notified the law enforcement unit, barracks, or station that the rifle or shotgun is being transported in accordance with the civil protective order; and

[(3)] (III) the person transports the rifle or shotgun directly to the law enforcement unit, barracks, or station; OR

(2) A PERSON WHO IS PROHIBITED FROM POSSESSING THE RIFLE OR SHOTGUN BECAUSE THE PERSON HAS BEEN CONVICTED OF A FELONY OR CONVICTED OF A DISQUALIFYING CRIME, AS DEFINED IN § 5-101 OF THIS TITLE, IF:

(I) THE RIFLE OR SHOTGUN IS UNLOADED;

(II) IT IS WITHIN 2 BUSINESS DAYS AFTER THE CONVICTION;

(III) THE PERSON HAS NOTIFIED A LAW ENFORCEMENT UNIT, BARRACKS, OR STATION THAT THE RIFLE OR SHOTGUN IS BEING TRANSPORTED TO A STATE OR LOCAL LAW ENFORCEMENT OFFICIAL OR TO A FEDERALLY LICENSED FIREARMS DEALER FOR THE PURPOSES OF TRANSFERRING THE RIFLE OR SHOTGUN TO THE OFFICIAL OR DEALER; AND

(IV) THE PERSON TRANSPORTS THE RIFLE OR SHOTGUN DIRECTLY TO THE STATE OR LOCAL LAW ENFORCEMENT OFFICIAL OR FEDERALLY LICENSED FIREARMS DEALER.”.

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 BUDGET AND TAXATION REPORT #22

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

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

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 only.

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

The motion was adopted.

LAID OVER BILLS

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

Senate Bill 784 – Senator Middleton

AN ACT concerning

Motor Vehicle Insurance – Personal Injury Protection – Optional Coverage

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0784/677771/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 784

(First Reading File Bill)

AMENDMENT NO. 1

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

Senator Ramirez moved, duly seconded, to make the Bill and Amendments a Special Order for March 29, 2016.

The motion was adopted.

SPECIAL ORDERS

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

Senate Bill 1083 – Senator Conway

AN ACT concerning

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

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

Favorable report adopted.

FLOOR AMENDMENT

SB1083/283024/1

BY: Senator Hershey

AMENDMENTS TO SENATE BILL 1083 (First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, after “designee,” insert “providing for the application of this Act;”.

AMENDMENT NO. 2

On page 2, in line 16, after “(b)” insert “**(1)**”; in lines 17, 19, 21, 23, and 26, strike “(1)”, “(2)”, “(3)”, “(4)”, and “(5)”, respectively, and substitute “**(I)**”, “**(II)**”, “**(III)**”, “**(IV)**”, and “**(V)**”, respectively; and strike beginning with “NOTWITHSTANDING” in line 26 down through “**(6)**” in line 31.

On page 3, in lines 1 and 4, strike “**(7)**” and “**(8)**”, respectively, and substitute “**(VI)**” and “**(VII)**”, respectively; and after line 5, insert:

“(2) (I) THIS PARAGRAPH DOES NOT APPLY TO THE SECRETARY OF LABOR, LICENSING, AND REGULATION.

“(II) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A SECRETARY SHALL BE RESPONSIBLE FOR THE SUPERVISION OF THE UNITS OF STATE GOVERNMENT WITHIN THE SECRETARY’S JURISDICTION THAT ARE COMPOSED IN WHOLE OR IN PART OF INDIVIDUALS PARTICIPATING IN THE OCCUPATION OR PROFESSION REGULATED BY THE UNITS.”

AMENDMENT NO. 3

On page 3, in line 10, after “**(1)**” insert “**THIS SUBSECTION DOES NOT APPLY TO THE SECRETARY OF LABOR, LICENSING, AND REGULATION.**”

(2)”;

in lines 20 and 31, strike “**(2)**” and “**(3)**”, respectively, and substitute “**(3)**” and “**(4)**”, respectively; and in the same lines, strike “**(1)**” and “**(2)(II)**”, respectively, and substitute “**(2)**” and “**(3)(II)**”, respectively.

On page 4, in line 8, strike “**(4)**” and substitute “**(5)**”.

The preceding 3 amendments were read and rejected.

Read the second time and ordered prepared for Third Reading.

Senate Bill 973 – Senators Madaleno and Conway

AN ACT concerning

**Campaign Finance – Public Officials – Solicitation of Contributions or
Donations**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENT (1)
OFFERED FROM THE FLOOR BY SENATOR JENNINGS.

SB0973/393827/1

BY: Senator Jennings

AMENDMENT TO SENATE BILL 973, AS AMENDED

(First Reading File Bill)

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments (SB0973/544932/1), in line 2 of Amendment No. 1, strike “Departmental Secretaries” and substitute “Public Officials”; strike beginning with “secretary” in line 3 down through “government” in line 4 and substitute “certain public official”; strike beginning with “secretary” in line 10 down through “that” in line 11 and substitute “certain public official who”; and in line 14, strike “departmental secretaries in the Executive Branch of State government” and substitute “public officials”.

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments, in line 2 of Amendment No. 2, after “(2)” insert ““ADJUSTMENT AUTHORITY” INCLUDES THE AUTHORITY TO ADJUST OR SETTLE A DEBT OWED TO THE STATE.”

(3)”;

in line 5, after “TITLE.” insert:

“(4) “ENFORCEMENT AUTHORITY” INCLUDES THE AUTHORITY TO:

(I) INVESTIGATE AN ALLEGED CIVIL OR CRIMINAL VIOLATION
OF LAW;

(II) BRING OR DEFEND A CIVIL ACTION; OR

(III) PROSECUTE OR DEFEND A CRIMINAL ACTION.”;

and in line 6, strike “(3)” and substitute “(5)”.

On pages 1 and 2 of the Education, Health, and Environmental Affairs Committee Amendments, in Amendment No. 2, strike beginning with “PRINCIPAL” in line 7 on page 1 down through “ARTICLE” in line 2 on page 2 and substitute “DEPARTMENT, AN AGENCY, AN OFFICE, OR ANY OTHER BODY OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT THAT IS ESTABLISHED BY LAW”.

On page 2 of the bill, after line 4, insert:

“(6) “PROCUREMENT AUTHORITY” INCLUDES THE AUTHORITY TO PROCURE FINANCIAL AND INSURANCE SERVICES.

(7) “PUBLIC OFFICIAL” MEANS:

(I) THE HEAD OF A GOVERNMENTAL UNIT; OR

(II) THE HEAD OF AN OFFICE OR A DIVISION IN A GOVERNMENTAL UNIT.”;

in line 5, strike “(4)” and substitute “(8)”; and in line 11, after “AUTHORITY” insert “ADJUSTMENT AUTHORITY, ENFORCEMENT AUTHORITY, OR PROCUREMENT AUTHORITY”.

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments, in Amendment No. 2, strike beginning with “(5)” in line 4 down through “UNIT.” in line 5; in line 6, strike “(6)” and substitute “(9)”; in line 7, strike “SECRETARY” and substitute “PUBLIC OFFICIAL”; and in line 8, strike “SECRETARY’S” and substitute “PUBLIC OFFICIAL’S”.

On page 3 of the Education, Health, and Environmental Affairs Committee Amendments, in line 5 of Amendment No. 3, strike “SECRETARY” and substitute “PUBLIC OFFICIAL”.

The preceding amendment was read only.

Senator Jennings moved, duly seconded, to make the Bill and Amendment a Special Order for March 29, 2016.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 782)

ADJOURNMENT

At 9:55 P.M. on motion of Senator Pugh, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 25, 2016, Calendar Day, Tuesday, March 29, 2016.

Annapolis, Maryland
Legislative Day: March 25, 2016
Calendar Day: Tuesday, March 29, 2016
10:00 A.M. Session

The Senate met at 10:06 A.M.

Prayer by Reverend Dr. S. Todd Yeary, Douglas Memorial Community Church, guest of Senator Nathan–Pulliam.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 784)

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

The Journal of March 24, 2016 was read and approved.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 531 – Senator Nancy J. King & Senator James Rosapepe:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Maryland National Capital Park and Planning Commission
in recognition of
your winning the National Gold Medal Award for Excellence
in Parks and Recreation Management for 2015 from the
National Recreation and Park Association Congress.
The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 29th day of March 2016.

Read and adopted by a roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 785)

CONFERENCE COMMITTEE REPORT

Senate Bill 190 – The President (By Request – Administration)

Budget Bill

(Fiscal Year 2017)

Introductory Remarks of the Honorable Edward J. Kasemeyer, Chairman Senate Budget and Taxation Committee, regarding the Budget Bill Conference Committee Report.

**REPORT OF THE CONFERENCE COMMITTEE ON SENATE BILL 190 –
THE BUDGET BILL**

(See Exhibit M of Appendix III)

**CONFERENCE COMMITTEE
SUMMARY DOCUMENT ON
SENATE BILL 190 – THE BUDGET BILL**

(See Exhibit N of Appendix III)

Conference Committee Report read and adopted by a roll call vote as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 786)

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 787)

The Bill was then sent to the House of Delegates.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #67

**Senate Bill 235 – Senators Brochin, Cassilly, Raskin, ~~and Ready~~ Lee, McFadden,
Muse, Ramirez, and Ready**

AN ACT concerning

**Courts – Evidence of ~~Prior Sexual Offense~~ Sexually Assaultive Behavior –
Admissibility**

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

Affirmative – 45 Negative – 0 (See Roll Call No. 788)

The Bill was then sent to the House of Delegates.

**Senate Bill 276 – Senators Klausmeier, Bates, Cassilly, DeGrange, Eckardt,
Edwards, Hough, Norman, Reilly, and Salling**

AN ACT concerning

Public Safety – Handgun Permits – Expiration

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

Affirmative – 45 Negative – 0 (See Roll Call No. 789)

The Bill was then sent to the House of Delegates.

**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

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

Affirmative – 40 Negative – 4 (See Roll Call No. 790)

The Bill was then sent to the House of Delegates.

Senate Bill 573 – Senators Mathias, Eckardt, Guzzone, and Norman

AN ACT concerning

**~~Motor Vehicles – Gross Weight and Axle Load – Poultry~~
Task Force to Study the Impact of Hauling Grain, Poultry, and Dairy on State
Highways**

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

Affirmative – 44 Negative – 0 (See Roll Call No. 791)

The Bill was then sent to the House of Delegates.

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 – 45 Negative – 0 (See Roll Call No. 792)

The Bill was then sent to the House of Delegates.

**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 – 40 Negative – 5 (See Roll Call No. 793)

The Bill was then sent to the House of Delegates.

**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 – 45 Negative – 0 (See Roll Call No. 794)

The Bill was then sent to the House of Delegates.

Senate Bill 1083 – Senator Conway

AN ACT concerning

**Secretaries of Principal Departments – Supervision and Review of Decisions
and Actions by Units Within Department**Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 795)

The Bill was then sent to the House of Delegates.**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 – 42 Negative – 3 (See Roll Call No. 796)

The Bill was then sent to the House of Delegates.**THIRD READING CALENDAR (HOUSE BILLS) #5****House Bill 67 – Chair, Ways and Means Committee (By Request – Departmental –
Office for Children)**

AN ACT concerning

Maryland Infants and Toddlers Program – CompositionRead the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 797)

The Bill was then sent to the House of Delegates.**House Bill 72 – Delegates Luedtke, M. Washington, Ebersole, Hixson, and Kaiser**

AN ACT concerning

**Education – Sexual Abuse and Assault Awareness and Prevention Program –
Development and Implementation**

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

Affirmative – 44 Negative – 0 (See Roll Call No. 798)

The Bill was then sent to the House of Delegates.

House Bill 85 – Delegates Luedtke, Carr, Ebersole, Hixson, Tarlau, and Zucker

AN ACT concerning

**Education – Children With Disabilities – Support Services – Parental
Notification**

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

Affirmative – 44 Negative – 0 (See Roll Call No. 799)

The Bill was then sent to the House of Delegates.

House Bill 107 – Delegates Rosenberg, Tarlau, and A. Washington

AN ACT concerning

**Higher Education – Walter Sondheim Jr. Public Service Internship Scholarship
Program – Scholarship Amount**

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

Affirmative – 44 Negative – 0 (See Roll Call No. 800)

The Bill was then sent to the House of Delegates.

**House Bill 119 – ~~Delegate Reznik~~ Delegates Reznik, Hammen, Angel, Barron,
Bromwell, Cullison, Hill, Kelly, Kipke, Krebs, McDonough, McMillan, Miele,
Morgan, Morhaim, Oaks, Pena-Melnyk, Pendergrass, Rose, Saab,
Sample-Hughes, West, and K. Young**

AN ACT concerning

**State Board of Physicians – Licensing Exemption – Physicians With Traveling
Athletic and Sports Teams**

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

Affirmative – 45 Negative – 0 (See Roll Call No. 801)

The Bill was then sent to the House of Delegates.

House Bill 185 – Delegates Morhaim, Beitzel, Cluster, Frush, Hill, Jalisi, Kelly, Kipke, Lam, Morgan, Rose, Stein, and West

AN ACT concerning

State Board of Physicians – Licensed Physicians – Continuing Education Requirements

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

Affirmative – 45 Negative – 0 (See Roll Call No. 802)

The Bill was then sent to the House of Delegates.

House Bill 186 – Chair, Health and Government Operations Committee (By Request – Departmental – Veterans Affairs) and Delegates Hammen, Angel, Barron, Bromwell, Cullison, Hill, Kelly, Kipke, Krebs, McDonough, McMillan, Miele, Morgan, Morhaim, Oaks, Pena-Melnyk, Pendergrass, Rose, Saab, Sample-Hughes, West, and K. Young

AN ACT concerning

Department of Veterans Affairs – Charlotte Hall Veterans Home Fund – Establishment

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

Affirmative – 45 Negative – 0 (See Roll Call No. 803)

The Bill was then sent to the House of Delegates.

House Bill 567 – Delegate Kipke

AN ACT concerning

State Board of Cosmetologists – Mobile Beauty Salons – Permit Requirement

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 804)

The Bill was then sent to the House of Delegates.

House Bill 1404 – Delegates Brooks, Barkley, Branch, Carey, Clippinger, Davis, Frick, Glenn, Jones, Kramer, Lisanti, Valderrama, Vaughn, and C. Wilson

AN ACT concerning

~~Maryland Center for~~ **Construction Education and Innovation – Codification**
Establishment of Fund and Centers

Read the third time and passed by yeas and nays as follows:

Affirmative – 41 Negative – 4 (See Roll Call No. 805)

The Bill was then sent to the House of Delegates.

LAI D O V E R B I L L S

The presiding officer submitted the following Laid Over Bills with amendments:

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**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (5) AND THE FAVORABLE REPORT.

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 adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 559 – Senator Ferguson

AN ACT concerning

**Department of Housing and Community Development – Strategic Demolition
and Smart Growth Impact Fund – Establishment**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (4) AND THE FAVORABLE REPORT.

SB0559/669439/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 559

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “used;” insert “specifying certain eligibility criteria for certain fiscal years for awarding grants and loans from the Fund;”; in line 12, after the first “Fund” insert “for certain fiscal years and requiring the appropriation to be allocated in a certain manner;”; and in line 14, after “term;” insert “requiring a certain amount appropriated in a certain supplemental budget for a certain program in the Department for a certain fiscal year to be appropriated to the Fund and allocated in a certain manner;”.

AMENDMENT NO. 2

On page 3, after line 7, insert:

“(2) (I) FOR FISCAL YEARS 2017 THROUGH 2019, TO BE ELIGIBLE FOR A GRANT OR LOAN FROM THE FUND, A GOVERNMENT AGENCY OR COMMUNITY DEVELOPMENT ORGANIZATION SHALL PROVIDE EVIDENCE OF A MATCHING FUND THAT IS EQUAL TO \$1 FOR EVERY \$4 IN STATE FUNDING THAT THE AGENCY OR ORGANIZATION IS APPLYING FOR FROM THE FUND.

(II) THE MATCHING FUND REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY INCLUDE:

1. MONEY FROM THE FEDERAL GOVERNMENT, LOCAL GOVERNMENT, OR ANY OTHER PUBLIC OR PRIVATE SOURCE;

2. REAL PROPERTY;

3. IN-KIND CONTRIBUTIONS; AND

4. FUNDS EXPENDED BEFORE THE DATE THE GRANT OR LOAN IS AWARDED.

(3) FOR FISCAL YEAR 2020 AND EACH FISCAL YEAR THEREAFTER, TO BE ELIGIBLE FOR A GRANT OR LOAN FROM THE FUND, A GOVERNMENT AGENCY OR COMMUNITY DEVELOPMENT ORGANIZATION IS NOT REQUIRED TO PROVIDE EVIDENCE OF A MATCHING FUND.”;

and in line 8, strike “(2)” and substitute “(4)”.

AMENDMENT NO. 3

On page 3, in line 16, after “(J)” insert “(1)”; and strike beginning with “2018” in line 16 down through “FUND” in line 18 and substitute “2018, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$25,625,000 TO THE FUND, WHICH SHALL BE ALLOCATED AS FOLLOWS:”

1. \$22,125,000 FOR PROJECTS IN BALTIMORE CITY;

AND

2. \$3,500,000 FOR PROJECTS THROUGHOUT THE STATE.

(2) FOR FISCAL YEAR 2019, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$28,500,000 TO THE FUND, WHICH SHALL BE ALLOCATED AS FOLLOWS:

(I) \$25,000,000 FOR PROJECTS IN BALTIMORE CITY; AND

(II) \$3,500,000 FOR PROJECTS THROUGHOUT THE STATE”.

