

Journal *of* Proceedings
of the
Senate
of
Maryland

2019 Regular Session

Volume IV

Compiled and edited by:

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Journal Clerk

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Secretary of the Senate

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Annapolis, Maryland
Legislative Day: March 23, 2019
Calendar Day: Wednesday, March 27, 2019
10:00 A.M. Session

The Senate met at 10:24 A.M.

Prayer by Reverend Patrick Grach, Lifehouse Church, guest of Senator Serafini.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 799)

The Journal of March 26, 2019 was read and approved.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 383 – Senator Shirley Nathan–Pulliam:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Joy Bramble,
Publisher, Baltimore and Annapolis Times Newspapers
in recognition of
33 years as Publisher of the Annapolis and Baltimore Times newspapers and the
unveiling of your figure as a
Woman in Media in the Great Blacks in Wax Museum.
The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 27th day of March 2019.

Read and adopted by a roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 800)

MESSAGE FROM THE HOUSE
SENATE BILLS AMENDED IN THE HOUSE NO. 4

AMENDED IN THE HOUSE

Senate Bill 147 – ~~Senator Klausmeier~~ Senators Klausmeier, Augustine, Beidle, Benson, Feldman, Hayes, Hershey, Jennings, Kelley, Kramer, Reilly, and Young

AN ACT concerning

Public Health – Disposition of Remains – Forfeiture or Waiver of Right of Disposition

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

SB0147/726489/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 147

(Third Reading File Bill)

On page 3, in line 6, strike the first “or”; and in the same line, after “sister” insert “, OR ADULT GRANDCHILD”.

On page 5, in line 9, strike the first “or”; and in the same line, after “sister” insert “, OR ADULT GRANDCHILD”.

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. 801)

AMENDED IN THE HOUSE

Senate Bill 339 – **Senators Kagan and Reilly (By Request – Commission to Advance Next Generation 9–1–1 Across Maryland) and Senators Augustine, Bailey, Beidle, Benson, Carozza, Carter, Cassilly, Eckardt, Edwards, Elfreth, Ellis, Feldman, Ferguson, Gallion, Griffith, Guzzone, Hayes, Hershey, Hester, Jennings, Kelley, King, Klausmeier, Kramer, Lam, Lee,**

McCray, Miller, Nathan–Pulliam, Patterson, Peters, Pinsky, Ready, Rosapepe, Salling, Serafini, Smith, Waldstreicher, Washington, West, Young, Zirkin, and Zucker

AN ACT concerning

**Public Safety – 9–1–1 Emergency Telephone System
(Carl Henn’s Law)**

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

SB0339/836288/1

BY: Chair, Health and Government Operations Committee

AMENDMENT TO SENATE BILL 339
(Third Reading File Bill)

On page 2, in line 36, strike “and”; and in the same line, strike “through” and substitute “, 1–309, 1–310, and”.

The preceding amendment was read and concurred in.

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

Affirmative – 40 Negative – 6 (See Roll Call No. 802)

FINANCE COMMITTEE REPORT NO. 31

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

House Bill 59 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Financial Institutions – Commissioner of Financial Regulation – Debt Settlement Services

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 60 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Department of Labor, Licensing, and Regulation – Renaming

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 61 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Financial Institutions – Commissioner of Financial Regulation – Mortgage Lenders, Loan Servicers, and Loan Originators

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 105 – Chair, Environment and Transportation Committee (By Request – Departmental – Transportation)

AN ACT concerning

Maryland Transportation Authority Facilities – Video Tolls – Collection

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 162 – Chair, Economic Matters Committee (By Request – Departmental – Maryland Insurance Administration)

AN ACT concerning

**Medical Professional Liability Insurance Policies – Mandated Deductible Levels
– Limitation**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 170 – Chair, Economic Matters Committee (By Request – Departmental
– Maryland Energy Administration)**

AN ACT concerning

Jane E. Lawton Conservation Loan Program – Eligible Borrowers

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 179 – Chair, Appropriations Committee (By Request – Departmental –
Public Safety and Correctional Services)**

AN ACT concerning

Correctional Services – Patuxent Institution – Appointing Authority

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 379 – Chair, Economic Matters Committee (By Request – Departmental
– Maryland Insurance Administration)**

AN ACT concerning

**Maryland Automobile Insurance Fund – Commercial Policies – Notice and
Quotes**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

FINANCE COMMITTEE REPORT NO. 32

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

House Bill 25 – Delegates Barron, Hettleman, Korman, ~~and Moon~~ Moon, Pendergrass, Pena–Melnik, Bagnall, Bhandari, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kelly, Kerr, Kipke, Krebs, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Sample–Hughes, Szeliga, and K. Young

AN ACT concerning

Public Health – Prescription Drug Monitoring Program – Revisions

HB0025/367970/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 25

(Third Reading File Bill)

On page 2, in line 12, strike “21–2A–06(c) and (d)” and substitute “21–2A–06(b) through (d)”; and in line 17, strike the first “and (b)”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 124 – Delegates K. Young, Healey, Bartlett, Bhandari, Brooks, Ebersole, Feldmark, Jalisi, Jones, Kelly, Kerr, Krimm, R. Lewis, Pendergrass, Shetty, Terrasa, and C. Watson

AN ACT concerning

Tanning Devices – Use by Minors

Favorable report adopted.

FLOOR AMENDMENT

HB0124/223027/1

BY: Senator Ready

AMENDMENTS TO HOUSE BILL 124

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after the first “of” insert “altering the age of a minor under which the minor is prohibited from using a tanning device.”.

AMENDMENT NO. 2

On page 2, in line 20, strike “18” and substitute “16”.

The preceding 2 amendments were read only.

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

The motion was adopted.

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

House Bill 258 – Delegates Pena–Melnyk and Pendergrass, Pendergrass, Barron, Charles, Cullison, Kelly, R. Lewis, Rosenberg, Sample–Hughes, and K. Young

AN ACT concerning

Health Insurance – Individual Market Stabilization – Provider Fee

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 397 – Delegates ~~Krebs, Jackson, Krebs and Jackson~~ (By Request – Commission to Advance Next Generation 9–1–1 Across Maryland), and Delegates Acevero, Anderton, Arentz, Arikan, Atterbeary, B. Barnes, D. Barnes, Barron, Bartlett, Barve, Beitzel, Boyce, Branch, Buckel, Carey, Cassilly, Chang, Charkoudian, Charles, Chisholm, Clark, Corderman, Cox, Crosby, D.M. Davis, Dumais, Fennell, Fraser–Hidalgo, Ghrist, Gilchrist, Harrison, Haynes, Hettleman, Hill, Hornberger, Howard, Ivey, Kelly, Kerr, Kittleman, Korman, Krimm, Lehman, Lierman, Long, Luedtke, Malone, Mautz, McComas, McKay, ~~Morgan~~, Palakovich Carr, Parrott, Patterson,

Proctor, Qi, Queen, Reilly, Rose, Saab, Sample–Hughes, Shoemaker, Smith, Solomon, Szeliga, Turner, Valderrama, Walker, R. Watson, Wells, Wilson, ~~and P. Young~~ P. Young, Adams, Bagnall, Carr, Cullison, Johnson, Kipke, R. Lewis, Metzgar, Pena–Melnik, Pendergrass, Rosenberg, and K. Young

AN ACT concerning

**Public Safety – 9–1–1 Emergency Telephone System
(Carl Henn’s Law)**

Favorable report adopted.

FLOOR AMENDMENT

HB0397/153227/1

BY: Senator Reilly

AMENDMENT TO HOUSE BILL 397

(Third Reading File Bill)

On page 2, in line 41, strike “and”; and in the same line, strike “through” and substitute “, 1–309, 1–310, and”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 466 – Delegates Kerr, Bagnall, Barron, Cain, Chisholm, Cox, Feldmark, Jalisi, Johnson, Kelly, Krebs, Krimm, Lafferty, R. Lewis, Morgan, Pena–Melnik, Pendergrass, Saab, Sample–Hughes, Shetty, Solomon, Szeliga, C. Watson, ~~and K. Young~~ K. Young, Bhandari, Carr, Charles, Cullison, Hill, Kipke, Metzgar, and Rosenberg

AN ACT concerning

Prescription Drug Monitoring Program – Program Evaluation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 524 – Delegates Wilson, Brooks, Carey, Charkoudian, Crosby, Fennell, Glenn, Lehman, Lisanti, Turner, and Wells

AN ACT concerning

Prevailing Wage Rates – Public Work Contracts – Suits by Employees

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 571 – Delegates Sample–Hughes, Anderson, Barron, Crutchfield, Hill, Krebs, Patterson, and ~~Pena–Melnyk~~ Pena–Melnyk, Pendergrass, Bagnall, Bhandari, Carr, Charles, Chisholm, Cullison, Johnson, Kerr, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Szeliga, and K. Young

AN ACT concerning

Virginia I. Jones Alzheimer’s Disease and Related Disorders Council – Revisions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 599 – ~~Delegate Kelly~~ Delegates Kelly and Hill

AN ACT concerning

Health Insurance – Coverage for Mental Health Benefits and Substance Use Disorder Benefits – ~~Requirements and Reports~~ Treatment Criteria

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 689 – Delegates Carey and D.E. Davis

AN ACT concerning

**~~Electricity – Customer Choice – Education~~
Public Utilities – Electricity and Natural Gas Suppliers – Information**

HB0689/667873/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 689
(Third Reading File Bill)

On page 1, in line 17, strike “electric customer choice” and substitute “electricity and natural gas supplier information”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 697 – Delegates Pendergrass, Pena–Melnyk, Acevero, Atterbeary, Bagnall, B. Barnes, Barve, Boyce, Branch, Bromwell, Brooks, Busch, Cain, Cardin, Carr, Chang, Charkoudian, Clippinger, Crutchfield, Cullison, D.M. Davis, Dumais, Ebersole, Feldmark, Fennell, W. Fisher, Gaines, Gilchrist, Glenn, Guyton, Harrison, Haynes, Healey, Hettleman, Hill, Jackson, Johnson, Jones, Kaiser, Kelly, Kerr, Korman, Krimm, Lafferty, J. Lewis, R. Lewis, Lierman, Lisanti, Love, Luedtke, McIntosh, Moon, Palakovich Carr, Patterson, Queen, Reznik, Rosenberg, Sample–Hughes, Shetty, Smith, Solomon, Stein, Stewart, Sydnor, Terrasa, Turner, Valentino–Smith, C. Watson, R. Watson, Wilkins, K. Young, and P. Young

AN ACT concerning

Health Insurance – Consumer Protections and Maryland Health Insurance Coverage Protection Commission

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

FINANCE COMMITTEE REPORT NO. 33 CONSENT NO. 9

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

BILL NO.	REPORT	SPONSOR	CONTENT
<u>FAVORABLE</u>			
HB 34	FAV	Del. Carr	Business Regulation – Trader’s Licenses – License Fees
HB 47	FAV	Del. Cullison	State Department of Education and Maryland Department of Health – Maryland School–Based Health Center Standards – Revision
HB 127	FAV	Del. Kelly	Health Insurance – Health Benefit Plans – Special Enrollment Period for Pregnancy
HB 137	FAV	Del. Kerr	State Personnel – Professional Service – Maryland School for the Deaf – Teachers
HB 191	FAV	Del. Sydnor	Homeowner’s Insurance – Discrimination in Underwriting and Rating – Status as Surviving Spouse
HB 193	FAV	Del. Barron	Life Insurance – Life of a Minor – Statement on Disclosure
HB 251	FAV	Del. Hill	Department of Aging – Grants for Aging–in–Place Programs (Nonprofits for our Aging Neighbors Act – “NANA”)

Favorable report adopted on all of the preceding bills.

The preceding bills were read the second time and ordered prepared for Third Reading.

FINANCE COMMITTEE REPORT NO. 34 CONSENT NO. 10

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

BILL NO.	REPORT	SPONSOR	CONTENT
<u>FAVORABLE</u>			
HB 390	FAV	Del. Jones	State Department of Education – Employment Categories and Practices
HB 427	FAV	Del. Barron	Behavioral Health Administration – Outpatient Civil Commitment Pilot Program – Revisions
HB 435	FAV	Del. Kelly	Health Insurance – Prescription Drugs – Formulary Changes
HB 529	FAV	Del. Crosby	Insurance – Formation of Domestic Insurers – Number of Directors
HB 531	FAV	Del. Valentino–Smith	State Personnel – Payment of State Employee Wages – Repeal of Sunset Provision
HB 540	FAV	Cecil County Delegation	Cecil County – Correctional Deputy Sheriffs – Collective Bargaining
HB 588	FAV	Del. Hettleman	Continuing Care Retirement Communities – Mediation – Representation by Counsel

Favorable report adopted on all of the preceding bills.

The preceding bills were read the second time and ordered prepared for Third Reading.

FINANCE COMMITTEE REPORT NO. 35 CONSENT NO. 11

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

BILL NO.	REPORT	SPONSOR	CONTENT
<u>FAVORABLE</u>			

BILL NO.	REPORT	SPONSOR	CONTENT
HB 602	FAV	Del. D.E. Davis	Insurance – Investments of Insurers Other Than Life Insurers – Real Estate
HB 608	FAV	Del. D.E. Davis	Insurance – Principle–Based Reserves
HB 650	FAV	Del. Korman	Energy Storage Pilot Project Act
HB 683	FAV	Del. Clippinger	Electricity – Community Solar Energy Generating Systems Pilot Program – Extension
HB 1090	FAV	Del. Jackson	9–1–1 Specialists – Compensation and Benefits
HB 1154	FAV	Del. Howard	Maryland Personal Information Protection Act – Security Breach Notification Requirements – Modifications
HB 1189	FAV	Del. Carey	Home Energy Assistance – Critical Medical Needs Program

Favorable report adopted on all of the preceding bills.

The preceding bills were read the second time and ordered prepared for Third Reading.

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

House Bill 777 – Delegates Howard, Beitzel, Branch, Buckel, Carey, Charkoudian, Chisholm, Ciliberti, Corderman, Fennell, Hill, Lisanti, Malone, McComas, McKay, Qi, Rose, Saab, Valderrama, ~~and Wilson~~ Wilson, Boteler, and R. Lewis

AN ACT concerning

Commercial Law – Credit Card Processors – ~~Service~~ Merchant Processing Agreements

Favorable report adopted.

FLOOR AMENDMENT

HB0777/893522/1

BY: Senator Kramer

AMENDMENT TO HOUSE BILL 777

(Third Reading File Bill)

On page 4, in line 28, strike “SERVICES” and substitute “PROCESSING”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 41**

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

House Bill 304 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Authority of County Council Over Inspector General –
Montgomery College**

MC 12–19

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 323 – Delegate Otto

AN ACT concerning

Somerset County – Commissioners – Residency Requirements

HB0323/534630/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 323
(Third Reading File Bill)

On page 1, in line 4, after “before” insert “the filing deadline for the”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 344 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Authority of County Council Over Inspector General –
Housing Opportunities Commission**

MC 7-19

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 359 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Building Authority Commission – Repeal

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 478 – Delegate Kelly

AN ACT concerning

Procurement – Qualification Based Selection – Land Surveying Services

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 673 – Delegates Pippy, Ciliberti, Cox, Kerr, Krimm, and K. Young

AN ACT concerning

**Frederick County – Ethics and Campaign Activity – County Board and
Commission Members and Board of License Commissioners**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 42**

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

**House Bill 50 – Chair, Environment and Transportation Committee (By Request
– Departmental – Agriculture)**

AN ACT concerning

Department of Agriculture – Maryland Produce Safety Program

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 106 – Chair, Environment and Transportation Committee (By Request
– Departmental – Natural Resources)**

AN ACT concerning

Environmental Trust Fund – Surcharge Extension

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 954 – Delegate Cassilly

AN ACT concerning

Agriculture – Commercial Compost – Prohibition on Per Ton Inspection Fee

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 43**

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

House Bill 123 – Delegate Miller

AN ACT concerning

Real Estate Salespersons and Brokers – ~~Advertisements~~ Provision of Real Estate Brokerage Services Through a Team – Use of “and Associates”

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 245 – Delegates Kaiser, Bartlett, Boyce, Cain, Carey, Cullison, Ebersole, Hettleman, Howard, Ivey, Jones, Korman, Krimm, J. Lewis, R. Lewis, Lierman, Love, Luedtke, McIntosh, Moon, Palakovich Carr, Patterson, Smith, Stewart, C. Watson, ~~and K. Young~~ K. Young, Walker,

D. Barnes, Buckel, Feldmark, Guyton, Hornberger, Long, Mosby, Reilly, Rose, Shoemaker, Turner, Washington, and Wilkins

AN ACT concerning

Education – Student Data Privacy Council

HB0245/154835/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 245

(Third Reading File Bill)

On page 2, in line 26, strike “and”; and in line 29, after “services” insert “;

(vi) one attorney who is knowledgeable in the laws and regulations that pertain to local school systems;

(vii) one school–based administrator from a public school in the State;
and

(viii) one teacher from a public school in the State”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 316 – ~~Delegate Kelly~~ Delegates Kelly, Pendergrass, Pena–Melnyk, Bagnall, Charles, R. Lewis, and K. Young

AN ACT concerning

Public Health – Vaccination Reporting Requirements – ImmuNet

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 590 – Howard County Delegation

AN ACT concerning

Howard County Board of Education – Election of Members

Ho. Co. 01–19

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 611 – Delegates Guyton, Cain, Luedtke, Mosby, Smith, and Wilkins

AN ACT concerning

Special Education – Individualized Education Programs – Timeline for Independent Educational Evaluations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 23

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

Senate Bill 861 – Senator Zirkin

AN ACT concerning

Natalie M. LaPrade Medical Cannabis Commission – Registration of Certifying Providers – Repeal

SB0861/538675/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 861
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “repeal” in line 6 down through “certain” in line 7 and substitute “alter the”; in line 7, after “information” insert “that is required to be included and to require that the certification be in the form prescribed by the Commission”; in line 12, strike “providing that” and substitute “authorizing”; and in the same line, strike “is encouraged”.

AMENDMENT NO. 2

On page 4, in line 3, strike “certifying” and substitute “:

(I) CERTIFYING”;

after line 9, insert:

“(II) SPECIFYING THE MEDICAL CONDITION LISTED UNDER § 13-3304(A) OF THIS SUBTITLE WITH WHICH THE QUALIFYING PATIENT HAS BEEN DIAGNOSED”;

in line 12, after “patient” insert “;**AND**

(4) IS IN THE FORM PRESCRIBED BY THE COMMISSION”;

and in line 30, strike “is encouraged to” and substitute “**MAY**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 36

Senate Bill 426 – Senator West

AN ACT concerning

Natalie M. LaPrade Medical Cannabis Commission – Licensed Dispensaries

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

SB0426/468570/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 426

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after the second “the” insert “Natalie M. LaPrade Medical Cannabis”; and in line 4, after “in” insert “or control of”.

AMENDMENT NO. 2

On page 2, in line 3, after “IN” insert “OR CONTROL OF, INCLUDING THE POWER TO MANAGE AND OPERATE,”; and in the same line, strike “SIX” and substitute “FIVE”.

The preceding 2 amendments were read only.

Senator West moved to make the Bill and Amendments a Special Order for March 28, 2019.

The motion was adopted.

Senate Bill 859 – Senator Zirkin

AN ACT concerning

Natalie M. LaPrade Medical Cannabis Commission – Advertisements

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

SB0859/388672/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 859

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “all” and substitute “certain”; strike beginning with “consistent” in line 4 down through “advertising” in line 5 and substitute “supported by certain evidence or data and include certain information about side effects or risks associated with the use of cannabis”; in line 6, after “misleading;” insert “prohibiting certain advertisements from containing certain designs, illustrations, pictures, and representations;”; and in line 7, after “statement;” insert “requiring certain websites to employ a certain neutral age–screening mechanism; requiring that certain advertisements include a certain notification; prohibiting advertisements for medical cannabis, medical cannabis products, or medical cannabis–related services from being placed within a certain distance of certain locations; requiring the Natalie M. LaPrade Medical Cannabis Commission to adopt certain regulations;”.

AMENDMENT NO. 2

On page 1, strike in their entirety the lines 18 through 21, inclusive and substitute:

“(A) ALL ADVERTISEMENTS FOR MEDICAL CANNABIS, MEDICAL CANNABIS PRODUCTS, OR MEDICAL CANNABIS–RELATED SERVICES THAT MAKE THERAPEUTIC OR MEDICAL CLAIMS SHALL:

(1) BE SUPPORTED BY SUBSTANTIAL CLINICAL EVIDENCE OR SUBSTANTIAL CLINICAL DATA; AND

(2) INCLUDE INFORMATION ON THE MOST SIGNIFICANT SIDE EFFECTS OR RISKS ASSOCIATED WITH THE USE OF CANNABIS.”

AMENDMENT NO. 3

On page 1, in line 24, strike “MAKE” and substitute “;”

(1) MAKE”.

On page 2, in line 2, after “ARTICLE” insert “; **OR**

(2) CONTAIN A DESIGN, AN ILLUSTRATION, A PICTURE, OR A REPRESENTATION THAT:

(1) ENCOURAGES OR REPRESENTS THE RECREATIONAL USE OF CANNABIS;

(II) TARGETS OR IS ATTRACTIVE TO MINORS, INCLUDING A CARTOON CHARACTER, A MASCOT, OR ANY OTHER DEPICTION THAT IS COMMONLY USED TO MARKET PRODUCTS TO MINORS;

(III) DISPLAYS THE USE OF CANNABIS, INCLUDING THE CONSUMPTION, SMOKING, OR VAPING OF CANNABIS;

(IV) ENCOURAGES OR PROMOTES CANNABIS FOR USE AS AN INTOXICANT; OR

(V) IS OBSCENE OR INDECENT”.

AMENDMENT NO. 4

On page 2, after line 5, insert:

“(D) (1) ANY WEBSITE OWNED, MANAGED, OR OPERATED BY A CERTIFYING PROVIDER, DISPENSARY, GROWER, OR PROCESSOR SHALL EMPLOY A NEUTRAL AGE-SCREENING MECHANISM THAT VERIFIES THE USER IS AT LEAST 18 YEARS OLD, INCLUDING AN AGE GATE, AGE SCREEN, OR AGE VERIFICATION MECHANISM.

(2) AN ADVERTISEMENT PLACED ON SOCIAL MEDIA OR A MOBILE APPLICATION SHALL INCLUDE A NOTIFICATION THAT:

(I) A PERSON MUST BE AT LEAST 18 YEARS OLD TO VIEW THE CONTENT; AND

(II) MEDICAL CANNABIS IS FOR USE BY CERTIFIED PATIENTS ONLY.

(E) ANY ADVERTISEMENT FOR MEDICAL CANNABIS, MEDICAL CANNABIS PRODUCTS, OR MEDICAL CANNABIS-RELATED SERVICES MAY NOT BE PLACED WITHIN 500 FEET OF:

(1) A SUBSTANCE ABUSE OR TREATMENT FACILITY;

(2) A PRIMARY OR SECONDARY SCHOOL IN THE STATE OR A CHILD CARE CENTER LICENSED OR A FAMILY CHILD CARE HOME REGISTERED UNDER TITLE 9.5 OF THE EDUCATION ARTICLE; OR

(3) A PLAYGROUND, RECREATION CENTER, LIBRARY, OR PUBLIC PARK.

(F) THE COMMISSION SHALL ADOPT REGULATIONS TO ESTABLISH:

(1) PROCEDURES FOR THE ENFORCEMENT OF THE SECTION; AND

(2) A PROCESS FOR AN INDIVIDUAL TO SUBMIT AN ADVERTISEMENT TO THE COMMISSION FOR AN ADVISORY OPINION ON WHETHER THE ADVERTISEMENT COMPLIES WITH THE RESTRICTIONS ON ADVERTISEMENTS FOR MEDICAL CANNABIS, MEDICAL CANNABIS PRODUCTS, AND MEDICAL CANNABIS-RELATED SERVICES.”.

The preceding 4 amendments were read only.

Senator West moved to make the Bill and Amendments a Special Order for March 28, 2019.

The motion was adopted.

CONFERENCE COMMITTEE REPORT

House Bill 101 – The Speaker (By Request – Administration)

AN ACT concerning

**Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2019,
and the Maryland Consolidated Capital Bond Loans of 2009, 2011, 2012, 2013,
2014, 2015, 2016, 2017, and 2018**

REPORT OF THE CONFERENCE COMMITTEE ON HOUSE BILL 101 –
THE CAPITAL BUDGET BILL

(See Exhibit P of Appendix III)

Conference Committee Report read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 803)

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 804)

The Bill was then returned to the House of Delegates.

Note: Senator Peters was excused from voting on the section of the Capital Budget pertaining to Doctors Community Hospital.

Note: Senator Ferguson was excused from voting on the section of the Capital Budget pertaining to Johns Hopkins Hospital.

LAID OVER CALENDAR NO. 23

Senate Bill 311 – Senators Smith, Guzzone, Young, Carter, Elfreth, Ellis, Feldman, Ferguson, Kagan, Kelley, King, Kramer, Lam, Lee, Pinsky, Waldstreicher, Washington, West, and Zucker

AN ACT concerning

End-of-Life Option Act (Richard E. Israel and Roger “Pip” Moyer Act)

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (8) AND THE FAVORABLE REPORT.

SB0311/468672/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 311

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Ellis,”; in line 13, after “physician” insert “and to a licensed mental health professional”; and strike beginning with the second “requiring” in line 14 down through “circumstances” in line 16 and substitute “prohibiting a certain attending physician, consulting physician, and licensed mental health professional from being in the same group practice or from having any agreement or system of remuneration; requiring a certain individual to sign a certain document; requiring a licensed mental health professional to fulfill certain duties”.

On pages 1 and 2, strike beginning with “providing” in line 29 on page 1 down through “purpose;” in line 2 on page 2.

On page 2, in line 5, strike “, for certain purposes”; strike beginning with “prohibiting” in line 15 down through “Act;” in line 17; in lines 18 and 19, strike “good-faith compliance with” and substitute “aid in dying under”; and strike beginning with “or” in line 19 down through “or” in line 21 and substitute “does not”.

AMENDMENT NO. 2

On page 5, in line 16, after “(I)” insert ““LICENSED CERTIFIED SOCIAL WORKER-CLINICAL” HAS THE MEANING STATED IN § 19-101 OF THE HEALTH OCCUPATIONS ARTICLE.”