AMENDMENT NO. 4

On page 4, after line 2, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the amount appropriated in Supplemental Budget No. 2 to Chapter _____ (S.B. 190) of the Acts of the General Assembly of 2016 (Budget Bill Fiscal Year 2017) to the Department of Housing and Community Development Neighborhood Revitalization – Capital Program for fiscal year 2017 shall be appropriated to the Strategic Demolition and Smart Growth Impact Fund established under § 4–508 of the Housing and Community Development Article and shall be allocated as follows:

- (1) \$18,000,000 for projects in Baltimore City; and
- (2) \$3,500,000 for projects throughout the State.”;

and in line 3, strike “2.” and substitute “3.”.

The preceding 4 amendments were read only.

Senator Hershey moved, duly seconded, to make the Bill and Amendments a Special Order for the end of today’s business.

The motion was adopted.

Senate Bill 1125 – Senator Ferguson

AN ACT concerning

Education – Maryland Extended Day and Summer Enhancement Programs Act

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (5) AND THE FAVORABLE REPORT.

SB1125/169835/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 1125

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 28, in each instance, strike “Maryland Extended Day and Summer Enhancement Programs” and substitute “Public School Opportunities Enhancement”; in lines 3 and 10, in each instance, strike “Maryland Extended Day and

Summer” and substitute “Public School Opportunities”; in line 4, strike “(Department)”; strike beginning with “education” in line 13 down through “agencies” in line 14 and substitute “school systems, certain community schools,”; in line 15, strike “or” and substitute a comma; and in the same line, after “partnerships” insert “, or to expand or support certain educational programming during the school day”.

On page 2, strike beginning with “Maryland” in line 7 down through “Summer” in line 8 and substitute “Public School Opportunities”.

AMENDMENT NO. 2

On page 2, strike beginning with “MARYLAND” in line 18 down through “PROGRAM” in line 19 and substitute “PUBLIC SCHOOL OPPORTUNITIES ENHANCEMENT PROGRAM”; after line 22, insert:

“(B) “COMMUNITY SCHOOL” MEANS AN EXISTING PUBLIC SCHOOL IN THE STATE THAT UTILIZES A COMMUNITY SCHOOL STRATEGY THAT IS RECOGNIZED BY THE MARYLAND OUT OF SCHOOL TIME NETWORK.”;

in lines 23 and 24, in each instance, strike “PROGRAMS” and substitute “PROGRAM”; in lines 23 and 29, strike “(B)” and “(C)”, respectively, and substitute “(C)” and “(D)”, respectively; in line 23, after “MEANS” insert “AN”; in line 25, strike “TAKE” and substitute “TAKES”; in line 29, strike “OR” and substitute “, A COMMUNITY SCHOOL, OR A”; and in line 30, strike beginning with “MARYLAND” through “SUMMER” and substitute “PUBLIC SCHOOL OPPORTUNITIES”.

On page 2 in line 29, on page 5 in line 5, and on page 7 in line 1, in each instance, strike “EDUCATION AGENCY” and substitute “SCHOOL SYSTEM”.

On page 3, in lines 1, 3, and 5, strike “(D)”, “(E)”, and “(F)”, respectively, and substitute “(E)”, “(F)”, and “(G)”, respectively; and in lines 3 and 16, in each instance, strike “MARYLAND EXTENDED DAY AND SUMMER” and substitute “PUBLIC SCHOOL OPPORTUNITIES”.

On page 4, in line 26, strike “MARYLAND EXTENDED DAY AND SUMMER” and substitute “PUBLIC SCHOOL OPPORTUNITIES”.

AMENDMENT NO. 3

On page 4, in line 29, strike “LOCAL EDUCATION AGENCIES” and substitute “:

(I) LOCAL SCHOOL SYSTEMS, COMMUNITY SCHOOLS,;

in line 30, after “ORGANIZATIONS” insert “IN THE STATE”; and in line 31, after “PROGRAMS” insert “; AND”

(II) NONPROFIT ORGANIZATIONS IN THE STATE AND COMMUNITY SCHOOLS IN EXPANDING OR SUPPORTING EXISTING EDUCATIONAL PROGRAMMING DURING THE SCHOOL DAY”.

On page 5, in line 1, after “(2)” insert “(I)”; in lines 3 and 4, strike “(I)” and “(II)”, respectively, and substitute “1.” and “2.”, respectively; after line 4, insert:

“(II) WHEN AWARDING GRANTS TO NONPROFIT ORGANIZATIONS, THE DEPARTMENT SHALL GIVE PRIORITY TO:

1. MARYLAND-BASED NONPROFIT ORGANIZATIONS;

AND

2. NONPROFIT ORGANIZATIONS OPERATING IN MARYLAND ON OR BEFORE JULY 1, 2016.”;

in line 5, before “OR” insert “, COMMUNITY SCHOOL,”; after line 20, insert:

“(2) A NONPROFIT ORGANIZATION MAY APPLY TO THE DEPARTMENT FOR A GRANT TO SUPPORT EXISTING EDUCATIONAL PROGRAMMING DURING THE SCHOOL DAY, INCLUDING THE RECRUITMENT, TRAINING, AND ONGOING PROFESSIONAL DEVELOPMENT OF NEW TEACHERS.”;

strike beginning with “EXTENDED” in line 25 down through “PROGRAMS” in line 26 and substitute “THE SERVICES LISTED IN SUBSECTION (C) OF THIS SECTION”; and in line 21, strike “(2)” and substitute “(3)”.

AMENDMENT NO. 4

On page 6, in line 14, strike “AND”; in line 20, after “OPPORTUNITIES” insert “; AND”

(IV) FOR EDUCATIONAL PROGRAMMING DURING THE SCHOOL DAY, ENHANCE:

- 1. THE EDUCATIONAL PURPOSE OF THE SCHOOL; OR**
- 2. STUDENTS' ACCESS TO PHYSICAL, SOCIAL, AND EMOTIONAL SUPPORT**;

in line 23, strike "THIS SUBTITLE" and substitute "SUBSECTION (C)(1) OF THIS SECTION"; and strike beginning with the colon in line 24 down through "ENSURE" in line 27 and substitute "ENSURE".

AMENDMENT NO. 5

On page 7, strike beginning with the third comma in line 9 down through "PURPOSES" in line 10; in line 9, strike "\$10,000,000" and substitute "\$7,500,000"; strike beginning with "EXTENDED" in line 15 down through "ENHANCEMENT" in line 16; and in line 16, after "PROGRAMS" insert "AND SERVICES".

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Senator Hershey moved, duly seconded, to make the Bill a Special Order for the end of today's business.

The motion was adopted.

Senate Bill 1171 – Senators Pugh, Conway, McFadden, Ferguson, and Nathan–Pulliam

AN ACT concerning

Enoch Pratt Free Library – Hours of Operation

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB1171/349432/1

BY: Budget and Taxation Committee

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Operation” insert “– Funding”; in line 3, strike “establishing the hours and days of the week that each branch” and substitute “requiring a State grant to be made available to fund certain operating expenses for certain branches”; in line 4, strike “is open to the public” and substitute “that increase their operating hours above those as of a certain date”; strike beginning with “State” in line 4 down through “of” in line 5 and substitute “Governor to include in the State operating budget in certain fiscal years a certain amount in general funds to support”; in line 7, strike “funding for a certain percentage of” and substitute “a certain percentage match for each dollar of State funds granted to support”; in line 8, after “Library;” insert “authorizing Baltimore City to use certain funds to satisfy certain requirements;”; and in the same line, after “calculation;” insert “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, in line 3, strike “**EACH BRANCH**” and substitute “**A STATE GRANT SHALL BE MADE AVAILABLE TO FUND THE INCREASED OPERATING EXPENSES FOR THE BRANCHES**”; strike beginning with “**SHALL**” in line 3 down through “**HOLIDAYS**” in line 4 and substitute “**THAT INCREASE THEIR OPERATING HOURS ABOVE THE HOURS IN EFFECT AS OF JANUARY 1, 2016**”; strike beginning with “**AS**” in line 5 down through “**2018**” in line 6 and substitute “**FOR FISCAL YEAR 2018 THROUGH FISCAL YEAR 2022,**”; strike beginning with “**STATE**” in line 6 down through the second “**TO**” in line 7 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 8 and 12, in each instance, strike “**ALL**” and substitute “**THE**”; in lines 9 and 13, in each instance, after “**LIBRARY**” insert “**THAT, IN THAT FISCAL YEAR, WILL BE SUBJECT TO INCREASED OPERATING HOURS AS**”; in line 10, after “**(II)**” insert “**1. TO RECEIVE ANY STATE FUNDS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH,**”; strike beginning with “**BE**” in line 10 down through “**OF**” in line 11 and substitute “**PROVIDE A 25% MATCH FOR EACH DOLLAR OF STATE FUNDS GRANTED TO SUPPORT**”; after line 14, insert:

“2. BALTIMORE CITY MAY USE PUBLIC AND PRIVATE FUNDS TO SATISFY THE REQUIREMENTS OF SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH.”;

in line 15, after “(III)” insert “1.”; after line 18, 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.

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.”;

and in line 19, strike “2.” and substitute “4.”.

The preceding 2 amendments were read only.

Senator Hershey moved, duly seconded, to make the Bill and Amendments a Special Order for the end of today’s business.

The motion was adopted.

Senate Bill 1172 – Senators Pugh, Conway, McFadden, Ferguson, and Nathan–Pulliam

AN ACT concerning

Seed Community Development Anchor Institution Fund

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

SB1172/609035/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 1172

(First Reading File Bill)

On page 1, in line 12, after “Fund” insert “for certain fiscal years”.

On page 4, in line 1, strike “**YEAR 2018 AND EACH FISCAL YEAR THEREAFTER**” and substitute “**YEARS 2018 THROUGH 2022**”; and in line 3, strike “**\$10,000,000**” and substitute “**\$5,000,000**”.

The preceding amendment was read only.

Senator Hershey moved, duly seconded, to make the Bill and Amendment a Special Order for the end of today's business.

The motion was adopted.

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

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

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 adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

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 adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 262 – Senators Raskin, Benson, Brochin, Currie, Guzzone, Hough, Kelley, King, Lee, Madaleno, Manno, Muse, Ramirez, Ready, Rosapepe, Salling, Young, and Zirkin

AN ACT concerning

Family Law – Protecting the Resources of Children in State Custody

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0262/238074/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 262

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 6, after “PAYEE” insert “FOR A CHILD RECEIVING SUPPLEMENTAL SECURITY INCOME OR SOCIAL SECURITY BENEFITS”; in the same line, strike “IN ANY OTHER” and substitute “AS”; in the same line, strike “CAPACITY”;

strike beginning with “**SUPPLEMENTAL**” in line 7 down through “**BENEFITS,**” in line 8; and in line 35, strike “**CONSERVE**” and substitute “**DEPOSIT**”.

On page 3, in line 11, strike “**USING**” and substitute “**IT WOULD BE IN THE CHILD’S BEST INTEREST TO USE**”.

AMENDMENT NO. 2

On page 2, in line 13, strike “**WHEN**” and substitute “**FROM BIRTH UNTIL**”; and strike in their entirety lines 19 and 20 and substitute:

“(I) **FROM BIRTH THROUGH AGE 13, 100%**;

“(II) **FROM AGE 14 THROUGH AGE 15, AT LEAST 80%; AND**

“(III) **FROM AGE 16 TO AGE 17, AT LEAST 60%.**”.

The preceding 2 amendments were read only.

Senator Zirkin moved, duly seconded, to make the Bill and Amendments a Special Order for April 1, 2016.

The motion was adopted.

Senate Bill 771 – The President (By Request – Office of the Attorney General)

AN ACT concerning

**Courts and Judicial Proceedings – Consumer Debt Collection Actions –
Restrictions**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (6) AND THE FAVORABLE REPORT.

SB0771/308475/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 771

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the first “a” in line 6 down through “action” in line 7 and substitute “certain actions may not revive or extend a certain statute of limitations”; in line 11, after “terms;” insert “providing for the application of this Act;”; and in line 15, strike “5–1203” and substitute “5–1204”.

AMENDMENT NO. 2

On page 2, after line 2, insert:

“(B) “CHARGE-OFF” MEANS THE ACT OF A CREDITOR THAT TREATS AN ACCOUNT RECEIVABLE OR ANY OTHER DEBT AS A LOSS OR AN EXPENSE BECAUSE PAYMENT IS UNLIKELY.

“(C) “CHARGE-OFF BALANCE” MEANS THE AMOUNT DUE ON THE ACCOUNT OR DEBT AT THE TIME OF CHARGE-OFF.”;

in lines 3, 5, 11, 14, 16, 23, and 25, strike “(B)”, “(C)”, “(E)”, “(F)”, “(G)”, “(H)”, and “(I)”, respectively, and substitute “(D)”, “(E)”, “(G)”, “(H)”, “(I)”, “(J)”, and “(K)”, respectively; in line 8, strike “(D)” and substitute “(F) (1)”; after line 10, insert:

“(2) “CONSUMER DEBT COLLECTION ACTION” DOES NOT INCLUDE AN ACTION BROUGHT UNDER § 8-401 OF THE REAL PROPERTY ARTICLE BY A LANDLORD OR AN ATTORNEY, A PROPERTY MANAGER, OR AN AGENT ON BEHALF OF A LANDLORD.”;

in line 19, strike “A” and substitute “:

(I) A”;

and in line 22, after “MERCHANT” insert “:

(II) A BUSINESS ENTITY THAT, IN THE BUSINESS ENTITY’S ORDINARY COURSE OF BUSINESS, DOES NOT PURCHASE OR OTHERWISE ACQUIRE CONSUMER DEBT FROM AN ORIGINAL CREDITOR OR FROM A SUBSEQUENT OWNER OF THE DEBT AND ACQUIRED THE CONSUMER DEBT:

1. AS A DIRECT RESULT OF THE BUSINESS ENTITY BEING THE SUCCESSOR IN A MERGER WITH THE ORIGINAL CREDITOR OF THE DEBT; OR

2. BECAUSE THE BUSINESS ENTITY PURCHASED OR OTHERWISE ACQUIRED THE ORIGINAL CREDITOR IN WHOLE;

(III) A BANK, CREDIT UNION, OR SAVINGS AND LOAN ASSOCIATION THAT ACQUIRED THE CONSUMER DEBT AS A DIRECT RESULT OF BEING THE SUCCESSOR IN A MERGER WITH ANOTHER BANK, CREDIT UNION, OR SAVINGS AND LOAN ASSOCIATION THAT HAD OWNED THE CONSUMER DEBT;

(IV) A MORTGAGE SERVICER THAT IS LICENSED UNDER TITLE 11, SUBTITLE 5 OF THE FINANCIAL INSTITUTIONS ARTICLE, UNLESS THE MORTGAGE SERVICER OR A COLLECTOR ACTING ON THE MORTGAGE SERVICER'S BEHALF COLLECTS OR ATTEMPTS TO COLLECT A DEFICIENCY BALANCE OR DEFICIENCY JUDGMENT IN ANY WAY RELATED TO OR ARISING FROM A FORECLOSURE OR SHORT SALE OF REAL PROPERTY THAT SECURED THE MORTGAGE LOAN;

(V) A SALES FINANCE COMPANY OR ANY OTHER PERSON THAT ACQUIRES CONSUMER DEBT ARISING FROM A RETAIL INSTALLMENT SALE AGREEMENT IF:

1. THE SALES FINANCE COMPANY OR OTHER PERSON ACQUIRED THE DEBT BEFORE THE FIRST INSTALLMENT PAYMENT WAS DUE FROM THE CONSUMER; AND

2. THE RETAIL INSTALLMENT SALE AGREEMENT EXPRESSLY STATED THAT THE CONSUMER WOULD BE REQUIRED TO MAKE THE CONSUMER'S PAYMENTS TO THAT SALES FINANCE COMPANY OR PERSON;

(VI) A BANK, CREDIT UNION, OR SAVINGS AND LOAN ASSOCIATION THAT ACQUIRED FROM ANOTHER BANK, CREDIT UNION, OR SAVINGS AND LOAN ASSOCIATION, IN THE ORDINARY COURSE OF BUSINESS, ALL OF A SPECIFIC TYPE OF CONSUMER DEBT OWNED BY THE OTHER BANK, CREDIT UNION, OR SAVINGS AND LOAN ASSOCIATION EXCEPT FOR CONSUMER DEBT THAT HAD BEEN CHARGED OFF; OR

(VII) AN ATTORNEY, A LICENSED DEBT COLLECTION AGENCY, A PROPERTY MANAGER, OR ANY OTHER PERSON THAT COLLECTS OR ATTEMPTS TO COLLECT CONSUMER DEBT IN AN ACTION UNDER § 8-401 OF THE REAL PROPERTY ARTICLE ON BEHALF OF AN ORIGINAL CREDITOR THAT IS A RESIDENTIAL RENTAL PROPERTY OWNER”.

AMENDMENT NO. 3

On page 3, strike in their entirety lines 5 through 8, inclusive, and substitute:

“(B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ON THE EXPIRATION OF THE STATUTE OF LIMITATIONS APPLICABLE TO THE CONSUMER DEBT COLLECTION ACTION, ANY SUBSEQUENT PAYMENT TOWARD, WRITTEN OR ORAL AFFIRMATION OF, OR ANY OTHER ACTIVITY ON THE DEBT MAY NOT REVIVE OR EXTEND THE LIMITATIONS PERIOD.”.

AMENDMENT NO. 4

On page 3, in line 13, strike “(B)(3)(I) THROUGH (V)” and substitute “(B)(3)”; in line 18, after “RULE,” insert “UNLESS THE ACTION IS RESOLVED BY JUDGMENT ON AFFIDAVIT,”; strike beginning with the colon in line 20 down through “INTRODUCES” in line 21 and substitute “INTRODUCES”; in line 22, after “SUBSECTION” insert “IN ACCORDANCE WITH THE RULES OF EVIDENCE APPLICABLE TO ACTIONS THAT ARE NOT SMALL CLAIMS ACTIONS BROUGHT UNDER § 4-405 OF THIS ARTICLE”; and strike beginning with the semicolon in line 22 down through “ASSERTED” in line 25.

On pages 3 and 4, strike in their entirety the lines beginning with line 29 on page 3 through line 13 on page 4, inclusive, and substitute:

“(I) PROOF OF THE EXISTENCE OF THE DEBT OR ACCOUNT MADE BY A CERTIFIED OR OTHERWISE PROPERLY AUTHENTICATED PHOTOCOPY OR ORIGINAL OF AT LEAST ONE OF THE FOLLOWING:

1. A DOCUMENT SIGNED BY THE DEBTOR EVIDENCING THE DEBT OR THE OPENING OF THE ACCOUNT;

2. A BILL OR OTHER RECORD REFLECTING PURCHASES, PAYMENTS, OR OTHER ACTUAL USE OF A CREDIT CARD OR AN ACCOUNT BY THE DEBTOR; OR

3. AN ELECTRONIC PRINTOUT OR OTHER DOCUMENTATION FROM THE ORIGINAL CREDITOR ESTABLISHING THE EXISTENCE OF THE ACCOUNT AND SHOWING PURCHASES, PAYMENTS, OR OTHER ACTUAL USE OF A CREDIT CARD OR AN ACCOUNT BY THE DEBTOR;

(ii) IF THERE WAS A DOCUMENT EVIDENCING THE TERMS AND CONDITIONS TO WHICH THE CONSUMER DEBT WAS SUBJECT, A CERTIFIED OR OTHERWISE PROPERLY AUTHENTICATED PHOTOCOPY OF THE ORIGINAL DOCUMENT APPLICABLE TO THE CONSUMER DEBT UNLESS:

1. THE CONSUMER DEBT IS AN UNPAID BALANCE DUE ON A CREDIT CARD;

2. THE ORIGINAL CREDITOR IS OR WAS A FINANCIAL INSTITUTION SUBJECT TO REGULATION BY THE FEDERAL FINANCIAL INSTITUTIONS EXAMINATION COUNCIL OR A CONSTITUENT FEDERAL AGENCY OF THE COUNCIL; AND

3. THE CLAIM DOES NOT INCLUDE A DEMAND OR REQUEST FOR ATTORNEY'S FEES OR INTEREST ON THE CHARGE-OFF BALANCE;

(iii) DOCUMENTATION INDICATING THAT THE DEBT BUYER OR COLLECTOR ACTING ON BEHALF OF THE DEBT BUYER OWNS THE CONSUMER DEBT, INCLUDING:

1. A CHRONOLOGICAL LISTING OF THE NAMES OF ALL PRIOR OWNERS OF THE DEBT AND THE DATE OF EACH TRANSFER OF OWNERSHIP OF THE DEBT, BEGINNING WITH THE NAME OF THE ORIGINAL CREDITOR; AND

2. A CERTIFIED OR OTHER PROPERLY AUTHENTICATED COPY OF THE BILL OF SALE OR OTHER DOCUMENT THAT TRANSFERRED OWNERSHIP OF THE DEBT TO EACH SUCCESSIVE OWNER, INCLUDING THE DEBT BUYER OR COLLECTOR, WITH EACH BILL OF SALE OR OTHER DOCUMENT THAT TRANSFERRED OWNERSHIP CONTAINING SPECIFIC REFERENCE TO THE DEBT;

(IV) DOCUMENTATION OF THE IDENTIFICATION AND NATURE OF THE DEBT OR ACCOUNT, INCLUDING:

- 1. THE NAME OF THE ORIGINAL CREDITOR;**
- 2. THE FULL NAME OF THE DEBTOR AS IT APPEARS ON THE ORIGINAL ACCOUNT;**
- 3. THE LAST FOUR DIGITS OF THE SOCIAL SECURITY NUMBER OF THE DEBTOR APPEARING ON THE ORIGINAL ACCOUNT, IF KNOWN;**
- 4. THE LAST FOUR DIGITS OF THE ORIGINAL ACCOUNT NUMBER; AND**
- 5. THE NATURE OF THE CONSUMER TRANSACTION, SUCH AS UTILITY EXPENSES, CREDIT CARD, CONSUMER LOAN, RETAIL INSTALLMENT SALES AGREEMENT, SERVICE, OR FUTURE SERVICES;**

(V) IF THE CLAIM IS BASED ON A FUTURE SERVICES CONTRACT, EVIDENCE THAT THE DEBT BUYER OR COLLECTOR IS ENTITLED TO AN AWARD OF DAMAGES UNDER THAT CONTRACT;

(VI) IF THERE HAS BEEN A CHARGE-OFF OF THE DEBT OR ACCOUNT, DOCUMENTATION OF:

- 1. THE DATE OF THE CHARGE-OFF;**
- 2. THE CHARGE-OFF BALANCE;**
- 3. AN ITEMIZATION OF ANY FEES OR CHARGES CLAIMED BY THE DEBT BUYER OR COLLECTOR IN ADDITION TO THE CHARGE-OFF BALANCE;**
- 4. AN ITEMIZATION OF ALL PAYMENTS RECEIVED AFTER THE CHARGE-OFF AND OTHER CREDITS TO WHICH THE DEBTOR IS ENTITLED; AND**

5. THE DATE OF THE LAST PAYMENT ON THE CONSUMER DEBT OR THE LAST TRANSACTION GIVING RISE TO THE CONSUMER DEBT;

(VII) IF THERE HAS BEEN NO CHARGE-OFF OF THE DEBT OR ACCOUNT:

1. AN ITEMIZATION OF ALL MONEY CLAIMED BY THE DEBT BUYER OR COLLECTOR THAT:

A. INCLUDES PRINCIPAL, INTEREST, FINANCE CHARGES, SERVICE CHARGES, LATE FEES, AND OTHER FEES OR CHARGES ADDED TO THE PRINCIPAL BY THE ORIGINAL CREDITOR AND, IF APPLICABLE, BY SUBSEQUENT ASSIGNEES OF THE CONSUMER DEBT; AND

B. ACCOUNTS FOR ANY REDUCTION IN THE AMOUNT OF THE CLAIM BY VIRTUE OF ANY PAYMENT MADE OR OTHER CREDIT TO WHICH THE DEFENDANT IS ENTITLED;

2. A STATEMENT OF THE AMOUNT AND DATE OF THE CONSUMER TRANSACTION GIVING RISE TO THE CONSUMER DEBT OR, IN INSTANCES OF MULTIPLE TRANSACTIONS, THE AMOUNT AND DATE OF THE LAST TRANSACTION; AND

3. A STATEMENT OF THE AMOUNT AND DATE OF THE LAST PAYMENT ON THE CONSUMER DEBT; AND

(VIII) A LIST OF ALL MARYLAND COLLECTION AGENCY LICENSES THAT THE DEBT BUYER OR COLLECTOR CURRENTLY HOLDS AND, AS TO EACH LICENSE:

1. THE LICENSE NUMBER;

2. THE NAME APPEARING ON THE LICENSE; AND

3. THE DATE OF ISSUE OF THE LICENSE.”

AMENDMENT NO. 5

On page 4, after line 13, insert:

“5-1204.

THIS SUBTITLE MAY NOT BE CONSTRUED TO ALTER ANY LICENSING REQUIREMENT UNDER FEDERAL OR MARYLAND LAW APPLICABLE TO DEBT BUYERS OR COLLECTORS.”.

AMENDMENT NO. 6

On page 4, before line 14, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any debt collection action commenced before the effective date of this Act.”;

and in line 14, strike “2.” and substitute “3.”.

The preceding 6 amendments were read only.

Senator Waugh moved, duly seconded, to make the Bill and Amendments a Special Order for March 30, 2016.

The motion was adopted.

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

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

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 only.

Senator Hershey moved, duly seconded, to make the Bill and Amendment a Special Order for March 30, 2016.

The motion was adopted.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #44

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**House Bill 63 – Chair, Environment and Transportation Committee (By Request
– Departmental – Natural Resources)**

AN ACT concerning

**Natural Resources – Fishing – Regulation and Use of Commercial Finfish
Trotrlines**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**House Bill 65 – Chair, Environment and Transportation Committee (By Request
– Departmental – Natural Resources)**

AN ACT concerning

Tree Expert License – Application and Renewal – Repeal of Sunset Provision

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 90 – Delegate Lafferty

AN ACT concerning

**On-Site Sewage Disposal Systems – Operation and Maintenance Costs –
Low-Income Homeowners**

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 adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**House Bill 132 – Delegates Lafferty, Healey, Lierman, ~~and S. Robinson~~
S. Robinson, Carr, and Bromwell**

AN ACT concerning

State Government – Pollinator Habitat Plans

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**House Bill 319 – Delegates Jacobs, Arentz, Cassilly, Ghrist, Hornberger,
S. Howard, Metzgar, Otto, and Sample–Hughes**

AN ACT concerning

Oysters and Clams – Dredging by Auxiliary Yawl – Authorized Boats

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**House Bill 389 – Delegates O’Donnell, Anderton, Arentz, Aumann, Cluster, Ghrist,
Glass, Grammer, Hornberger, Jacobs, Kittleman, Krebs, Long, Malone,
Mautz, McComas, McConkey, McKay, McMillan, Metzgar, W. Miller,
Morgan, Otto, Rey, Rose, Saab, Shoemaker, Stein, Vogt, and West**

EMERGENCY BILL

AN ACT concerning

**Chesapeake and Atlantic Coastal Bays Critical Area Protection Program –
Intrafamily Transfers**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 443 – Delegates Fraser–Hidalgo, Beidle, Lam, and Morhaim

AN ACT concerning

Agriculture – Industrial Hemp – Agricultural or Academic Research

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**House Bill 766 – Chair, Environment and Transportation Committee (By Request
– Departmental – Natural Resources)**

AN ACT concerning

Natural Resources – Fish and Fisheries

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1161 – Delegate Lisanti

AN ACT concerning

Municipalities – Boat Docking and Storage – User Fees – Authorized Uses

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #45**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 1163 – Senator Salling

AN ACT concerning

State Boat Act – Marinas Infested With Midges – Funding for Larvicide

SB1163/164336/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1163

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “State Boat Act” and substitute “Baltimore County”; strike beginning with “to” in line 3 down through “assist” in line 4 and substitute “, in consultation with the Department of Agriculture, to provide financial assistance for the purchase of larvicide to”; in line 4, after “marina” insert “in Baltimore County”; strike beginning with the second “with” in line 4 down through “larvicide” in line 5 and substitute “; limiting certain financial assistance to not more than a certain percentage of the cost of the purchase of larvicide”; and in line 5, strike “on the waters of the State” and substitute “in Baltimore County”.

AMENDMENT NO. 2

On page 1, in line 15, strike “**THE**” and substitute “**(A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE**”; in the same line, after “**DEPARTMENT**” insert “**, IN CONSULTATION WITH THE DEPARTMENT OF AGRICULTURE,**”; strike beginning with “**USE**” in line 15 down through “**ASSIST**” in line 17 and substitute “**PROVIDE FINANCIAL ASSISTANCE FOR THE PURCHASE OF LARVICIDE TO**”; in line 18, after “**MARINA**” insert “**IN BALTIMORE COUNTY**”; in line 19, strike “**WITH THE PURCHASE OF LARVICIDE**”; after line 19, insert:

“(B) FINANCIAL ASSISTANCE PROVIDED UNDER SUBSECTION (A) OF THIS SECTION MAY NOT EXCEED 50% OF THE COST OF THE PURCHASE OF LARVICIDE.”;

and in line 21, strike “October” and substitute “June”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 1170 – Senators Conway, Pugh, McFadden, Ferguson, and Nathan–Pulliam

AN ACT concerning

Next–Generation Scholars of Maryland

SB1170/884636/2

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1170

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 11, in each instance, strike “Next–Generation” and substitute “Next Generation”; strike beginning with “altering” in line 3 down through “program;” in line 8 and substitute “altering certain criteria for the prequalification of a student for a Guaranteed Access Grant; altering the name of the College Readiness Outreach Program to be the Next Generation Scholars of Maryland Program; altering the purpose and certain requirements of the Program; requiring the State Department of Education to solicit certain applications from certain nonprofit organizations and give priority to certain applications; requiring certain nonprofit organizations to provide certain guidance and certain services to certain students; requiring the Governor to make a certain appropriation in the State budget for certain fiscal years; 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 9, strike “State Department of Education” and substitute “Department”; in line 10, strike “a certain report” and substitute “certain reports”; in the same line, strike “a certain date;” and substitute “certain dates; defining certain terms;”; and after line 16, 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 2, in line 23, strike “A” and substitute “**(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A**”.

On page 2, in lines 28, 29, and 30, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “**(I)**”, “**(II)**”, and “**(III)**”, respectively; and on page 3, in lines 1, 3, 5, 9, and 11, strike “(4)”, “(5)”, “(6)”, “(7)”, and “(8)”, respectively, and substitute “**(IV)**”, “**(V)**”, “**(VI)**”, “**(VII)**”, and “**(VIII)**”, respectively.

On page 3, in line 9, after “A” insert “**CUMULATIVE**”; and after line 12, 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.”.

AMENDMENT NO. 3

On page 3, strike in their entirety lines 14 and 15, 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 5, after line 18, 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 19 and 21, strike “(I)” and “(J)”, respectively, and substitute “(J)” and “(K)”, respectively; and in line 21, after “BEFORE” insert “DECEMBER 1, 2020, AND”.

On page 6, after line 12, 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 OF MARYLAND SCHOLARS PROGRAM FUND.”.

AMENDMENT NO. 4

On page 3, in line 19 strike “NEXT–GENERATION” and substitute “NEXT GENERATION”.

On page 3, in line 21, strike beginning with “in” through “grade” and substitute “IN ACCORDANCE WITH § 18–303(D) OF THIS SUBTITLE”; and in line 20, after “guidance” insert “AND SERVICES”.

On page 4, in line 6, after “(2)” insert “AWARD GRANTS TO NONPROFIT ORGANIZATIONS TO ADMINISTER THE PROGRAM;

(3)”;

in line 7, strike “ONE OR ALL APPLICABLE” and substitute “LOCAL”; in the same line, after the semicolon insert “AND”; in line 8, strike “(3)” and substitute “(4)”; in the same line, strike “WHICH”; in the same line, after “APPLICATIONS” insert “;

(I) FROM MARYLAND–BASED NONPROFIT ORGANIZATIONS;
AND

(II) THAT”;

in line 9, strike “; AND”; strike beginning with “(4)” in line 10 down through “PROGRAM” in line 11; and in line 14, strike “THE” and substitute “IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION, THE”.

AMENDMENT NO. 5

On page 4, in line 28, strike “IN PROVIDING” and substitute “A NONPROFIT ORGANIZATION THAT RECEIVES A GRANT TO PROVIDE”; in the same line, after “THE”

insert "GUIDANCE AND"; and in line 29, strike beginning with the comma through "GRANTS".

On page 5, in line 12, strike "YEAR" and substitute "YEARS"; in the same line, strike ", THE" and substitute ":

(1) THE;

in the same line, after "SHALL" insert "ANNUALLY"; in line 13, strike "ANNUALLY"; in line 14, after "PROGRAM" insert "; 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;

strike beginning with "A" in line 13 down through "PILOT" in line 14 and substitute "THE"; in the same line, strike "TO BE ADMINISTERED"; in the same line, after "IN" insert "LOCAL"; in line 22, strike "SUBMIT A"; strike beginning with "ON" in line 22 down through "PROGRAM" in line 23; in line 23, strike "GOVERNOR" and substitute "GOVERNOR"; in line 25, strike "INCLUDING" and substitute "ON THE IMPLEMENTATION OF THE PROGRAM, INCLUDING"; in line 27, after "GRANT" insert "DURING"; after line 28, insert:

"(2) THE RACE, DISABILITY STATUS, AND ENGLISH LANGUAGE LEARNER STATUS OF EACH PARTICIPATING STUDENT WHO PREQUALIFIED FOR THE GUARANTEED ACCESS GRANT EACH YEAR OF THE PROGRAM;";

and in line 29, after "EACH" insert "PARTICIPATING".

On page 5, in lines 29 and 33, strike "(2)" and "(3)", respectively, and substitute "(3)" and "(4)", respectively; and on page 6 in lines 3, 7, and 10, strike "(4)", "(5)", and "(6)", respectively, and substitute "(5)", "(6)", and "(7)", respectively.

On page 6, in line 6, after “OR” insert “LOCAL”; in line 9, strike “THEY” and substitute “THE STUDENTS”; in line 11, strike “AND PILOT PROGRAM”; and in the same line, strike “PILOT”.

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 FINANCE REPORT #28

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 926 – Senator Young

AN ACT concerning

Lyme Disease – Laboratory Test – Required Notice

SB0926/657374/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 926

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Young” and substitute “Senators Young, Astle, Benson, Feldman, Hershey, Jennings, Kelley, Klausmeier, Mathias, Middleton, Pugh, and Reilly”; in line 3, after “providers” insert “and certain medical laboratories”; in line 4, after “provider” insert “or the medical laboratory”; in the same line, strike “orders” and substitute “performs”; and strike beginning with “providing” in line 5 down through “notice;” in line 6 and substitute “authorizing the Department of Health and Mental Hygiene to adopt certain regulations under certain circumstances; requiring the Department to provide certain written notice to certain committees of the General Assembly before submitting certain regulations for publication in the Maryland Register; prohibiting the provision of a certain notice from being the sole basis for a cause of action;”.

AMENDMENT NO. 2

On page 1, strike beginning with “SHALL” in line 19 down through “DISEASE” in line 21 and substitute “WHO DRAWS THE BLOOD OF A PATIENT TO PERFORM A LABORATORY TEST FOR LYME DISEASE OR A MEDICAL LABORATORY, AS DEFINED IN § 17-201 OF THIS ARTICLE, THAT PERFORMS A LABORATORY TEST FOR THE PRESENCE OF LYME DISEASE SHALL PROVIDE THE FOLLOWING WRITTEN NOTICE TO THE PATIENT AT THE TIME THE PATIENT’S BLOOD IS DRAWN”.