(J)”;

in the same line, after “A” insert “LICENSED CERTIFIED SOCIAL WORKER-CLINICAL, A”; in line 17, after “PSYCHIATRIST” insert a comma; and in lines 18, 20, 22, and 24, strike “(J)”, “(K)”, “(L)”, and “(M)”, respectively, and substitute “(K)”, “(L)”, “(M)”, and “(N)”, respectively.

On page 6, in lines 3, 17, 19, and 25, strike “(N)”, “(O)”, “(P)”, and “(Q)”, respectively, and substitute “(O)”, “(P)”, “(Q)”, and “(R)”, respectively; and in line 20, strike “AN ADULT” and substitute “AT LEAST 21 YEARS OLD”.

On page 7, in lines 5 and 10, strike “(R)” and “(T)”, respectively, and substitute “(S)” and “(U)”, respectively; and strike in their entirety lines 7 through 9, inclusive, and substitute:

“(T) “TERMINAL ILLNESS” MEANS A PROGRESSIVE, IRREVERSIBLE MEDICAL CONDITION THAT:

(1) IS HAVING A SIGNIFICANT IMPACT ON QUALITY OF LIFE; AND

(2) TO A REASONABLE DEGREE OF MEDICAL CERTAINTY, INVOLVES A PROGNOSIS FOR AN INDIVIDUAL, WHERE, DESPITE ALL AVAILABLE TREATMENT

OPTIONS RECOGNIZED BY THE MEDICAL COMMUNITY, WILL RESULT IN THE INDIVIDUAL'S DEATH IN 6 MONTHS."

On page 8, in line 26, strike "AN ADULT" and substitute "AT LEAST 21 YEARS OLD AND".

On page 15, in line 18, strike "AN ADULT" and substitute "AT LEAST 21 YEARS OLD".

On page 21, in line 3, strike "THE PHYSICIANS" and substitute "A LICENSED HEALTH CARE PROFESSIONAL".

AMENDMENT NO. 3

On page 8, in lines 14 and 15, strike ": (I) A" and substitute "A"; strike beginning with the semicolon in line 16 down through "WITNESS" in line 20; and after line 20, insert:

"(2) A WITNESS UNDER SUBSECTION (A)(3) OF THIS SECTION MAY NOT BE:

(I) THE INDIVIDUAL'S ATTENDING PHYSICIAN; OR

(II) AT THE TIME THE WRITTEN REQUEST IS SIGNED BY THE INDIVIDUAL, ENTITLED TO ANY BENEFIT ON THE INDIVIDUAL'S DEATH."

On page 9, in line 28, after "PHYSICIAN" insert "OR, AT THE TIME THE REQUEST IS SIGNED BY THE INDIVIDUAL, BE ENTITLED TO ANY BENEFIT ON THE INDIVIDUAL'S DEATH"; in lines 28 and 29, strike ": 1. A" and substitute "A"; and strike beginning with the semicolon in line 29 down through "DEATH" in line 32.

On page 10, in line 2, strike "OR HAS PROVIDED PROOF OF IDENTITY"; in line 7, after "PHYSICIAN" insert "; AND

6. IS NOT AN INDIVIDUAL FROM WHOM, AT THE TIME THE WRITTEN REQUEST IS SIGNED BY THE INDIVIDUAL, I AM ENTITLED TO ANY BENEFIT ON THE INDIVIDUAL'S DEATH";

in lines 12 and 22, in each instance, strike “1.”; strike beginning with the semicolon in line 12 down through “DEATH” in line 15; and strike beginning with the semicolon in line 22 down through “DEATH” in line 25.

AMENDMENT NO. 4

On page 9, in line 21, after the period insert “I MAKE THIS REQUEST FREE FROM ANY FINANCIAL CONSIDERATIONS, INCLUDING THE CONTINUED COST OF CARE.”.

On page 10, in line 6, strike “AND”; and in line 7, after “4.” insert “TO THE BEST OF MY KNOWLEDGE, IS REQUESTING AID IN DYING FREE FROM ANY FINANCIAL CONSIDERATIONS, INCLUDING THE CONTINUED COST OF CARE;

5.”.

On page 11, in line 6, strike “AND”; and in line 7, after “DYING” insert “; AND

(IV) IS REQUESTING AID IN DYING FREE FROM ANY FINANCIAL CONSIDERATIONS, INCLUDING THE CONTINUED COST OF CARE”.

On page 12, in line 21, strike “AND”; and in the same line, after “DYING” insert “, AND IS REQUESTING AID IN DYING FREE FROM ANY FINANCIAL CONSIDERATIONS, INCLUDING THE CONTINUED COST OF CARE”.

On page 14, in line 9, after “(6)” insert “CONFIRM THAT THE QUALIFIED INDIVIDUAL’S REQUEST FOR AID IN DYING IS NOT INFLUENCED BY ANY FINANCIAL CONSIDERATIONS, INCLUDING THE CONTINUED COST OF CARE;

(7)”;

and in lines 12, 15, and 17, strike “(7)”, “(8)”, and “(9)”, respectively, and substitute “(8)”, “(9)”, and “(10)”, respectively.

On page 15, in line 25, strike “THE” and substitute “:

1. THE”;

in the same line, strike “, HAS MADE” and substitute “;

2. MADE”;

and in lines 25 and 26, strike “, AND HAS VOLUNTARILY” and substitute “;

3. MADE A REQUEST FREE FROM ANY FINANCIAL CONSIDERATIONS INCLUDING THE CONTINUED COST OF CARE; AND

4. VOLUNTARILY”.**AMENDMENT NO. 5**

On page 9, in line 2, strike “**MORE LIKELY THAN NOT**” and substitute “**TO A REASONABLE DEGREE OF MEDICAL CERTAINTY**”; in line 5, after “**RISKS,**” insert “**AND**”; and strike beginning with the second comma in line 5 down through “**HOSPICE**” in line 7 and substitute “**. I HAVE ALSO BEEN FULLY INFORMED OF ALL ALTERNATIVES AND HEALTH CARE TREATMENT OPTIONS RECOGNIZED BY THE MEDICAL COMMUNITY, INCLUDING CLINICAL TRIALS, PALLIATIVE CARE, AND HOSPICE, AND OF MY RIGHT TO SEEK INVESTIGATIONAL TREATMENTS UNDER THE FEDERAL TRICKETT WENDLER, FRANK MONGIELLO, JORDAN MCLINN, AND MATTHEW BELLINA RIGHT TO TRY ACT OF 2017**”.

On page 12, strike in their entirety lines 3 and 4 and substitute:

“(5) ALL ALTERNATIVES AND HEALTH CARE TREATMENT OPTIONS RECOGNIZED BY THE MEDICAL COMMUNITY, INCLUDING CLINICAL TRIALS, PALLIATIVE CARE, AND HOSPICE, AND THE RIGHT TO SEEK INVESTIGATIONAL TREATMENTS UNDER THE FEDERAL TRICKETT WENDLER, FRANK MONGIELLO, JORDAN MCLINN, AND MATTHEW BELLINA RIGHT TO TRY ACT OF 2017.”;

in line 5, after “**(D)**” insert “**(1)**”; in the same line, strike “**SUBJECT TO § 5-6A-06 OF THIS SUBTITLE, IF**” and substitute “**IF**”; in line 8, strike “**A**” and substitute “**:**”

(I) A”;

in line 10, after “**SUBTITLE**” insert “**; AND**

(II) A LICENSED MENTAL HEALTH PROFESSIONAL TO CARRY OUT THE DUTIES REQUIRED UNDER § 5-6A-06 OF THIS SUBTITLE.

(2) THE ATTENDING PHYSICIAN, THE CONSULTING PHYSICIAN, AND THE LICENSED MENTAL HEALTH PROFESSIONAL MAY NOT:

(I) BE IN THE SAME GROUP PRACTICE, AS DEFINED IN § 1-301 OF THE HEALTH OCCUPATIONS ARTICLE; OR

(II) HAVE ANY AGREEMENT OR SYSTEM INVOLVING REMUNERATION”;

in line 12, before “A” insert “(A)”; strike in their entirety lines 18 and 19 and substitute:

“(3) ADVISE THE INDIVIDUAL IN WRITING OF ALL ALTERNATIVES AND HEALTH CARE TREATMENT OPTIONS RECOGNIZED BY THE MEDICAL COMMUNITY, INCLUDING CLINICAL TRIALS, PALLIATIVE CARE, AND HOSPICE, AND OF THE RIGHT TO SEEK INVESTIGATIONAL TREATMENTS UNDER THE FEDERAL TRICKETT WENDLER, FRANK MONGIELLO, JORDAN MCLINN, AND MATTHEW BELLINA RIGHT TO TRY ACT OF 2017;”;

and after line 24, insert:

“(B) AFTER THE CONSULTING PHYSICIAN HAS ADVISED THE INDIVIDUAL UNDER SUBSECTION (A)(3) OF THIS SECTION, THE INDIVIDUAL SHALL SIGN A WRITTEN DOCUMENT STATING THAT THE INDIVIDUAL IS AWARE OF ALL ALTERNATIVES AND HEALTH CARE TREATMENT OPTIONS RECOGNIZED BY THE MEDICAL COMMUNITY, INCLUDING CLINICAL TRIALS, PALLIATIVE CARE, AND HOSPICE, AND THE RIGHT TO SEEK INVESTIGATIONAL TREATMENTS UNDER THE FEDERAL TRICKETT WENDLER, FRANK MONGIELLO, JORDAN MCLINN, AND MATTHEW BELLINA RIGHT TO TRY ACT OF 2017.”.

On pages 12 and 13, strike in their entirety the lines beginning with line 26 on page 12 through line 8 on page 13, inclusive, and substitute:

“A LICENSED MENTAL HEALTH PROFESSIONAL TO WHOM AN INDIVIDUAL HAS BEEN REFERRED UNDER § 5-6A-04(D) OF THIS SUBTITLE SHALL:

(1) EXAMINE THE INDIVIDUAL AND THE INDIVIDUAL'S RELEVANT MEDICAL RECORDS;

(2) DETERMINE WHETHER THE INDIVIDUAL HAS THE CAPACITY TO MAKE MEDICAL DECISIONS AND IS NOT SUFFERING FROM A CONDITION THAT IS CAUSING IMPAIRED JUDGMENT;

(3) DETERMINE WHETHER THE INDIVIDUAL IS REQUESTING AID IN DYING FREE FROM ANY FINANCIAL CONSIDERATIONS, INCLUDING THE CONTINUED COST OF CARE;

(4) COMMUNICATE THE LICENSED MENTAL HEALTH PROFESSIONAL'S DETERMINATIONS TO THE ATTENDING PHYSICIAN AND THE CONSULTING PHYSICIAN IN WRITING; AND

(5) DOCUMENT THE FULFILLMENT OF THE LICENSED MENTAL HEALTH PROFESSIONAL'S DUTIES UNDER THIS SECTION IN WRITING.

On page 13, in line 10, strike "AND" and substitute a comma; in the same line, after the second "PHYSICIAN" insert "**, AND LICENSED MENTAL HEALTH PROFESSIONAL**"; and in line 11, strike "**AND 5-6A-05**" and substitute "**THROUGH 5-6A-06**".

On page 15, in line 23, after "PROGNOSIS" insert "**AND THE BASIS FOR THAT DIAGNOSIS**".

On pages 15 and 16, strike in their entirety the lines beginning with line 30 on page 15 through line 5 on page 16, inclusive, and substitute:

"(5) DOCUMENTATION THAT THE LICENSED MENTAL HEALTH PROFESSIONAL HAS FULFILLED THE LICENSED MENTAL HEALTH PROFESSIONAL'S DUTIES UNDER § 5-6A-06 OF THIS SUBTITLE;"

AMENDMENT NO. 6

On page 16, strike in their entirety lines 26 through 30, inclusive, and substitute:

“(C) THE REPORT PRODUCED BY THE DEPARTMENT UNDER THIS SECTION SHALL INCLUDE, FOR THE STATE AND DISAGGREGATED BY COUNTY:

(1) THE NUMBER OF PRESCRIPTIONS WRITTEN FOR AID IN DYING MEDICATION;

(2) THE NUMBER OF PHYSICIANS WHO WROTE PRESCRIPTIONS FOR AID IN DYING MEDICATION;

(3) THE NUMBER OF INDIVIDUALS WHO RECEIVED A PRESCRIPTION FOR AID IN DYING;

(4) FOR EACH INDIVIDUAL WHO REQUESTED AID IN DYING:

(i) THE INDIVIDUAL’S AGE AT DEATH;

(ii) THE INDIVIDUAL’S EDUCATION LEVEL;

(iii) THE INDIVIDUAL’S RACE;

(iv) THE INDIVIDUAL’S SEX; AND

(v) WHETHER OR NOT THE INDIVIDUAL HAD INSURANCE AND, IF SO, THE INDIVIDUAL’S TYPE OF INSURANCE;

(5) WHETHER OR NOT THE INDIVIDUAL WAS ENROLLED IN HOSPICE AT THE TIME THE REQUEST WAS MADE;

(6) WHETHER OR NOT THE INDIVIDUAL HAD DISABILITY, AS DEFINED IN 42 U.S.C. § 12102, BEFORE THE INDIVIDUAL WAS DIAGNOSED WITH A TERMINAL ILLNESS;

(7) THE INDIVIDUAL’S TERMINAL ILLNESS;

(8) THE NUMBER OF KNOWN INDIVIDUALS WHO DIED FOLLOWING THE SELF-ADMINISTRATION OF MEDICATION FOR AID IN DYING; AND

(9) THE INDIVIDUAL'S STATED REASON FOR SEEKING AID IN DYING.

AMENDMENT NO. 7

On page 17, strike beginning with “**FOR**” in line 5 down through “**THE**” in line 7 and substitute “**THE**”; in line 15, after “**FOR**” insert “**ANY CRIME**”; and strike beginning with “**MURDER**” in line 15 down through “**DYING**” in line 24.

AMENDMENT NO. 8

On page 18, strike in their entirety lines 15 through 19, inclusive; in line 20, strike “**(2)**” and substitute “**(A)**”; in the same line, strike “**A**” and substitute “**EXCEPT AS PROVIDED IN § 5-6A-14(C) OF THIS SUBTITLE, A**”; in line 23, after “**PENALTY**” insert “**SOLELY**”; in line 24, strike “**GOOD-FAITH COMPLIANCE WITH**” and substitute “**AID IN DYING UNDER**”; and strike in their entirety lines 25 through 30, inclusive, and substitute:

“(B) AN INDIVIDUAL'S REQUEST FOR AID IN DYING MAY NOT PROVIDE THE SOLE BASIS FOR THE APPOINTMENT OF A GUARDIAN OR CONSERVATOR.”

The preceding 8 amendments were read and adopted.

The favorable report, as amended, was rejected by a roll call vote as follows:

Affirmative – 23 Negative – 23 (See Roll Call No. 805)

RULES COMMITTEE REPORT NO. 11

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

House Bill 168 – Chair, Judiciary Committee (By Request – Departmental – State Police)

AN ACT concerning

Public Safety – Reporting of Hate Crimes

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

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

House Bill 169 – Chair, Judiciary Committee (By Request – Departmental – Juvenile Services)

AN ACT concerning

State Advisory Board for Juvenile Services – Duties and Access to Records

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

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

House Bill 465 – Chair, Ways and Means Committee (By Request – Departmental – Assessments and Taxation)

AN ACT concerning

State Department of Assessments and Taxation – Distribution of Recordation and Transfer Tax Revenues

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

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

House Bill 716 – Chair, Health and Government Operations Committee (By Request – Departmental – Information Technology)

AN ACT concerning

**State Government – Protection of Information – Revisions
(Maryland Data Privacy Act)**

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

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

House Bill 843 – Chair, Judiciary Committee (By Request – Departmental – Human Services)

AN ACT concerning

Department of Human Services – Child Abuse and Neglect – Disclosure of Information

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

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

House Bill 866 – Allegany County Delegation

AN ACT concerning

**Allegany County – Alcoholic Beverages – ~~Arts and Entertainment District~~
License Licenses**

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

SPECIAL ORDER CALENDAR NO. 37

Senate Bill 588 – Senator Rosapepe

AN ACT concerning

Career Education Act of 2019

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

FLOOR COMMITTEE AMENDMENT

SB0588/514435/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 588

(Bill as Printed for Third Reading)

AMENDMENT NO. 1

Strike the Education, Health, and Environmental Affairs Committee Amendments (SB0588/324136/1) in their entirety.

AMENDMENT NO. 2

On page 10, in line 22, after “REGULATION” insert “THAT TAKES PLACE AT LEAST IN PART AT A COMMUNITY COLLEGE IN THE STATE”.

On page 11, in line 19, strike “AT AN ELIGIBLE INSTITUTION”.

On page 12, in lines 13 and 25, in each instance, after “FOR” insert “THE PART OF”; in lines 14, 21, and 26, in each instance, after “PROGRAM” insert “THAT TAKES PLACE AT A COMMUNITY COLLEGE IN THE STATE”; and in line 21, after “FOR” insert “THE PART OF”.

AMENDMENT NO. 3

On page 13, in line 15, strike “AN ELIGIBLE INSTITUTION” and substitute “A COMMUNITY COLLEGE IN THE STATE”; in line 17, after “FOR” insert “THE PART OF”; in the same line, after “PROGRAM” insert “THAT TAKES PLACE AT A COMMUNITY COLLEGE IN THE STATE”; in the same line, after the semicolon insert “OR”; and strike beginning with “AT” in line 18 down through “(V)” in line 20.

On page 14, in line 21, strike “AN ELIGIBLE INSTITUTION” and substitute “A COMMUNITY COLLEGE IN THE STATE”; and in line 23, after “PROGRAM” insert “THAT TAKES PLACE AT LEAST IN PART AT A COMMUNITY COLLEGE IN THE STATE”.

On page 15, in line 1, after “FOR” insert “THE PART OF”; in line 2, after “PROGRAM” insert “THAT TAKES PLACE AT A COMMUNITY COLLEGE IN THE STATE”; in line 16, strike “AN ELIGIBLE INSTITUTION” and substitute “A COMMUNITY COLLEGE IN THE STATE”; and in line 18, after “PROGRAM” insert “THAT TAKES PLACE AT LEAST IN PART AT A COMMUNITY COLLEGE IN THE STATE”.

The preceding 3 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 904 – Senators Kelley and Elfreth

AN ACT concerning

Maryland Department of Health – Family Planning Program – Funding

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

Favorable report adopted.

FLOOR AMENDMENT

SB0904/853923/1

BY: Senator Kelley

AMENDMENTS TO SENATE BILL 904
(First Reading File Bill)

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 3, strike lines 6 through 16, inclusive.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

FINANCE COMMITTEE REPORT NO. 37

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

Senate Bill 252 – Senator Hayes

AN ACT concerning

Railroad Company – Movement of Freight – Required Crew

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 340 – Senators Kagan, Augustine, Feldman, King, Peters, West, and Young

AN ACT concerning

Maryland Technology Development Corporation – Investments and Operations

SB0340/707076/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 340
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 3 down through “circumstances;” in line 6 and substitute “providing certain requirements technology–based businesses must meet before the Maryland Technology Development Corporation may make certain grants or provide certain equity investment financing; requiring the Corporation to adopt certain regulations; requiring the Board of Directors of the Corporation to make certain appointments; requiring the Board to adopt certain policies; providing that certain persons are subject to certain public ethics law; providing certain requirements for eligibility as a member of the Maryland Venture Fund Authority;”; in line 6, strike “Maryland Venture Fund”; in line 7, after “purposes;” insert “altering the information required to be reported annually by the Corporation; requiring the Corporation to report certain information to the Governor, the Maryland Economic Development Commission, and the General Assembly on a quarterly basis;”; in line 8, strike “a”; in the same line, strike “term” and substitute “terms; making certain conforming changes”; after line 9, insert:

“BY repealing and reenacting, without amendments,

Article – Economic Development

Section 10–401(a), 10–468, and 10–474

Annotated Code of Maryland

(2018 Replacement Volume)

BY adding to

Article – Economic Development

Section 10–401(f) through (h) and 10–494

Annotated Code of Maryland

(2018 Replacement Volume)”;

in line 12, strike “10–468” and substitute “10–402(c), 10–403(a), 10–407, 10–408, 10–409, 10–415”; in the same line, strike “and” and substitute “10–470, 10–475,”; in the same line, after “10–478” insert “, 10–488(b) and (c), and 10–489(a)”; and strike in their entirety lines 15 through 19, inclusive.

AMENDMENT NO. 2

On page 1, after line 22, insert:

“10–401.

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

(F) “INVESTMENT COMMITTEE” MEANS A COMMITTEE APPOINTED BY THE BOARD TO ADVISE ON AND APPROVE INVESTMENTS AS REQUIRED UNDER THIS SUBTITLE.

(G) “PRINCIPAL BUSINESS OPERATIONS” MEANS THE HEADQUARTERS FROM WHICH THE BUSINESS’S OFFICERS DIRECT, CONTROL, AND COORDINATE THE BUSINESS’S ACTIVITIES.

(H) “QUALIFIED BUSINESS” MEANS A BUSINESS THAT, AT THE TIME OF THE FIRST INVESTMENT IN THE BUSINESS UNDER A PROGRAM OF THE CORPORATION, EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE:

(1) (I) HAS ITS PRINCIPAL BUSINESS OPERATIONS LOCATED IN THE STATE, HAS OVER HALF ITS WORKFORCE WORKING IN THE STATE, AND INTENDS TO MAINTAIN ITS PRINCIPAL BUSINESS OPERATIONS IN THE STATE AFTER RECEIVING AN INVESTMENT UNDER THE PROGRAM; OR

(II) IS A BUSINESS OR START-UP BUSINESS THAT IS APPROVED BY THE INVESTMENT COMMITTEE AND WILL, AS A RESULT OF THE INVESTMENT, HAVE A SUBSTANTIAL ECONOMIC IMPACT IN THE STATE THROUGH JOB CREATION, CAPITAL INVESTMENT, AND CONTRIBUTION TO THE STATE’S TECHNOLOGY ECOSYSTEM;

(2) HAS AGREED TO USE THE INVESTMENT PRIMARILY TO:

(I) SUPPORT BUSINESS OPERATIONS IN THE STATE; OR

(II) IN THE CASE OF A START-UP COMPANY, ESTABLISH AND SUPPORT BUSINESS OPERATIONS IN THE STATE;

(3) HAS NOT MORE THAN 250 EMPLOYEES; AND

(4) IS NOT PRIMARILY ENGAGED IN:

(I) RETAIL SALES;

(II) REAL ESTATE DEVELOPMENT;

(III) THE BUSINESS OF INSURANCE, BANKING, OR LENDING; OR

(IV) THE PROVISION OF PROFESSIONAL SERVICES BY ACCOUNTANTS, ATTORNEYS, OR PHYSICIANS.

10-402.

(c) The purposes of the Corporation are to:

(1) assist in transferring to the private sector the results and products of scientific research and development conducted by colleges, [and] universities, AND FEDERAL RESEARCH INSTITUTIONS IN THE STATE;

(2) assist in commercializing those results and products;

(3) assist in commercializing technology developed in the private sector;

(4) foster the commercialization of research and development conducted by colleges, universities, and the private sector to create and sustain businesses throughout all regions of the State; [and]

(5) generally assist early-stage and start-up businesses in the State;

(6) INVEST IN MARYLAND-BASED TECHNOLOGY COMPANIES AND PROMOTE THE COMMERCIALIZATION AND GROWTH OF TECHNOLOGY COMPANIES AND JOBS IN THE STATE;

(7) BUILD A LONG-TERM ENTREPRENEURIAL CAPACITY AND SUSTAINED VENTURE CAPITAL PRESENCE IN THE STATE;

(8) CREATE PATHWAYS TO FOLLOW-ON FINANCING IN THE STATE;

AND

(9) FOSTER INCLUSIVE AND DIVERSE ENTREPRENEURSHIP AND INNOVATION THROUGHOUT THE STATE, WHICH MAY INCLUDE INITIATIVES TO RAISE AWARENESS OF PROGRAMS TO ASSIST SMALL, MINORITY, AND WOMEN-OWNED BUSINESSES THROUGH MARKETING AND OTHER EFFORTS.

10-403.

(a) **(1) A Board of Directors shall manage the Corporation and its units and exercise its corporate powers.**

(2) (I) A BOARD OF DIRECTORS MAY APPOINT MEMBERS OF AN ADVISORY COMMITTEE.

(II) IF A BOARD OF DIRECTORS APPOINTS AN ADVISORY COMMITTEE, THE BOARD SHALL ADOPT POLICIES ESTABLISHING THE RESPONSIBILITIES OF THE ADVISORY COMMITTEE.

10-407.

(a) Except as provided in subsections (b), (c), and (e) of this section, the Corporation is exempt from:

(1) Title 10 and Division II of the State Finance and Procurement Article;
and

(2) §§ 3-301 and 3-303 of the General Provisions Article.

(b) The Corporation is subject to the Public Information Act.

(c) The Board [and], the officers and employees of the Corporation, MEMBERS OF THE INVESTMENT COMMITTEE, AND MEMBERS OF ANY ADVISORY COMMITTEE APPOINTED are subject to the Public Ethics Law.

(d) The officers and employees of the Corporation are not subject to the provisions of Division I of the State Personnel and Pensions Article that govern the State Personnel Management System.

(e) (1) The Corporation, its Board, and employees are subject to Title 12, Subtitle 4 of the State Finance and Procurement Article.

(2) THE BOARD, THE OFFICERS AND EMPLOYEES OF THE CORPORATION, THE MEMBERS OF THE INVESTMENT COMMITTEE, AND THE MEMBERS OF ANY ADVISORY COMMITTEE APPOINTED SHALL DISCLOSE TO THE STATE COMMISSION ON ETHICS WHETHER THEY ARE EMPLOYED BY OR HAVE A FINANCIAL INTEREST IN AN ENTITY THAT CURRENTLY HAS OR WILL APPLY FOR FUNDS OR AN INVESTMENT IN A PROGRAM ADMINISTERED BY THE CORPORATION.

10-408.

(A) THE CORPORATION SHALL ADOPT REGULATIONS ESTABLISHING:

(1) THE INVESTMENT COMMITTEE;

(2) THE RESPONSIBILITIES OF THE INVESTMENT COMMITTEE; AND

(3) THE PROCEDURES FOR THE APPOINTMENT OF INVESTMENT COMMITTEE MEMBERS.

(B) The Corporation may:

(1) adopt bylaws for the conduct of its business;

(2) adopt a seal;

(3) maintain offices at a place it designates in the State;

(4) accept loans, grants, or assistance of any kind from the federal or State government, a local government, a college or university, or a private source;

(5) enter into contracts and other legal instruments;

(6) sue or be sued;

(7) acquire, purchase, hold, lease as lessee, and use:

- (i) a franchise, patent, or license;
- (ii) any real, personal, mixed, tangible, or intangible property; or
- (iii) an interest in the property listed in this item;

(8) sell, lease as lessor, transfer, license, assign, or dispose of property or a property interest that it acquires;

(9) fix and collect rates, rentals, fees, royalties, and charges for services and resources it provides or makes available;

(10) create, own, control, or be a member of a corporation, limited liability company, partnership, or other entity, whether operated for profit or not for profit;

(11) exercise power usually possessed by a private corporation in performing similar functions unless to do so would conflict with State law; and

(12) do all things necessary or convenient to carry out the powers granted by this subtitle.

10-409.

(A) [The] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, THE Corporation may make grants to or provide equity investment financing for technology-based businesses, IF:

(1) THE INVESTMENTS ARE MADE TO A QUALIFIED BUSINESS;

(2) THE INVESTMENTS ARE MADE ON REVIEW AND APPROVAL OF A WRITTEN APPLICATION THAT:

(I) CONTAINS SUFFICIENT INFORMATION TO VERIFY THAT THE QUALIFIED BUSINESS HAS ITS PRINCIPAL BUSINESS OPERATIONS IN THE STATE OR WILL HAVE A SUBSTANTIAL ECONOMIC IMPACT ON THE STATE; AND

(II) CONTAINS A CERTIFICATION OF THE VERACITY OF THE INFORMATION BY AN AUTHORIZED SIGNATORY OF THE QUALIFIED BUSINESS; AND

(3) AT LEAST THE NUMBER OF MEMBERS THAT CONSTITUTES A QUORUM OF ANY FUND OR AUTHORITY HAS BEEN APPOINTED UNDER THE REQUIREMENTS FOR THAT FUND OR AUTHORITY.

(B) IN REGARD TO ANY AND ALL PROGRAMS OF THE CORPORATION, EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, THE CORPORATION SHALL ADOPT REGULATIONS TO GOVERN INVESTMENTS UNDER THIS SUBSECTION THAT SPECIFY:

(1) THE TYPES OF QUALIFIED BUSINESSES IN WHICH AN INVESTMENT MAY BE MADE;

(2) THE BASIC STANDARDS AN ENTERPRISE SHALL MEET TO QUALIFY FOR AN INVESTMENT;

(3) THE AMOUNT OF MONEY AVAILABLE FOR INVESTMENT;

(4) THE INVESTMENT POLICY STATEMENT OF THE CORPORATION THAT DESCRIBES THE PROCEDURES, CRITERIA, INVESTMENT PHILOSOPHY, AND GUIDELINES FOR HOW THE CORPORATION'S INVESTMENT DECISIONS WILL BE MADE; AND

(5) A PROCESS FOR THE CONSIDERATION OF WHETHER INVESTMENTS HELP TO FOSTER INCLUSIVE AND DIVERSE ENTREPRENEURSHIP, INCLUDING THE CORPORATION'S SUPPORT FOR MARKETING AND OTHER EFFORTS TO RAISE AWARENESS OF PROGRAMS TO ASSIST SMALL, MINORITY, AND WOMEN-OWNED BUSINESSES.

(C) THE CORPORATION MAY MAKE INVESTMENTS UNDER AN AGREEMENT WITH THE BOARD OF TRUSTEES FOR THE STATE RETIREMENT AND PENSION SYSTEM UNDER § 21-123.2 OF THE STATE PERSONNEL AND PENSIONS ARTICLE.

10-415.

(a) (1) On or before October 1 of each year, the Corporation shall report to the Governor, the Maryland Economic Development Commission, and, in accordance with § 2-1246 of the State Government Article, the General Assembly.

[(b)] (2) The report REQUIRED UNDER THIS SUBSECTION shall include:

(I) a complete operating and financial statement covering the Corporation's operations [and];

(II) a summary of the Corporation's activities during the preceding fiscal year;

(III) INFORMATION ON ALL SALARIES AND ANY INCENTIVES APPROVED BY THE BOARD FOR CORPORATION EMPLOYEES;

(IV) INFORMATION ON OUTREACH, TRAINING, MENTORSHIP, SUPPORT, AND INVESTMENT IN MINORITY AND WOMEN-OWNED QUALIFIED BUSINESSES, INCLUDING SUPPORT FOR MARKETING BY THE MARYLAND SMALL BUSINESS DEVELOPMENT FINANCING AUTHORITY; AND

(V) INFORMATION ON ENTITIES THAT HAVE CURRENT INVESTMENTS AND ENTITIES THAT RECEIVED FUNDING OR INVESTMENTS IN THE CURRENT YEAR ON THE:

1. PRINCIPAL BUSINESS OPERATIONS;

2. NUMBER OF EMPLOYEES IN THE STATE AND THE NUMBER OF EMPLOYEES OUTSIDE THE STATE;

3. CAPITAL OR OTHER INVESTMENTS MADE IN THE STATE; AND

4. PROPOSED AND ACTUAL JOB CREATION OR CAPITAL INVESTMENT IN THE STATE AS A RESULT OF THE INVESTMENT OR SUPPORT;

(VI) A LIST OF BUSINESSES THAT HAVE RECEIVED FUNDING THAT WOULD NO LONGER QUALIFY AS A QUALIFIED BUSINESS; AND

(VII) INFORMATION ON THE CREATION OF AND APPOINTMENTS MADE TO AN ADVISORY COMMITTEE AND THE RESPONSIBILITIES OF THE ADVISORY COMMITTEE AND MEMBERS OF THE COMMITTEE.

(B) (1) ON A QUARTERLY BASIS, THE CORPORATION SHALL REPORT TO THE GOVERNOR, THE MARYLAND ECONOMIC DEVELOPMENT COMMISSION, AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE JOINT AUDIT COMMITTEE AND THE GENERAL ASSEMBLY.

(2) THE REPORT REQUIRED UNDER THIS SUBSECTION SHALL INCLUDE A LIST OF THE QUALIFIED BUSINESSES OR OTHER BUSINESSES RECEIVING SUPPORT THROUGH PROGRAMS ADMINISTERED BY THE CORPORATION, INCLUDING THOSE RECEIVING INVESTMENTS MADE UNDER § 21-123.2 OF THE STATE PERSONNEL AND PENSIONS ARTICLE.

(3) THE LIST OF QUALIFIED BUSINESSES OR OTHER BUSINESSES RECEIVING SUPPORT SHALL INCLUDE FOR EACH BUSINESS:

(I) THE NUMBER OF EMPLOYEES IN THE STATE;

(II) THE NUMBER OF EMPLOYEES OUTSIDE THE STATE;

(III) THE CAPITAL OR OTHER INVESTMENTS MADE IN THE STATE;

AND

(IV) PROPOSED JOB CREATION OR CAPITAL INVESTMENT IN THE STATE AS A RESULT OF THE INVESTMENT OR SUPPORT.”.

On page 2, strike in their entirety lines 1 through 4, inclusive; in lines 5 and 7, in each instance, strike the bracket; in line 5, strike “(C)”; in line 7, strike “(D)”; in lines 13 and 15, in each instance, strike “business enterprise” and substitute “QUALIFIED BUSINESS”; and strike beginning with “THE” in line 23 down through “(E)” in line 28.

On page 3, in line 3, strike the brackets; in the same line, strike “(F)”; in lines 13 and 19, in each instance, strike “business enterprise” and substitute “QUALIFIED BUSINESS”; in lines 17 and 18, strike “business enterprise” and substitute “QUALIFIED BUSINESS”; in

line 21, strike the brackets; and strike beginning with “OR” in line 23 down through the semicolon in line 26.

On page 4, in line 1, strike the brackets; in the same line, strike “(G)”; after line 3, insert:

“10-470.

(a) The Corporation may require that all or part of a grant be repaid, with interest at a rate the Corporation sets, when conditions specified by the Corporation occur.

(b) (1) Whenever the Corporation is authorized by law to make a grant, including a grant from the Economic Development Opportunities Program Account authorized under § 7-314 of the State Finance and Procurement Article, the Corporation may use money appropriated for the grant to make an equity investment in a [business enterprise] **QUALIFIED BUSINESS.**

(2) (i) Except as provided in subparagraph (ii) of this paragraph, in making an equity investment under this subtitle, the Corporation may not acquire an ownership interest in an enterprise that exceeds 25%.

(ii) In making an equity investment under this subtitle in one or more venture or private equity firms, the Corporation may acquire an ownership interest exceeding 25%.

(3) Within 15 years after making an equity investment under this subtitle, the Corporation shall divest itself of that investment.

(4) The liability of the State and the Corporation in making an equity investment under this subtitle is limited to the amount of that investment.

[(5) The Corporation shall adopt regulations governing equity investments under this subsection that specify:

(i) the types of business enterprises in which an investment may be made;

(ii) the basic standards an enterprise shall meet to qualify for an investment;

(iii) the amount of money available for investment; and

(iv) the criteria that the Corporation uses to make investment decisions.】;

after line 5, insert:

“10–475.

(a) The Authority consists of the following nine members:

(1) seven members appointed by the Governor with the advice and consent of the Senate;

(2) one member appointed by the President of the Senate; and

(3) one member appointed by the Speaker of the House.

(b) (1) Of the seven members appointed by the Governor:

(i) 1. at least four shall have experience in working with companies that have raised investment capital for seed–stage to venture–stage companies or in providing professional services to the venture capital industry; and

2. one of the four members selected under item 1 of this item shall have experience in higher education research and development and technology transfer projects;

(ii) at least one shall have experience as a small business owner;

(iii) at least one shall have experience as a business executive that has raised venture capital investments; and

(iv) at least one shall be a resident of a rural county in the State.

(2) The Governor shall consider the geographic diversity of the State when appointing members.

- (c) The members appointed by the President and the Speaker:
- (1) may not be elected officials; and
 - (2) shall have experience and expertise in venture capital investments.
- (d) Each member shall be a resident of the State.
- (e) (1) The term of a member is 4 years.
- (2) At the end of a term, a member continues to serve until a successor is appointed.
- (3) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed.
- (4) A member appointed by the Governor may be removed by the Governor with or without cause.
- (5) The terms of the members are staggered as required by the terms provided for members of the Authority on July 1, 2011.
- (f) **[A] IN ADDITION TO THE REQUIREMENTS OF TITLE 5 OF THE GENERAL PROVISIONS ARTICLE, A member of the Authority may not BE EMPLOYED BY OR have any financial interest in a purchaser, qualified business, or venture firm OR HOLD ANY OTHER EMPLOYMENT RELATIONSHIP OR FINANCIAL INTEREST THAT WOULD IMPAIR THE IMPARTIALITY AND INDEPENDENT JUDGMENT OF THE MEMBER.**
- (g) **THE AUTHORITY MAY NOT HAVE ADDITIONAL ADVISORS OR ADVISORY BOARDS, WHETHER ACTING INFORMALLY OR FORMALLY CONSTITUTED, OTHER THAN AS APPOINTED OR DESIGNATED IN THIS SUBTITLE.**”;

in line 11, strike “POLICY AND” and substitute “**POLICIES,**”; in lines 11 and 12, strike “**FOR THE PROGRAM UNDER THIS SUBTITLE**” and substitute “**, AND ADHERENCE TO THE STATUTORY AND REGULATORY REQUIREMENTS IMPOSED ON THE CORPORATION**”; after line 12, insert:

(b) TO ENSURE THE CORPORATION HAS CONTINUED ACCESS TO THE BEST AVAILABLE AND QUALIFIED VENTURE FIRMS AS WELL AS TO PROVIDE FOR THE REPLACEMENT OF VENTURE FIRMS THAT HAVE BEEN DISQUALIFIED UNDER § 10-494 OF THIS SUBTITLE:

(1) [An] AN applicant shall file an application with the Corporation in the form required by the Corporation[.];

(2) [The] THE application shall include the applicant's most recent financial statements[.];

(3) [The] THE Corporation shall [begin accepting] ACCEPT applications for certification [on or before January 1, 2012.] FOR A PERIOD OF 3 MONTHS AT THE CORPORATION'S CHOOSING, AT THE SAME TIME EACH YEAR; AND

(4) [An application for certification may not be accepted after May 1, 2012] NOTWITHSTANDING THE REQUIREMENTS OF § 10-494(B) OF THIS SUBTITLE, WHEN ONE OR MORE VENTURE FIRMS HAVE BEEN DISQUALIFIED UNDER § 10-494 OF THIS SUBTITLE, THE CORPORATION MAY RECEIVE APPLICATIONS, FOR A PERIOD OF NOT LESS THAN 2 MONTHS, AT ANY TIME DURING THE CALENDAR YEAR.

(c) To be certified as a venture firm:

(1) the applicant must have, at the time of application, an equity capitalization, net assets, or written commitments of at least \$500,000 in the form of cash or cash equivalents; [and]

(2) at least two principals or persons employed to direct the investment of the designated capital of the applicant must have at least 5 years of money management experience in the venture capital or private equity sectors;

(3) FOR A PERIOD OF 2 YEARS FROM THE DATE OF DISQUALIFICATION, THE APPLICANT MAY NOT BE:

(I) A VENTURE FIRM THAT HAS BEEN DISQUALIFIED UNDER § 10-494 OF THIS SUBTITLE; OR

(II) A FIRM WITH MAJORITY OWNERSHIP COMPOSED OF MEMBERS WHO HAD OWNERSHIP OR LEADERSHIP ROLES IN A FIRM THAT HAS BEEN DISQUALIFIED UNDER § 10-494 OF THIS SUBTITLE.

10-489.

(a) (1) A business that is classified as a qualified business at the time of the first investment in the business by a venture firm, the Enterprise Fund, or the Financing Authority remains classified as a qualified business and may receive follow-on investments from a venture firm, the Enterprise Fund, or the Financing Authority AS PROVIDED UNDER THIS SUBSECTION.

(2) [Except as provided in paragraph (3) of this subsection, a] A follow-on investment [made under this subsection] FROM A VENTURE FIRM is a qualified investment even though the business does not meet the definition of a qualified business at the time of the follow-on investment.

(3) With respect to an investment by the Enterprise Fund or the Financing Authority, a follow-on investment does not qualify as a qualified investment if, at the time of the follow-on investment, the [qualified] business no longer [has its principal business operations in the State] MEETS THE DEFINITION OF A QUALIFIED BUSINESS.

10-494.

(A) EACH VENTURE FIRM SHALL BE REQUIRED TO MAKE EQUITY INVESTMENTS IN AN AMOUNT NOT LESS THAN 50% OF THE CAPITAL ALLOCATED TO QUALIFIED BUSINESSES WITHIN 3 YEARS OF EACH CAPITAL ALLOCATION.

(B) IN REGARDS TO VENTURE FIRMS THAT HAVE RECEIVED AN ALLOCATION BEFORE JUNE 1, 2019, THE REQUIREMENTS OF SUBSECTION (A) OF THIS SECTION SHALL APPLY AS OF JUNE 1, 2019.

(C) IN THE EVENT THAT A VENTURE FIRM FAILS TO MEET THE REQUIREMENTS OF SUBSECTION (A) OF THIS SECTION, THE CORPORATION SHALL:

(1) RESCIND THE ALLOCATION AND AUTHORIZATION FOR THAT FIRM FROM THE DATE OF NONCOMPLIANCE WITH SUBSECTION (A) OF THIS SECTION AND REMOVE THAT FIRM’S CERTIFICATION FOR PARTICIPATION IN THE PROGRAM;

(2) CEASE MAKING THE PAYMENT OF MANAGEMENT AND OTHER FEES TO THE VENTURE FUND FROM THE DATE OF NONCOMPLIANCE WITH SUBSECTION (A) OF THIS SECTION; AND

(3) CONSULT AND COORDINATE WITH THE OFFICE OF THE ATTORNEY GENERAL FOR THE RECOVERY OF ANY FUNDS, AS MAY BE NECESSARY.”;

in line 13, after “2.” insert “AND BE IT FURTHER ENACTED, That, on or before December 1, 2019, the Maryland Technology Development Corporation shall report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on the status of the Corporation’s efforts to address the findings of the fiscal compliance audit of the Corporation conducted by the Office of Legislative Audits for the period beginning January 7, 2015, and ending April 10, 2018.”

SECTION 3. AND BE IT FURTHER ENACTED, That, on or before December 1, 2019, the Department of Legislative Services shall review Title 10, Subtitle 4 of the Economic Development Article and make recommendations to the General Assembly on:

(1) how to make Title 10, Subtitle 4 of the Economic Development Article, regarding the Maryland Technology Development Corporation programs, more clear with consistent definitions; and

(2) whether there is language that can be repealed as duplicative or obsolete.

SECTION 4.”;

and in line 14, 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 Kelley, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 751 – Senator Lam

AN ACT concerning

**Governor’s Appointments Office and the Secretary of Budget and Management –
At-Will Employees – Duties and Reports**

SB0751/687678/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 751

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Office” and substitute “Office, Appointing Authorities,”; in line 3, strike “At-Will Employees –”; and strike beginning with “specifying” in line 4 down through “employees” in line 8 and substitute “prohibiting certain appointing authorities from delegating the authority to make certain decisions on the appointment of certain employees”.

AMENDMENT NO. 2

On page 2, strike beginning with “INTERFERE” in line 17 down through “BY,” in line 18; and in line 26, after “the” insert “APPOINTMENT OR”.

The preceding 2 amendments were read only.

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

The motion was adopted.

FINANCE COMMITTEE REPORT NO. 38

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

House Bill 605 – ~~Delegate Kelly~~ Delegates Kelly, Pendergrass, Pena-Melnyk, Bagnall, Barron, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kerr, Kipke, Krebs, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Sample-Hughes, Szeliga, and K. Young

AN ACT concerning

**Maryland Medical Assistance Program – Telemedicine – Psychiatric Nurse
Practitioners and Psychiatrists**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 626 – ~~Delegate Krebs~~ Delegates Krebs, Pendergrass, Pena-Melnyk,
Barron, Bhandari, Carr, Charles, Chisholm, Cullison, Kelly, Kipke,
R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Sample-Hughes, Szeliga, and
K. Young**

EMERGENCY BILL

AN ACT concerning

**Health Care Facilities – Change in Bed Capacity – Certificate of Need
Exemption**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 1272 – ~~Delegates Pendergrass and McIntosh~~ McIntosh, Cullison,
K. Young, Pena-Melnyk, R. Lewis, Charles, Kelly, Rosenberg, Barron,
Johnson, and Hill**

AN ACT concerning

Maryland Department of Health – Family Planning Program – Funding

Favorable report adopted.

FLOOR AMENDMENT

HB1272/573827/1

BY: Senator Kelley

AMENDMENTS TO HOUSE BILL 1272

(Third Reading File Bill)

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 3, strike in their entirety lines 10 through 20, inclusive.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

BUDGET AND TAXATION COMMITTEE REPORT NO. 24

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

Senate Bill 533 – Senators Guzzone and McCray

AN ACT concerning

Sales and Use Tax – Limited Residential Lodging**SB0533/869532/3**

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 533

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Limited Residential Lodging” and substitute “Short-Term Rentals”; in lines 3 and 8, in each instance, strike “hosting” and substitute “short-term rental”; in lines 4 and 9, in each instance, strike “lodging accommodations” and substitute “short-term rentals”; strike beginning with “requiring” in line 4 down through “manner;” in line 7; in line 12, after “(a-1),” insert “(a-2),”; in the same line, strike “and (k)(1)” and substitute “and (l)(1)”; in line 17, strike “11-101(a-2)” and substitute “11-101(k)(1), (l)(5) and (6),”; in the same line, strike “, 11-302,”; and in line 22, strike “(c-2), (c-3), and (c-4)” and substitute “(j-1), (j-2), and (j-3)”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 9 and 10; and in line 11, strike “(3)” and substitute “(2)”.

AMENDMENT NO. 3

On pages 2 and 3, strike in their entirety the lines beginning with line 18 on page 2 through line 3 on page 3, inclusive.

AMENDMENT NO. 4

On page 3, in line 8, strike “or”; in line 9, after “accommodation” insert “; OR

(III) A SHORT-TERM RENTAL”;

after line 6, insert:

“(J-1) “SHORT-TERM RENTAL” MEANS THE TEMPORARY USE OF A SHORT-TERM RENTAL UNIT TO PROVIDE ACCOMMODATION TO TRANSIENT GUESTS FOR LODGING PURPOSES IN EXCHANGE FOR CONSIDERATION.

(J-2) “SHORT-TERM RENTAL PLATFORM” MEANS AN INTERNET-BASED DIGITAL ENTITY THAT:

(1) ADVERTISES THE AVAILABILITY OF SHORT-TERM RENTAL UNITS FOR RENT; AND

(2) RECEIVES COMPENSATION FOR FACILITATING RESERVATIONS OR PROCESSING BOOKING TRANSACTIONS ON BEHALF OF THE OWNER, OPERATOR, OR MANAGER OF A SHORT-TERM RENTAL UNIT.

(J-3) (1) “SHORT-TERM RENTAL UNIT” MEANS A RESIDENTIAL DWELLING UNIT OR A PORTION OF THE UNIT USED FOR SHORT-TERM RENTALS.

(2) “SHORT-TERM RENTAL UNIT” INCLUDES A SINGLE-FAMILY HOUSE OR DWELLING, A MULTIFAMILY HOUSE OR DWELLING, AN APARTMENT, A CONDOMINIUM, OR A COOPERATIVE.”;

after line 9, insert:

“(l) (1) “Taxable price” means the value, in money, of the consideration of any kind that is paid, delivered, payable, or deliverable by a buyer to a vendor in the consummation and complete performance of a sale without deduction for any expense or cost, including the cost of:

(i) any labor or service rendered;

(ii) any material used; or

(iii) any property sold.

(5) “Taxable price” includes, for the sale or use of an accommodation facilitated by an accommodations intermediary **OR A SHORT-TERM RENTAL PLATFORM**, the full amount of the consideration paid by a buyer for the sale or use of an accommodation, but not including any tax that is remitted to a taxing authority.

(6) “Taxable price” does not include, for the sale or use of an accommodation facilitated by an accommodations intermediary **OR A SHORT-TERM RENTAL PLATFORM**, a commission paid by an accommodations provider to a person after facilitating the sale or use of an accommodation.”;

and in line 17, strike “**HOSTING**” and substitute “**SHORT-TERM RENTAL**”.

AMENDMENT NO. 5

On page 4, strike in their entirety lines 2 through 20, inclusive; and in line 23, strike “**HOSTING**” and substitute “**SHORT-TERM RENTAL**”.

AMENDMENT NO. 6

On page 5, strike in their entirety lines 14 through 17, inclusive.

The preceding 6 amendments were read only.

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

The motion was adopted.

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

BILL NO.	REPORT	SPONSOR	CONTENT
<u>FAVORABLE</u>			
HB 213	FAV	Del. Stein	Cownose Bay Fishery Management Plan and Moratorium on Contests
HB 319	FAV	Del. McIntosh	University of Maryland University College – Renaming
HB 416	FAV	Joint Committee on Federal Relations	Atlantic States Marine Fisheries Compact – Amendment I – Adoption
HB 461	FAV	Del. Hettleman	Md Hghr Ed Cmsn – Private Nonprft Instns of Hghr Ed – Rgltn (Private Nonprft Instn of Hghr Ed Protection Act of 2019)
HB 700	FAV	Washington County Delegation	Washington County – Code of Public Local Laws – Legalization
HB 951	FAV	The Speaker	Security Systems Technicians – Sunset Extension
HB 952	FAV	The Speaker	State Board of Cosmetologists – Sunset Extension
HB 953	FAV	The Speaker	State Board of Barbers – Sunset Extension
HB 993	FAV	Anne Arundel County Delegation	Anne Arundel County – Ethics – Contributions and Participation in Development Applications
HB 1100	FAV	The Speaker	State Board of Waterworks and Waste Systems Operators – Fee Setting, Sunset Extension, and Program Evaluation

BILL NO.	REPORT	SPONSOR	CONTENT
HB 1114	FAV	The Speaker	State Board of Well Drillers – Fee Setting, Sunset Extension, and Program Evaluation

Favorable report adopted on all of the preceding bills.

The preceding bills were read the second time and ordered prepared for Third Reading.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 44 CONSENT NO. 14**

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

BILL NO.	REPORT	SPONSOR	CONTENT
<u>FAVORABLE</u>			
HB 71	FAV	Del. Korman	State Board of Elections – Open Meetings – Video Streaming and Recording (State Board of Elections Transparency Act)
HB 228	FAV	Del. Cullison	State Board of Nursing – Criminal History Records Checks – Revised Statement
HB 276	FAV	Allegany County Delegation	Allegany County and Garrett County – School Buses – Length of Operation
HB 401	FAV	Harford County Delegation	Harford County – Hunting – Deer Management Permits
HB 464	FAV	Del. Hettleman	Consumer Protection – Private Career Schools and For-Profit Institutions of Higher Education – Disclosures

BILL NO.	REPORT	SPONSOR	CONTENT
HB 486	FAV	Del. Wilson	Education – Personnel Matters – Child Sexual Abuse and Sexual Misconduct Prevention

Favorable report adopted on all of the preceding bills.

The preceding bills were 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. 806)

SENATE THIRD READING CALENDAR NO. 62 (GENERAL SENATE BILLS)

Senate Bill 11 – Chair, Finance Committee (By Request – Departmental – Commerce)

AN ACT concerning

Distressed Counties – References and Definitions

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

Affirmative – 46 Negative – 0 (See Roll Call No. 807)

The Bill was then sent to the House of Delegates.

Senate Bill 248 – Senators Carozza, Bailey, Cassilly, Eckardt, Gallion, Klausmeier, Lee, Ready, Reilly, Salling, Simonaire, and West

AN ACT concerning

Criminal Law – Life-Threatening Injury Involving a Vehicle or Vessel – Criminal Negligence (Wade’s Law)

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

Affirmative – 46 Negative – 0 (See Roll Call No. 808)

The Bill was then sent to the House of Delegates.

Senate Bill 301 – Senators Benson, Carter, Feldman, King, Klausmeier, Lam, Lee, Nathan–Pulliam, Smith, Washington, ~~and Young~~ Young, and Hayes

AN ACT concerning

Hospitals – Patient’s Bill of Rights

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

Affirmative – 46 Negative – 0 (See Roll Call No. 809)

The Bill was then sent to the House of Delegates.