On page 2, in line 8, after “OR” insert “INITIAL OR”; after line 9, insert:

“(B) IF THE DEPARTMENT FINDS SIGNIFICANT DIFFERENCES BETWEEN THE CONTENT OF THE NOTICE REQUIRED BY SUBSECTION (A) OF THIS SECTION AND CURRENT MEDICAL EVIDENCE ON LYME DISEASE TESTING, THE DEPARTMENT MAY ADOPT REGULATIONS THAT CHANGE THE CONTENT OF THE NOTICE.

“(C) THE DEPARTMENT SHALL PROVIDE WRITTEN NOTICE TO THE SENATE FINANCE COMMITTEE AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE BEFORE SUBMITTING ANY PROPOSED REGULATION UNDER SUBSECTION (B) OF THIS SECTION TO THE MARYLAND REGISTER FOR PUBLICATION.”;

and strike in their entirety lines 10 through 13, inclusive, and substitute:

“(D) THE PROVISION BY A HEALTH CARE PROVIDER OR MEDICAL LABORATORY OF THE NOTICE REQUIRED BY SUBSECTION (A) OF THIS SECTION MAY NOT BE THE SOLE BASIS FOR A CAUSE OF ACTION.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 3 – Delegate Davis

EMERGENCY BILL

AN ACT concerning

**Public Utilities – Transportation Network Services and For-Hire
Transportation – Clarifications**

HB0003/597276/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 3

(Third Reading File Bill)

On page 3, in line 3, strike “without” and substitute “with”.

On page 13, in line 26, after “**2016**” insert a comma.

On page 18, in line 12, strike “SUBPARAGRAPH (IV)2” and substitute “SUBSUBPARAGRAPH 2”; and in the same line, strike “PARAGRAPH” and substitute “SUBPARAGRAPH”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 11 – Delegate Hill

AN ACT concerning

Health Insurance – In Vitro Fertilization – Use of Spouse’s Sperm – Exception

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

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

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 adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #29

CONSENT CALENDAR #50

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 22 – Delegate Krimm

AN ACT concerning

~~Interagency Disabilities Board~~ **Ethan Saylor Alliance for Self-Advocates as Educators – Membership and Duties – Community Inclusion Training Oversight**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 75 – Delegate Barkley

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.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 105 – Delegate Clippinger

AN ACT concerning

Local Government – Clean Energy Loan Programs – Commercial Property Owners – Renewable Energy Projects

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 124 – ~~Delegate Hammen~~ Delegates Hammen and Wivell

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.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 233 – Delegate Carey

AN ACT concerning

**Citizens Committee for the Enhancement of Communities Surrounding
Baltimore–Washington International Thurgood Marshall Airport – Membership**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 342 – Delegates Carey and Davis

AN ACT concerning

Motor Fuel Suppliers and Retail Service Station Dealers – Promotion – Sales

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 440 – Delegates Kramer and Fraser–Hidalgo

AN ACT concerning

**Electric Companies – Installation of Solar Electric Generating Facility –
Completion of Interconnection**

HB0440/797079/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 440

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, after “documentation;” insert “authorizing the Public Service Commission to waive a certain requirement under certain circumstances;”.

AMENDMENT NO. 2

On page 3, after line 16, insert:

“(3) THE COMMISSION MAY TEMPORARILY WAIVE THE REQUIREMENTS UNDER PARAGRAPH (2) OF THIS SUBSECTION IN AN ELECTRIC COMPANY’S SERVICE TERRITORY ON A SHOWING OF GOOD CAUSE.”

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 505 – Charles County Delegation

AN ACT concerning

Charles County Sheriff – Salaries and Collective Bargaining

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 555 – Delegate Kipke

AN ACT concerning

Office of Cemetery Oversight – Perpetual Care Trust Funds – Report Submission Requirement

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 575 – Delegate Jameson

AN ACT concerning

Portable Electronics Insurance – Required Notices – Method of Mailing

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 696 – Delegates Davis, Barkley, Impallaria, Jameson, W. Miller, and C. Wilson

AN ACT concerning

Public Utilities – Maryland Underground Facilities Damage Prevention Authority – Funding

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 745 – Delegates Reilly, Carozza, Cassilly, Fisher, Hornberger, Impallaria, Lisanti, McMillan, Morgan, O’Donnell, Platt, and Tarlau

AN ACT concerning

Business Regulation – State and Harford County Juke Box Licenses – Repeal

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 1408 – Delegate McComas

AN ACT concerning

Property and Casualty Insurance – Commercial Policies and Workers’ Compensation Insurance Policies – Notices of Premium Increases

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

House Bill 87 – Montgomery County Delegation

AN ACT concerning

**Montgomery County Board of Education – Student Member – Voting
MC 11-16**

STATUS OF BILL: BILL IS ON SECOND READING AND OPEN TO AMENDMENT.

Read the second time and ordered prepared for Third Reading.

**House Bill 172 – ~~Delegate Sophocleus (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~~**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

HB0172/174937/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 172

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after the first “of” insert “requiring the Governor’s appointment of a member of the Anne Arundel County Board of Education to be subject to confirmation by the Senate of Maryland;”.

On page 2, in line 6, strike “3-110(b)” and substitute “3-110(a), (b).”.

AMENDMENT NO. 2

On page 2, after line 12, insert:

“(a) (1) The Anne Arundel County Board consists of 9 members who shall be appointed as follows:

(i) 3 from the county at large;

(ii) 1 each from legislative districts 30, 31, 32, 33, and that portion of legislative district 21 that lies within Anne Arundel County; and

(iii) 1 student member.

(2) Except for the student member, the Governor shall appoint a member of the county board, SUBJECT TO CONFIRMATION BY THE SENATE OF MARYLAND, from a list of nominees submitted by the School Board Nominating Commission of Anne Arundel County as provided in subsection (b) of this section.”.

On page 6, in line 2, after “Governor,” insert “AND CONFIRMATION BY THE SENATE OF MARYLAND,”.

The preceding 2 amendments were read only.

Senator Reilly moved, duly seconded, to make the Bill and Amendments a Special Order for the end of today’s business.

The motion was adopted.

House Bill 686 – Delegates Hammen, Anderson, Branch, Busch, Carey, Carter, Clippinger, Conaway, Glenn, Hayes, Haynes, Lafferty, Lierman, Lisanti, McCray, McIntosh, Oaks, Pena–Melnyk, Pendergrass, B. Robinson, S. Robinson, Rosenberg, Smith, Sophocleus, Walker, M. Washington, West, and P. Young

AN ACT concerning

Department of Housing and Community Development – Strategic Demolition and Smart Growth Impact Fund – Establishment

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator McFadden moved, duly seconded, to make the Bill and Report a Special Order for March 30, 2016.

The motion was adopted.

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

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

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 adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 784 – Senator Middleton

AN ACT concerning

Motor Vehicle Insurance – Personal Injury Protection – Optional Coverage

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0784/677771/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 784

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Middleton” and substitute “Senators Middleton, Astle, Benson, Feldman, Hershey, Jennings, Kelley, Klausmeier, Mathias, Pugh, and Reilly”; 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 brackets; 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.

Senate Bill 973 – Senators Madaleno and Conway

AN ACT concerning

Campaign Finance – Public Officials – Solicitation of Contributions or Donations

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENT (1) OFFERED FROM THE FLOOR BY SENATOR JENNINGS.

FLOOR AMENDMENT

SB0973/393827/1

BY: Senator Jennings

AMENDMENT TO SENATE BILL 973, AS AMENDED

(First Reading File Bill)

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments (SB0973/544932/1), in line 2 of Amendment No. 1, strike “Departmental Secretaries” and substitute “Public Officials”; strike beginning with “secretary” in line 3 down through “government” in line 4 and substitute “certain public official”; strike beginning with “secretary” in line 10 down through “that” in line 11 and substitute “certain public official who”; and in line 14, strike “departmental secretaries in the Executive Branch of State government” and substitute “public officials”.

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments, in line 2 of Amendment No. 2, after “**(2)**” insert “**“ADJUSTMENT AUTHORITY” INCLUDES THE AUTHORITY TO ADJUST OR SETTLE A DEBT OWED TO THE STATE.**”

(3)”;

in line 5, after “**TITLE.**” insert:

(4) “ENFORCEMENT AUTHORITY” INCLUDES THE AUTHORITY TO:

(I) INVESTIGATE AN ALLEGED CIVIL OR CRIMINAL VIOLATION OF LAW;

(II) BRING OR DEFEND A CIVIL ACTION; OR

(III) PROSECUTE OR DEFEND A CRIMINAL ACTION.”;

and in line 6, strike “**(3)**” and substitute “**(5)**”.

On pages 1 and 2 of the Education, Health, and Environmental Affairs Committee Amendments, in Amendment No. 2, strike beginning with “**PRINCIPAL**” in line 7 on page 1 down through “**ARTICLE**” in line 2 on page 2 and substitute “**DEPARTMENT, AN AGENCY, AN OFFICE, OR ANY OTHER BODY OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT THAT IS ESTABLISHED BY LAW**”.

On page 2 of the bill, after line 4, insert:

“(6) “PROCUREMENT AUTHORITY” INCLUDES THE AUTHORITY TO PROCURE FINANCIAL AND INSURANCE SERVICES.

(7) “PUBLIC OFFICIAL” MEANS:

(I) THE HEAD OF A GOVERNMENTAL UNIT; OR

(II) THE HEAD OF AN OFFICE OR A DIVISION IN A GOVERNMENTAL UNIT.”;

in line 5, strike “**(4)**” and substitute “**(8)**”; and in line 11, after “**AUTHORITY**” insert “**ADJUSTMENT AUTHORITY, ENFORCEMENT AUTHORITY, OR PROCUREMENT AUTHORITY**”.

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments, in Amendment No. 2, strike beginning with “**(5)**” in line 4 down through “**UNIT.**” in line 5; in line 6, strike “**(6)**” and substitute “**(9)**”; in line 7, strike “**SECRETARY**” and substitute “**PUBLIC OFFICIAL**”; and in line 8, strike “**SECRETARY’S**” and substitute “**PUBLIC OFFICIAL’S**”.

On page 3 of the Education, Health, and Environmental Affairs Committee Amendments, in line 5 of Amendment No. 3, strike “SECRETARY” and substitute “PUBLIC OFFICIAL”.

The preceding amendment was withdrawn.

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 1125 – Senator Ferguson

AN ACT concerning

Education – Maryland Extended Day and Summer Enhancement Programs Act

STATUS OF BILL: BILL IS ON SECOND READING AND OPEN TO AMENDMENT.

FLOOR AMENDMENT

SB1125/323627/1

BY: Senator McFadden

AMENDMENT TO SENATE BILL 1125

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Ferguson” and substitute “Senators Ferguson, McFadden, Pugh, Nathan–Pulliam, and Conway”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

SB1125/423123/1

BY: Senator Norman

AMENDMENTS TO SENATE BILL 1125, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 21, strike “requiring the Governor to provide a certain annual appropriation” and substitute “providing that funds shall be as provided”.

AMENDMENT NO. 2

On page 7 of the bill, in line 8, strike “**THE GOVERNOR SHALL INCLUDE**” and substitute “**FUNDS SHALL BE AS PROVIDED**”; and in line 9, strike “**ANNUALLY**”.

On page 4 of the Budget and Taxation Committee Amendments (SB1125/169835/1), in line 2 of Amendment No. 5, strike “**\$7,500,000**”.

The preceding 2 amendments were read and rejected.

Read the second time and ordered prepared for Third Reading.

Senate Bill 559 – Senator Ferguson

AN ACT concerning

**Department of Housing and Community Development – Strategic Demolition
and Smart Growth Impact Fund – Establishment**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (4) AND THE FAVORABLE REPORT:

SB0559/669439/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 559

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “used;” insert “specifying certain eligibility criteria for certain fiscal years for awarding grants and loans from the Fund;”; in line 12, after the first “Fund” insert “for certain fiscal years and requiring the appropriation to be allocated in a certain manner”; and in line 14, after “term;” insert “requiring a certain amount appropriated in a certain supplemental budget for a certain program in the Department for a certain fiscal year to be appropriated to the Fund and allocated in a certain manner;”.

AMENDMENT NO. 2

On page 3, after line 7, insert:

“(2) (I) FOR FISCAL YEARS 2017 THROUGH 2019, TO BE ELIGIBLE FOR A GRANT OR LOAN FROM THE FUND, A GOVERNMENT AGENCY OR COMMUNITY DEVELOPMENT ORGANIZATION SHALL PROVIDE EVIDENCE OF A MATCHING FUND THAT IS EQUAL TO \$1 FOR EVERY \$4 IN STATE FUNDING THAT THE AGENCY OR ORGANIZATION IS APPLYING FOR FROM THE FUND.

(II) THE MATCHING FUND REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY INCLUDE:

1. MONEY FROM THE FEDERAL GOVERNMENT, LOCAL GOVERNMENT, OR ANY OTHER PUBLIC OR PRIVATE SOURCE;
2. REAL PROPERTY;
3. IN-KIND CONTRIBUTIONS; AND
4. FUNDS EXPENDED BEFORE THE DATE THE GRANT OR LOAN IS AWARDED.

(3) FOR FISCAL YEAR 2020 AND EACH FISCAL YEAR THEREAFTER, TO BE ELIGIBLE FOR A GRANT OR LOAN FROM THE FUND, A GOVERNMENT AGENCY OR COMMUNITY DEVELOPMENT ORGANIZATION IS NOT REQUIRED TO PROVIDE EVIDENCE OF A MATCHING FUND.”;

and in line 8, strike “(2)” and substitute “(4)”.

AMENDMENT NO. 3

On page 3, in line 16, after “(J)” insert “(1)”; and strike beginning with “2018” in line 16 down through “FUND” in line 18 and substitute “2018, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$25,625,000 TO THE FUND, WHICH SHALL BE ALLOCATED AS FOLLOWS:”

1. \$22,125,000 FOR PROJECTS IN BALTIMORE CITY;
AND
2. \$3,500,000 FOR PROJECTS THROUGHOUT THE STATE.

(2) FOR FISCAL YEAR 2019, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$28,500,000 TO THE FUND, WHICH SHALL BE ALLOCATED AS FOLLOWS:

- (I) \$25,000,000 FOR PROJECTS IN BALTIMORE CITY; AND**
- (II) \$3,500,000 FOR PROJECTS THROUGHOUT THE STATE”.**

AMENDMENT NO. 4

On page 4, after line 2, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the amount appropriated in Supplemental Budget No. 2 to Chapter (S.B. 190) of the Acts of the General Assembly of 2016 (Budget Bill Fiscal Year 2017) to the Department of Housing and Community Development Neighborhood Revitalization – Capital Program for fiscal year 2017 shall be appropriated to the Strategic Demolition and Smart Growth Impact Fund established under § 4–508 of the Housing and Community Development Article and shall be allocated as follows:

- (1) \$18,000,000 for projects in Baltimore City; and**
- (2) \$3,500,000 for projects throughout the State.”;**

and in line 3, strike “2.” and substitute “3.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0559/583725/1

BY: Senator McFadden

AMENDMENT TO SENATE BILL 559

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Ferguson” and substitute “Senators Ferguson, McFadden, Pugh, Nathan–Pulliam, and Conway”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

SB0559/593827/1

BY: Senator Hershey

AMENDMENTS TO SENATE BILL 559, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, strike beginning with “beginning” in line 11 down through “Fund” in line 12; and in line 12, strike the semicolon.

On page 1 of the Budget and Taxation Committee Amendments (SB0559/669439/1), in Amendment No. 1, strike beginning with “for” in line 3 down through “manner” in line 4; and strike beginning with “requiring” in line 4 down through “manner;” in line 7.

AMENDMENT NO. 2

On page 3 of the bill, strike in their entirety lines 16 through 18, inclusive.

In the Budget and Taxation Committee Amendments, strike Amendment Nos. 3 and 4 in their entirety.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 14 Negative – 31 (See Roll Call No. 806)

Read the second time and ordered prepared for Third Reading.

Senate Bill 1171 – Senators Pugh, Conway, McFadden, Ferguson, and Nathan–Pulliam

AN ACT concerning

Enoch Pratt Free Library – Hours of Operation

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB1171/349432/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 1171

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Operation” insert “– Funding”; in line 3, strike “establishing the hours and days of the week that each branch” and substitute “requiring a State grant to be made available to fund certain operating expenses for certain branches”; in line 4, strike “is open to the public” and substitute “that increase their operating hours above those as of a certain date”; strike beginning with “State” in line 4 down through “of” in line 5 and substitute “Governor to include in the State operating budget in certain fiscal years a certain amount in general funds to support”; in line 7, strike “funding for a certain percentage of” and substitute “a certain percentage match for each dollar of State funds granted to support”; in line 8, after “Library;” insert “authorizing Baltimore City to use certain funds to satisfy certain requirements;”; and in the same line, after “calculation;” insert “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, in line 3, strike “**EACH BRANCH**” and substitute “**A STATE GRANT SHALL BE MADE AVAILABLE TO FUND THE INCREASED OPERATING EXPENSES FOR THE BRANCHES**”; strike beginning with “**SHALL**” in line 3 down through “**HOLIDAYS**” in line 4 and substitute “**THAT INCREASE THEIR OPERATING HOURS ABOVE THE HOURS IN EFFECT AS OF JANUARY 1, 2016**”; strike beginning with “**AS**” in line 5 down through “**2018**” in line 6 and substitute “**FOR FISCAL YEAR 2018 THROUGH FISCAL YEAR 2022,**”; strike beginning with “**STATE**” in line 6 down through the second “**TO**” in line 7 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 8 and 12, in each instance, strike “**ALL**” and substitute “**THE**”; in lines 9 and 13, in each instance, after “**LIBRARY**” insert “**THAT, IN THAT FISCAL YEAR, WILL BE SUBJECT TO INCREASED OPERATING HOURS AS**”; in line 10, after “**(II)**” insert

“1. TO RECEIVE ANY STATE FUNDS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH,”; strike beginning with “BE” in line 10 down through “OF” in line 11 and substitute “PROVIDE A 25% MATCH FOR EACH DOLLAR OF STATE FUNDS GRANTED TO SUPPORT”; after line 14, insert:

“2. BALTIMORE CITY MAY USE PUBLIC AND PRIVATE FUNDS TO SATISFY THE REQUIREMENTS OF SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH.”;

in line 15, after “(III)” insert “1.”; after line 18, 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.