Senate Bill 402 – Senators Carter, Smith, Hough, Lee, Waldstreicher, Washington, and West

AN ACT concerning

Mental Health – Involuntary Admission – Inmates in Correctional Facilities

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

Affirmative – 35 Negative – 11 (See Roll Call No. 810)

The Bill was then sent to the House of Delegates.

Senate Bill 495 – Senators Kelley, Beidle, Benson, Feldman, Hayes, Klausmeier, and Reilly

AN ACT concerning

Medical Laboratories – Laboratory Tests and Procedures – Advertising

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

Affirmative – 45 Negative – 0 (See Roll Call No. 811)

The Bill was then sent to the House of Delegates.

Senate Bill 524 – Senator Eckardt

AN ACT concerning

**Maryland Medical Assistance Program – Telemedicine – Psychiatric Nurse
Practitioners and Psychiatrists**

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

Affirmative – 44 Negative – 0 (See Roll Call No. 812)

The Bill was then sent to the House of Delegates.

Senate Bill 891 – Senators Feldman, Benson, Hayes, Hershey, and Klausmeier

AN ACT concerning

Consumer Protection – Resale of Tickets – Disclosures and Refunds

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

Affirmative – 45 Negative – 0 (See Roll Call No. 813)

The Bill was then sent to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 63 (GENERAL SENATE BILLS)

**Senate Bill 472 – Senators Nathan–Pulliam, Augustine, Benson, Eckardt, Ellis,
Feldman, Ferguson, Kelley, Lam, Lee, Patterson, Smith, Young, and Zucker**

AN ACT concerning

**General Provisions – Commemorative ~~Days Months~~ – Caribbean ~~Day in~~
Maryland Heritage Month**

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

Affirmative – 45 Negative – 0 (See Roll Call No. 814)

The Bill was then sent to the House of Delegates.

**Senate Bill 581 – Senators Ferguson, Feldman, Guzzone, ~~and Klausmeier~~
Klausmeier, Eckardt, Edwards, Hayes, Hester, Rosapepe, and Serafini**

AN ACT concerning

**Economic, Housing, and Community Development ~~Tax Credits~~ – Opportunity
Zone ~~Enhancement Program~~ Incentives**

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

Affirmative – 44 Negative – 0 (See Roll Call No. 815)

The Bill was then sent to the House of Delegates.

Senate Bill 728 – Senator Guzzone

AN ACT concerning

Sales and Use Tax – Collection by Marketplace Facilitators

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

Affirmative – 43 Negative – 3 (See Roll Call No. 816)

The Bill was then sent to the House of Delegates.

Senate Bill 801 – Senators Hayes, Carter, Feldman, Guzzone, Hershey, Hester, Hough, Jennings, Klausmeier, Lam, McCray, Nathan–Pulliam, Reilly, Salling, Smith, Washington, West, Young, and Zucker

AN ACT concerning

Brewery Modernization Act of 2019

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

Affirmative – 44 Negative – 1 (See Roll Call No. 817)

The Bill was then sent to the House of Delegates.

Senate Bill 921 – Senator Hough

AN ACT concerning

Frederick County – Ethics and Campaign Activity – County Board and Commission Members and Board of License Commissioners

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

Affirmative – 46 Negative – 0 (See Roll Call No. 818)

The Bill was then sent to the House of Delegates.

Senate Bill 1032 – Senator Nathan–Pulliam

AN ACT concerning

Morgan State University – Task Force on Reconciliation and Equity – Extension

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

Affirmative – 46 Negative – 0 (See Roll Call No. 819)

The Bill was then sent to the House of Delegates.

QUORUM CALL

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

(See Roll Call No. 820)

ADJOURNMENT

At 1:28 P.M. on motion of Senator Guzzone the Senate adjourned until 10:00 A.M. on Legislative Day March 24, 2019, Calendar Day, Thursday, March 28, 2019.

Annapolis, Maryland
Legislative Day: March 24, 2019
Calendar Day: Thursday, March 28, 2019
10:00 A.M. Session

The Senate met at 10:13 A.M.

Prayer by Reverend Dr. Patricia Johnson, Fowler United Methodist Church, guest of Senator Elfreth.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 822)

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

The Journal of March 27, 2019 was read and approved.

MESSAGE FROM THE HOUSE OF DELEGATES NO. 6
SENATE BILLS PASSED BY YEAS AND NAYS

BILL NO.	SPONSOR	CONTENT
SB 24	Chair, Judicial Proceedings Committee	Family Law – Kinship Caregivers
SB 31	Chair, Finance Committee	Insurance – Insurance Holding Company Model Act
SB 45	Chair, Finance Committee	Health Care Provider Malpractice Insurance – Authorization to Settle – Clarification
SB 59	Chair, Budget and Taxation Committee	State Department of Assessments and Taxation – Notices and Orders – E-Mail

BILL NO.	SPONSOR	CONTENT
SB 61	Chair, Judicial Proceedings Committee	Criminal Injuries Compensation Board – Claims – Electronic Filing
SB 206	The President	Code Revision – Courts – Sheriffs’ Salaries and Expenses
SB 286	The President	Department of Legislative Services – Publication of Municipal Charter Amendments and Local Laws of Charter and Code Counties
SB 296	Sen. King	Property Tax – Exemptions – Nonprofit Charitable Museums
SB 318	Sen. Feldman	Education – School Safety Subcabinet Advisory Board – Membership
SB 421	Sen. Benson	Video Lottery Terminals – Minority Business Participation Goals – Enforcement and Reporting
SB 465	Sen. King	Nonpublic Schools – Fire Drill Requirements – State Fire Prevention Code
SB 657	Sen. King	Pilot Program – Alleged Rape, Sexual Offense, or Child Sexual Abuse – HIV Postexposure Prophylaxis
SJ 2	Sen. Elfreth	Freedom of the Press Day

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

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

**MESSAGE FROM THE HOUSE
INTRODUCTORY HOUSE BILLS NO. 27**

House Bill 175 – Chair, Ways and Means Committee (By Request – Departmental – Commerce)

AN ACT concerning

Maryland Research and Development Tax Credit – Sunset Extension

FOR the purpose of extending the termination date applicable to the Maryland Research and Development Tax Credit; extending the applicability of the credit to certain taxable years; and generally relating to the Maryland Research and Development Tax Credit.

BY repealing and reenacting, with amendments,

Chapter 515 of the Acts of the General Assembly of 2000, as amended by Chapter 98 of the Acts of the General Assembly of 2005 and Chapter 20 of the Acts of the General Assembly of 2010

Section 2 and 4

BY repealing and reenacting, with amendments,

Chapter 516 of the Acts of the General Assembly of 2000, as amended by Chapter 98 of the Acts of the General Assembly of 2005 and Chapter 20 of the Acts of the General Assembly of 2010

Section 2 and 4

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

House Bill 593 – The Speaker (By Request – Office of the Attorney General) and Delegates Anderson, Atterbeary, Barron, Branch, Bromwell, Brooks, Charkoudian, Clippinger, Crosby, Cullison, D.E. Davis, Dumais, Fennell, Gaines, Glenn, Hettleman, Hill, Holmes, Kelly, Kipke, Korman, R. Lewis, Lierman, Lisanti, Luedtke, ~~Mautz~~, Moon, Mosby, Pena-Melnyk, Pendergrass, Queen, Sample-Hughes, Stein, Valderrama, Valentino-Smith, ~~and Wilson~~ Wilson, and Sydnor

AN ACT concerning

Maryland Collection Agency Licensing Act – Definitions and Legislative Intent

FOR the purpose of defining the term “mortgage lender”; ~~altering~~ clarifying the definition of the term “consumer claim”; declaring the intent of the General Assembly; and generally relating to ~~consumer claims under~~ the Maryland Collection Agency Licensing Act.

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 7–101

Annotated Code of Maryland

(2015 Replacement Volume and 2018 Supplement)

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

House Bill 594 – The Speaker (By Request – Office of the Attorney General) and Delegates Atterbeary, Barve, Clippinger, D.E. Davis, Fennell, Gaines, Hettleman, Hill, Kelly, Sample–Hughes, Stein, Valentino–Smith, and Wilson

AN ACT concerning

Financial Institutions – Student Loan Servicers – Unfair, Abusive, or Deceptive Trade Practices

FOR the purpose of prohibiting a student loan servicer from employing any scheme, device, or artifice to mislead a student loan borrower; prohibiting a student loan servicer from engaging in any unfair, abusive, or deceptive trade practice toward any person; prohibiting a student loan servicer from misrepresenting or omitting certain information in connection with the servicing of a certain loan; prohibiting a student loan servicer from obtaining property by misrepresentation or omission of a certain fact; prohibiting a student loan servicer from applying a payment from a student loan borrower to a certain loan in a certain manner, except under certain circumstances; prohibiting a student loan servicer from knowingly or recklessly misapplying or refusing to correct a misapplication of a certain payment under certain circumstances; prohibiting a student loan servicer from knowingly or recklessly providing certain information, or refusing to correct certain information provided, to a certain consumer reporting agency; prohibiting a student loan servicer from failing to report a certain history to a certain consumer reporting agency under certain circumstances; prohibiting a student loan servicer from refusing to communicate with a certain representative of a certain student loan borrower under certain circumstances; prohibiting a student loan servicer from negligently making a certain statement or omitting a certain fact in connection with certain information filed with, or a certain investigation conducted by, a certain government agency; prohibiting a student loan servicer from violating a certain law concerning student education loan servicing; authorizing a certain student loan servicer to adopt procedures to verify that a certain representative of a student loan borrower is authorized to act in a certain manner; requiring a student loan servicer to respond to a certain inquiry or complaint in a certain manner, except under certain circumstances; requiring a student loan servicer to provide a certain document under certain circumstances; requiring a student loan servicer to apply a certain payment in a certain manner, except under certain circumstances; providing that a violation of this Act is an unfair, abusive, or deceptive trade practice and is subject to certain enforcement and penalty provisions, including certain criminal penalty; providing that violations of this Act are subject to the enforcement authority of the Commissioner of Financial Regulation; providing that the Student Loan Ombudsman may refer complaints by student loan borrowers to the Commissioner; repealing a certain reporting requirement; providing that the Nondepository Special Fund shall cover the direct and indirect costs of the Commissioner fulfilling duties under this Act; defining certain terms; and generally relating to student loan servicers.

BY adding to

Article – Education

Section 26–601 through ~~26–603~~ 26–604 to be under the new subtitle “Subtitle 6.
Student Loan Servicers”

Annotated Code of Maryland

(2018 Replacement Volume and 2018 Supplement)

BY repealing

Article – Financial Institutions

Section 2–104.1(h)

Annotated Code of Maryland

(2011 Replacement Volume and 2018 Supplement)

BY adding to

Article – Financial Institutions

Section 2–104.1(h) and 11–610(c)(15)

Annotated Code of Maryland

(2011 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article – Financial Institutions

Section 11–610(c)(14) and (15)

Annotated Code of Maryland

(2011 Replacement Volume and 2018 Supplement)

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

House Bill 768 – Delegates Pena–Melnyk, D. Barnes, Acevero, Anderson, Atterbeary, Bagnall, B. Barnes, Barron, Bartlett, Barve, Boyce, Bridges, Brooks, Cain, Cardin, Carey, Carr, Cassilly, Chang, Charkoudian, Charles, Ciliberti, Clippinger, Conaway, Corderman, Crosby, Crutchfield, D.M. Davis, D.E. Davis, Dumais, Ebersole, Feldmark, Fennell, W. Fisher, Fraser–Hidalgo, Gaines, Ghrist, Gilchrist, Glenn, Guyton, Harrison, Haynes, Healey, Hettleman, Hill, Holmes, Impallaria, Ivey, Jackson, Jalisi, Johnson, Jones, Kaiser, Kelly, Kerr, Korman, Krimm, Lafferty, Lehman, J. Lewis, R. Lewis, Lierman, Lisanti, Lopez, Love, Luedtke, McIntosh, Metzgar, Moon, Mosby, Palakovich Carr, Patterson, Proctor, Qi, Queen, Reilly, Reznik, Rogers, Rosenberg, Sample–Hughes, Shetty, Smith, Solomon, Stein, Stewart, Sydnor, Terrasa, Turner, Valderrama, Valentino–Smith, Walker, Washington, C. Watson, R. Watson, Wilkins, Wilson, K. Young, ~~and P. Young~~ P. Young, Pendergrass, Bhandari, and Cullison

AN ACT concerning

Health – Prescription Drug Affordability Board

FOR the purpose of establishing the Prescription Drug Affordability Board as an independent unit of State government; providing that the exercise by the Board of its authority under this Act is an essential governmental function; providing for the purpose of the Board; providing for the membership, terms, compensation, and chair of the Board; requiring certain conflicts of interest to be disclosed and considered when appointing members to the Board; specifying the terms of the initial members and alternate members of the Board; requiring the chair of the Board to hire certain staff and develop a certain budget and plan to be submitted to the Board for approval; requiring that the staff of the Board receive a certain salary; requiring the Board to meet in a certain manner and with a certain frequency with certain exceptions; requiring the Board to provide certain public notice of each Board meeting and to make certain materials available to the public in a certain manner; requiring the Board to provide the public with the opportunity to provide certain comments; authorizing the Board to allow expert testimony under certain circumstances; requiring the Board to access certain information for prescription drug products in a certain manner; requiring certain actions by the Board to be made in open session; providing that a majority of the members of the Board constitutes a quorum; requiring members of the Board to recuse themselves from certain decisions under certain circumstances; authorizing the Board to adopt certain regulations and enter into certain contracts; providing that certain third parties may not use certain information except under certain circumstances; providing for the application of certain procurement law to the Board; establishing the Prescription Drug Affordability Stakeholder Council; providing for the purpose of the Stakeholder Council; providing for the membership of the Stakeholder Council; specifying the terms of the initial members of the Stakeholder Council; requiring the Board to appoint certain chairs for the Stakeholder Council; prohibiting a member of the Stakeholder Council from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the disclosure of certain conflicts of interest within a certain time frame and in a certain manner; prohibiting certain persons from accepting certain gifts or donations; providing for the construction of certain provisions of this Act; requiring the Board in consultation with the Stakeholder Council to make certain determinations and adopt certain regulations on or before a certain date; requiring the Board to identify certain states and initiate a certain process on or before a certain date; requiring the Board to identify certain prescription drug products with certain costs; requiring the Board to determine in a certain manner whether to conduct a certain review for certain identified products; requiring the Board to request certain information from ~~a manufacturer~~ certain entities under certain circumstances; providing that information to conduct a certain cost review includes certain documents and research; providing that failure of ~~a manufacturer~~ certain entities to provide the Board with certain information does not affect certain Board authority; requiring that a certain review determine if certain utilization of a prescription drug product has led or will lead to certain challenges; requiring the Board to consider certain factors in making a certain determination on whether a certain drug product has led or will lead to certain challenges; authorizing the Board to consider certain additional factors if the Board is unable to make a certain determination; requiring the Board to ~~recommend or establish~~ set certain

~~upper payment limits after considering certain factors; requiring the Board to work with certain stakeholders to identify certain methodologies and establish certain data sources on or before a certain date; providing for the application of certain provisions of this Act; requiring the Board to consider certain information and recommend and publicize certain upper payment limits on or before a certain date; requiring the Board to establish set certain upper payment limits for certain prescription drug products on or after a certain date; requiring that certain information be subject to public inspection to the extent allowed under certain provisions of law; requiring the Board to monitor the availability of certain prescription drug products and reconsider upper payment limits under certain circumstances; prohibiting upper payment limits from applying to a prescription drug product while the prescription drug product is on a certain federal list; providing that certain information and data is considered confidential and proprietary and is not subject to disclosure under certain provisions of law; authorizing the Office of the Attorney General to pursue certain remedies; authorizing certain appeals and judicial review of certain Board decisions; establishing the Prescription Drug Affordability Fund; requiring the Board to be funded by a certain assessment; requiring the Board to assess and collect certain fees; requiring the State Treasurer to hold the Fund separately, and the Comptroller to account for the Fund; providing that the Fund is not subject to certain provisions of law but is subject to certain audit by the Office of Legislative Audits; requiring the Board to determine a certain funding source and submit a certain recommendation to certain committees of the General Assembly on or before a certain date; requiring the Board to be funded in a certain manner; requiring the Board to submit certain reports to certain committees of the General Assembly and to the General Assembly on or before certain dates; requiring the Health Services Cost Review Commission, in consultation with the Maryland Health Care Commission, to submit a certain report to the General Assembly on or before a certain date; requiring the State Designated Health Information Exchange Board jointly to conduct a study with the Board on providing certain data and report certain findings and recommendations to the General Assembly on or before a certain date; defining certain terms; making the provisions of this Act severable; and generally relating to the Prescription Drug Affordability Board.~~

BY adding to

Article – Health – General

Section 21-2C-01 through ~~21-2C-11~~ 21-2C-14 to be under the new subtitle

“Subtitle 2C. Prescription Drug Affordability Board”

Annotated Code of Maryland

(2015 Replacement Volume and 2018 Supplement)

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

~~Article – State Finance and Procurement~~

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

~~Annotated Code of Maryland~~

~~(2015 Replacement Volume and 2018 Supplement)~~

~~BY repealing and reenacting, with amendments,
 Article – State Finance and Procurement
 Section 6-226(a)(2)(ii) 112, and 113.
 Annotated Code of Maryland
 (2015 Replacement Volume and 2018 Supplement)~~

~~BY adding to
 Article – State Finance and Procurement
 Section 6-226(a)(2)(ii) 114.
 Annotated Code of Maryland
 (2015 Replacement Volume and 2018 Supplement)~~

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

House Bill 893 – Delegates Boyce, Acevero, Anderson, Attar, B. Barnes, Bridges, Carr, Charkoudian, Charles, Clippinger, Conaway, Crutchfield, D.M. Davis, Ebersole, W. Fisher, Fraser-Hidalgo, Glenn, Harrison, Haynes, Ivey, Jalisi, R. Lewis, Lierman, Lopez, Love, Luedtke, McIntosh, Mosby, Palakovich Carr, Pena-Melnyk, Smith, Solomon, Stewart, Terrasa, Washington, Wells, ~~and Wilkins~~ Wilkins, Bagnall, Barron, Bhandari, Cullison, Hill, Johnson, Kelly, Kerr, Pendergrass, Rosenberg, Sample-Hughes, and K. Young

AN ACT concerning

General Provisions – Commemorative ~~Days~~ Months – Caribbean ~~Day~~ Heritage Month

FOR the purpose of requiring the Governor annually to proclaim a certain ~~day~~ month as Caribbean ~~Day~~ Heritage Month; requiring the proclamation to urge certain organizations to observe Caribbean ~~Day~~ Heritage Month properly; and generally relating to Caribbean ~~Day~~ Heritage Month.

BY renumbering

Article – General Provisions
 Section ~~7-414 through 7-417~~ 7-504 through 7-506, respectively
 to be Section ~~7-415 through 7-418~~ 7-505 through 7-507, respectively
 Annotated Code of Maryland
 (2014 Volume and 2018 Supplement)

BY adding to

Article – General Provisions
 Section ~~7-414~~ 7-504
 Annotated Code of Maryland
 (2014 Volume and 2018 Supplement)

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

House Bill 1157 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Alcoholic Beverages – ~~Transfer of Class A Off-Sale~~
Licenses and Permits**

PG 303–19

FOR the purpose of repealing a limitation on the number of Sunday off-sale permits that the Board of License Commissioners for Prince George’s County may issue; authorizing the Board of License Commissioners ~~for Prince George’s County~~ to approve the transfer of a ~~Class A beer, wine, and liquor license from a certain alcoholic beverages district~~ any off-sale retail license from an alcohol outlet density zone in the county to another location in the county under certain circumstances; establishing a Workgroup on Alcohol Outlet Density Zones in Prince George’s County; providing for the membership, 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 designate certain areas as alcohol outlet density zones; requiring the Workgroup to report its recommendations to the House and Senate delegations for Prince George’s County and the Board of License Commissioners on or before a certain date; requiring the Board of License Commissioners to adopt rules designating the alcohol outlet density zones on or before a certain date; providing for the effective date of certain provisions of this Act; making certain provisions of this Act subject to a certain contingency; providing for the termination of certain provisions of this Act; and generally relating to alcoholic beverages licenses and permits in Prince George’s County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 26–102

Annotated Code of Maryland

(2016 Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 26–1104 and 26–1603(a)

Annotated Code of Maryland

(2016 Volume and 2018 Supplement)

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

**House Bill 1249 – Delegates Reznik, Atterbeary, B. Barnes, Barron, Cain, Cardin,
Conaway, Crutchfield, Cullison, Dumais, Ebersole, W. Fisher, Gilchrist,**

Guyton, Healey, Hettleman, Hill, Ivey, Jalisi, Kelly, J. Lewis, R. Lewis, Lopez, Moon, Mosby, Palakovich Carr, Pena–Melnik, Pendergrass, Shetty, Solomon, Sydnor, Terrasa, Valentino–Smith, Wilkins, and P. Young

AN ACT concerning

**Pilot Program – Alleged Rape, Sexual Offense, or Child Sexual Abuse – HIV
Postexposure Prophylaxis**

FOR the purpose of establishing the Pilot Program for Preventing HIV Infection for Rape Victims; establishing the purpose of the pilot program; requiring the Governor’s Office of Crime Control and Prevention to administer the pilot program; requiring that a victim of an alleged rape or sexual offense or a victim of alleged child sexual abuse be provided with a full course of treatment and follow–up care for postexposure prophylaxis for the prevention of HIV infection at the request of the victim and as prescribed by a health care provider; authorizing a victim who receives treatment under a certain provision of this Act to decline to provide certain information under certain circumstances; requiring the physician, qualified health care provider, or hospital providing a victim with certain treatment to inform the victim of a certain right; requiring that the treatment and follow–up care be provided without charge to the victim under certain circumstances; providing that the physician, qualified health care provider, or hospital providing the treatment or follow–up care is entitled to be paid by the Criminal Injuries Compensation Board under certain circumstances; providing for a certain immunity for certain persons; requiring the Governor’s Office of Crime Control and Prevention to report to the Governor and General Assembly on or before a certain date; defining certain terms; providing for the termination of this Act; and generally relating to the Pilot Program for Preventing HIV Infection for Rape Victims.

BY adding to

Article – Criminal Procedure
Section 11–1008
Annotated Code of Maryland
(2018 Replacement Volume)

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

House Joint Resolution 9 – Delegates Cain, Acevero, Attar, Bagnall, D. Barnes, Barve, Branch, Bridges, Brooks, Busch, Carey, Carr, Chang, Charkoudian, Chisholm, Corderman, Crosby, Dumais, Ebersole, Feldmark, W. Fisher, Fraser–Hidalgo, Guyton, Hill, Holmes, Jones, Kaiser, Kipke, Korman, Lehman, J. Lewis, R. Lewis, Lierman, Love, Luedtke, Malone, McIntosh, Mosby, Palakovich Carr, Pena–Melnik, Pendergrass, Smith, Solomon, Turner, ~~and Wilkins~~ Wilkins, Healey, Glenn, Atterbeary, B. Barnes, Beitzel, D.E. Davis, Gaines, McComas, Reznik, and Stein

A House Joint Resolution concerning

Freedom of the Press Day

FOR the purpose of designating June 28 as Freedom of the Press Day; and generally relating to Freedom of the Press Day.

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

House Joint Resolution 11 – ~~Delegates Sample–Hughes and Patterson, Patterson, Healey, Glenn, Atterbeary, B. Barnes, Barve, Beitzel, D.E. Davis, Dumais, Gaines, Jones, Kipke, McComas, McIntosh, Pena–Melnyk, Reznik, Stein, and Szeliga~~

A House Joint Resolution concerning

Women Veterans Day

FOR the purpose of designating March 13 as Women Veterans Day.

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

LAID OVER CALENDAR NO. 24

House Bill 124 – Delegates K. Young, Healey, Bartlett, Bhandari, Brooks, Ebersole, Feldmark, Jalisi, Jones, Kelly, Kerr, Krimm, R. Lewis, Pendergrass, Shetty, Terrasa, and C. Watson

AN ACT concerning

Tanning Devices – Use by Minors

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

FLOOR AMENDMENT

HB0124/223027/1

BY: Senator Ready

AMENDMENTS TO HOUSE BILL 124

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after the first “of” insert “altering the age of a minor under which the minor is prohibited from using a tanning device;”.

AMENDMENT NO. 2

On page 2, in line 20, strike “18” and substitute “**16**”.

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

Affirmative – 17 Negative – 29 (See Roll Call No. 823)

Read the second time and ordered prepared for Third Reading.

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 470 – Senator Bill Ferguson:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Patterson High School
Boys Basketball Team
in recognition of
your winning the 2019 Maryland Class 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 28th day of March 2019.

Read and adopted by a roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 824)

Senate Resolution No. 486 – Senator Paul G. Pinsky:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Eleanor Roosevelt High School
Boys Varsity Basketball
in recognition of
your winning the 2019 Class 4A State Basketball Championship. We applaud your
outstanding season and wish you many more. Congratulations!
The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 28th day of March 2019.

Read and adopted by a roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 825)

LAID OVER CALENDAR NO. 24

Senate Bill 751 – Senator Lam

AN ACT concerning

**Governor’s Appointments Office and the Secretary of Budget and Management –
At-Will Employees – Duties and Reports**

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

SB0751/687678/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 751

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Office” and substitute “Office, Appointing Authorities,”; in line 3, strike “At-Will Employees –”; and strike beginning with “specifying” in line 4 down through “employees” in line 8 and substitute “prohibiting certain appointing authorities from delegating the authority to make certain decisions on the appointment of certain employees”.

AMENDMENT NO. 2

On page 2, strike beginning with “INTERFERE” in line 17 down through “BY,” in line 18; and in line 26, after “the” insert “APPOINTMENT OR”.

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 533 – Senators Guzzone and McCray

AN ACT concerning

Sales and Use Tax – Limited Residential Lodging

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (6) AND THE FAVORABLE REPORT.