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.”;

and in line 19, strike “2.” and substitute “4.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB1171/993224/1

BY: Senator Reilly

AMENDMENTS TO SENATE BILL 1171, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Budget and Taxation Committee Amendments (SB1171/349432/1), in line 3 of Amendment No. 1, strike “requiring” and substitute “providing that”; in the same line, strike the first “to” and substitute “may”; and in line 6, strike “to” and substitute “may”.

On page 1 of the bill, in line 4, strike “requiring” and substitute “providing that”.

AMENDMENT NO. 2

On page 1 of the Budget and Taxation Committee Amendments, in line 2 of Amendment No. 2, strike “SHALL” and substitute “MAY”.

On page 2 of the Budget and Taxation Committee Amendments, in line 1 of Amendment No. 2, strike "SHALL" and substitute "MAY".

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 14 Negative – 31 (See Roll Call No. 807)

Read the second time and ordered prepared for Third Reading.

Senate Bill 1172 – Senators Pugh, Conway, McFadden, Ferguson, and Nathan–Pulliam

AN ACT concerning

Seed Community Development Anchor Institution Fund

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT

SB1172/609035/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 1172

(First Reading File Bill)

On page 1, in line 12, after "Fund" insert "for certain fiscal years".

On page 4, in line 1, strike "**YEAR 2018 AND EACH FISCAL YEAR THEREAFTER**" and substitute "**YEARS 2018 THROUGH 2022**"; and in line 3, strike "**\$10,000,000**" and substitute "**\$5,000,000**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB1172/673128/1

BY: Senator Hough

AMENDMENTS TO SENATE BILL 1172, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, strike beginning with “beginning” in line 11 down through “Fund;” in line 12.

AMENDMENT NO. 2

On page 4 of the bill, strike in their entirety lines 1 through 3, inclusive.

Strike the Budget and Taxation Committee Amendment (SB1172/609035/1) in its entirety.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 15 Negative – 30 (See Roll Call No. 808)

Read the second time and ordered prepared for Third Reading.

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~~

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

HB0172/174937/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 172

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after the first “of” insert “requiring the Governor’s appointment of a member of the Anne Arundel County Board of Education to be subject to confirmation by the Senate of Maryland;”.

On page 2, in line 6, strike “3–110(b)” and substitute “3–110(a), (b).”.

AMENDMENT NO. 2

On page 2, after line 12, insert:

“(a) (1) The Anne Arundel County Board consists of 9 members who shall be appointed as follows:

(i) 3 from the county at large;

(ii) 1 each from legislative districts 30, 31, 32, 33, and that portion of legislative district 21 that lies within Anne Arundel County; and

(iii) 1 student member.

(2) Except for the student member, the Governor shall appoint a member of the county board, **SUBJECT TO CONFIRMATION BY THE SENATE OF MARYLAND**, from a list of nominees submitted by the School Board Nominating Commission of Anne Arundel County as provided in subsection (b) of this section.”.

On page 6, in line 2, after “Governor,” insert “**AND CONFIRMATION BY THE SENATE OF MARYLAND,**”.

The preceding 2 amendments were read only.

Senator Reilly moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 809)

ADJOURNMENT

At 12:26 P.M. on motion of Senator Pugh, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 26, 2016, Calendar Day, Wednesday, March 30, 2016.

Annapolis, Maryland
Legislative Day: March 26, 2016
Calendar Day: Wednesday, March 30, 2016
10:00 A.M. Session

The Senate met at 10:04 A.M.

Prayer by Reverend Matthew Watley, Reid Temple A.M.E. Church, guest of Senator Reilly.

(See Exhibit A of Appendix III)

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 811)

On motion of Senator Pugh it was ordered that Senators Bates and Gladden be excused from today's session.

The Journal of March 25, 2016 was read and approved.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 537 – Senator James N. Mathias, Jr.:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Pocomoke High School Boys Basketball Team
in recognition of
your winning the Maryland Public Secondary Schools
Athletic Association (MPSSAA) 2016 Boys Basketball State Championship. We applaud
your outstanding season and
wish you many more. Congratulations!
The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 30th day of March 2016.

Read and adopted by a roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 812)

Senate Resolution No. 538 – Senator James N. Mathias, Jr.:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Annette E. Wallace, Principal
Pocomoke High School
in recognition of
being selected as the 2016 Principal of the Year
by the National Association of Secondary
School Principals.

The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 30th day of March 2016.

Read and adopted by a roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 813)

Senate Resolution No. 536 – Senator Catherine E. Pugh:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Forest Park High School Girls Basketball Team
in recognition of
your winning Baltimore Division 2 Championship and the Maryland State Regional
Championship. We applaud your outstanding season and wish you many more.
Congratulations!

The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 30th day of March 2016.

Read and adopted by a roll call vote as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 814)

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

**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

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

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 adopted.

Senator Hershey moved, duly seconded, to re-refer **House Bill 1013** to the Committee on Finance.

The President moved, duly seconded, to make the Bill and Report a Special Order for the end of today's business.

The motion was adopted.

YEAS AND NAYS

SENATE BILLS PASSED IN THE HOUSE

BILL NO.	SPONSOR	CONTENT
SB 370	Sen. Madaleno	Board of Public Works Transparency Act of 2016

By Order,
William B. C. Addison, Jr., Secretary

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #23

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 532 – Senator McFadden

AN ACT concerning

Correctional Officers' Retirement System – Membership – Correctional Case Management Specialist

SB0532/289935/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 532

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “include” insert “certain”; in the same line, after “specialists” insert “, supervisors, or managers”; strike beginning with “authorizing” in line 5 down through “System;” in line 17 and substitute “providing that certain members of the Correctional Officers’ Retirement System who meet certain criteria may receive a normal service retirement allowance that is based on certain creditable service; requiring the State Retirement Agency, on or before a certain date, to notify certain individuals affected by this Act of their rights to transfer certain service credit to the Correctional Officers’ Retirement System;”; in line 21, strike “, 25–202,”; and strike in their entirety lines 24 through 28, inclusive.

On page 2, strike in their entirety lines 1 through 5, inclusive.

AMENDMENT NO. 2

On page 2, in line 31, after “SPECIALIST” insert “, SUPERVISOR, OR MANAGER ON OR AFTER JULY 1, 2016”.

AMENDMENT NO. 3

On page 3, in line 10, strike the brackets; and strike beginning with the semicolon in line 17 down through “**2016**” in line 22.

On pages 3 through 5, strike in their entirety the lines beginning with line 23 on page 3 through line 5 on page 5, inclusive.

On page 5, after line 9, insert:

“(II) 1. IS A CORRECTIONAL CASE MANAGEMENT SPECIALIST, SUPERVISOR, OR MANAGER ON OR BEFORE JUNE 30, 2016;

2. IS VESTED IN THE CORRECTIONAL OFFICERS’ RETIREMENT SYSTEM; AND

3. HAS A COMBINED TOTAL OF AT LEAST 20 YEARS OF ELIGIBILITY SERVICE FROM:

A. THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM AND THE EMPLOYEES' RETIREMENT SYSTEM; OR

B. THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM AND THE EMPLOYEES' PENSION SYSTEM;";

and in lines 10 and 15, strike "(ii)" and "(iii)", respectively, and substitute "**(III)**" and "**(IV)**", respectively.

On pages 5 through 7, strike in their entirety the lines beginning with line 26 on page 5 through line 3 on page 7, inclusive, and substitute:

"(C) (1) THIS SUBSECTION APPLIES ONLY TO A CORRECTIONAL CASE MANAGEMENT SPECIALIST, SUPERVISOR, OR MANAGER WHO HAS A COMBINED TOTAL OF 20 YEARS OF ELIGIBILITY SERVICE AS PROVIDED IN SUBSECTION (A)(1)(II) OF THIS SECTION.

(2) A MEMBER IS ENTITLED TO RECEIVE A NORMAL SERVICE RETIREMENT ALLOWANCE THAT EQUALS AN ALLOWANCE BASED ON THE CREDITABLE SERVICE THE MEMBER HAS IN THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM.

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2016, the State Retirement Agency shall notify the individuals who are affected by this Act of their right to transfer service credit from the Employees' Retirement System or the Employees' Pension System to the Correctional Officers' Retirement System."

On page 7, in line 4, strike "2." and substitute "**3.**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 676 – Senators Kasemeyer, Currie, DeGrange, Ferguson, Guzzone, King, Madaleno, Manno, and Peters

AN ACT concerning

College Affordability Act of 2016

SB0676/859832/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 676

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “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;”; in the same line, after “Board” insert “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”; in line 13, after “circumstances;” insert “requiring certain account holders to make a certain contribution within a certain period of time to qualify for a certain State contribution;”; in line 19, after “assurance;” insert “providing for the recapture of a certain tax credit under certain circumstances;”; in line 24, after “credits;” insert “providing for a certain subtraction modification under certain circumstances;”; and strike beginning with “requiring” in line 28 down through “period;” in line 30 and substitute “establishing certain award amounts for certain financial assistance grants for certain semesters subject to certain conditions;”.

On page 2, in line 2, after “date;” insert “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;”; after line 4, insert:

“BY repealing and reenacting, with amendments,

Article – State Finance and ProcurementSection 3–302(a)Annotated Code of Maryland(2015 Replacement Volume)BY adding toArticle – EducationSection 15–119, 18–114, 18–1905.1, and 18–19A–04.1Annotated Code of Maryland(2014 Replacement Volume and 2015 Supplement)”;

in line 7, after “18–302,” insert “18–303(a) and (b), 18–1401,”; in line 12, strike “18–303(a) and (b),” and substitute “18–304,”; in the same line, after “18–306,” insert “18–1402,”; strike in their entirety lines 15 through 19, inclusive; in line 22, after “Section” insert “10–207(a) and”; and in line 32, after “Section” insert “10–207(cc) and”.

AMENDMENT NO. 2

On page 2, after line 36, insert:

“Article – State Finance and Procurement3–302.

(a) (1) Except as otherwise provided in subsection (b) of this section, PARAGRAPH (2)(II) OF THIS SUBSECTION, or in other law, the Central Collection Unit is responsible for the collection of each delinquent account or other debt that is owed to the State or any of its officials or units.

(2) (I) [An] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, AN official or unit of the State government shall refer to the Central Collection Unit each debt for which the Central Collection Unit has collection responsibility under this subsection and may not settle the debt.

(II) A PUBLIC INSTITUTION OF HIGHER EDUCATION MAY NOT REFER A DELINQUENT STUDENT ACCOUNT OR DEBT TO THE CENTRAL COLLECTION UNIT UNLESS, IN ACCORDANCE WITH § 15–119 OF THE EDUCATION ARTICLE:

1. THE DELINQUENT ACCOUNT OR DEBT HAS NOT BEEN SETTLED BY THE END OF THE LATE REGISTRATION PERIOD OF THE SEMESTER AFTER THE STUDENT ACCOUNT BECAME DELINQUENT; OR

2. THE STUDENT HAS NOT ENTERED INTO OR MADE TIMELY PAYMENTS TO SATISFY AN INSTALLMENT PAYMENT PLAN.

(3) For the purposes of this subtitle, a community college or board of trustees for a community college established or operating under Title 16 of the Education Article is a unit of the State.”;

and after line 37, insert:

“15–119.

(A) A PUBLIC INSTITUTION OF HIGHER EDUCATION SHALL ALLOW AN INDIVIDUAL WITH AN UNPAID BALANCE OF \$250 OR LESS ON A STUDENT ACCOUNT TO REGISTER FOR COURSES AT THE INSTITUTION IF THE INDIVIDUAL SETTLES THE BALANCE ON THE STUDENT ACCOUNT BY THE END OF THE LATE REGISTRATION PERIOD FOR THE NEXT SEMESTER.

(B) (1) A PUBLIC INSTITUTION OF HIGHER EDUCATION SHALL ALLOW AN INDIVIDUAL WITH AN UNPAID BALANCE OF MORE THAN \$250 ON A STUDENT ACCOUNT TO REGISTER FOR COURSES AT THE INSTITUTION IF THE INDIVIDUAL ENTERS INTO AN INSTALLMENT PAYMENT PLAN BEFORE THE END OF THE LATE REGISTRATION PERIOD FOR THE CURRENT SEMESTER.

(2) THE INSTALLMENT PAYMENT PLAN UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL REQUIRE THE INDIVIDUAL TO MAKE PAYMENTS TO SETTLE THE UNPAID BALANCE ON THE STUDENT ACCOUNT BY THE AGREED ON DATE.

18–1401.

(a) In this section, “part–time student” means a student who:

(1) Is enrolled in a degree–granting program at an eligible institution and taking at least 3 but no more than 11 semester hours of courses each semester; or

(2) Is dually enrolled in a secondary school in the State and an institution of higher education.

(b) In cooperation with the institutions of higher education in the State, the Commission shall establish and administer a grant program for undergraduate part-time students.

(c) A recipient of a part-time grant shall:

(1) Be a resident of the State; and

(2) Have demonstrated a definite financial need according to criteria established by the Commission.

(d) For courses completed under the program, a recipient who is dually enrolled in a secondary school in the State and an institution of higher education may not be required to receive credit from a secondary school and an institution of higher education at the same time.

18-1402.

(a) [(1)] Funds for the Part-Time Grant Program shall be allocated by the Commission to each institution of higher education based upon the number of undergraduate part-time students with demonstrated financial need who are enrolled in degree-granting programs at the institution.

[(2)] An institution of higher education may use up to 10% of the part-time grant allocation to provide grants to students who are enrolled in at least 3 but less than 6 semester hours of courses each semester.

(b) In addition to the funds provided under § 18-14A-02(b) of this title, institutions may use up to 10% of the part-time grant allocation to provide grants to students who are dually enrolled.

(c) (B) Funds for the grant program for part-time students shall be as provided in the annual budget of the Commission by the Governor.

18-1905.1.

(A) (1) THE BOARD SHALL DEVELOP AND IMPLEMENT A MARKETING PLAN TO INCREASE PARTICIPATION IN THE COLLEGE SAVINGS PLANS OF MARYLAND.

(2) (I) THE MARKETING PLAN SHALL IDENTIFY METHODS TO INCREASE GENERAL PARTICIPATION IN THE COLLEGE SAVINGS PLANS OF MARYLAND.

(II) THE BOARD SHALL COORDINATE WITH THE BOARD OF TRUSTEES OF THE MARYLAND TEACHERS AND STATE EMPLOYEES SUPPLEMENTAL RETIREMENT PLANS AND LOCAL SCHOOL SYSTEMS, RESPECTIVELY, TO IDENTIFY METHODS TO INCREASE PARTICIPATION IN THE COLLEGE SAVINGS PLANS OF MARYLAND AMONG:

1. STATE EMPLOYEES THAT PARTICIPATE IN OTHER STATE TAX SAVINGS PROGRAMS; AND

2. FAMILIES OF STUDENTS IN LOCAL SCHOOL SYSTEMS WITH LOWER RATES OF PARTICIPATION IN THE COLLEGE SAVINGS PLANS OF MARYLAND THAN THE STATE POPULATION.

(B) ON OR BEFORE DECEMBER 1, 2016, AND EVERY 3 YEARS THEREAFTER, THE BOARD SHALL SUBMIT THE MARKETING PLAN REQUIRED UNDER SUBSECTION (A) OF THIS SECTION TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE SENATE BUDGET AND TAXATION COMMITTEE, THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE, THE HOUSE COMMITTEE ON WAYS AND MEANS, AND THE HOUSE APPROPRIATIONS COMMITTEE.”.

AMENDMENT NO. 3

On page 6, in line 4, strike “ACCOUNT HOLDER OR”; in line 6, after “BOARD” insert “OR ITS DESIGNEE”; and strike beginning with “NO” in line 7 down through “YEAR” in line 8 and substitute “BETWEEN JANUARY 1 AND JUNE 1 OF EACH YEAR”.

On page 7, in line 19, after “(E)” insert “**(1) AN ACCOUNT HOLDER WHO HAS BEEN APPROVED TO RECEIVE A STATE CONTRIBUTION SHALL MAKE A CONTRIBUTION BETWEEN JULY 1 AND NOVEMBER 1 OF EACH YEAR IN ORDER TO QUALIFY FOR THE STATE CONTRIBUTION.**”

(2)”;

in the same line, strike “IN” and substitute “**BY DECEMBER 31 OF**”; and in line 20, strike “**FOLLOWING THE CONTRIBUTION OF THE ACCOUNT HOLDER**” and substitute “**IN WHICH THE ACCOUNT HOLDER MADE THE CONTRIBUTION**”.

AMENDMENT NO. 4

On page 6, in line 10, strike “\$225,000” and substitute “**\$175,000**”; in line 22, strike “\$100,000” and substitute “**\$75,000**”; in line 28, strike “\$100,000” and substitute “**\$75,000**”; and in the same line, strike “\$175,000” and substitute “**\$125,000**”.

On page 7, in lines 2 and 3, in each instance, strike “LESS” and substitute “**NO GREATER**”; in line 3, strike “\$175,000” and substitute “**\$125,000**”; and in the same line, strike “\$225,000” and substitute “**\$175,000**”.

AMENDMENT NO. 5

On page 8, after line 16, 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 11, strike in their entirety lines 8 through 16, inclusive.

On page 8, after line 17, insert:

“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) THE SUBTRACTION UNDER SUBSECTION (A) OF THIS SECTION INCLUDES AN AMOUNT CONTRIBUTED BY THE STATE INTO AN INVESTMENT ACCOUNT UNDER § 18–19A–04.1 OF THE EDUCATION ARTICLE.

AMENDMENT NO. 6

On page 10, after line 7, insert:

“(III) 1. THE TOTAL AMOUNT OF THE CREDIT CLAIMED UNDER THIS SECTION SHALL BE RECAPTURED IF THE INDIVIDUAL DOES NOT USE THE CREDIT APPROVED UNDER THIS SECTION FOR THE REPAYMENT OF THE INDIVIDUAL’S UNDERGRADUATE STUDENT LOAN DEBT WITHIN 2 YEARS FROM THE CLOSE OF THE TAXABLE YEAR FOR WHICH THE CREDIT IS CLAIMED.

2. THE INDIVIDUAL WHO CLAIMED THE CREDIT SHALL PAY THE TOTAL AMOUNT OF THE CREDIT CLAIMED AS TAXES PAYABLE TO THE STATE FOR THE TAXABLE YEAR IN WHICH THE EVENT REQUIRING RECAPTURE OF THE CREDIT OCCURS.

AMENDMENT NO. 7

On page 12, strike beginning with “AT” in line 21 down through “IN” in line 22; in line 22, strike the brackets; and after line 25, insert:

“18–304.

(a) (1) Except as provided in § 18–307 of this subtitle, the Office shall determine the amount of each Delegate Howard P. Rawlings Educational Excellence Award based on the financial need of the applicant.

(2) In determining the amount of financial need, the Office shall consider regional cost-of-living differences.

(3) In determining the percent of financial need used to calculate an award for a community college student receiving a Delegate Howard P. Rawlings Educational Excellence Award, the Commission shall use the following percentages:

(i) For fiscal year 2007, not less than 55%; and

(ii) For fiscal year 2008 and each fiscal year thereafter, not less than 60%.

(b) (1) Except as provided in [paragraph (2)] PARAGRAPHS (2) AND (3) of this subsection, a Delegate Howard P. Rawlings Educational Excellence Award may be awarded in \$100 increments [and the award for a single year may not be less than \$400 or more than \$3,000].

(2) (I) THE AMOUNT OF AN EDUCATIONAL ASSISTANCE GRANT MADE TO A STUDENT IN THE STUDENT’S FIRST 2 SEMESTERS OF ENROLLMENT MAY NOT BE LESS THAN \$400 OR MORE THAN \$3,000.

(II) BEGINNING IN THE THIRD SEMESTER OF ENROLLMENT AND FOR EACH SEMESTER THEREAFTER:

1. IF THE STUDENT SUCCESSFULLY COMPLETED AT LEAST 15 CREDITS IN THE PRIOR SEMESTER, THE AMOUNT OF AN EDUCATIONAL ASSISTANCE GRANT MADE TO A STUDENT MAY NOT BE LESS THAN \$400 OR MORE THAN \$3,000; OR

2. IF THE STUDENT SUCCESSFULLY COMPLETED AT LEAST 12 BUT LESS THAN 15 CREDITS IN THE PRIOR SEMESTER, THE AWARD AMOUNT SHALL BE EQUAL TO THE AMOUNT THE STUDENT WOULD HAVE OTHERWISE RECEIVED MULTIPLIED BY THE RATIO OF THE NUMBER OF CREDITS SUCCESSFULLY COMPLETED DIVIDED BY 15.

[(2)](3) (i) All applicants who fulfill the requirements established in § 18–303(a) and (b) of this subtitle shall receive a Guaranteed Access Grant.

(ii) The amount of a Guaranteed Access Grant **MADE TO A STUDENT IN THE STUDENT’S FIRST 2 SEMESTERS OF ENROLLMENT** shall be equal to 100 percent of the student’s financial need as determined by the Office, not to exceed the equivalent annual expenses of a full–time resident undergraduate at the 4–year public institution of higher education within the University System of Maryland, other than the University of Maryland University College and University of Maryland, Baltimore, with the highest annual expenses for a full–time resident undergraduate.

(III) BEGINNING IN THE THIRD SEMESTER OF ENROLLMENT AND FOR EACH SEMESTER THEREAFTER:

1. IF THE STUDENT SUCCESSFULLY COMPLETED AT LEAST 15 CREDITS IN THE PRIOR SEMESTER, THE AWARD AMOUNT SHALL BE EQUAL TO 100 PERCENT OF THE STUDENT’S FINANCIAL NEED AS DETERMINED BY THE OFFICE, NOT TO EXCEED THE EQUIVALENT ANNUAL EXPENSES OF A FULL–TIME RESIDENT UNDERGRADUATE AT THE 4–YEAR PUBLIC INSTITUTION OF HIGHER EDUCATION WITHIN THE UNIVERSITY SYSTEM OF MARYLAND, OTHER THAN THE UNIVERSITY OF MARYLAND UNIVERSITY COLLEGE AND UNIVERSITY OF MARYLAND, BALTIMORE, WITH THE HIGHEST ANNUAL EXPENSES FOR A FULL–TIME RESIDENT UNDERGRADUATE; OR

2. IF THE STUDENT SUCCESSFULLY COMPLETED AT LEAST 12 BUT LESS THAN 15 CREDITS IN THE PRIOR SEMESTER, THE AWARD AMOUNT SHALL BE EQUAL TO 100 PERCENT MULTIPLIED BY THE RATIO OF THE NUMBER OF CREDITS SUCCESSFULLY COMPLETED DIVIDED BY 15.”.

On page 13, strike beginning with “ENROLLED” in line 1 down through “SEMESTER,” in line 2; and in lines 1 and 3, in each instance, strike the brackets.

AMENDMENT NO. 8

On page 14, after line 8, insert:

“SECTION 5. AND BE IT FURTHER ENACTED, That:

(a) The Maryland Higher Education Commission, in consultation with the Department of Legislative Services, shall retain a consultant to conduct an independent evaluation of the effectiveness of the operation of the Office of Student Financial Assistance in the Maryland Higher Education Commission;

(b) In addition to the evaluation required under subsection (a) of this section, the consultant shall make recommendations on how to implement Section 3 of this Act and how to overcome any impediments the Office of Student Financial Assistance may encounter in implementing Section 3 of this Act; and

(c) On or before October 1, 2017, the Maryland Higher Education Commission and the Department of Legislative Services shall report the findings and recommendations required under subsections (a) and (b) of this section to the Governor and, in accordance with § 2-1246 of the State Government Article, the Senate Budget and Taxation Committee, the Senate Education, Health, and Environmental Affairs Committee, the House Committee on Ways and Means, and the House Appropriations Committee.”;

in line 9, strike “5.” and substitute “6.”; in line 11, strike “2015” and substitute “2016”; and in the same line, strike “2017–2018” and substitute “2018–2019”.

The preceding 8 amendments were read only.

Senator Brochin moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

CONCURRENCE CALENDAR #4

AMENDED IN THE HOUSE

Senate Bill 191 – The President (By Request – Administration)

AN ACT concerning

**Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2016,
and the Maryland Consolidated Capital Bond Loans of 2007, 2008, 2009, 2011,
2012, 2013, 2014, and 2015**

Senator Kasemeyer moved that the Senate not concur in the House amendments.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: SB0191
SPONSOR: President
SUBJECT: Maryland Consolidated Capital Bond Loan of 2016

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 DeGrange, Chair
Senator Kasemeyer
Senator Peters
Senator Currie
Senator Edwards

In addition, the Senate has appointed in advisory capacity: Senators Madaleno and Ferguson.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and adopted.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #24

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 137 – Charles County Delegation

AN ACT concerning

**Charles County – Taxing Districts for Infrastructure Improvements – Repeal of
Restriction**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

**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~~

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 adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

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**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 adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 379 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

**Employees’ and Teachers’ Pension Systems – Reformed Contributory Pension
Benefit – Eligibility Service Clarifications**

HB0379/209134/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 379

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “Reformed” insert “Alternate Contributory Pension Selection and”; in line 3, strike “– Eligibility Service Clarifications”; in line 4, after the first “of” insert “repealing the date by which certain individuals who were subject to the Alternate Contributory Pension Selection in the Employees’ Pension System or Teachers’ Pension System before separating from employment must resume employment in order to resume participation in the Alternate Contributory Pension Selection; making a certain requirement for the Board of Trustees for the State Retirement and Pension System to report on the number of certain members who resume employment in certain systems and resume participation in the Alternate Contributory Pension Selection to be an ongoing requirement for an annual report;”; in line 13, after “to” insert “the Alternate Contributory Pension Selection and”; and in line 17, after “Section” insert “23–215.1.”

AMENDMENT NO. 2

On page 1, after line 22, insert:

“23–215.1.

(a) This section applies to a member who:

(1) on or before June 30, 2011, is subject to the Alternate Contributory Pension Selection;

(2) (i) is separated from employment for 4 years or less;

(ii) 1. is separated from employment for more than 4 years for military service that meets the requirements of the federal Uniformed Services Employment and Reemployment Rights Act; and

2. resumes employment within 1 year of leaving military service in a position that is included in the Employees’ Pension System or Teachers’ Pension System; or

(iii) 1. is separated from employment for more than 4 years; and

2. on or before June 30, 2011, accrues the minimum eligibility service needed to be eligible for a vested allowance in the Alternate Contributory Pension Selection under Title 29, Subtitle 3 of this article;

(3) does not withdraw the member’s accumulated contributions; and

(4) does not become a retiree.

(b) A member described in subsection (a) of this section who [on or before June 30, 2016,] resumes employment in a position that is included in the Employees’ Pension System or Teachers’ Pension System, shall resume participation in the Alternate Contributory Pension Selection if the employer participates in the Alternate Contributory Pension Selection.

(c) On or before October 1[, 2012, and each October 1 through October 1, 2016] OF EACH YEAR, the Board of Trustees shall submit a report in accordance with § 2–1246 of the State Government Article to the Joint Committee on Pensions that provides the number of members described under subsection (a) of this section who were:

(1) rehired in the preceding fiscal year into a position included in the Employees' Pension System or Teachers' Pension System; and

(2) participating in the Alternate Contributory Pension Selection."

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 381 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

**State Retirement and Pension System – Board of Trustees – Designee
Appointments and Fiduciary Duties**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 447 – Charles County Delegation

AN ACT concerning

**Charles County – County Transfer Tax – Revenue Received by the Clerk of the
Circuit Court**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

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

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 only.

Senator Brochin moved, duly seconded, that the Bill and Amendment be laid over under the Rule.

The motion was adopted.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 1581 – Harford County Delegation

EMERGENCY BILL

AN ACT concerning

**Harford County Deputy Sheriff ~~Patrick Dailey~~ Sheriffs Dailey and Logsdon
Benefits Memorial Act**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #25

CONSENT CALENDAR #51

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

BILL NO.	REPORT	SPONSOR	CONTENT
<u>FAVORABLE</u>			
HB 380	FAV	Del. B. Barnes	State Retirement and Pension System – Local Fire and Police System – Commingling of Assets
HB 382	FAV	Del. B. Barnes	State Retirement and Pension System – Optional Retirement Allowances – Designated Beneficiaries
HB 537	FAV	Del. B. Barnes	Teachers' Retirement and Pension Systems – Reemployment of Retirees – Clarification

BILL NO.	REPORT	SPONSOR	CONTENT
HB 581	FAV	Del. B. Barnes	State Retirement and Pension Sstm – Reemployment of Ordinary Dsblty Retirees – Earnings Limitation
HB 926	FAV	Del. Lierman	Optional Retirement Program – Eligibility – Alterations

Favorable report adopted on all of the preceding bills.

The preceding bills were read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #21

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 509 – Senator Waugh

AN ACT concerning

Real Property – Actions to Quiet Title

SB0509/258878/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 509

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, strike “authorizing” and substitute “requiring”.

AMENDMENT NO. 2

On page 6, in line 10, after “COURT,” insert “BUT NOT LESS THAN 60 YEARS,”.

AMENDMENT NO. 3

On page 4, in line 18, strike “CLAIM” and substitute “INTEREST IN THE TITLE OF THE PROPERTY”.

On page 7, in line 20, strike “(1)”; and strike in their entirety lines 23 through 26, inclusive.

AMENDMENT NO. 4

On page 7, in line 28, after “EVIDENCE” insert “AT A HEARING BEFORE THE COURT”.

On page 8, in line 1, strike “MAY” and substitute “SHALL”; and in line 4, strike “IF THE JUDGMENT IS RECORDED, THE” and substitute “THE”.

AMENDMENT NO. 5

On page 2, in line 26, after “THE” insert “MORTGAGEE,”.

On page 3, in line 16, after “COMPLAINT” insert “WITH EXHIBITS”; in line 23, after “BY” insert “CERTIFIED MAIL, RETURN RECEIPT REQUESTED, AND BY”; in line 24, strike “HOLDER’S” and substitute “HOLDER:”

(1) AT THE;

and in the same line, after “INSTRUMENT” insert “FOR THE HOLDER’S RECEIPT OF NOTICES; OR”

(2) IF NO ADDRESS FOR THE HOLDER’S RECEIPT OF NOTICES IS SET FORTH IN THE SECURITY INSTRUMENT, AT THE LAST KNOWN ADDRESS OF THE HOLDER”.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 942 – Senators Ramirez, Lee, and Manno

AN ACT concerning

State Government – Administrative Procedure Act – Contested Cases
– Judicial Review

SB0942/528179/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 942
(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 “[vi]”; in the same line, 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 only.

Senator Jennings moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 1097 – Senators Mathias, Eckardt, Edwards, Hershey, and Middleton

AN ACT concerning

Local Government Tort Claims Act – Regional Development Councils

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 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**

SB1143/528276/1/528179/1

BY: Judicial Proceedings Committee

-AMENDMENTS TO SENATE BILL 1143

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Prince George’s County –”.

AMENDMENT NO. 2

On page 1, strike beginning with “requiring” in line 10 down through “Assembly;” in line 13; and in line 20, strike “in Prince George’s County”.

On page 2, strike beginning with “representing” in line 1 down through “County” in line 2; strike beginning with “representing” in line 3 down through “County” in line 4; in line 5, strike “the State’s Attorney for Prince George’s County” and substitute “a State’s Attorney”; strike beginning with “the” in line 8 down through “Health” in line 9 and substitute “a county department of health”; strike beginning with “the” in line 10 down through “Services” in line 11 and substitute “a county department of social services”; strike beginning with “the” in line 12 down through “Services” in line 13 and substitute “a county department of family services”; strike beginning with “the” in line 14 down through “Council” in line 15 and substitute “Leaving Abuse, Supporting Everyone, Restoring Survivors, Inc. (LASERS)”; and strike beginning with “judge” in line 16 down through

“Court” in line 17 and substitute “representative of the Domestic Violence and Sexual Assault Center at Dimensions Healthcare System”.

On page 3, strike beginning with the first “Prince” in line 1 down through “Services” in line 3 and substitute “Department of Human Resources”; in line 22, strike “Prince George’s County” and substitute “Maryland”; in line 23, strike “(i)”; and strike in their entirety lines 26 through 28, 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 FINANCE REPORT #30

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 707 – Senator Middleton

AN ACT concerning

Freestanding Medical Facilities – Certificate of Need, Rates, and Definition

SB0707/907172/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 707

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Middleton” and substitute “Senators Middleton, Hershey, and Mathias”; 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; 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 line 11, strike “NOT INCONSISTENT” and substitute “**CONSISTENT**”; in line 20, strike “45” and substitute “**60**”; 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; and**

(4) 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.”.

AMENDMENT NO. 4

On page 11, before line 24, insert:

“SECTION 3. 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 “4.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0707/873325/1

BY: Senator Middleton

AMENDMENT TO SENATE BILL 707, AS AMENDED

On page 2 of the Finance Committee Amendments (SB0707/907172/1), in line 11 of Amendment No. 3, strike “and”; after line 11, insert:

“(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”;

and in line 12, strike “(4)” and substitute “(6)”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 1173 – Senators Pugh, Conway, McFadden, Ferguson, and Nathan–Pulliam

AN ACT concerning

Department of Labor, Licensing and Regulation – Adult Education – Adult High Schools

SB1173/857475/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 1173

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Department” in line 2 down through “Schools” in line 3 and substitute “Task Force to Study the Adult High School Concept”; strike beginning

with “repealing” in line 4 down through “Regulation” in line 12 and substitute “establishing the Task Force to Study the Adult High School Concept; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters relating to the adult high school concept; requiring the Task Force to report its findings and recommendations to the presiding officers of the General Assembly and certain committees of the General Assembly on or before certain dates; providing for the termination of this Act; and generally relating to the Task Force to Study the Adult High School Concept”; strike in their entirety lines 13 through 22, inclusive; and in line 24, strike “the Laws of Maryland read as follows”.

AMENDMENT NO. 2

On pages 1 through 3, strike in their entirety the lines beginning with line 25 on page 1 through line 16 on page 3, inclusive.

AMENDMENT NO. 3

On page 3, after line 16, insert:

“(a) There is a Task Force to Study the Adult High School Concept.

(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 Labor, Licensing, and Regulation, or the Secretary’s designee;

(4) the State Superintendent of Schools, or the State Superintendent’s designee;

(5) a representative of the Baltimore Metropolitan Council, appointed by the Executive Director of the Council;

(6) a representative of the Job Opportunity Task Force, appointed by the Executive Director of the Task Force;

(7) a representative of the Governor’s Workforce Investment Board, appointed by the Governor;

(8) a representative of the Maryland Adult Learning Advisory Council, appointed by the Chair of the Council;

(9) a representative of the Maryland Association of Adult and Community Education, appointed by the President of the Board of Directors of the Association;

(10) a representative of the Montgomery Coalition for Adult English Literacy, appointed by the Executive Director of the Coalition;

(11) one member of the Workforce Development Committee of the Opportunity Collaborative, appointed by the Co-Chairs of the Collaborative;

(12) one representative of a local education agency, appointed by the Executive Director of the Maryland Association of the Boards of Education;

(13) a superintendent of a local public school system in the State, appointed by the Executive Director of the Public School Superintendents Association of Maryland;

(14) a representative of the Baltimore Workforce Funders Collaborative, appointed by the Director of the Collaborative;

(15) two representatives of adult education providers, appointed by the Secretary of Labor, Licensing, and Regulation; and

(16) a representative of a community college, appointed by the Maryland Association of Community Colleges.