SB0533/869532/3

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 533

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Limited Residential Lodging” and substitute “Short-Term Rentals”; in lines 3 and 8, in each instance, strike “hosting” and substitute “short-term rental”; in lines 4 and 9, in each instance, strike “lodging accommodations” and substitute “short-term rentals”; strike beginning with “requiring” in line 4 down through “manner;” in line 7; in line 12, after “(a-1),” insert “(a-2),”; in the same line, strike “and (k)(1)” and substitute “and (l)(1)”; in line 17, strike “11-101(a-2)” and substitute “11-101(k)(1), (l)(5) and (6),”; in the same line, strike “, 11-302,”; and in line 22, strike “(c-2), (c-3), and (c-4)” and substitute “(j-1), (j-2), and (j-3)”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 9 and 10; and in line 11, strike “**(3)**” and substitute “(2)”.

AMENDMENT NO. 3

On pages 2 and 3, strike in their entirety the lines beginning with line 18 on page 2 through line 3 on page 3, inclusive.

AMENDMENT NO. 4

On page 3, in line 8, strike “or”; in line 9, after “accommodation” insert “**; OR**”

(III) A SHORT-TERM RENTAL;

after line 6, insert:

“(J-1) “SHORT-TERM RENTAL” MEANS THE TEMPORARY USE OF A SHORT-TERM RENTAL UNIT TO PROVIDE ACCOMMODATION TO TRANSIENT GUESTS FOR LODGING PURPOSES IN EXCHANGE FOR CONSIDERATION.

(J-2) “SHORT-TERM RENTAL PLATFORM” MEANS AN INTERNET-BASED DIGITAL ENTITY THAT:

(1) ADVERTISES THE AVAILABILITY OF SHORT-TERM RENTAL UNITS FOR RENT; AND

(2) RECEIVES COMPENSATION FOR FACILITATING RESERVATIONS OR PROCESSING BOOKING TRANSACTIONS ON BEHALF OF THE OWNER, OPERATOR, OR MANAGER OF A SHORT-TERM RENTAL UNIT.

(J-3) (1) “SHORT-TERM RENTAL UNIT” MEANS A RESIDENTIAL DWELLING UNIT OR A PORTION OF THE UNIT USED FOR SHORT-TERM RENTALS.

(2) “SHORT-TERM RENTAL UNIT” INCLUDES A SINGLE-FAMILY HOUSE OR DWELLING, A MULTIFAMILY HOUSE OR DWELLING, AN APARTMENT, A CONDOMINIUM, OR A COOPERATIVE.”;

after line 9, insert:

“(I) (1) “Taxable price” means the value, in money, of the consideration of any kind that is paid, delivered, payable, or deliverable by a buyer to a vendor in the consummation and complete performance of a sale without deduction for any expense or cost, including the cost of:

(i) any labor or service rendered;

(ii) any material used; or

(iii) any property sold.

(5) “Taxable price” includes, for the sale or use of an accommodation facilitated by an accommodations intermediary OR A SHORT-TERM RENTAL PLATFORM,

the full amount of the consideration paid by a buyer for the sale or use of an accommodation, but not including any tax that is remitted to a taxing authority.

(6) “Taxable price” does not include, for the sale or use of an accommodation facilitated by an accommodations intermediary OR A SHORT-TERM RENTAL PLATFORM, a commission paid by an accommodations provider to a person after facilitating the sale or use of an accommodation.”;

and in line 17, strike “HOSTING” and substitute “SHORT-TERM RENTAL”.

AMENDMENT NO. 5

On page 4, strike in their entirety lines 2 through 20, inclusive; and in line 23, strike “HOSTING” and substitute “SHORT-TERM RENTAL”.

AMENDMENT NO. 6

On page 5, strike in their entirety lines 14 through 17, inclusive.

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

FINANCE COMMITTEE REPORT NO. 39

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

House Bill 66 – ~~Delegate Stein~~ Delegates Stein, Boyce, Bridges, Fraser-Hidalgo, Harrison, Lehman, Stewart, and Wells

AN ACT concerning

Railroad Company – Movement of Freight – Required Crew

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

The motion was adopted.

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

House Bill 145 – Delegates K. Young, Bagnall, Barron, Bhandari, Brooks, Cullison, Dumais, Fraser–Hidalgo, Healey, Hill, Jalisi, Jones, Kelly, Kerr, Kipke, Korman, R. Lewis, Lierman, Lisanti, McIntosh, Metzgar, Sample–Hughes, Shetty, ~~and P. Young~~ P. Young, Pendergrass, Pena–Melnyk, Carr, Charles, Johnson, Krebs, Rosenberg, and Szeliga

AN ACT concerning

Hospitals – Patient’s Bill of Rights

HB0145/967673/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 145
(Third Reading File Bill)

On page 5, strike in their entirety lines 9 through 12, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before January 1, 2021, the Maryland Department of Health shall report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on the compliance of hospitals with the requirements of this Act.”;

and in line 13, strike “2.” and substitute “3.”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 218 – Delegates Krebs, Cullison, ~~and Pena–Melnyk~~ Pena–Melnyk, and Sample–Hughes

AN ACT concerning

Public Health – Disposition of Remains – Forfeiture or Waiver of Right of Disposition

HB0218/347776/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 218

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after the first “of” insert “adding an adult grandchild of a certain decedent to the list of persons who have the right to arrange for the final disposition of the body of the decedent;”; in line 11, after “Act;” insert “making conforming changes;”; in line 13, strike “without” and substitute “with”; and in line 15, after “5–509(c)” insert “and (d)”.

On page 2, in line 1, strike “without” and substitute “with”; and in line 3, after “7–410(c)” insert “and (d)”.

AMENDMENT NO. 2

On page 2, after line 23, insert:

“(5) AN ADULT GRANDCHILD OF THE DECEDENT;”;

in lines 24, 26, and 28, strike “(5)”, “(6)”, and “(7)”, respectively, and substitute “**(6)**”, “**(7)**”, and “**(8)**”, respectively; in lines 28 and 32, in each instance, strike “(6)” and substitute “**(7)**”; and after line 33, insert:

“(d) (1) Subject to paragraph (2) of this subsection, if a decedent has more than one survivor under subsection (c)(1) through [(4)] (5) of this section, any adult child, parent, [or] adult brother or sister, OR ADULT GRANDCHILD of the decedent who confirms in writing to a practitioner that all of the other members of the same class have been notified may serve as the authorizing agent for purposes of § 5–502 of this subtitle unless the practitioner receives a written objection to the cremation from another member of that class within 24 hours.

“(2) If a decedent has more than one survivor under subsection (c)(1) through [(4)] (5) of this section, the majority of a class may serve as the authorizing agent.”

On page 4, after line 16, insert:

“(5) AN ADULT GRANDCHILD OF THE DECEDENT;”;

in lines 17, 19, and 21, strike “(5)”, “(6)”, and “(7)”, respectively, and substitute “**(6)**”, “**(7)**”, and “**(8)**”, respectively; in lines 21 and 25, in each instance, strike “(6)” and substitute “**(7)**”; and after line 26, insert:

“(d) (1) Subject to paragraph (2) of this subsection, if a decedent has more than one survivor under subsection (c)(1) through [(4)] (5) of this section, any adult child, parent, [or] adult brother or sister, OR ADULT GRANDCHILD of the decedent who confirms in writing to a licensee that all of the other members of the same class have been notified may serve as the authorizing agent unless the licensee receives a written objection from another member of that class.

(2) If a decedent has more than one survivor under subsection (c)(1) through [(4)] (5) of this section, the majority of a class may serve as the authorizing 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 Kelley, Chair, for the Committee on Finance reported favorably:

House Bill 522 – ~~Delegate Krebs~~ Delegates Krebs, Pendergrass, Pena-Melnyk, Bagnall, Barron, Bhandari, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kelly, Kerr, Kipke, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Sample-Hughes, Szeliga, and K. Young

AN ACT concerning

Public Health – Food Establishments – Licensing

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 646 – ~~Delegate Pendergrass~~ Delegates Pendergrass, Pena-Melnyk, Bagnall, Barron, Carr, Charles, Chisholm, Cullison, Kelly, Kerr, Kipke, Krebs, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Sample-Hughes, Szeliga, and K. Young

AN ACT concerning

**Maryland Health Care Commission – State Health Plan and Certificate of Need
for Hospital Capital Expenditures**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 671 – Delegates Rogers, Bagnall, Bartlett, Branch, Carey, Chang,
Crosby, D.E. Davis, Fennell, Lisanti, McIntosh, Sample–Hughes, C. Watson,
~~and Wilson~~ Wilson, and Howard**

AN ACT concerning

Household Goods Movers Registration

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

FINANCE COMMITTEE REPORT NO. 40

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

**House Bill 679 – The Speaker (By Request – Workplace Harassment Commission)
and Delegate Jones**

AN ACT concerning

**Workplace Harassment – Prohibitions, Liability, ~~and~~ Enforcement, and
Prevention Training**

HB0679/787873/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 679

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 21, strike “State”; and in the same line, after “employees” insert “of a unit of the University System of Maryland”.

AMENDMENT NO. 2

On page 10, in line 5, after “**(I)**” insert “**THIS PARAGRAPH APPLIES ONLY TO A UNIT OF THE UNIVERSITY SYSTEM OF MARYLAND.**”

(II)”;

and in line 7, strike “**(II)**” and substitute “**(III)**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1072 – Delegates Brooks, D. Barnes, Bromwell, Carey, Dumais, Fennell, Glenn, Haynes, Hettleman, Mosby, Patterson, Proctor, Qi, Sample–Hughes, Stein, Walker, R. Watson, Wilson, and P. Young

AN ACT concerning

Transportation Network Companies – Insurance

HB1072/167178/2

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1072

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “policy;” insert “requiring transportation network companies to provide evidence of certain security to the Public Service Commission under certain circumstances;”; in the same line, strike the second “a”; in line 6, strike “change” and substitute “changes”; and in line 9, strike “10–405(e)” and substitute “10–405(a), (b), (c), (d), and (e)”.

AMENDMENT NO. 2

On page 2, after line 1, insert:

“(a) (1) An operator, a transportation network company on behalf of the operator, or a combination of both shall maintain primary motor vehicle insurance, OR OTHER SECURITY UNDER § 17–103(A)(3) OF THE TRANSPORTATION ARTICLE, that:

(i) recognizes that the operator is a transportation network operator or otherwise uses a motor vehicle to transport passengers for hire; and

(ii) covers the operator while the operator is providing transportation network services.

(2) (i) The following motor vehicle insurance requirements shall apply while an operator is providing transportation network services:

1. security of at least:

A. for the payment of claims for bodily injury or death arising from an accident, up to \$50,000 for any one person and up to \$100,000 for any two or more persons, in addition to interest and costs; and

B. for the payment of claims for property of others damaged or destroyed in an accident, up to \$25,000, in addition to interest and costs;

2. uninsured motorist insurance coverage required under § 19–509 of the Insurance Article; and

3. personal injury protection coverage required under § 19–505 of the Insurance Article; and

(ii) The coverage requirements under this paragraph may be satisfied by motor vehicle insurance maintained by:

1. an operator;

2. a transportation network company; or

3. both an operator and a transportation network company.

(b) If insurance OR OTHER SECURITY is provided by both the transportation network company and the operator under subsection (a) of this section, the insurance maintained by the transportation network operator is primary.

(c) The insurance OR OTHER SECURITY maintained by a transportation network company shall provide the coverage required under subsection (a) of this section from the first dollar of a claim and provide for the duty to defend the claim in the event the insurance maintained by an operator under subsection (a) of this section has coverage that has been canceled or has lapsed or is otherwise not in force.

(d) (1) A transportation network company THAT PROCURES INSURANCE FROM AN ADMITTED INSURER OR A NONADMITTED INSURER shall:

(i) verify that the coverage required under subsection (a) of this section is maintained at all times; and

(ii) provide to the Commission and the Insurance Commissioner, annually upon each renewal:

1. a valid certificate of insurance coverage that meets the requirements of subsection (a) of this section and that:

A. is prepared by the insurer;

B. is signed by an officer of the insurer;

C. is in a form acceptable to the Commission;

D. states the name and home office address of the insurer providing coverage to the transportation network company;

E. states the effective dates of the coverage;

F. states a general description of the coverage; and

G. includes a certification of a policy provision that will notify the Commission and the Insurance Commissioner of any termination of coverage at least 60 days in advance of the effective date of the termination; and

2. the underlying policy for the coverage required under subsection (a) of this section.

(2) (i) The Commission may consult with the Insurance Commissioner concerning the provisions of the underlying policy provided to the Commission and the Insurance Commissioner under paragraph (1)(ii)2 of this subsection.

(ii) 1. Records provided to the Commission by a transportation network company under this section are not subject to release under the Maryland Public Information Act or any other law.

2. The Commission and the Insurance Commissioner may not disclose records or information provided to the Commission and the Insurance Commissioner under this section to any person unless the disclosure is required by subpoena or court order.

3. If a subpoena or court order requires the Commission or the Insurance Commissioner to disclose information provided to the Commission or the Insurance Commissioner under this section, the Commission or the Insurance Commissioner, as appropriate, promptly shall notify the transportation network company before disclosing the information.

(3) A TRANSPORTATION NETWORK COMPANY THAT MAINTAINS SECURITY UNDER § 17-103 OF THE TRANSPORTATION ARTICLE SHALL PROVIDE THE COMMISSION WITH EVIDENCE OF THE REQUIRED SECURITY.”.

On page 3, 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 Kelley, Chair, for the Committee on Finance reported favorably:

House Bill 1167 – Delegates Haynes and Glenn

AN ACT concerning

**Labor and Employment – Apprenticeship Career Training Pilot Program for
Formerly Incarcerated Individuals – Establishment**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 1169 – Delegates D.E. Davis, Branch, Brooks, Busch, Queen, and
Valderrama**

AN ACT concerning

**Business Regulation – Tobacco Products and Electronic Smoking Devices –
Revisions**

Favorable report adopted.

FLOOR AMENDMENT

HB1169/553729/1

BY: Senator Hough

AMENDMENTS TO HOUSE BILL 1169

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “products;” insert “exempting certain individuals from a certain minimum age requirement for an individual to purchase or be sold tobacco products;”.

AMENDMENT NO. 2

On page 4, in line 2, after “PRODUCTS” insert “WITHOUT MILITARY IDENTIFICATION”.

On page 6, in line 25, after “PRODUCTS” insert “WITHOUT MILITARY IDENTIFICATION”.

On page 14, in line 18, after “PRODUCTS” insert “WITHOUT MILITARY IDENTIFICATION”.

On page 20, in line 5, after “to” insert “:

(I);

in line 8, strike the period and substitute “;**OR**

(II) A PURCHASER OR RECIPIENT WHO:

- 1. IS AT LEAST 18 YEARS OF AGE;**
- 2. IS AN ACTIVE DUTY MEMBER OF THE MILITARY; AND**
- 3. PRESENTS A VALID MILITARY IDENTIFICATION.”;**

in lines 19 and 21, in each instance, after “YEARS” insert “,**UNLESS THE INDIVIDUAL:**

(I) IS AT LEAST 18 YEARS OF AGE;

(II) IS AN ACTIVE DUTY MEMBER OF THE MILITARY; AND

(III) PRESENTS A VALID MILITARY IDENTIFICATION”;

and in line 25, after “age” insert “**OR AS AT LEAST 18 YEARS OF AGE AND AN ACTIVE DUTY MEMBER OF THE MILITARY**”.

On page 23, in line 10, strike “an” and substitute “:

(I) AN”;

in line 14, strike the period and substitute “;**OR**

(II) A PURCHASER OR RECIPIENT WHO:

- 1. IS AT LEAST 18 YEARS OF AGE;**
- 2. IS AN ACTIVE DUTY MEMBER OF THE MILITARY; AND**

3. PRESENTS A VALID MILITARY IDENTIFICATION.”;
and in line 30, after “age” insert “**OR AS AT LEAST 18 YEARS OF AGE AND AN ACTIVE DUTY MEMBER OF THE MILITARY**”.

On page 24, in line 7, strike “AN” and substitute “:

(I) AN”;

and in line 9, strike the period and substitute “**OR**

(II) A PURCHASER OR RECIPIENT WHO:

1. IS AT LEAST 18 YEARS OF AGE;

2. IS AN ACTIVE DUTY MEMBER OF THE MILITARY; AND

3. PRESENTS A VALID MILITARY IDENTIFICATION.”.

On page 25, in line 2, after “old” insert “**OR AS AT LEAST 18 YEARS OF AGE AND AN ACTIVE DUTY MEMBER OF THE MILITARY**”.

On page 26, in line 9, after “unless” insert “:

(I)”;

in line 11, after “products;” insert “**OR**

(II) THE INDIVIDUAL:

1. IS AT LEAST 18 YEARS OF AGE;

2. IS AN ACTIVE DUTY MEMBER OF THE MILITARY; AND

3. PRESENTS A VALID MILITARY IDENTIFICATION;”;

in line 13, after “YEARS” insert “**, UNLESS THE INDIVIDUAL:**

- (I) IS AT LEAST 18 YEARS OF AGE;
- (II) IS AN ACTIVE DUTY MEMBER OF THE MILITARY; AND
- (III) PRESENTS A VALID MILITARY IDENTIFICATION”;

in line 15, after “product” insert “, UNLESS THE INDIVIDUAL:

- (I) IS AT LEAST 18 YEARS OF AGE;
- (II) IS AN ACTIVE DUTY MEMBER OF THE MILITARY; AND
- (III) PRESENTS A VALID MILITARY IDENTIFICATION”;

and in line 21, after “old” insert “OR AS BEING AT LEAST 18 YEARS OF AGE AND AN ACTIVE DUTY MEMBER OF THE MILITARY”.

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

Affirmative – 27 Negative – 20 (See Roll Call No. 826)

Read the second time and ordered prepared for Third Reading.

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

House Bill 1172 – ~~Delegate Cassilly~~ Delegates Cassilly and Reilly, Reilly, Lisanti, Johnson, Szeliga, Arikan, Hornberger, and McComas

AN ACT concerning

Economic Development – Regional Advanced Manufacturing Partnership of Maryland

HB1172/967871/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1172
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 21, after “(e)” insert “, 13-1203(a)”.

On page 2, in line 3, strike “13-1203(a) and (b)” and substitute “13-1203(b)”.

AMENDMENT NO. 2

On page 5, in line 20, strike “ASSISTANCE” and substitute “ASSISTANT”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB1172/923222/1

BY: Senator Cassilly

AMENDMENTS TO HOUSE BILL 1172

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 10 down through “Assembly;” in line 11.

AMENDMENT NO. 2

On page 5, in line 20, after the semicolon insert “AND”; strike beginning with the first “THE” in line 22 down through “(XV)” in line 26.

On page 6, in line 9, strike “(A)”.

On page 7, strike in their entirety lines 7 through 10, inclusive.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1183 – Delegates Hill, Bartlett, Cain, Carr, Clippinger, Crutchfield, Cullison, Ebersole, Feldmark, Haynes, Hettleman, Johnson, Kelly, R. Lewis, Luedtke, McIntosh, Qi, Shetty, Terrasa, and K. Young

AN ACT concerning

Public Health – Treatment for the Prevention of HIV – Consent by Minors

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1259 – Delegate Ebersole

AN ACT concerning

Education – Collective Bargaining for Noncertificated Employees – Supervisory Employees and Management Personnel

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1284 – Delegate Luedtke

AN ACT concerning

Organ Donation – Prohibition on Discrimination by Insurer and Unpaid Leave

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 26

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

Senate Bill 638 – Senator Smith

AN ACT concerning

Child Support – Shared Physical Custody

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 643 – Senator Klausmeier

AN ACT concerning

Criminal Procedure – Forfeiture Proceeds – Appropriation Percentage and Reporting

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 809 – Senators Lee, Benson, Carter, Elfreth, Feldman, Guzzone, Hayes, Hester, Kagan, Nathan–Pulliam, Patterson, Peters, Smith, Waldstreicher, Washington, West, Young, and Zucker

AN ACT concerning

Correctional Facilities – Restrictive Housing – Pregnant Inmates

SB0809/688778/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 809

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 19 down through “manner;” in line 20; and strike beginning with “requiring” in line 23 down through “Assembly;” in line 24.

AMENDMENT NO. 2

On page 3, in line 7, after “TO” insert “:

(I)”;

in lines 8 and 9, strike “(I)” and “(II)”, respectively, and substitute “1.” and “2.”, respectively; in line 8, after “HARM” insert “TO THE INMATE OR ANOTHER”; and in line 10, after “MEANS” insert “; OR”

(II) A SITUATION THAT POSES A RISK OF SPREADING A COMMUNICABLE DISEASE THAT CANNOT BE REASONABLY MITIGATED BY OTHER MEANS”.

On page 4, strike beginning with the first “THE” in line 5 down through “(III)” in line 7; in line 9, strike “(IV)” and substitute “(III)”; strike beginning with “(I)” in line 15 down through “(III)” in line 22; in line 27, strike “SECRETARY” and substitute “COMMISSIONER OF CORRECTION, THE COMMISSIONER OF PRETRIAL DETENTION AND SERVICES,”; and in the same line, strike “TO”.

On page 5, strike in their entirety lines 7 through 16, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 1017 – Senators Zirkin and Miller

AN ACT concerning

Criminal Procedure – Office of the Public Defender – Definition of Serious Offense

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 1043 – Senator Hough

AN ACT concerning

Children in Need of Assistance – Qualified Residential Treatment Programs

(Family First Prevention Services Act)

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**MESSAGE FROM THE HOUSE
SENATE BILLS AMENDED IN THE HOUSE NO. 5**

AMENDED IN THE HOUSE

**Senate Bill 195 – Senators Kelley, Feldman, Ferguson, Guzzone, Hayes, Kramer,
Lam, Peters, Pinsky, Rosapepe, Washington, and Young**

AN ACT concerning

Public Health – Prescription Drug Monitoring Program – Revisions

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

SB0195/616286/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 195
(Third Reading File Bill)

On page 2, in line 9, strike “21-2A-06(c) and (d)” and substitute “21-2A-06(b) through (d)”; and in line 14, strike the first “and (b)”.

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 – 47 Negative – 0 (See Roll Call No. 827)

AMENDED IN THE HOUSE

**Senate Bill 356 – Senators Nathan-Pulliam, Benson, Carter, Eckardt, Elfreth,
Ellis, Ferguson, Hayes, Kagan, Kelley, Klausmeier, Lam, Lee, McCray,
Patterson, Smith, Washington, and Young**

AN ACT concerning

Health – Maternal Mortality Review Program – Reporting Requirement

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

SB0356/236880/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 356

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Program –” insert “Recommendations and”; in line 3, after the first “of” insert “requiring the Maternal Mortality Review Program, in consultation with the Office of Minority Health and Health Disparities, to make recommendations to reduce any disparities in the maternal mortality rate;”; and in line 9, after “Section” insert “13–1204 and”.

AMENDMENT NO. 2

On page 1, after line 14, insert:

“13–1204.

(a) The Secretary may contract with the Faculty to administer the Maternal Mortality Review Program.

(b) In consultation with the maternal child health committee of a faculty, the Secretary shall develop a system to:

(1) Identify maternal death cases;

(2) Review medical records and other relevant data;

(3) Contact family members and other affected or involved persons to collect additional relevant data;

(4) Consult with relevant experts to evaluate the records and data collected;

- (5) Make determinations regarding the preventability of maternal deaths;
- (6) Develop recommendations for the prevention of maternal deaths; and
- (7) Disseminate findings and recommendations to policy makers, health care providers, health care facilities, and the general public.

(c) In accordance with § 4–221 of this article and notwithstanding § 4–224 of this article, the Secretary may provide the Program with a copy of the death certificate of any woman whose death is suspected to have been a maternal death.

(D) THE MATERNAL MORTALITY REVIEW PROGRAM, IN CONSULTATION WITH THE OFFICE OF MINORITY HEALTH AND HEALTH DISPARITIES, SHALL MAKE RECOMMENDATIONS TO REDUCE ANY DISPARITIES IN THE MATERNAL MORTALITY RATE INCLUDING RECOMMENDATIONS RELATED TO SOCIAL DETERMINANTS OF HEALTH.

On page 2, in line 10, strike the second “AND”; and in line 12, after “ETHNICITY” insert “;

(III) THE NUMBER OF LIVE BIRTHS BY RACE;

(IV) THE PERCENTAGE OF WOMEN WHO GAVE BIRTH BY RACE;

(V) THE PERCENTAGE OF MATERNAL DEATHS BY RACE AND ETHNICITY;

(VI) THE MATERNAL MORTALITY RATE BY RACE;

(VII) A COMPARISON OF THE LEADING CAUSES OF MATERNAL DEATH BY RACE; AND

(VIII) ANY OTHER INFORMATION THAT THE SECRETARY DETERMINES NECESSARY TO CARRY OUT THE PURPOSES OF THIS SUBTITLE.

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 – 47 Negative – 0 (See Roll Call No. 828)

AMENDED IN THE HOUSE

Senate Bill 522 – Senators Kelley, Beidle, Benson, Eckardt, Edwards, Elfreth, Feldman, Ferguson, Griffith, Guzzone, Hayes, Hershey, Jennings, Kagan, King, Klausmeier, Kramer, Lam, Lee, Patterson, Pinsky, Reilly, Rosapepe, Serafini, Washington, West, and Young

AN ACT concerning

Virginia I. Jones Alzheimer’s Disease and Related Disorders Council – Revisions

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

SB0522/106089/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 522

(Third Reading File Bill)

On page 1, in line 3, after the third “the” insert “Virginia I. Jones Alzheimer’s Disease and Related Disorders”; and in line 16, strike “, 13–3204,”.

On page 2, in line 1, after “13–3203” insert “, 13–3204,”.

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 – 47 Negative – 0 (See Roll Call No. 829)

**MESSAGE FROM THE HOUSE
SENATE BILLS AMENDED IN THE HOUSE NO. 6**

AMENDED IN THE HOUSE

Senate Bill 212 – Senator Lee

AN ACT concerning

Estates and Trusts – Execution of Wills – Presence of Witnesses

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

SB0212/966484/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 212

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Estates and Trusts” and substitute “Wills”; in the same line, strike “Presence of”; in the same line, after “Witnesses” insert “and Wills Executed Outside the State”; in line 3, strike “establishing that” and substitute “prohibiting”; in lines 3 and 4, strike “certain provisions of law governing the execution of a” and substitute “an attested”; in line 4, strike “witness does not satisfy a certain requirement to be” and substitute “person from qualifying as a witness”; in line 5, strike the first “a” and substitute “the”; in the same line, strike “from” and substitute “than”; in line 7, after the first semicolon insert “clarifying the conditions under which a will executed outside the State is properly executed;”; and in lines 8 and 9, strike “testamentary documents” and substitute “wills”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 7 through 10, inclusive, and substitute:

“(B) FOR PURPOSES OF THIS SECTION, A WITNESS IS NOT IN THE PRESENCE OF THE TESTATOR IF THE WITNESS IS IN A DIFFERENT PHYSICAL LOCATION THAN THE TESTATOR REGARDLESS OF WHETHER THE TESTATOR CAN OBSERVE THE WITNESS THROUGH ELECTRONIC AUDIO-VIDEO OR OTHER TECHNOLOGICAL MEANS.”;

in line 20, after “**THE**” insert “LAW OF THE”; and in the same line, strike “will is executed” and substitute “TESTATOR IS PHYSICALLY LOCATED AT THE TIME THE TESTATOR SIGNS THE WILL”.