(c) The chair of the Task Force shall be selected by a majority vote of the members of the Task Force.

(d) The Department of Labor, Licensing, and Regulation and the State Department of Education 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, and identify best practices with regard to, the following issues:

(i) eligibility requirements and financial stability and capacity standards for adult high school operators;

(ii) accreditation of adult high school operators, teachers, and instructors, including the appropriate accrediting agencies, standards for accreditation, and compliance and enforcement of standards;

(iii) adult high school operator reporting requirements and data collection, including effectiveness criteria that consider matriculation rates, degree attainment, types of credit, certification, and degrees awarded, alternative high school diplomas, GED, or External Diploma Program, and job placement;

(iv) matriculation requirements, including admission criteria and identification of the entity that will certify successful completion of an adult high school program, admission policy, student residency requirements, student transfers from the secondary education system, and a process for recruiting and selecting students;

(v) curriculum content and requirements, including graduation credits and requirements, identification of the curriculum development entity, programs of study, course length and intensity requirements, the appropriate provisions of adult learner and skills services and services to underserved special needs populations and English language learners, and standards for flexibility and innovation;

(vi) funding requirements and options, including various models and model sustainability, public funding options, tuition-based models, and financial aid options; and

(vii) any other issues relevant to the development of the adult high school concept as determined by the Task Force, including limits on the numbers of adult high schools, impact of wraparound services, requirements for physical student presence at school, and online services; and

(2) make recommendations regarding enabling legislation and regulations for the establishment and regulation of adult high schools.

(g) (1) On or before December 15, 2016, the Task Force shall submit an interim report on its findings and recommendations, in accordance with § 2–1246 of the State Government Article, to the President of the Senate, the Speaker of the House of Delegates, the Senate Education, Health, and Environmental Affairs Committee, the House Committee on Ways and Means, and the House Economic Matters Committee of the General Assembly.

(2) On or before June 30, 2017, the Task Force shall submit a final report on its findings and recommendations, in accordance with § 2–1246 of the State Government Article, to the President of the Senate, the Speaker of the House of Delegates, the Senate Education, Health, and Environmental Affairs Committee, the House Committee on Ways and Means, and the House Economic Matters Committee of the General Assembly.”;

and in line 18, after “2016.” insert “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 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

MESSAGE TO THE SENATE

BILL: **SB0191**
SPONSOR: President
SUBJECT: Maryland Consolidated Capital Bond Loan of 2016

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 DeGrange, Chairman
Senator Kasemeyer
Senator Peters
Senator Currie
Senator Edwards.

In addition, the Senate has appointed in advisory capacity: Senators Madaleno and Ferguson.

The House appoints:

Delegate Jones, Chair
Delegate Ghrist
Delegate Haynes
Delegate McIntosh
Delegate A. Miller

In addition, the House has appointed in advisory capacity: Delegates Gaines and Reznik.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

THE COMMITTEE ON FINANCE REPORT #31

Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 1406 – Delegates Clippinger, Anderson, Branch, Carter, Conaway, Glenn, Hammen, Hayes, Haynes, Lierman, McCray, McIntosh, Oaks, B. Robinson, Rosenberg, and M. Washington

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 BUDGET AND TAXATION REPORT #26

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

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

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 adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 815)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #68

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**

Read the third time and passed by yeas and nays as follows:

Affirmative – 41 Negative – 3 (See Roll Call No. 816)

The Bill was then sent to the House of Delegates.

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 – 45 Negative – 0 (See Roll Call No. 817)

The Bill was then sent to the House of Delegates.

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 – 45 Negative – 0 (See Roll Call No. 818)

The Bill was then sent to the House of Delegates.

Senate Bill 973 – Senators Madaleno and Conway

AN ACT concerning

~~Campaign Finance – Public Officials Election Law – Departmental Secretaries –~~
Solicitation of Contributions or Donations

Read the third time and passed by yeas and nays as follows:

Affirmative – 31 Negative – 14 (See Roll Call No. 819)

The Bill was then sent to the House of Delegates.

**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 – 32 Negative – 13 (See Roll Call No. 820)

The Bill was then sent to the House of Delegates.

Senate Bill 1163 – Senator Salling

AN ACT concerning

~~State Boat Act~~ **Baltimore County – Marinas Infested With Midges**
– Funding for Larvicide

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 821)

The Bill was then sent to the House of Delegates.

**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 – 37 Negative – 8 (See Roll Call No. 822)

The Bill was then sent to the House of Delegates.

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 – 33 Negative – 12 (See Roll Call No. 823)

The Bill was then sent to the House of Delegates.

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 – 32 Negative – 13 (See Roll Call No. 824)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #6

House Bill 65 – Chair, Environment and Transportation Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Tree Expert License – Application and Renewal – Repeal of Sunset Provision

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 825)

The Bill was then sent to the House of Delegates.

House Bill 90 – Delegate Lafferty

AN ACT concerning

**On–Site Sewage Disposal Systems – Operation and Maintenance Costs –
Low–Income Homeowners**

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 826)

The Bill was then sent to the House of Delegates.

**House Bill 132 – Delegates Lafferty, Healey, Lierman, ~~and S. Robinson~~
S. Robinson, Carr, and Bromwell**

AN ACT concerning

State Government – Pollinator Habitat Plans

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 827)

The Bill was then sent to the House of Delegates.

**House Bill 319 – Delegates Jacobs, Arentz, Cassilly, Ghrist, Hornberger,
S. Howard, Metzgar, Otto, and Sample–Hughes**

AN ACT concerning

Oysters and Clams – Dredging by Auxiliary Yawl – Authorized Boats

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 828)

The Bill was then sent to the House of Delegates.

**House Bill 389 – Delegates O’Donnell, Anderton, Arentz, Aumann, Cluster, Ghrist,
Glass, Grammer, Hornberger, Jacobs, Kittleman, Krebs, Long, Malone,
Mautz, McComas, McConkey, McKay, McMillan, Metzgar, W. Miller,
Morgan, Otto, Rey, Rose, Saab, Shoemaker, Stein, Vogt, and West**

EMERGENCY BILL

AN ACT concerning

**Chesapeake and Atlantic Coastal Bays Critical Area Protection Program –
Intrafamily Transfers**

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 829)

The Bill was then sent to the House of Delegates.

House Bill 443 – Delegates Fraser–Hidalgo, Beidle, Lam, and Morhaim

AN ACT concerning

Agriculture – Industrial Hemp – Agricultural or Academic Research

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 830)

The Bill was then sent to the House of Delegates.

**House Bill 766 – Chair, Environment and Transportation Committee (By Request
– Departmental – Natural Resources)**

AN ACT concerning

Natural Resources – Fish and Fisheries

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 831)

The Bill was then sent to the House of Delegates.

House Bill 1161 – Delegate Lisanti

AN ACT concerning

Municipalities – Boat Docking and Storage – User Fees – Authorized Uses

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 832)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #7

House Bill 3 – Delegate Davis

EMERGENCY BILL

AN ACT concerning

**Public Utilities – Transportation Network Services and For-Hire
Transportation – Clarifications**

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 833)

The Bill was then sent to the House of Delegates.

House Bill 11 – Delegate Hill

AN ACT concerning

Health Insurance – In Vitro Fertilization – Use of Spouse’s Sperm – Exception

Read the third time and passed by yeas and nays as follows:

Affirmative – 37 Negative – 8 (See Roll Call No. 834)

The Bill was then sent to the House of Delegates.

**House Bill 63 – Chair, Environment and Transportation Committee (By Request
– Departmental – Natural Resources)**

AN ACT concerning

**Natural Resources – Fishing – Regulation and Use of Commercial Finfish
Trotlines**

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 835)

The Bill was then sent to the House of Delegates.

House Bill 87 – Montgomery County Delegation

AN ACT concerning

**Montgomery County Board of Education – Student Member – Voting
MC 11-16**

Read the third time and passed by yeas and nays as follows:

Affirmative – 39 Negative – 4 (See Roll Call No. 836)

The Bill was then sent to the House of Delegates.

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**

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 837)

The Bill was then sent to the House of Delegates.

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

Read the third time and passed by yeas and nays as follows:

Affirmative – 31 Negative – 13 (See Roll Call No. 838)

The Bill was then sent to the House of Delegates.

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

Read the third time and passed by yeas and nays as follows:

Affirmative – 32 Negative – 13 (See Roll Call No. 839)

The Bill was then sent to the House of Delegates.

House Bill 1402 – Delegates McIntosh, Chang, Cullison, Ebersole, Frick, Frush, Glenn, Haynes, Hill, Hixson, Jackson, Jalisi, Jones, Kaiser, Krimm, Lam, Luedtke, McCray, Morhaim, Pena–Melnik, 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**

Read the third time and passed by yeas and nays as follows:

Affirmative – 32 Negative – 13 (See Roll Call No. 840)

The Bill was then sent to the House of Delegates.

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

Read the third time and passed by yeas and nays as follows:

Affirmative – 34 Negative – 11 (See Roll Call No. 841)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #8

CONSENT CALENDAR #6

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 22	Del. Krimm	Ethan Saylor Alliance for Self-Advocates as Edctrs – Mbrshp and Duties – Cmnty Incls n Trng Oversight	FIN
HB 75	Del. Barkley	Gas Companies – Infrastructure Replacement Projects – Amendment to a Plan	FIN
HB 105	Del. Clippinger	Local Govt – Clean Energy Loan Programs – Commercial Prprty Owners – Renewable Energy Prjcts	FIN
HB 124	Del. Hammen	Health Insurance – Large Employers – Disclosure of Aggregate Incurred Claims	FIN
HB 233	Del. Carey	Citizens Com for the Enhancement of Cmnts Surrounding BWI Thurgood Marshall Airport – Mbrshp	FIN
HB 342	Del. Carey	Motor Fuel Suppliers and Retail Service Station Dealers – Promotion – Sales	FIN
HB 440 (Amended)	Del. Kramer	Electric Cmpns – Installation of Solar Electric Generating Fac – Completion of Interconnection	FIN
HB 505	Charles County Delegation	Charles County Sheriff – Salaries and Collective Bargaining	FIN
HB 555	Del. Kipke	Office of Cemetery Oversight – Perpetual Care Trust Funds – Report Submission Requirement	FIN

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 575	Del. Jameson	Portable Electronics Insurance – Required Notices – Method of Mailing	FIN
HB 696	Del. Davis	Public Utilities – Maryland Underground Facilities Damage Prevention Authority – Funding	FIN
HB 745	Del. Reilly	Business Regulation – State and Harford County Juke Box Licenses – Repeal	FIN
HB 1408	Del. McComas	Prprty and Casualty Ins – Commercial Plcs and Wrkrs’ Comp Ins Plcs – Notices of Prm Increases	FIN

By Order,
William B. C. Addison, Jr., Secretary

All of the above listed bills on the Third Reading Consent Calendar No. 6 were read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 842)

The Bills were then sent to the House of Delegates.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 558 – Senators Ferguson, Currie, Guzzone, Klausmeier, Madaleno, McFadden, and Pugh

AN ACT concerning

Baltimore Regional Neighborhood Initiative Program – Codified

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (7) AND THE FAVORABLE REPORT.

SB0558/959338/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 558

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “information;” insert “providing that community enhancement projects may be located in more than one political subdivision;”; in line 10, strike “approval from” and substitute “notification to”; in line 22, after “Governor” insert “, in certain fiscal years.”; and in line 23, after “Fund;” insert “requiring the Governor to include a certain appropriation for a certain fiscal year.”.

AMENDMENT NO. 2

On page 4, in line 8, strike “AND”; and in line 9, after “(7)” insert “WORKFORCE AND EMPLOYMENT DEVELOPMENT PROGRAMS; AND

(8)”.

AMENDMENT NO. 3

On page 5, after line 2, insert:

“(D) THE COMMUNITY ENHANCEMENT PROJECTS FOR WHICH A COMMUNITY DEVELOPMENT ORGANIZATION APPLIES FOR PROGRAM FUNDS MAY BE LOCATED IN MORE THAN ONE POLITICAL SUBDIVISION.”.

AMENDMENT NO. 4

On page 7, in line 1, strike “UNLESS” and substitute “UNTIL THE DEPARTMENT HAS PROVIDED WRITTEN NOTICE AND A REASONABLE OPPORTUNITY TO COMMENT TO”; strike beginning with “APPROVES” in line 3 down through “SUBDIVISION” in line 6; in line 8, after the first “THE” insert “DEPARTMENT MUST PROVIDE NOTICE AND A REASONABLE OPPORTUNITY TO COMMENT TO THE”; strike beginning with “MUST” in line 9 down through “SUBSECTION” in line 10; in line 12, after “SUBDIVISION,” insert “THE DEPARTMENT MUST PROVIDE NOTICE AND A REASONABLE OPPORTUNITY TO COMMENT TO”; and strike beginning with “MUST” in line 12 down through “SUBDIVISION” in line 16.

AMENDMENT NO. 5

On page 11, in line 9, strike “EACH FISCAL YEAR” and substitute “FISCAL YEARS 2018 THROUGH 2022”.

AMENDMENT NO. 6

On page 11, after line 25, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That for fiscal year 2018, the Governor shall include in the budget bill an appropriation to the Baltimore Metropolitan Council in the amount of \$250,000 for planning and programmatic efforts that facilitate coordination and collaboration among local jurisdictions and organizations in the Baltimore region to foster economic growth and development.”;

and in line 26, strike “2.” and substitute “3.”.

AMENDMENT NO. 7

On page 3, in lines 27 and 28, strike “AND REHABILITATE VACANT HOMES FOR RESALE TO NEW HOMEBUYERS” and substitute “OR REHABILITATE VACANT OR BLIGHTED PROPERTIES”.

On page 4, in line 28, after “WITH” insert “ANOTHER COMMUNITY DEVELOPMENT ORGANIZATION OR WITH”.

On page 6, in line 21, strike the second “AND”; and in line 24, 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 7, in line 27, strike “15%” and substitute “40%”.

The preceding 7 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0558/393720/1

BY: Senator Cassilly

AMENDMENTS TO SENATE BILL 558, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, strike beginning with “requiring” in line 22 down through “Fund;” in line 23.

On page 1 of the Budget and Taxation Committee Amendments (SB0558/959338/1), in line 4 of Amendment No. 1, strike “, in certain fiscal years.”; and in the same line, strike “requiring” and substitute “authorizing”.

AMENDMENT NO. 2

On page 11 of the bill, strike in their entirety lines 9 and 10.

On page 2 of the Budget and Taxation Committee Amendments, strike Amendment No. 5 in its entirety.

On page 2 of the Budget and Taxation Committee Amendments, in line 3 of Amendment No. 6, strike “shall” and substitute “may”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 14 Negative – 28 (See Roll Call No. 843)

Read the second time and ordered prepared for Third Reading.

Senator McFadden moved, duly seconded, to place **Senate Bill 558** back on second reading for the purpose of adding amendments.

The motion was adopted.

STATUS OF BILL: BILL ON SECOND READING AND OPEN TO AMENDMENT.

FLOOR AMENDMENT

SB0558/283724/1

BY: Senator McFadden

AMENDMENT TO SENATE BILL 558

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Pugh” and substitute “Pugh, Nathan–Pulliam, and Conway”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

SB0558/893323/1

BY: Senator McFadden

AMENDMENTS TO SENATE BILL 558, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 23, before “and” insert “requiring the Department to issue a certain request for proposals on or before a certain date;”.

AMENDMENT NO. 2

On page 11, in line 26, 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 adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 684 – Delegates Hammen, Anderson, Branch, Busch, Carey, Carter, Clippinger, Conaway, Glenn, Hayes, Haynes, Lafferty, Lierman, Lisanti, McCray, McIntosh, Oaks, Pena–Melnyk, Pendergrass, B. Robinson, S. Robinson, Rosenberg, Smith, Sophocleus, M. Washington, West, and P. Young

AN ACT concerning

Baltimore Regional Neighborhood Initiative Program – Codified

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

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 adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

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 adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 686 – Delegates Hammen, Anderson, Branch, Busch, Carey, Carter, Clippinger, Conaway, Glenn, Hayes, Haynes, Lafferty, Lierman, Lisanti, McCray, McIntosh, Oaks, Pena–Melnyk, Pendergrass, B. Robinson, S. Robinson, Rosenberg, Smith, Sophocleus, Walker, M. Washington, West, and P. Young

AN ACT concerning

**Department of Housing and Community Development – Strategic Demolition
and Smart Growth Impact Fund – Establishment**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report adopted.

FLOOR AMENDMENT

HB0686/823021/1

BY: Senator Hershey

AMENDMENTS TO HOUSE BILL 686

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “beginning” in line 12 down through “manner;” in line 15; and strike beginning with “requiring” in line 17 down through “manner;” in line 19.

AMENDMENT NO. 2

On page 4, strike in their entirety lines 9 through 21, inclusive.

On page 5, strike in their entirety lines 6 through 14, inclusive; and in line 15, strike “3.” and substitute “2.”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 15 Negative – 30 (See Roll Call No. 844)

Read the second time and ordered prepared for Third Reading.

Senate Bill 771 – The President (By Request – Office of the Attorney General)

AN ACT concerning

**Courts and Judicial Proceedings – Consumer Debt Collection Actions –
Restrictions**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (6) AND THE FAVORABLE REPORT.

SB0771/308475/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 771

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the first “a” in line 6 down through “action” in line 7 and substitute “certain actions may not revive or extend a certain statute of limitations”; in line 11, after “terms;” insert “providing for the application of this Act;”; and in line 15, strike “5–1203” and substitute “5–1204”.