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 – 47 Negative – 0 (See Roll Call No. 830)

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 45**

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

**House Bill 172 – Chair, Ways and Means Committee (By Request – Departmental
– State Board of Elections)**

AN ACT concerning

**Election Law – Voter Registration Deadlines and Security of Voter Registration
Information**

HB0172/854430/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 172

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike “and Security of Voter Registration Information”; in line 4, after “of” insert “repealing provisions of law that require the State Board of Elections and a local board of elections to be open for business during certain hours on a certain date;”; strike beginning with “requiring” in line 5 down through “Fund;” in line 17; in line 18, strike “and the security of voter registration information”; in line 21, after “Section” insert “2–302 and”; and in the same line, strike “and 3–506”.

AMENDMENT NO. 2

On page 2, after line 3, insert:

“2–302.”

(a) (1) The State Board shall be open for business during regular business hours on each State government workday.

(2) The State Board shall remain open until 9 p.m. on the last day for[:

(i) the filing of a certificate of candidacy for each election conducted under this article[; and

(ii) the close of voter registration prior to each election conducted under this article].

(b) (1) Each local board shall be open for business:

(i) on each day that is a county government workday in its county;

(ii) on each election day; and

(iii) until 9 p.m. on the last day for[:

1. the filing of a certificate of candidacy for an election conducted in the county, if a certificate can be filed with the local board[;

2. the close of voter registration prior to each election held in the county; and

3. the filing of an application by a voter for a change in party affiliation].

(2) The members of each local board shall be available as needed on an election day and during the canvass of each election.

(3) The hours that a local board is open for business:

(i) may be the same as the regular business hours of its county government; or

(ii) for the convenience of the public, may be different from the regular business hours of its county government, except that the number of business hours

the office is open each business day must be at least equivalent to the number of business hours that the county government is open.”.

On pages 2 through 4, strike in their entirety the lines beginning with line 29 on page 2 through line 21 on page 4, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 174 – Chair, Ways and Means Committee (By Request – Departmental – State Board of Elections)

AN ACT concerning

Election Law – Absentee Ballot Requests – Last Four Digits of Social Security Number

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 176 – Chair, Ways and Means Committee (By Request – Departmental – State Board of Elections)

AN ACT concerning

Election Law – ~~Certificates of Candidacy and Nomination~~ Candidates – Revisions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 177 – Chair, Ways and Means Committee (By Request – Departmental
– State Board of Elections)**

AN ACT concerning

**Election Law – Judicial Proceedings Involving Local Boards of Elections –
Notice**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 878 – Delegates Kaiser, Barve, Cain, Ebersole, Feldmark, Gaines,
Haynes, Krebs, Mosby, and K. Young**

AN ACT concerning

**Election Law – Campaign Finance Reports – Late Fees and Certificates of
Nomination**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1025 – Delegate Mosby

AN ACT concerning

Election Law – Coordinated Expenditures and Donations – Investigation

HB1025/374935/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1025

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after “Rules;” insert “requiring the State Administrator to make a certain finding in order for a certain subpoena to be issued; requiring that a certain filing be sealed on filing:”.

AMENDMENT NO. 2

On page 5, after line 16, insert:

“(III) IN ORDER FOR A SUBPOENA TO BE ISSUED UNDER THIS PARAGRAPH, THE STATE ADMINISTRATOR SHALL MAKE A FINDING THAT THE SUBPOENA IS NECESSARY TO AND IN FURTHERANCE OF AN INVESTIGATION BEING CONDUCTED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(IV) ANY FILING SUBMITTED TO A COURT WITH RESPECT TO A SUBPOENA UNDER THIS PARAGRAPH SHALL BE SEALED ON FILING.”;

and in line 17, strike “(III)” and substitute “(V)”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 46**

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

House Bill 93 – Delegate Rosenberg

AN ACT concerning

**Walter Sondheim Jr. Public Service Internship Scholarship Program – Repeal
of Award Cap**

HB0093/834930/1

BY: Education, Health, and Environmental Affairs Committee

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “repealing” and substitute “altering”.

AMENDMENT NO. 2

On page 3, in line 4, strike the brackets; and in the same line, strike “\$3,000” and substitute “\$5,000”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 284 – Delegates J. Lewis, Carey, W. Fisher, Ivey, Luedtke, Washington, ~~and Wilkins~~ Wilkins, Bagnall, Barron, Bhandari, Carr, Charles, Chisholm, Hill, Kerr, Krebs, R. Lewis, Metzgar, Morgan, Pena–Melnik, Pendergrass, Rosenberg, Saab, Sample–Hughes, and K. Young

AN ACT concerning

**Procurement – Small Businesses and Minority Businesses – Qualification and Certification
(Small and Minority Business Certification Streamlining Act of 2019)**

HB0284/344631/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 284

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “in” in line 8 down through “certification” in line 9 and substitute “under certain circumstances”.

AMENDMENT NO. 2

On page 2, strike beginning with the colon in line 15 down through “CERTIFICATION” in line 19 and substitute “FOR THE EXCLUSIVE PURPOSE OF PURSUING OUT-OF-STATE CONTRACTS, IF THE BUSINESS HAS:

(1) 250 OR FEWER EMPLOYEES; OR

(2) AVERAGE ANNUAL GROSS RECEIPTS OF \$10,000,000 OR LESS AVERAGED OVER ITS MOST RECENTLY COMPLETED 3 FISCAL YEARS”.

On page 5, in line 34, strike “June 1, 2020” and substitute “December 31, 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 Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 704 – ~~Delegates Washington and Charkoudian~~, Charkoudian, and Cain

AN ACT concerning

Maryland Longitudinal Data System – Student Data and Governing Board

HB0704/494833/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 704

(Third Reading File Bill)

On page 2, in line 17, strike “**DISCIPLINE**” and substitute “**ELEMENTARY AND SECONDARY SCHOOL DISCIPLINARY**”.

On page 3, in line 9, strike “**JUVENILE**” and substitute “**JUVENILE**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 844 – Delegates Reilly, Anderton, Arikan, Buckel, Cassilly, Guyton, Hornberger, Kaiser, Luedtke, McComas, Rose, ~~and Walker~~ Walker, and Washington

AN ACT concerning

Public Schools – School Psychologists – Reports

Senator Ferguson moved to make the Bill and Report a Special Order for April 1, 2019.

The motion was adopted.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 47**

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

House Bill 36 – Delegate Wivell

AN ACT concerning

Surface Mining – Zone of Dewatering Influence – Water Supply Replacement

HB0036/954832/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 36

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Water Supply Replacement” and substitute “Remedies”; and in line 3, after “of” insert “requiring a certain surface mining permittee to immediately implement certain safety measures under certain circumstances;”.

AMENDMENT NO. 2

On page 3, in line 25, strike “and”; after line 25, insert:

“(II) ON DISCOVERY OF A SUDDEN SUBSIDENCE OF THE SURFACE OF THE LAND, IMMEDIATELY IMPLEMENT APPROPRIATE SAFETY MEASURES TO PROTECT PUBLIC HEALTH AND SAFETY; AND”;

and in line 26, strike “(II)” and substitute “(III)”.

On page 4, in line 38, strike “WAIVE” and substitute “STAY”.

On page 5, in line 1, after “SUPPLY” insert “OR IMPLEMENT APPROPRIATE SAFETY MEASURES”; and in line 2, strike “(C)(2)” and substitute “(C)”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 109 – Delegates Lierman, Anderson, Bagnall, D. Barnes, Barron, Bartlett, Bridges, Brooks, Cain, Charkoudian, Clippinger, Conaway, Cullison, Ebersole, Feldmark, Fraser–Hidalgo, Gilchrist, Guyton, Haynes, Healey, Hettleman, Hill, Kelly, Korman, Lafferty, Lehman, R. Lewis, Love, Luedtke, Moon, Mosby, Palakovich Carr, Reznik, Shetty, Smith, Solomon, Stein, Stewart, Terrasa, Washington, Wells, ~~and K. Young~~ K. Young, and Cardin

AN ACT concerning

**Environment – Expanded Polystyrene Food Service Products – ~~Prohibition~~
Prohibitions**

HB0109/274635/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 109
(Third Reading File Bill)

On page 3, in line 12, strike “OUTSIDE THE STATE”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 393 – Delegates Cassilly, Jalisi, Johnson, and Lisanti

AN ACT concerning

Natural Resources – Park Services Associates – Parking Citations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 406 – Delegate Beitzel

AN ACT concerning

Wetlands and Waterways Program – State-Owned ~~Lands~~ Lakes – Structural Shoreline Stabilization

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 703 – Delegates Lafferty, Fraser-Hidalgo, Holmes, Love, Stewart, and Wells

AN ACT concerning

Environmental Violations – Reporting Requirements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1123 – Delegates Fraser–Hidalgo, Cassilly, Barve, Gilchrist, Jacobs, Otto, Stein, and Wivell

~~EMERGENCY BILL~~

AN ACT concerning

Agriculture – Hemp Research and Production

HB1123/644730/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1123

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 7, after “changes;” insert “requiring the Department, in consultation with the Natalie M. LaPrade Medical Cannabis Commission, to adopt regulations to protect certain hemp growers and medical cannabis growers from the risk of cross-pollination;”.

AMENDMENT NO. 2

On page 12, after line 9, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That the Department of Agriculture, in consultation with the Natalie M. LaPrade Medical Cannabis Commission, shall adopt regulations to protect hemp growers licensed under this Act and medical cannabis growers licensed under § 13–3306 of the Health – General Article from the risk of cross-pollination. The regulations adopted under this section may include the establishment of buffer zones around licensed medical cannabis growing facilities;”;

and in line 10, strike “3.” and substitute “4.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 48**

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

Senate Bill 983 – Senators Hayes, Augustine, Ellis, Griffith, and Smith

AN ACT concerning

**Procurement – Small Businesses and Minority Businesses – Qualification and
Certification
(Small and Minority Business Certification Streamlining Act of 2019)**

SB0983/684936/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 983
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “adopt” insert “certain”; in the same line, after “regulations” insert “, on or before a certain date,”; and strike beginning with “in” in line 8 down through “certification” in line 9 and substitute “under certain circumstances”.

AMENDMENT NO. 2

On page 2, strike beginning with the colon in line 9 down through “CERTIFICATION” in line 13 and substitute “**FOR THE EXCLUSIVE PURPOSE OF PURSUING OUT-OF-STATE CONTRACTS, IF THE BUSINESS HAS:**

(1) 250 OR FEWER EMPLOYEES; OR

(2) AVERAGE ANNUAL GROSS RECEIPTS OF \$10,000,000 OR LESS AVERAGED OVER ITS MOST RECENTLY COMPLETED 3 FISCAL YEARS”.

On page 5, after line 21, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Secretary of General Services, the Secretary of Transportation, the Chancellor of the University System of Maryland, and the President of Morgan State University shall adopt the regulations required under this Act on or before December 31, 2019.”;

and in line 22, 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.

BUDGET AND TAXATION COMMITTEE REPORT NO. 25

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

Senate Bill 945 – Senator Kramer

EMERGENCY BILL

AN ACT concerning

Sales and Use Tax – Taxable Services – Telephone Answering Service

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

BUDGET AND TAXATION COMMITTEE REPORT NO. 26

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

House Bill 1347 – Delegates Jones, Brooks, Cardin, Hettleman, and Stein

EMERGENCY BILL

AN ACT concerning

~~Maryland Consolidated Capital Bond Loan of 2018 – Baltimore County – Road and Intersection Improvements~~
Prior Authorizations of State Debt – Alterations

HB1347/689738/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1347
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, after line 15, insert:

“BY repealing and reenacting, with amendments, Chapter 444 of the Acts of the General Assembly of 2012, as amended by Chapter 27 of the Acts of the General Assembly of 2016 Section 1(3) Item ZA03(S)”.

On page 2, in line 13, after “ZA03(B),” insert “(AW),”; in the same line, strike “and (BN)” and substitute “(BN), and (BO)”; and in line 19, after the first “(R),” insert “(AK),”.

AMENDMENT NO. 2

On page 2, after line 33, insert:

“Chapter 444 of the Acts of 2012, as amended by Chapter 27 of the Acts of 2016

Section 1(3)

ZA03 LOCAL HOUSE OF DELEGATES INITIATIVES
(Statewide)

(S) Roland Water Tower Stabilization. Provide a grant equal to the lesser of (i) \$250,000 or (ii) the amount of the matching fund provided, to the Roland Park Community Foundation for the planning, design, repair, renovation, and restoration of the Roland Water Tower, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act. Notwithstanding Section 1(7) of

this Act, this grant may not terminate before June 1, [2019] 2021 (Baltimore City) 250,000”.

AMENDMENT NO. 3

On page 11, after line 11, insert:

“(AW) Halpine Hamlet Community Center. Provide a grant equal to the lesser of (i) \$175,000 or (ii) the amount of the matching fund provided, to the [MHP Halpine, LP] BOARD OF DIRECTORS OF MONTGOMERY HOUSING PARTNERSHIP, INC. for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Halpine Hamlet Community Center, located in Montgomery County. Notwithstanding Section 1(5) of this Act, THE GRANTEE HAS UNTIL JUNE 1, 2021, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED AND the matching fund may consist of in kind contributions (Montgomery County) 175,000”.

AMENDMENT NO. 4

On page 12, after line 5, insert:

“(BO) St. Nicholas Catholic Church Parish Hall. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Archdiocese of Washington–St. Nicholas Catholic Church for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the parish hall for St. Nicholas Catholic Church, INCLUDING LANDSCAPING AND GENERAL IMPROVEMENTS TO THE GROUNDS SURROUNDING THE PARISH HALL, located in Prince George’s County. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2021, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED (Prince George’s County) 50,000”.

AMENDMENT NO. 5

On page 14, after line 27, insert:

“(AK) North Beach Volunteer Fire Department. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the North Beach Volunteer Fire Department, Inc. for the ACQUISITION, PLANNING, DESIGN, CONSTRUCTION, REPAIR, RENOVATION, RECONSTRUCTION, SITE IMPROVEMENT, AND CAPITAL EQUIPPING OF THE North Beach Volunteer Fire Department, including THE PURCHASE OF A FIRE AND RESCUE BOAT AND any facilities necessary to maintain the boat (Calvert County) 100,000”.

The preceding 5 amendments were read only.

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

The motion was adopted.

FINANCE COMMITTEE REPORT NO. 41

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

Senate Bill 290 – Senator Smith

AN ACT concerning

Public Health – Cottage Food Products – Definition

SB0290/677376/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 290

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Smith” and substitute “Senators Smith, Hough, and Guzzone”; in line 2, after “Definition” insert “and Sale”; in line 4, after “cooperatives;” insert “requiring that a certain label for a cottage food product offered for sale at a retail food store include certain information; requiring the owner of a cottage food business to submit certain information to the Maryland Department of Health before

selling a cottage food product to a retail food store; requiring the Department, on or before a certain date each year, to submit a certain annual report to certain committees of the General Assembly;”; and in line 13, after “21–301(b–2)” insert “and 21–330.1”.

AMENDMENT NO. 2

On page 2, after line 12, insert:

“21–330.1.

(a) This section does not:

(1) Apply to a food establishment that is required to have a license under § 21–305 of this subtitle; or

(2) Exempt a cottage food business from any applicable State or federal tax laws.

(b) A cottage food business is not required to be licensed by the Department if the owner of the cottage food business complies with this section.

(c) The owner of a cottage food business may sell only cottage food products that are:

(1) Stored on the premises of the cottage food business; and

(2) Prepackaged with a label that contains:

(i) The following information:

1. The name and address of the cottage food business;

2. The name of the cottage food product;

3. The ingredients of the cottage food product in descending order of the amount of each ingredient by weight;

4. The net weight or net volume of the cottage food product;

5. Allergen information as specified by federal labeling requirements; and

6. If any nutritional claim is made, nutritional information as specified by federal labeling requirements; [and]

(ii) The following statement printed in 10 point or larger type in a color that provides a clear contrast to the background of the label: “Made by a cottage food business that is not subject to Maryland’s food safety regulations.”; AND

(III) FOR A COTTAGE FOOD PRODUCT OFFERED FOR SALE AT A RETAIL FOOD STORE:

1. THE PHONE NUMBER AND E-MAIL ADDRESS OF THE COTTAGE FOOD BUSINESS; AND

2. THE DATE THE COTTAGE FOOD PRODUCT WAS MADE.

(d) The owner of a cottage food business shall comply with all applicable county and municipal laws and ordinances regulating the preparation, processing, storage, and sale of cottage food products.

(e) (1) The Department may investigate any complaint alleging that a cottage food business has violated this section.

(2) On receipt of a complaint, a representative of the Department, at a reasonable time, may enter and inspect the premises of a cottage food business to determine compliance with this section.

(3) The owner of a cottage food business may not:

(i) Refuse to grant access to a representative who requests to enter and inspect the premises of the cottage food business under paragraph (2) of this subsection; or

(ii) Interfere with any inspection under paragraph (2) of this subsection.

(4) An investigation of a cottage food business conducted under this subsection may include sampling of a cottage food product to determine if the cottage food product is misbranded or adulterated.

(F) BEFORE THE OWNER OF A COTTAGE FOOD BUSINESS MAY SELL A COTTAGE FOOD PRODUCT TO A RETAIL FOOD STORE, THE OWNER SHALL SUBMIT TO THE DEPARTMENT:

(1) DOCUMENTATION OF THE OWNER’S SUCCESSFUL COMPLETION OF A FOOD SAFETY COURSE APPROVED BY THE DEPARTMENT; AND

(2) THE LABEL THAT WILL BE AFFIXED TO THE COTTAGE FOOD PRODUCT IN ACCORDANCE WITH SUBSECTION (C)(2) OF THIS SECTION.

(G) BEGINNING ON OR BEFORE DECEMBER 30, 2020, AND EVERY DECEMBER 30 THEREAFTER, THE DEPARTMENT SHALL REPORT TO THE SENATE FINANCE COMMITTEE AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, ON:

(1) THE DOCUMENTATION AND LABELS SUBMITTED UNDER SUBSECTION (F) OF THIS SECTION; AND

(2) ANY COMPLAINTS RECEIVED BY THE DEPARTMENT RELATED TO A COTTAGE FOOD BUSINESS OR COTTAGE FOOD PRODUCT.

[(f)] (H) The Department shall adopt regulations to carry out this section.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 949 – Senator Serafini

AN ACT concerning

Labor and Employment – Grant Program for Workforce Skills Assessment

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

BILLS VETOED BY THE GOVERNOR

2019 GOVERNOR’S VETO MESSAGES

(See Exhibit Q of Appendix II)

Senate Bill 280 – Senators McCray, Beidle, Benson, Carter, Ellis, Feldman, Guzzone, Hayes, Kagan, Lam, Lee, Nathan–Pulliam, Patterson, Peters, Pinsky, Rosapepe, Smith, Waldstreicher, Washington, Young, ~~and Zucker~~ Zucker, and Augustine

AN ACT concerning

**Labor and Employment – Payment of Wages – Minimum Wage ~~and Enforcement~~
(Fight for Fifteen)**

The President of the Senate put the following question: “Shall the Bill pass, notwithstanding the objections of the Chief Executive?”

The roll call vote resulted as follows:

Affirmative – 32 Negative – 15 (See Roll Call No. 831)

The President announced the veto was overridden.

MESSAGE TO THE HOUSE

March 28, 2019

By the Majority Leader

Ladies and Gentlemen of the House of Delegates:

The Senate today, notwithstanding the objections of the Governor, voted to override the Veto on Senate Bill 280. Said bill is sent to you for your consideration.

By Order

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

Read and adopted.

MESSAGE FROM THE HOUSE

March 28, 2019

Ladies and Gentlemen of the Senate:

The House of Delegates has voted to override the Governor’s veto of House Bill 166. Said Bill is sent to you for your consideration.

By Order,
Sylvia Siegert, Chief Clerk

Read and ordered journalized.

BILLS VETOED BY THE GOVERNOR

House Bill 166 – Delegates Fennell, Hettleman, Acevero, Anderson, Atterbeary, B. Barnes, D. Barnes, Barron, Bartlett, Barve, Boyce, Bridges, Brooks, Charkoudian, Charles, Clippinger, Conaway, Crutchfield, Cullison, D.M. Davis, D.E. Davis, Dumais, Ebersole, Feldmark, W. Fisher, Fraser-Hidalgo, Gilchrist, Glenn, Harrison, Haynes, Healey, Hill, Ivey, Jackson, Jalisi, Johnson, Jones, Kaiser, Kelly, Kerr, Korman, Lafferty, J. Lewis, R. Lewis, Lierman, Lopez, Love, Luedtke, McIntosh, Moon, Mosby, Palakovich Carr, Patterson, Pena-Melnyk, Pendergrass, Proctor, Qi, Queen, Reznik, Rogers, Rosenberg, Shetty, Smith, Solomon, Stewart, Sydnor, Terrasa, Turner, Valderrama, Valentino-Smith, Walker, Washington, R. Watson, Wells, Wilkins, K. Young, and P. Young

AN ACT concerning

Labor and Employment – Payment of Wages – Minimum Wage ~~and Enforcement~~ (Fight for Fifteen)

The President of the Senate put the following question: “Shall the Bill pass, notwithstanding the objections of the Chief Executive?”

The roll call vote resulted as follows:

Affirmative – 32 Negative – 15 (See Roll Call No. 832)

The President announced the veto was overridden.

MESSAGE TO THE HOUSE

March 28, 2019

By the Majority Leader

Ladies and Gentlemen of the House of Delegates:

The Senate of Maryland has voted to override the Governor's Veto of House Bill 166 (2019). Said Bill is returned to the House herewith, having been enacted under Article II, Section 17, of the Constitution of Maryland.

By Order

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

Read and adopted.

BILLS VETOED BY THE GOVERNOR

Senate Bill 128 – Senators Pinsky and King

EMERGENCY BILL

AN ACT concerning

~~County Boards of Education – School Year – Start and End Dates~~
Community Control of School Calendars Act

The President of the Senate put the following question: “Shall the Bill pass, notwithstanding the objections of the Chief Executive?”

The roll call vote resulted as follows:

Affirmative – 32 Negative – 15 (See Roll Call No. 833)

The President announced the veto was overridden.

MESSAGE TO THE HOUSE

March 28, 2019

By the Majority Leader

Ladies and Gentlemen of the House of Delegates:

The Senate today, notwithstanding the objections of the Governor, voted to override the Veto on Senate Bill 128. Said bill is sent to you for your consideration.

By Order

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

Read and adopted.

MESSAGE FROM THE HOUSE

March 28, 2019

Ladies and Gentlemen of the Senate:

The House of Delegates has voted to override the Governor's veto of House Bill 1052. Said Bill is sent to you for your consideration.

By Order,
Sylvia Siegert, Chief Clerk

Read and ordered journalized.

BILLS VETOED BY THE GOVERNOR

House Bill 1052 – Delegate Miller (By Request – Task Force to Study State Alcohol Regulation, Enforcement, Safety, and Public Health)

AN ACT concerning

Alcohol, and Tobacco, and Motor Fuel Commission

The President of the Senate put the following question: "Shall the Bill pass, notwithstanding the objections of the Chief Executive?"

The roll call vote resulted as follows:

Affirmative – 30 Negative – 16 (See Roll Call No. 834)

The President announced the veto was overridden.

MESSAGE TO THE HOUSE

March 28, 2019

By the Majority Leader

Ladies and Gentlemen of the House of Delegates:

The Senate of Maryland has voted to override the Governor's Veto of House Bill 1052 (2019). Said Bill is returned to the House herewith, having been enacted under Article II, Section 17, of the Constitution of Maryland.

By Order

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

Read and adopted.

QUORUM CALL

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

(See Roll Call No. 835)

SENATE THIRD READING CALENDAR NO. 64 (GENERAL SENATE BILLS)

Senate Bill 252 – Senator Hayes

AN ACT concerning

Railroad Company – Movement of Freight – Required Crew

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

The motion was adopted.

Senate Bill 340 – Senators Kagan, Augustine, Feldman, King, Peters, West, and Young

AN ACT concerning

Maryland Technology Development Corporation – Investments and Operations

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

Affirmative – 47 Negative – 0 (See Roll Call No. 836)

The Bill was then sent to the House of Delegates.

Senate Bill 588 – Senator Rosapepe

SECOND PRINTING

AN ACT concerning

Career Education Act of 2019

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

Affirmative – 47 Negative – 0 (See Roll Call No. 837)

The Bill was then sent to the House of Delegates.

Senate Bill 861 – Senator Zirkin

AN ACT concerning

Natalie M. LaPrade Medical Cannabis Commission – Registration of Certifying Providers – Repeal

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

Affirmative – 47 Negative – 0 (See Roll Call No. 838)

The Bill was then sent to the House of Delegates.

Senate Bill 904 – Senators Kelley and Elfreth

AN ACT concerning

Maryland Department of Health – Family Planning Program – Funding

Senator Simonaire moved to make the Bill a Special Order for March 29, 2019.

The motion was adopted.