AMENDMENT NO. 2

On page 2, after line 2, insert:

“(B) “CHARGE-OFF” MEANS THE ACT OF A CREDITOR THAT TREATS AN ACCOUNT RECEIVABLE OR ANY OTHER DEBT AS A LOSS OR AN EXPENSE BECAUSE PAYMENT IS UNLIKELY.

(C) “CHARGE-OFF BALANCE” MEANS THE AMOUNT DUE ON THE ACCOUNT OR DEBT AT THE TIME OF CHARGE-OFF.”;

in lines 3, 5, 11, 14, 16, 23, and 25, strike “(B)”, “(C)”, “(E)”, “(F)”, “(G)”, “(H)”, and “(I)”, respectively, and substitute “(D)”, “(E)”, “(G)”, “(H)”, “(I)”, “(J)”, and “(K)”, respectively; in line 8, strike “(D)” and substitute “(F) (1)”; after line 10, insert:

“(2) “CONSUMER DEBT COLLECTION ACTION” DOES NOT INCLUDE AN ACTION BROUGHT UNDER § 8-401 OF THE REAL PROPERTY ARTICLE BY A LANDLORD OR AN ATTORNEY, A PROPERTY MANAGER, OR AN AGENT ON BEHALF OF A LANDLORD.”;

in line 19, strike “A” and substitute “:

(I) A;

and in line 22, after “MERCHANT” insert “:

(II) A BUSINESS ENTITY THAT, IN THE BUSINESS ENTITY’S ORDINARY COURSE OF BUSINESS, DOES NOT PURCHASE OR OTHERWISE ACQUIRE CONSUMER DEBT FROM AN ORIGINAL CREDITOR OR FROM A SUBSEQUENT OWNER OF THE DEBT AND ACQUIRED THE CONSUMER DEBT:

1. AS A DIRECT RESULT OF THE BUSINESS ENTITY BEING THE SUCCESSOR IN A MERGER WITH THE ORIGINAL CREDITOR OF THE DEBT; OR

2. BECAUSE THE BUSINESS ENTITY PURCHASED OR OTHERWISE ACQUIRED THE ORIGINAL CREDITOR IN WHOLE;

(III) A BANK, CREDIT UNION, OR SAVINGS AND LOAN ASSOCIATION THAT ACQUIRED THE CONSUMER DEBT AS A DIRECT RESULT OF BEING THE SUCCESSOR IN A MERGER WITH ANOTHER BANK, CREDIT UNION, OR SAVINGS AND LOAN ASSOCIATION THAT HAD OWNED THE CONSUMER DEBT;

(IV) A MORTGAGE SERVICER THAT IS LICENSED UNDER TITLE 11, SUBTITLE 5 OF THE FINANCIAL INSTITUTIONS ARTICLE, UNLESS THE

MORTGAGE SERVICER OR A COLLECTOR ACTING ON THE MORTGAGE SERVICER'S BEHALF COLLECTS OR ATTEMPTS TO COLLECT A DEFICIENCY BALANCE OR DEFICIENCY JUDGMENT IN ANY WAY RELATED TO OR ARISING FROM A FORECLOSURE OR SHORT SALE OF REAL PROPERTY THAT SECURED THE MORTGAGE LOAN;

(V) A SALES FINANCE COMPANY OR ANY OTHER PERSON THAT ACQUIRES CONSUMER DEBT ARISING FROM A RETAIL INSTALLMENT SALE AGREEMENT IF:

1. THE SALES FINANCE COMPANY OR OTHER PERSON ACQUIRED THE DEBT BEFORE THE FIRST INSTALLMENT PAYMENT WAS DUE FROM THE CONSUMER; AND

2. THE RETAIL INSTALLMENT SALE AGREEMENT EXPRESSLY STATED THAT THE CONSUMER WOULD BE REQUIRED TO MAKE THE CONSUMER'S PAYMENTS TO THAT SALES FINANCE COMPANY OR PERSON;

(VI) A BANK, CREDIT UNION, OR SAVINGS AND LOAN ASSOCIATION THAT ACQUIRED FROM ANOTHER BANK, CREDIT UNION, OR SAVINGS AND LOAN ASSOCIATION, IN THE ORDINARY COURSE OF BUSINESS, ALL OF A SPECIFIC TYPE OF CONSUMER DEBT OWNED BY THE OTHER BANK, CREDIT UNION, OR SAVINGS AND LOAN ASSOCIATION EXCEPT FOR CONSUMER DEBT THAT HAD BEEN CHARGED OFF; OR

(VII) AN ATTORNEY, A LICENSED DEBT COLLECTION AGENCY, A PROPERTY MANAGER, OR ANY OTHER PERSON THAT COLLECTS OR ATTEMPTS TO COLLECT CONSUMER DEBT IN AN ACTION UNDER § 8-401 OF THE REAL PROPERTY ARTICLE ON BEHALF OF AN ORIGINAL CREDITOR THAT IS A RESIDENTIAL RENTAL PROPERTY OWNER”.

AMENDMENT NO. 3

On page 3, strike in their entirety lines 5 through 8, inclusive, and substitute:

“(B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ON THE EXPIRATION OF THE STATUTE OF LIMITATIONS APPLICABLE TO THE CONSUMER

DEBT COLLECTION ACTION, ANY SUBSEQUENT PAYMENT TOWARD, WRITTEN OR ORAL AFFIRMATION OF, OR ANY OTHER ACTIVITY ON THE DEBT MAY NOT REVIVE OR EXTEND THE LIMITATIONS PERIOD.”.

AMENDMENT NO. 4

On page 3, in line 13, strike “(B)(3)(I) THROUGH (V)” and substitute “(B)(3)”; in line 18, after “RULE,” insert “UNLESS THE ACTION IS RESOLVED BY JUDGMENT ON AFFIDAVIT,”; strike beginning with the colon in line 20 down through “INTRODUCES” in line 21 and substitute “INTRODUCES”; in line 22, after “SUBSECTION” insert “IN ACCORDANCE WITH THE RULES OF EVIDENCE APPLICABLE TO ACTIONS THAT ARE NOT SMALL CLAIMS ACTIONS BROUGHT UNDER § 4-405 OF THIS ARTICLE”; and strike beginning with the semicolon in line 22 down through “ASSERTED” in line 25.

On pages 3 and 4, strike in their entirety the lines beginning with line 29 on page 3 through line 13 on page 4, inclusive, and substitute:

“(I) PROOF OF THE EXISTENCE OF THE DEBT OR ACCOUNT MADE BY A CERTIFIED OR OTHERWISE PROPERLY AUTHENTICATED PHOTOCOPY OR ORIGINAL OF AT LEAST ONE OF THE FOLLOWING:

1. A DOCUMENT SIGNED BY THE DEBTOR EVIDENCING THE DEBT OR THE OPENING OF THE ACCOUNT;

2. A BILL OR OTHER RECORD REFLECTING PURCHASES, PAYMENTS, OR OTHER ACTUAL USE OF A CREDIT CARD OR AN ACCOUNT BY THE DEBTOR; OR

3. AN ELECTRONIC PRINTOUT OR OTHER DOCUMENTATION FROM THE ORIGINAL CREDITOR ESTABLISHING THE EXISTENCE OF THE ACCOUNT AND SHOWING PURCHASES, PAYMENTS, OR OTHER ACTUAL USE OF A CREDIT CARD OR AN ACCOUNT BY THE DEBTOR;

(II) IF THERE WAS A DOCUMENT EVIDENCING THE TERMS AND CONDITIONS TO WHICH THE CONSUMER DEBT WAS SUBJECT, A CERTIFIED OR OTHERWISE PROPERLY AUTHENTICATED PHOTOCOPY OF THE ORIGINAL DOCUMENT APPLICABLE TO THE CONSUMER DEBT UNLESS:

1. THE CONSUMER DEBT IS AN UNPAID BALANCE DUE ON A CREDIT CARD;

2. THE ORIGINAL CREDITOR IS OR WAS A FINANCIAL INSTITUTION SUBJECT TO REGULATION BY THE FEDERAL FINANCIAL INSTITUTIONS EXAMINATION COUNCIL OR A CONSTITUENT FEDERAL AGENCY OF THE COUNCIL; AND

3. THE CLAIM DOES NOT INCLUDE A DEMAND OR REQUEST FOR ATTORNEY’S FEES OR INTEREST ON THE CHARGE-OFF BALANCE;

(iii) DOCUMENTATION INDICATING THAT THE DEBT BUYER OR COLLECTOR ACTING ON BEHALF OF THE DEBT BUYER OWNS THE CONSUMER DEBT, INCLUDING:

1. A CHRONOLOGICAL LISTING OF THE NAMES OF ALL PRIOR OWNERS OF THE DEBT AND THE DATE OF EACH TRANSFER OF OWNERSHIP OF THE DEBT, BEGINNING WITH THE NAME OF THE ORIGINAL CREDITOR; AND

2. A CERTIFIED OR OTHER PROPERLY AUTHENTICATED COPY OF THE BILL OF SALE OR OTHER DOCUMENT THAT TRANSFERRED OWNERSHIP OF THE DEBT TO EACH SUCCESSIVE OWNER, INCLUDING THE DEBT BUYER OR COLLECTOR, WITH EACH BILL OF SALE OR OTHER DOCUMENT THAT TRANSFERRED OWNERSHIP CONTAINING SPECIFIC REFERENCE TO THE DEBT;

(iv) DOCUMENTATION OF THE IDENTIFICATION AND NATURE OF THE DEBT OR ACCOUNT, INCLUDING:

1. THE NAME OF THE ORIGINAL CREDITOR;

2. THE FULL NAME OF THE DEBTOR AS IT APPEARS ON THE ORIGINAL ACCOUNT;

3. THE LAST FOUR DIGITS OF THE SOCIAL SECURITY NUMBER OF THE DEBTOR APPEARING ON THE ORIGINAL ACCOUNT, IF KNOWN;

4. THE LAST FOUR DIGITS OF THE ORIGINAL ACCOUNT NUMBER; AND

5. THE NATURE OF THE CONSUMER TRANSACTION, SUCH AS UTILITY EXPENSES, CREDIT CARD, CONSUMER LOAN, RETAIL INSTALLMENT SALES AGREEMENT, SERVICE, OR FUTURE SERVICES;

(V) IF THE CLAIM IS BASED ON A FUTURE SERVICES CONTRACT, EVIDENCE THAT THE DEBT BUYER OR COLLECTOR IS ENTITLED TO AN AWARD OF DAMAGES UNDER THAT CONTRACT;

(VI) IF THERE HAS BEEN A CHARGE-OFF OF THE DEBT OR ACCOUNT, DOCUMENTATION OF:

1. THE DATE OF THE CHARGE-OFF;

2. THE CHARGE-OFF BALANCE;

3. AN ITEMIZATION OF ANY FEES OR CHARGES CLAIMED BY THE DEBT BUYER OR COLLECTOR IN ADDITION TO THE CHARGE-OFF BALANCE;

4. AN ITEMIZATION OF ALL PAYMENTS RECEIVED AFTER THE CHARGE-OFF AND OTHER CREDITS TO WHICH THE DEBTOR IS ENTITLED; AND

5. THE DATE OF THE LAST PAYMENT ON THE CONSUMER DEBT OR THE LAST TRANSACTION GIVING RISE TO THE CONSUMER DEBT;

(VII) IF THERE HAS BEEN NO CHARGE-OFF OF THE DEBT OR ACCOUNT:

1. AN ITEMIZATION OF ALL MONEY CLAIMED BY THE DEBT BUYER OR COLLECTOR THAT:

A. INCLUDES PRINCIPAL, INTEREST, FINANCE CHARGES, SERVICE CHARGES, LATE FEES, AND OTHER FEES OR CHARGES ADDED TO THE

PRINCIPAL BY THE ORIGINAL CREDITOR AND, IF APPLICABLE, BY SUBSEQUENT ASSIGNEES OF THE CONSUMER DEBT; AND

B. ACCOUNTS FOR ANY REDUCTION IN THE AMOUNT OF THE CLAIM BY VIRTUE OF ANY PAYMENT MADE OR OTHER CREDIT TO WHICH THE DEFENDANT IS ENTITLED;

2. A STATEMENT OF THE AMOUNT AND DATE OF THE CONSUMER TRANSACTION GIVING RISE TO THE CONSUMER DEBT OR, IN INSTANCES OF MULTIPLE TRANSACTIONS, THE AMOUNT AND DATE OF THE LAST TRANSACTION; AND

3. A STATEMENT OF THE AMOUNT AND DATE OF THE LAST PAYMENT ON THE CONSUMER DEBT; AND

(VIII) A LIST OF ALL MARYLAND COLLECTION AGENCY LICENSES THAT THE DEBT BUYER OR COLLECTOR CURRENTLY HOLDS AND, AS TO EACH LICENSE:

1. THE LICENSE NUMBER;
2. THE NAME APPEARING ON THE LICENSE; AND
3. THE DATE OF ISSUE OF THE LICENSE.”.

AMENDMENT NO. 5

On page 4, after line 13, insert:

“5-1204.

THIS SUBTITLE MAY NOT BE CONSTRUED TO ALTER ANY LICENSING REQUIREMENT UNDER FEDERAL OR MARYLAND LAW APPLICABLE TO DEBT BUYERS OR COLLECTORS.”.

AMENDMENT NO. 6

On page 4, before line 14, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any debt collection action commenced before the effective date of this Act.”;

and in line 14, strike “2.” and substitute “3.”.

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

House Bill 172 – ~~Delegate Sophocleus (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

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

HB0172/174937/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 172

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after the first “of” insert “requiring the Governor’s appointment of a member of the Anne Arundel County Board of Education to be subject to confirmation by the Senate of Maryland;”.

On page 2, in line 6, strike “3–110(b)” and substitute “3–110(a), (b).”.

AMENDMENT NO. 2

On page 2, after line 12, insert:

“(a) (1) The Anne Arundel County Board consists of 9 members who shall be appointed as follows:

(i) 3 from the county at large;

(ii) 1 each from legislative districts 30, 31, 32, 33, and that portion of legislative district 21 that lies within Anne Arundel County; and

(iii) 1 student member.

(2) Except for the student member, the Governor shall appoint a member of the county board, **SUBJECT TO CONFIRMATION BY THE SENATE OF MARYLAND**, from a list of nominees submitted by the School Board Nominating Commission of Anne Arundel County as provided in subsection (b) of this section.”.

On page 6, in line 2, after “Governor,” insert “**AND CONFIRMATION BY THE SENATE OF MARYLAND,**”.

The preceding 2 committee amendments were withdrawn.

Favorable report adopted.

FLOOR AMENDMENT

HB0172/413620/1

BY: Senator Reilly

AMENDMENTS TO HOUSE BILL 172

(Third Reading File Bill)

On page 2, in line 21, strike “**13**” and substitute “**18**”.

On page 3, after line 3, insert:

“(i) **FIVE MEMBERS, ONE FROM EACH LEGISLATIVE DISTRICT THAT LIES IN WHOLE OR IN PART IN ANNE ARUNDEL COUNTY, APPOINTED BY THE GOVERNOR;**”;

and in lines 4, 10, 12, 14, 16, 18, 24, 27, and 28, strike “(I)”, “(II)”, “(III)”, “(IV)”, “(V)”, “(VI)”, “(VII)”, “(VIII)”, and “(IX)”, respectively, and substitute “(II)”, “(III)”, “(IV)”, “(V)”, “(VI)”, “(VII)”, “(VIII)”, “(IX)”, and “(X)”, respectively.

On page 4, in line 1, strike “(X)” and substitute “(XI)”.

On page 5, in line 5, strike “EIGHT” and substitute “12”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 13 Negative – 31 (See Roll Call No. 845)

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 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

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT, AS AMENDED.

Senator Hershey moved, duly seconded, to re–refer **House Bill 1013** to the Committee on Finance.

The motion was rejected by a roll call vote as follows:

Affirmative – 15 Negative – 29 (See Roll Call No. 846)

Senator Pugh moved, duly seconded, to limit the debate on **House Bill 1013**.

MOTION TO LIMIT DEBATE

PURSUANT TO THE PROVISIONS OF SENATE RULE 77 (b), DEBATE ON HOUSE BILL 1013 SHALL BE LIMITED TO 20 MINUTES IN THE AGGREGATE FOR CONSIDERATION OF SECOND READING AND TO ONE HOUR FOR CONSIDERATION OF THIRD READING AND FINAL PASSAGE, AND ON ALL SUBSEQUENT QUESTIONS, AMENDMENTS AND MOTIONS SO RELATED TO SUCH MOTIONS, READINGS AND OTHER ACTIONS. THE PRESIDENT SHALL ALLOCATE THE 20 MINUTES ON SECOND READING AND THE ONE HOUR ON THIRD READING AGGREGATE TIME AMONG THOSE SENATORS DESIRING TO SPEAK THEREON, PROVIDED THAT NOT MORE THAN 10 MINUTES SHALL BE ALLOCATED ON SECOND READING FOR THE PROPONENTS AND NOT MORE THAN 10 MINUTES SHALL BE ALLOCATED FOR THE OPPONENTS OF THE BILL AND THAT NOT MORE THAN 30 MINUTES SHALL BE ALLOCATED ON THIRD READING FOR THE PROPONENTS AND NOT MORE THAN 30 MINUTES SHALL BE ALLOCATED FOR THE OPPONENTS OF THE BILL.

The motion was adopted by a roll call vote as follows:

Affirmative – 30 Negative – 15 (See Roll Call No. 847)

Favorable report adopted by roll call vote as follows:

Affirmative – 28 Negative – 16 (See Roll Call No. 848)

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 849)

ADJOURNMENT

At 2:37 P.M. on motion of Senator Pugh, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 27, 2016, Calendar Day, Thursday, March 31, 2016 in Honor of Welcome Home Vietnam Veterans.