SENATE THIRD READING CALENDAR NO. 15 (GENERAL HOUSE BILLS)

House Bill 397 – Delegates ~~Krebs, Jackson, Krebs and Jackson~~ (By Request – Commission to Advance Next Generation 9–1–1 Across Maryland), and Delegates Acevero, Anderton, Arentz, Arikan, Atterbeary, B. Barnes, D. Barnes, Barron, Bartlett, Barve, Beitzel, Boyce, Branch, Buckel, Carey, Cassilly, Chang, Charkoudian, Charles, Chisholm, Clark, Corderman, Cox, Crosby, D.M. Davis, Dumais, Fennell, Fraser–Hidalgo, Ghrist, Gilchrist, Harrison, Haynes, Hettleman, Hill, Hornberger, Howard, Ivey, Kelly, Kerr, Kittleman, Korman, Krimm, Lehman, Lierman, Long, Luedtke, Malone, Mautz, McComas, McKay, ~~Morgan~~, Palakovich Carr, Parrott, Patterson, Proctor, Qi, Queen, Reilly, Rose, Saab, Sample–Hughes, Shoemaker, Smith, Solomon, Szeliga, Turner, Valderrama, Walker, R. Watson, Wells, Wilson, ~~and P. Young~~ P. Young, Adams, Bagnall, Carr, Cullison, Johnson, Kipke, R. Lewis, Metzgar, Pena–Melnyk, Pendergrass, Rosenberg, and K. Young

AN ACT concerning

**Public Safety – 9–1–1 Emergency Telephone System
(Carl Henn’s Law)**

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

Affirmative – 42 Negative – 5 (See Roll Call No. 839)

The Bill was then returned to the House of Delegates.

House Bill 401 – Harford County Delegation

AN ACT concerning

Harford County – Hunting – Deer Management Permits

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

Affirmative – 47 Negative – 0 (See Roll Call No. 840)

The Bill was then returned to the House of Delegates.

House Bill 416 – Chair, Joint Committee on Federal Relations

AN ACT concerning

Atlantic States Marine Fisheries Compact – Amendment I – Adoption

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

Affirmative – 47 Negative – 0 (See Roll Call No. 841)

The Bill was then returned to the House of Delegates.

House Bill 461 – Delegates Hettleman, B. Barnes, Barron, Bartlett, Boyce, Brooks, Cardin, Chang, Ebersole, Feldmark, Hill, Jackson, Jalisi, Jones, Kaiser, Kelly, Kerr, Korman, Lafferty, Lehman, R. Lewis, Lierman, Pena–Melnyk, Pendergrass, Smith, Stein, Stewart, Sydnor, Terrasa, Valderrama, and K. Young

AN ACT concerning

**Maryland Higher Education Commission – Private Nonprofit Institutions of Higher Education – Regulation
(Private Nonprofit Institution of Higher Education Protection Act of 2019)**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 842)

The Bill was then returned to the House of Delegates.

House Bill 464 – Delegates Hettleman, Jackson, Jones, Korman, McIntosh, and P. Young

AN ACT concerning

Consumer Protection – Private Career Schools and For–Profit Institutions of Higher Education – Disclosures ~~and Regulation~~

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

Affirmative – 47 Negative – 0 (See Roll Call No. 843)

The Bill was then returned to the House of Delegates.

House Bill 466 – Delegates Kerr, Bagnall, Barron, Cain, Chisholm, Cox, Feldmark, Jalisi, Johnson, Kelly, Krebs, Krimm, Lafferty, R. Lewis, Morgan, Pena–Melnyk, Pendergrass, Saab, Sample–Hughes, Shetty, Solomon, Szeliga, C. Watson, ~~and K. Young~~ K. Young, Bhandari, Carr, Charles, Cullison, Hill, Kipke, Metzgar, and Rosenberg

AN ACT concerning

Prescription Drug Monitoring Program – Program Evaluation

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

Affirmative – 47 Negative – 0 (See Roll Call No. 844)

The Bill was then returned to the House of Delegates.

House Bill 478 – Delegate Kelly

AN ACT concerning

Procurement – Qualification Based Selection – Land Surveying Services

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

Affirmative – 47 Negative – 0 (See Roll Call No. 845)

The Bill was then returned to the House of Delegates.

House Bill 486 – Delegates Wilson, Atterbeary, Bromwell, Guyton, Patterson, Reilly, Walker, ~~and P. Young~~ P. Young, Kaiser, D. Barnes, Boteler, Buckel, Cain, Ebersole, Hornberger, Ivey, Long, Luedtke, Mosby, Palakovich Carr, Rose, Shoemaker, Smith, Turner, Washington, and Wilkins

AN ACT concerning

Education – Personnel Matters – Child Sexual Abuse and Sexual Misconduct Prevention

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

Affirmative – 46 Negative – 0 (See Roll Call No. 846)

The Bill was then returned to the House of Delegates.

House Bill 524 – Delegates Wilson, Brooks, Carey, Charkoudian, Crosby, Fennell, Glenn, Lehman, Lisanti, Turner, and Wells

AN ACT concerning

Prevailing Wage Rates – Public Work Contracts – Suits by Employees

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

Affirmative – 32 Negative – 15 (See Roll Call No. 847)

The Bill was then returned to the House of Delegates.

House Bill 571 – ~~Delegates Sample–Hughes, Anderson, Barron, Crutchfield, Hill, Krebs, Patterson, and Pena–Melnyk~~ Pena–Melnyk, Pendergrass, Bagnall, Bhandari, Carr, Charles, Chisholm, Cullison, Johnson, Kerr, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Szeliga, and K. Young

AN ACT concerning

Virginia I. Jones Alzheimer’s Disease and Related Disorders Council – Revisions

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

Affirmative – 47 Negative – 0 (See Roll Call No. 848)

The Bill was then returned to the House of Delegates.

House Bill 590 – Howard County Delegation

AN ACT concerning

Howard County Board of Education – Election of Members

Ho. Co. 01–19

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

Affirmative – 47 Negative – 0 (See Roll Call No. 849)

The Bill was then returned to the House of Delegates.

House Bill 599 – ~~Delegate Kelly~~ Delegates Kelly and Hill

AN ACT concerning

Health Insurance – Coverage for Mental Health Benefits and Substance Use Disorder Benefits – ~~Requirements and Reports~~ Treatment Criteria

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

Affirmative – 47 Negative – 0 (See Roll Call No. 850)

The Bill was then returned to the House of Delegates.

House Bill 605 – ~~Delegate Kelly~~ Delegates Kelly, Pendergrass, Pena–Melnyk, Bagnall, Barron, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kerr, Kipke, Krebs, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Sample–Hughes, Szeliga, and K. Young

AN ACT concerning

Maryland Medical Assistance Program – Telemedicine – Psychiatric Nurse Practitioners and Psychiatrists

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

Affirmative – 47 Negative – 0 (See Roll Call No. 851)

The Bill was then returned to the House of Delegates.

House Bill 611 – Delegates Guyton, Cain, Luedtke, Mosby, Smith, and Wilkins

AN ACT concerning

Special Education – Individualized Education Programs – Timeline for Independent Educational Evaluations

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

Affirmative – 47 Negative – 0 (See Roll Call No. 852)

The Bill was then returned to the House of Delegates.

House Bill 626 – ~~Delegate Krebs~~ Delegates Krebs, Pendergrass, Pena-Melnyk, Barron, Bhandari, Carr, Charles, Chisholm, Cullison, Kelly, Kipke, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Sample-Hughes, Szeliga, and K. Young

EMERGENCY BILL

AN ACT concerning

Health Care Facilities – Change in Bed Capacity – Certificate of Need Exemption

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

Affirmative – 47 Negative – 0 (See Roll Call No. 853)

The Bill was then returned to the House of Delegates.

**SENATE THIRD READING CALENDAR NO. 10 (GENERAL HOUSE BILLS)
CONSENT NO. 10**

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 602	Del. D.E. Davis	Insurance – Investments of Insurers Other Than Life Insurers – Real Estate	FIN
HB 608	Del. D.E. Davis	Insurance – Principle–Based Reserves	FIN
HB 650	Del. Korman	Energy Storage Pilot Project Act	FIN
HB 683	Del. Clippinger	Electricity – Community Solar Energy Generating Systems Pilot Program – Extension	FIN
HB 1090	Del. Jackson	9–1–1 Specialists – Compensation and Benefits	FIN
HB 1154	Del. Howard	Maryland Personal Information Protection Act – Security Breach Notification Requirements – Modifications	FIN
HB 1189	Del. Carey	Home Energy Assistance – Critical Medical Needs Program	FIN

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

All of the above listed bills on the Third Reading Consent Calendar were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 854)

The Bills were then returned to the House of Delegates.

**SENATE THIRD READING CALENDAR NO. 11 (GENERAL HOUSE BILLS)
CONSENT NO. 11**

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 427	Del. Barron	Behavioral Health Administration – Outpatient Civil Commitment Pilot Program – Revisions	FIN
HB 435	Del. Kelly	Health Insurance – Prescription Drugs – Formulary Changes	FIN
HB 529	Del. Crosby	Insurance – Formation of Domestic Insurers – Number of Directors	FIN
HB 540	Cecil County Delegation	Cecil County – Correctional Deputy Sheriffs – Collective Bargaining	FIN
HB 588	Del. Hettleman	Continuing Care Retirement Communities – Mediation – Representation by Counsel	FIN

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

All of the above listed bills on the Third Reading Consent Calendar were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 855)

The Bills were then returned to the House of Delegates.

House Bill 390 – Delegates Jones, Ebersole, Haynes, Hettleman, Lierman, Luedtke, Reznik, Solomon, Valentino-Smith, ~~and P. Young~~ P. Young, and Jackson

AN ACT concerning

State Department of Education – Employment Categories and Practices

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

Affirmative – 33 Negative – 14 (See Roll Call No. 856)

The Bill was then returned to the House of Delegates.

House Bill 531 – Delegates Valentino–Smith, Anderton, Bartlett, Buckel, Cullison, Hettleman, Jones, Lierman, Luedtke, Pena–Melnik, Reznik, Solomon, Terrasa, and P. Young

AN ACT concerning

State Personnel – Payment of State Employee Wages – Repeal of Sunset Provision

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

Affirmative – 33 Negative – 14 (See Roll Call No. 857)

The Bill was then returned to the House of Delegates.

**SENATE THIRD READING CALENDAR NO. 12 (GENERAL HOUSE BILLS)
CONSENT NO. 12**

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 34	Del. Carr	Business Regulation – Trader’s Licenses – License Fees	FIN
HB 47	Del. Cullison	State Department of Education and Maryland Department of Health – Maryland School–Based Health Center Standards – Revision	FIN
HB 127	Del. Kelly	Health Insurance – Health Benefit Plans – Special Enrollment Period for Pregnancy	FIN
HB 137	Del. Kerr	State Personnel – Professional Service – Maryland School for the Deaf – Teachers	FIN
HB 191	Del. Sydnor	Homeowner’s Insurance – Discrimination in Underwriting and Rating – Status as Surviving Spouse	FIN

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 193	Del. Barron	Life Insurance – Life of a Minor – Statement on Disclosure	FIN
HB 251	Del. Hill	Department of Aging – Grants for Aging-in-Place Programs (Nonprofits for our Aging Neighbors Act – “NANA”)	FIN

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

All of the above listed bills on the Third Reading Consent Calendar were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 858)

The Bills were then returned to the House of Delegates.

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

House Bill 25 – Delegates Barron, Hettleman, Korman, ~~and Moon~~ Moon, Pendergrass, Pena-Melnyk, Bagnall, Bhandari, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kelly, Kerr, Kipke, Krebs, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Sample-Hughes, Szeliga, and K. Young

AN ACT concerning

Public Health – Prescription Drug Monitoring Program – Revisions

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

Affirmative – 47 Negative – 0 (See Roll Call No. 859)

The Bill was then returned to the House of Delegates.

House Bill 50 – Chair, Environment and Transportation Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Department of Agriculture – Maryland Produce Safety Program

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

Affirmative – 47 Negative – 0 (See Roll Call No. 860)

The Bill was then returned to the House of Delegates.

**House Bill 59 – Chair, Economic Matters Committee (By Request – Departmental
– Labor, Licensing and Regulation)**

AN ACT concerning

**Financial Institutions – Commissioner of Financial Regulation – Debt
Settlement Services**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 861)

The Bill was then returned to the House of Delegates.

**House Bill 60 – Chair, Economic Matters Committee (By Request – Departmental
– Labor, Licensing and Regulation)**

AN ACT concerning

Department of Labor, Licensing, and Regulation – Renaming

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

Affirmative – 47 Negative – 0 (See Roll Call No. 862)

The Bill was then returned to the House of Delegates.

**House Bill 61 – Chair, Economic Matters Committee (By Request – Departmental
– Labor, Licensing and Regulation)**

AN ACT concerning

**Financial Institutions – Commissioner of Financial Regulation – Mortgage
Lenders, Loan Servicers, and Loan Originators**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 863)

The Bill was then returned to the House of Delegates.

House Bill 71 – Delegates ~~Korman and Buckel~~, Buckel, Bagnall, Barron, Bhandari, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kelly, Kerr, Kipke, Krebs, R. Lewis, Metzgar, Morgan, Pena–Melnyk, Pendergrass, Rosenberg, Saab, Sample–Hughes, Szeliga, and K. Young

AN ACT concerning

**State Board of Elections – Open Meetings – Video Streaming and Recording
(State Board of Elections Transparency Act)**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 864)

The Bill was then returned to the House of Delegates.

**House Bill 105 – Chair, Environment and Transportation Committee (By Request
– Departmental – Transportation)**

AN ACT concerning

Maryland Transportation Authority Facilities – Video Tolls – Collection

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

Affirmative – 47 Negative – 0 (See Roll Call No. 865)

The Bill was then returned to the House of Delegates.

**House Bill 106 – Chair, Environment and Transportation Committee (By Request
– Departmental – Natural Resources)**

AN ACT concerning

Environmental Trust Fund – Surcharge Extension

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

Affirmative – 47 Negative – 0 (See Roll Call No. 866)

The Bill was then returned to the House of Delegates.

House Bill 123 – Delegate Miller

AN ACT concerning

Real Estate Salespersons and Brokers – ~~Advertisements~~ Provision of Real Estate Brokerage Services Through a Team – Use of “and Associates”

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

Affirmative – 47 Negative – 0 (See Roll Call No. 867)

The Bill was then returned to the House of Delegates.

House Bill 162 – Chair, Economic Matters Committee (By Request – Departmental – Maryland Insurance Administration)

AN ACT concerning

Medical Professional Liability Insurance Policies – Mandated Deductible Levels – Limitation

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

Affirmative – 47 Negative – 0 (See Roll Call No. 868)

The Bill was then returned to the House of Delegates.

House Bill 170 – Chair, Economic Matters Committee (By Request – Departmental – Maryland Energy Administration)

AN ACT concerning

Jane E. Lawton Conservation Loan Program – Eligible Borrowers

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

Affirmative – 47 Negative – 0 (See Roll Call No. 869)

The Bill was then returned to the House of Delegates.

House Bill 179 – Chair, Appropriations Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Correctional Services – Patuxent Institution – Appointing Authority

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

Affirmative – 47 Negative – 0 (See Roll Call No. 870)

The Bill was then returned to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 14 (GENERAL HOUSE BILLS)

House Bill 213 – Delegates Stein, Brooks, Cardin, Chang, Conaway, Crutchfield, Cullison, Fraser–Hidalgo, Gilchrist, Guyton, Healey, Hettleman, Jalisi, Korman, Lafferty, J. Lewis, Lisanti, Luedtke, Moon, Shetty, Stewart, Sydnor, and K. Young

AN ACT concerning

Cownose Bay Fishery Management Plan and Moratorium on Contests

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

Affirmative – 47 Negative – 0 (See Roll Call No. 871)

The Bill was then returned to the House of Delegates.

House Bill 228 – Delegate Cullison

AN ACT concerning

State Board of Nursing – Criminal History Records Checks – ~~Certified Nursing Assistants and Certified Medication Technicians~~ Revised Statement

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

Affirmative – 47 Negative – 0 (See Roll Call No. 872)

The Bill was then returned to the House of Delegates.

House Bill 245 – Delegates Kaiser, Bartlett, Boyce, Cain, Carey, Cullison, Ebersole, Hettleman, Howard, Ivey, Jones, Korman, Krimm, J. Lewis, R. Lewis, Lierman, Love, Luedtke, McIntosh, Moon, Palakovich Carr, Patterson, Smith, Stewart, C. Watson, ~~and K. Young~~ K. Young, Walker, D. Barnes, Buckel, Feldmark, Guyton, Hornberger, Long, Mosby, Reilly, Rose, Shoemaker, Turner, Washington, and Wilkins

AN ACT concerning

Education – Student Data Privacy Council

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

Affirmative – 47 Negative – 0 (See Roll Call No. 873)

The Bill was then returned to the House of Delegates.

House Bill 258 – Delegates ~~Pena–Melnyk and Pendergrass~~, Pendergrass, Barron, Charles, Cullison, Kelly, R. Lewis, Rosenberg, Sample–Hughes, and K. Young

AN ACT concerning

Health Insurance – Individual Market Stabilization – Provider Fee

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

Affirmative – 40 Negative – 7 (See Roll Call No. 874)

The Bill was then returned to the House of Delegates.

House Bill 276 – Allegany County Delegation and Chair, Garrett County Delegation

AN ACT concerning

Allegany County and Garrett County – School Buses – Length of Operation

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

Affirmative – 47 Negative – 0 (See Roll Call No. 875)

The Bill was then returned to the House of Delegates.

House Bill 304 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Authority of County Council Over Inspector General –
Montgomery College**

MC 12–19

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

Affirmative – 47 Negative – 0 (See Roll Call No. 876)

The Bill was then returned to the House of Delegates.

House Bill 316 – ~~Delegate Kelly~~ Delegates Kelly, Pendergrass, Pena–Melnyk, Bagnall, Charles, R. Lewis, and K. Young

AN ACT concerning

Public Health – Vaccination Reporting Requirements – ImmuNet

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

Affirmative – 47 Negative – 0 (See Roll Call No. 877)

The Bill was then returned to the House of Delegates.

House Bill 319 – Delegates McIntosh, B. Barnes, Gaines, Haynes, Hettleman, Jones, Reznik, and P. Young

AN ACT concerning

University of Maryland University College – Renaming

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

Affirmative – 47 Negative – 0 (See Roll Call No. 878)

The Bill was then returned to the House of Delegates.

House Bill 323 – Delegate Otto

AN ACT concerning

Somerset County – Commissioners – Residency Requirements

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

Affirmative – 46 Negative – 0 (See Roll Call No. 879)

The Bill was then returned to the House of Delegates.

House Bill 344 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Authority of County Council Over Inspector General – Housing Opportunities Commission

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

Affirmative – 47 Negative – 0 (See Roll Call No. 880)

The Bill was then returned to the House of Delegates.

House Bill 359 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Building Authority Commission – Repeal

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

Affirmative – 47 Negative – 0 (See Roll Call No. 881)

The Bill was then returned to the House of Delegates.

**House Bill 379 – Chair, Economic Matters Committee (By Request – Departmental
– Maryland Insurance Administration)**

AN ACT concerning

**Maryland Automobile Insurance Fund – Commercial Policies – Notice and
Quotes**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 882)

The Bill was then returned to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 16 (GENERAL HOUSE BILLS)

House Bill 673 – Delegates Pippy, Ciliberti, Cox, Kerr, Krimm, and K. Young

AN ACT concerning

**Frederick County – Ethics and Campaign Activity – County Board and
Commission Members and Board of License Commissioners**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 883)

The Bill was then returned to the House of Delegates.

House Bill 689 – Delegates Carey and D.E. Davis

AN ACT concerning

~~Electricity – Customer Choice – Education~~
Public Utilities – Electricity and Natural Gas Suppliers – Information

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

Affirmative – 47 Negative – 0 (See Roll Call No. 884)

The Bill was then returned to the House of Delegates.

House Bill 697 – Delegates Pendergrass, Pena–Melnyk, Acevero, Atterbeary, Bagnall, B. Barnes, Barve, Boyce, Branch, Bromwell, Brooks, Busch, Cain, Cardin, Carr, Chang, Charkoudian, Clippinger, Crutchfield, Cullison, D.M. Davis, Dumais, Ebersole, Feldmark, Fennell, W. Fisher, Gaines, Gilchrist, Glenn, Guyton, Harrison, Haynes, Healey, Hettleman, Hill, Jackson, Johnson, Jones, Kaiser, Kelly, Kerr, Korman, Krimm, Lafferty, J. Lewis, R. Lewis, Lierman, Lisanti, Love, Luedtke, McIntosh, Moon, Palakovich Carr, Patterson, Queen, Reznik, Rosenberg, Sample–Hughes, Shetty, Smith, Solomon, Stein, Stewart, Sydnor, Terrasa, Turner, Valentino–Smith, C. Watson, R. Watson, Wilkins, K. Young, and P. Young

AN ACT concerning

Health Insurance – Consumer Protections and Maryland Health Insurance Coverage Protection Commission

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

Affirmative – 45 Negative – 2 (See Roll Call No. 885)

The Bill was then returned to the House of Delegates.

House Bill 700 – Washington County Delegation

AN ACT concerning

Washington County – Code of Public Local Laws – Legalization

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

Affirmative – 46 Negative – 0 (See Roll Call No. 886)

The Bill was then returned to the House of Delegates.

House Bill 777 – Delegates Howard, Beitzel, Branch, Buckel, Carey, Charkoudian, Chisholm, Ciliberti, Corderman, Fennell, Hill, Lisanti, Malone, McComas, McKay, Qi, Rose, Saab, Valderrama, ~~and Wilson~~ Wilson, Boteler, and R. Lewis

AN ACT concerning

Commercial Law – Credit Card Processors – ~~Service~~ Merchant Processing Agreements

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

Affirmative – 47 Negative – 0 (See Roll Call No. 887)

The Bill was then returned to the House of Delegates.

House Bill 951 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

Security Systems Technicians – Sunset Extension

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

Affirmative – 47 Negative – 0 (See Roll Call No. 888)

The Bill was then returned to the House of Delegates.

House Bill 952 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Cosmetologists – Sunset Extension

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

Affirmative – 47 Negative – 0 (See Roll Call No. 889)

The Bill was then returned to the House of Delegates.

House Bill 953 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Barbers – Sunset Extension

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

Affirmative – 47 Negative – 0 (See Roll Call No. 890)

The Bill was then returned to the House of Delegates.

House Bill 954 – Delegate Cassilly

AN ACT concerning

Agriculture – Commercial Compost – Prohibition on Per Ton Inspection Fee

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

Affirmative – 47 Negative – 0 (See Roll Call No. 891)

The Bill was then returned to the House of Delegates.

House Bill 993 – Anne Arundel County Delegation (By Request – County Executive)

AN ACT concerning

**Anne Arundel County – Ethics – ~~Prohibitions and Requirements Regarding~~
~~Qualifying Contributions During Pendency of Zoning~~ Contributions and
Participation in Development Applications**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 892)

The Bill was then returned to the House of Delegates.

House Bill 1100 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

**State Board of Waterworks and Waste Systems Operators – Fee Setting, Sunset
Extension, and Program Evaluation**

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

Affirmative – 47 Negative – 0 (See Roll Call No. 893)

The Bill was then returned to the House of Delegates.

House Bill 1114 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Well Drillers – Fee Setting, Sunset Extension, and Program Evaluation

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

Affirmative – 47 Negative – 0 (See Roll Call No. 894)

The Bill was then returned to the House of Delegates.

House Bill 1272 – Delegates Pendergrass ~~and McIntosh~~, McIntosh, Cullison, K. Young, Pena-Melnyk, R. Lewis, Charles, Kelly, Rosenberg, Barron, Johnson, and Hill

AN ACT concerning

Maryland Department of Health – Family Planning Program – Funding

Senator Simonaire moved to make the Bill a Special Order for March 29, 2019.

The motion was adopted.

INTRODUCTION OF BILLS

Senator Jennings moved to suspend Rules 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two-thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted by roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 895)

Senate Bill 1050 – The Minority Leader (By Request – Administration)**EMERGENCY BILL**

AN ACT concerning

Congressional Districting Plan – Sixth and Eighth Congressional Districts

FOR the purpose of establishing the composition of the sixth and eighth districts in the State of Maryland for the election of members to the United States House of Representatives; specifying certain election district and precinct boundaries; making

this Act an emergency measure; and generally relating to the reconfiguration of congressional districts in the State.

BY repealing

Article – Election Law

Section 8–707 and 8–709

Annotated Code of Maryland

(2017 Replacement Volume and 2018 Supplement)

BY adding to

Article – Election Law

Section 8–707 and 8–709

Annotated Code of Maryland

(2017 Replacement Volume and 2018 Supplement)

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

Prayer presented by Senator Salling for the safe return of Senator Will Smith who is leaving for Afghanistan tomorrow.

QUORUM CALL

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

(See Roll Call No. 896)

ADJOURNMENT

At 2:45 P.M. on motion of Senator Guzzone the Senate adjourned until 11:00 A.M. on Legislative Day March 25, 2019, Calendar Day, Friday, March 29, 2019 in memory of Catherine Russell Gira.

Annapolis, Maryland
Legislative Day: March 25, 2019
Calendar Day: Friday, March 29, 2019
11:00 A.M. Session

The Senate met at 11:07 A.M.

Prayer by Rabbi Rachel Ackerman, Temple Shalom, guest of Senator Waldstreicher.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 898)

On motion of Senator Guzzone it was ordered that Senators Miller, Benson, Kramer, Pinsky and Smith be excused from today's session.

The Journal of March 28, 2019 was read and approved.

MESSAGE FROM THE HOUSE OF DELEGATES NO. 7
SENATE BILLS PASSED BY YEAS AND NAYS

BILL NO.	SPONSOR	CONTENT
SB 923	Sen. Gallion	Harford County – Hunting – Deer Management Permits

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

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

MESSAGE FROM THE HOUSE
INTRODUCTORY HOUSE BILLS NO. 28

House Bill 173 – Chair, Ways and Means Committee (By Request – Departmental – Commerce)

AN ACT concerning

Economic Development – Job Creation Tax Credit – Sunset Extension

FOR the purpose of extending the termination date applicable to the job creation tax credit program; and generally relating to the job creation tax credit program.

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 6–309
Annotated Code of Maryland
(2018 Replacement Volume)

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

House Bill 710 – Delegates Crutchfield, Bartlett, and Charkoudian

AN ACT concerning

Correctional Services – Prerelease ~~Unit~~ Study and Report

FOR the purpose of ~~defining the term “prerelease unit” as it relates to prerelease services provided by the Division of Correction;~~ requiring the Commissioner of Correction to conduct a certain study and make a certain report on or before a certain date; and generally relating to prerelease units.

~~BY repealing and reenacting, without amendments,
Article – Correctional Services
Section 3–101(a), 3–301, and 3–303
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)~~

~~BY adding to
Article – Correctional Services
Section 3–101(d)
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)~~

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

LAID OVER CALENDAR NO. 25

House Bill 1347 – Delegates Jones, Brooks, Cardin, Hettleman, and Stein

EMERGENCY BILL

AN ACT concerning

~~Maryland Consolidated Capital Bond Loan of 2018 – Baltimore County – Road
and Intersection Improvements~~
Prior Authorizations of State Debt – Alterations

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (5) AND THE FAVORABLE REPORT.

HB1347/689738/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1347

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, after line 15, insert:

“BY repealing and reenacting, with amendments,

Chapter 444 of the Acts of the General Assembly of 2012, as amended by

Chapter 27 of the Acts of the General Assembly of 2016

Section 1(3) Item ZA03(S)”.

On page 2, in line 13, after “ZA03(B).” insert “(AW).”; in the same line, strike “and (BN)” and substitute “(BN), and (BO)”; and in line 19, after the first “(R).” insert “(AK).”

AMENDMENT NO. 2

On page 2, after line 33, insert:

“Chapter 444 of the Acts of 2012, as amended by Chapter 27 of the Acts of 2016

Section 1(3)

ZA03

LOCAL HOUSE OF DELEGATES INITIATIVES

(Statewide)

- (S) Roland Water Tower Stabilization. Provide a grant equal to the lesser of (i) \$250,000 or (ii) the amount of the matching fund provided, to the Roland Park Community Foundation for the planning, design, repair, renovation, and restoration of the Roland Water Tower, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act. Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, [2019] 2021 (Baltimore City) 250,000”.

AMENDMENT NO. 3

On page 11, after line 11, insert:

- “(AW) Halpine Hamlet Community Center. Provide a grant equal to the lesser of (i) \$175,000 or (ii) the amount of the matching fund provided, to the [MHP Halpine, LP] BOARD OF DIRECTORS OF MONTGOMERY HOUSING PARTNERSHIP, INC. for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Halpine Hamlet Community Center, located in Montgomery County. Notwithstanding Section 1(5) of this Act, THE GRANTEE HAS UNTIL JUNE 1, 2021, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED AND the matching fund may consist of in kind contributions (Montgomery County) 175,000”.

AMENDMENT NO. 4

On page 12, after line 5, insert:

- “(BO) St. Nicholas Catholic Church Parish Hall. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Archdiocese of Washington–St. Nicholas Catholic Church for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the parish hall for St. Nicholas Catholic Church, INCLUDING LANDSCAPING AND GENERAL IMPROVEMENTS TO THE GROUNDS

SURROUNDING THE PARISH HALL, located in Prince George’s County. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2021, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED (Prince George’s County) 50,000”.

AMENDMENT NO. 5

On page 14, after line 27, insert:

“(AK) North Beach Volunteer Fire Department. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the North Beach Volunteer Fire Department, Inc. for the ACQUISITION, PLANNING, DESIGN, CONSTRUCTION, REPAIR, RENOVATION, RECONSTRUCTION, SITE IMPROVEMENT, AND CAPITAL EQUIPPING OF THE North Beach Volunteer Fire Department, including THE PURCHASE OF A FIRE AND RESCUE BOAT AND any facilities necessary to maintain the boat (Calvert County) 100,000”.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB1347/203121/1

BY: Senator Hough

AMENDMENTS TO HOUSE BILL 1347

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, strike in their entirety lines 2 through 6, inclusive; and in line 16, strike “and (AU)”.

AMENDMENT NO. 2

On page 8, strike in their entirety lines 5 through 26, inclusive.

On page 12, strike in their entirety lines 16 through 33, inclusive.

The preceding 2 amendments were read and rejected.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 38

Senate Bill 426 – Senator West

AN ACT concerning

Natalie M. LaPrade Medical Cannabis Commission – Licensed Dispensaries

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

SB0426/468570/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 426

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after the second “the” insert “Natalie M. LaPrade Medical Cannabis”; and in line 4, after “in” insert “or control of”.

AMENDMENT NO. 2

On page 2, in line 3, after “IN” insert “OR CONTROL OF, INCLUDING THE POWER TO MANAGE AND OPERATE,”; and in the same line, strike “SIX” and substitute “FIVE”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0426/573620/1

BY: Senator West

AMENDMENTS TO SENATE BILL 426, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, strike line 2 in its entirety and substitute “Medical Cannabis – Regulation of Dispensaries, Growers, and Processors and Subtraction Modification”; in line 3, after “of” insert “providing that growers, processors, and dispensaries licensed under certain provisions of law are subject to certain provisions of law; repealing the provision prohibiting the Natalie M. LaPrade Medical Cannabis Commission from issuing more than one medical cannabis grower license to each applicant; prohibiting a person from having an ownership interest in or control of, including the power to manage and operate, more than one grower;”; in line 5, after “law;” insert “prohibiting a person from having an ownership interest in or control of, including the power to manage and operate, more than one processor; allowing a subtraction modification under the Maryland income tax for certain expenses paid or incurred during the taxable year in carrying on a trade or business as a certain medical cannabis grower, processor, dispensary, or independent testing laboratory; providing for the application of certain provisions of this Act;”; in the same line, strike “dispensaries”; in line 8, after “Section” insert “13–3306(a)(1),”; in the same line, after “13–3307(a)(1)” insert “, and 13–3309(a)”; strike in their entirety lines 11 through 15, inclusive; in line 18, after “Section” insert “13–3306(a)(2),”; in the same line, after “(i)” insert “, and 13–3309(d) through (h)”; and after line 20, insert:

“BY adding to

Article – Health – General

Section 13–3306(i), 13–3307(d) and (k), and 13–3309(d) and (j)

Annotated Code of Maryland

(2015 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 10–208(a) and 10–308(a)

Annotated Code of Maryland

(2016 Replacement Volume and 2018 Supplement)

BY adding to

Article – Tax – General

Section 10–208(y)

Annotated Code of Maryland

(2016 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–308(b)

Annotated Code of Maryland

(2016 Replacement Volume and 2018 Supplement)”.

AMENDMENT NO. 2

On page 1 of the bill, after line 23, insert:

“13–3306.

(a) (1) The Commission shall license medical cannabis growers that meet all requirements established by the Commission to operate in the State to provide cannabis to:

(i) Processors licensed by the Commission under this subtitle;

(ii) Dispensaries licensed by the Commission under this subtitle;

and

(iii) Independent testing laboratories registered with the Commission under this subtitle.

(2) (i) Subject to subparagraph (ii) of this paragraph, the Commission may license no more than 22 medical cannabis growers.

(ii) 1. If an applicant for licensure that received Stage One preapproval in calendar year 2016 for a medical cannabis grower license fails to satisfy the requirements for licensure established by the Commission, the Commission shall rescind the applicant’s Stage One preapproval.

2. If the Commission rescinds the Stage One preapproval for a license of an applicant under subparagraph 1 of this subparagraph, the maximum number of medical cannabis grower licenses authorized under subparagraph (i) of this paragraph shall be reduced by one medical cannabis grower license.

(iii) 1. Subject to subparagraph 2 of this subparagraph, beginning December 1, 2024, the Commission may report to the General Assembly, in accordance with § 2–1246 of the State Government Article, on the number of licenses necessary to meet the demand for medical cannabis by qualifying patients and caregivers

issued identification cards under this subtitle in an affordable, accessible, secure, and efficient manner.

2. Before the Commission determines to submit the report described under subparagraph 1 of this subparagraph, the Commission shall provide the Legislative Policy Committee at least 30 days to submit comments to the Commission.

(iv) The Commission shall establish an application review process for granting medical cannabis grower licenses in which applications are reviewed, evaluated, and ranked based on criteria established by the Commission.

[(v) The Commission may not issue more than one medical cannabis grower license to each applicant.]

(V) A PERSON MAY NOT HAVE AN OWNERSHIP INTEREST IN OR CONTROL OF, INCLUDING THE POWER TO MANAGE AND OPERATE, MORE THAN ONE GROWER.

(vi) A grower shall pay an application fee in an amount to be determined by the Commission consistent with this subtitle.

(I) A GROWER LICENSED UNDER THIS SUBTITLE IS SUBJECT TO THE MARYLAND ANTITRUST ACT AND THE MARYLAND SALES BELOW COST ACT.

In the Judicial Proceedings Committee Amendments (SB0426/468570/1), in line 3 of Amendment No. 2, strike “**FIVE**” and substitute “**FOUR**”.

On page 2 of the bill, after line 29, insert:

“(K) A DISPENSARY LICENSED UNDER THIS SUBTITLE IS SUBJECT TO THE MARYLAND ANTITRUST ACT AND THE MARYLAND SALES BELOW COST ACT.

13-3309.

(a) A processor shall be licensed by the Commission.

(D) A PERSON MAY NOT HAVE AN OWNERSHIP INTEREST IN OR CONTROL OF, INCLUDING THE POWER TO MANAGE AND OPERATE, MORE THAN ONE PROCESSOR.

[(d)] (E) (1) A processor license is valid for 6 years on initial licensure.

(2) A processor license is valid for 4 years on renewal.

[(e)] (F) A processor licensed under this section or a processor agent registered under § 13–3310 of this subtitle may not be penalized or arrested under State law for:

(1) Acquiring, possessing, processing, packaging, labeling, transferring, transporting, selling, or distributing medical cannabis or products containing medical cannabis to a dispensary for use by a qualifying patient or a caregiver; or

(2) Transporting medical cannabis or products containing medical cannabis to an independent testing laboratory.

[(f)] (G) The Commission shall establish requirements for security and product handling procedures that a processor must meet to obtain a license under this section, including a requirement for a product–tracking system.

[(g)] (H) The Commission may inspect a processor licensed under this section to ensure compliance with this subtitle.

[(h)] (I) The Commission may impose penalties or rescind the license of a processor that does not meet the standards for licensure set by the Commission.

(J) A PROCESSOR LICENSED UNDER THIS SUBTITLE IS SUBJECT TO THE MARYLAND ANTITRUST ACT AND THE MARYLAND SALES BELOW COST ACT.

Article – Tax – General

10–208.

(a) In addition to the modification under § 10–207 of this subtitle, the amounts under this section are subtracted from the federal adjusted gross income of a resident to determine Maryland adjusted gross income.

(Y) (1) THE SUBTRACTION UNDER SUBSECTION (A) OF THIS SECTION INCLUDES THE AMOUNT OF ORDINARY AND NECESSARY EXPENSES PAID OR

INCURRED DURING THE TAXABLE YEAR IN CARRYING ON A TRADE OR A BUSINESS AS A MEDICAL CANNABIS GROWER, PROCESSOR, OR DISPENSARY LICENSED UNDER TITLE 13, SUBTITLE 33 OF THE HEALTH – GENERAL ARTICLE OR AN INDEPENDENT TESTING LABORATORY REGISTERED IN ACCORDANCE WITH § 13-3311 OF THE HEALTH – GENERAL ARTICLE IF:

(I) THE DEDUCTION FOR ORDINARY AND NECESSARY EXPENSES IS DISALLOWED UNDER § 280E OF THE INTERNAL REVENUE CODE; AND

(II) THE MEDICAL CANNABIS GROWER, PROCESSOR, OR DISPENSARY IS NOT AN AFFILIATE, A CORPORATE PARENT, OR A SUBSIDIARY OF ANOTHER BUSINESS LICENSED UNDER TITLE 13, SUBTITLE 33 OF THE HEALTH – GENERAL ARTICLE.

(2) THE SUBTRACTION ALLOWED UNDER PARAGRAPH (1) OF THIS SUBSECTION INCLUDES A REASONABLE ALLOWANCE FOR SALARIES OR OTHER COMPENSATION FOR PERSONAL SERVICES ACTUALLY RENDERED DURING THE TAXABLE YEAR.

10-308.

(a) In addition to the modification under § 10-307 of this subtitle, the amounts under this section are subtracted from the federal taxable income of a corporation to determine Maryland modified income.

(b) The subtraction under subsection (a) of this section includes the amounts allowed to be subtracted for an individual under:

(1) § 10-208(d) of this title (Enhanced agricultural management equipment expenses);

(2) § 10-208(i) of this title (Reforestation or timber stand expenses);

(3) § 10-208(k) of this title (Wage expenses for targeted jobs); [and]

(4) § 10-208(p) of this title (Elevator handrails in health care facilities);

AND

(5) § 10-208(Y) OF THIS TITLE (TRADE OR BUSINESS EXPENSES OF MEDICAL CANNABIS GROWER, PROCESSOR, DISPENSARY, OR INDEPENDENT TESTING LABORATORY).

SECTION 2. AND BE IT FURTHER ENACTED, That §§ 10-208(y) and 10-308(b)(5) of the Tax – General Article, as enacted by Section 1 of this Act, shall be applicable to all taxable years beginning after December 31, 2018.”;

and in line 30, strike “2.” and substitute “3.”.

The preceding 2 amendments were read only.

Senator West moved to make the Bill and Amendments a Special Order for April 1, 2019.

The motion was adopted.

Senate Bill 859 – Senator Zirkin

AN ACT concerning

Natalie M. LaPrade Medical Cannabis Commission – Advertisements

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

SB0859/388672/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 859

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “all” and substitute “certain”; strike beginning with “consistent” in line 4 down through “advertising” in line 5 and substitute “supported by certain evidence or data and include certain information about side effects or risks associated with the use of cannabis”; in line 6, after “misleading;” insert “prohibiting certain advertisements from containing certain designs, illustrations, pictures, and representations;”; and in line 7, after “statement;” insert “requiring certain websites to employ a certain neutral age-screening mechanism; requiring that certain advertisements include a certain notification; prohibiting advertisements for medical cannabis, medical

cannabis products, or medical cannabis–related services from being placed within a certain distance of certain locations; requiring the Natalie M. LaPrade Medical Cannabis Commission to adopt certain regulations;”.

AMENDMENT NO. 2

On page 1, strike in their entirety the lines 18 through 21, inclusive and substitute:

“(A) ALL ADVERTISEMENTS FOR MEDICAL CANNABIS, MEDICAL CANNABIS PRODUCTS, OR MEDICAL CANNABIS–RELATED SERVICES THAT MAKE THERAPEUTIC OR MEDICAL CLAIMS SHALL:

(1) BE SUPPORTED BY SUBSTANTIAL CLINICAL EVIDENCE OR SUBSTANTIAL CLINICAL DATA; AND

(2) INCLUDE INFORMATION ON THE MOST SIGNIFICANT SIDE EFFECTS OR RISKS ASSOCIATED WITH THE USE OF CANNABIS.”.

AMENDMENT NO. 3

On page 1, in line 24, strike “MAKE” and substitute “:

(1) MAKE”.

On page 2, in line 2, after “ARTICLE” insert “;OR

(2) CONTAIN A DESIGN, AN ILLUSTRATION, A PICTURE, OR A REPRESENTATION THAT:

(I) ENCOURAGES OR REPRESENTS THE RECREATIONAL USE OF CANNABIS;

(II) TARGETS OR IS ATTRACTIVE TO MINORS, INCLUDING A CARTOON CHARACTER, A MASCOT, OR ANY OTHER DEPICTION THAT IS COMMONLY USED TO MARKET PRODUCTS TO MINORS;

(III) DISPLAYS THE USE OF CANNABIS, INCLUDING THE CONSUMPTION, SMOKING, OR VAPING OF CANNABIS;

(IV) ENCOURAGES OR PROMOTES CANNABIS FOR USE AS AN INTOXICANT; OR

(V) IS OBSCENE OR INDECENT”.

AMENDMENT NO. 4

On page 2, after line 5, insert:

“(D) (1) ANY WEBSITE OWNED, MANAGED, OR OPERATED BY A CERTIFYING PROVIDER, DISPENSARY, GROWER, OR PROCESSOR SHALL EMPLOY A NEUTRAL AGE-SCREENING MECHANISM THAT VERIFIES THE USER IS AT LEAST 18 YEARS OLD, INCLUDING AN AGE GATE, AGE SCREEN, OR AGE VERIFICATION MECHANISM.

(2) AN ADVERTISEMENT PLACED ON SOCIAL MEDIA OR A MOBILE APPLICATION SHALL INCLUDE A NOTIFICATION THAT:

(I) A PERSON MUST BE AT LEAST 18 YEARS OLD TO VIEW THE CONTENT; AND

(II) MEDICAL CANNABIS IS FOR USE BY CERTIFIED PATIENTS ONLY.

(E) ANY ADVERTISEMENT FOR MEDICAL CANNABIS, MEDICAL CANNABIS PRODUCTS, OR MEDICAL CANNABIS-RELATED SERVICES MAY NOT BE PLACED WITHIN 500 FEET OF:

(1) A SUBSTANCE ABUSE OR TREATMENT FACILITY;

(2) A PRIMARY OR SECONDARY SCHOOL IN THE STATE OR A CHILD CARE CENTER LICENSED OR A FAMILY CHILD CARE HOME REGISTERED UNDER TITLE 9.5 OF THE EDUCATION ARTICLE; OR

(3) A PLAYGROUND, RECREATION CENTER, LIBRARY, OR PUBLIC PARK.

(F) THE COMMISSION SHALL ADOPT REGULATIONS TO ESTABLISH:

(1) PROCEDURES FOR THE ENFORCEMENT OF THE SECTION; AND

(2) A PROCESS FOR AN INDIVIDUAL TO SUBMIT AN ADVERTISEMENT TO THE COMMISSION FOR AN ADVISORY OPINION ON WHETHER THE ADVERTISEMENT COMPLIES WITH THE RESTRICTIONS ON ADVERTISEMENTS FOR MEDICAL CANNABIS, MEDICAL CANNABIS PRODUCTS, AND MEDICAL CANNABIS-RELATED SERVICES.”

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 39

House Bill 1272 – Delegates Pendergrass and McIntosh, McIntosh, Cullison, K. Young, Pena-Melnyk, R. Lewis, Charles, Kelly, Rosenberg, Barron, Johnson, and Hill

AN ACT concerning

Maryland Department of Health – Family Planning Program – Funding

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

Senator Simonaire moved to make the Bill a Special Order for April 1, 2019.

The motion was adopted.

RECONSIDERATION

Senator Zirkin moved to reconsider the vote by which **Senate Bill 859** was ordered printed for third reading and to place the bill back on second reading for the purpose of adding amendments.

The motion was adopted.

Senate Bill 859 – Senator Zirkin

AN ACT concerning

Natalie M. LaPrade Medical Cannabis Commission – Advertisements

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

FLOOR AMENDMENT

SB0859/903826/1

BY: Senator Smith

AMENDMENT TO SENATE BILL 859, AS AMENDED

On page 4 of the Judicial Proceedings Committee Amendments (SB0859/388672/1), in line 1 of Amendment No. 4, after “**TO**” insert “**VOLUNTARILY**”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 39

Senate Bill 904 – Senators Kelley and Elfreth

AN ACT concerning

Maryland Department of Health – Family Planning Program – Funding

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

Senator Kelley moved to make the Bill a Special Order for April 1, 2019.

The motion was adopted.

House Bill 66 – ~~Delegate Stein~~ Delegates Stein, Boyce, Bridges, Fraser-Hidalgo, Harrison, Lehman, Stewart, and Wells

AN ACT concerning

Railroad Company – Movement of Freight – Required Crew

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

Favorable report adopted.

FLOOR AMENDMENT

HB0066/833729/1

BY: Senator Hershey

AMENDMENT TO HOUSE BILL 66

(Third Reading File Bill)

On page 1, in line 5, after “Act;” insert “providing that this Act does not apply to trains used for a certain purpose;”.

On page 2, in line 1, after “**(1)**” insert “**IN THIS SUBSECTION, “PASSENGER OR COMMUTER TRAIN” DOES NOT INCLUDE A TRAIN USED FOR SEASONAL PASSENGER EXCURSIONS.**”

(2)”;

and in lines 4, 8, 11, and 20, strike “**(2)**”, “**(3)**”, “**(4)**”, and “**(5)**”, respectively, and substitute “**(3)**”, “**(4)**”, “**(5)**”, and “**(6)**”, respectively.

The preceding amendment was read only.

Senator Hershey moved that the Bill and Amendment be laid over under the Rule.

The motion was adopted.

Senate Bill 252 – Senator Hayes

AN ACT concerning

Railroad Company – Movement of Freight – Required Crew

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

Senator Hershey moved to make the Bill a Special Order for April 1, 2019.

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

Affirmative – 17 Negative – 23 (See Roll Call No. 899)

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

Affirmative – 27 Negative – 14 (See Roll Call No. 900)

The Bill was then sent to the House of Delegates.

FINANCE COMMITTEE REPORT NO. 42

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

House Bill 82 – Delegates Charkoudian, Lierman, Feldmark, W. Fisher, Glenn, Guyton, Korman, Lehman, R. Lewis, Palakovich Carr, Stewart, Terrasa, Washington, and Wilkins

AN ACT concerning

Transportation – Complete Streets – Access to Healthy Food and Necessities

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 221 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Utility Services – Master Meters Task Force –
Extension**

PG 407–19

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 302 – Montgomery County Delegation

AN ACT concerning

**Montgomery County Housing Opportunities Commission – Collective
Bargaining – Exclusive Representative Duty of Fair Representation**

MC 26–19

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 324 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Discrimination – Prohibited in Contracts

MC/PG 107–19

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 325 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Indirect Customer Assistance Program

MC/PG 105–19

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 527 – Delegates Charkoudian, Acevero, Arikan, B. Barnes, Cullison, Hornberger, Kittleman, Korman, Krebs, J. Lewis, R. Lewis, Metzgar, Moon, Smith, Solomon, Stewart, Turner, ~~and Wilkins~~ Wilkins, Pendergrass, Pena-Melnyk, Bagnall, Barron, Carr, Charles, Chisholm, Hill, Johnson, Kelly, Kerr, Kipke, Morgan, Rosenberg, Saab, Sample-Hughes, Szeliga, and K. Young

AN ACT concerning

Public Health – Cottage Food Products – Definition and Sale

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 931 – Delegate Kipke

AN ACT concerning

Health Care Facilities – Certificate of Need – Modifications

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1105 – Delegates Miller, Arentz, Howard, and Mautz

AN ACT concerning

**Investor-Owned Electric Companies – Acquisition of Substantial Influence –
Prohibition**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

FINANCE COMMITTEE REPORT NO. 43

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

**Senate Bill 727 – Senators Guzzone, Eckardt, Edwards, Feldman, Jennings, Lee,
Peters, Serafini, Young, and Zucker**

AN ACT concerning

**Health – Professional and Volunteer Firefighter Innovative Cancer Screening
Technologies Program**

SB0727/927676/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 727

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Zucker” and substitute “Zucker, Kelley, Augustine, Beidle, Benson, Hayes, Hershey, Klausmeier, Kramer, and Reilly”.

AMENDMENT NO. 2

On page 4, in line 23, strike “\$500,000” and substitute “\$100,000”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 944 – Senator Eckardt

AN ACT concerning

Behavioral Health Programs – Medical Directors – Psychiatric Nurse Practitioners

SB0944/627874/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 944

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Programs” insert “– Outpatient Mental Health Centers”; in lines 2 and 3, strike “– Psychiatric Nurse Practitioners”; in line 6, strike “behavioral health program” and substitute “certain outpatient mental health center”; in line 7, strike “, under certain circumstances”; and in lines 8 and 9, strike “psychiatric nurse practitioners serving as medical directors of behavioral health programs” and substitute “medical directors at outpatient mental health centers”.

AMENDMENT NO. 2

On page 2, strike beginning with the second “A” in line 6 down through “DIRECTOR” in line 11 and substitute “AN OUTPATIENT MENTAL HEALTH CENTER ACCREDITED IN ACCORDANCE WITH COMAR 10.63.03.05, INCLUDING THROUGH TELEHEALTH”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

BUDGET AND TAXATION COMMITTEE REPORT NO. 27

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

House Bill 244 – Garrett County Delegation

AN ACT concerning

Garrett County – Hotel Rental Tax – Rate and Distribution of Revenue

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 396 – Delegates Carr, Shetty, and Solomon

AN ACT concerning

Property Tax – Optional Installment Payment Schedule

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 449 – ~~Delegate Lafferty~~ Baltimore County Delegation

AN ACT concerning

Baltimore County – Development Impact Fees – Authorization and Use of Funds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 469 – Chair, Appropriations Committee (By Request – Departmental – Teachers and State Employees Supplemental Retirement Plans)

AN ACT concerning

Supplemental Retirement Plans – Investments – Procurement of Investment Management Services

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 810 – Delegates Kelly, Acevero, Atterbeary, Bagnall, B. Barnes, D. Barnes, Barron, Barve, Boyce, Branch, Bridges, Bromwell, Brooks, Busch, Cain, Cardin, Carr, Chang, Charkoudian, Charles, Corderman, Crutchfield, Cullison, D.M. Davis, Dumais, Ebersole, Feldmark, Fennell, W. Fisher, Fraser-Hidalgo, Gaines, Gilchrist, Glenn, Guyton, Harrison, Haynes, Healey, Hettleman, Hill, Jackson, Jalisi, Johnson, Jones, Kaiser, Korman, Krimm, Lafferty, J. Lewis, Lierman, Lisanti, Love, Luedtke, Moon, Mosby, Palakovich Carr, Pena-Melnyk, Qi, Queen, Reznik, Rosenberg, Sample-Hughes, Shetty, Smith, Solomon, Stein, Stewart, Sydnor, Terrasa, Turner, Valderrama, Valentino-Smith, R. Watson, Wilkins, K. Young, ~~and P. Young~~ P. Young, Boteler, Buckel, Rose, Reilly, Patterson, Hornberger, Walker, Washington, Long, Shoemaker, and Ivey

AN ACT concerning

Income Tax – Child and Dependent Care Tax Credit – Alterations

HB0810/609738/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 810

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 14, after “JOINT” insert “INCOME TAX”; and in line 22, after “section” insert “AND EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION”.

AMENDMENT NO. 2

On page 3, in line 27, strike “individual filing a separate return” and substitute “COUPLE FILING A JOINT INCOME TAX RETURN”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1093 – Delegates P. Young and ~~Lisanti~~, Lisanti, Kaiser, Walker, D. Barnes, Boteler, Buckel, Cain, Ebersole, Feldmark, Guyton, Hornberger, Ivey, Long, Luedtke, Mosby, Palakovich Carr, Patterson, Reilly, Rose, Shoemaker, Turner, Washington, and Wilkins

AN ACT concerning

Income Tax – Subtraction Modification – Retirement Income

HB1093/399037/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 1093
(Third Reading File Bill)

On page 1, after line 2, insert:

“(The Jonathan Porto Act)”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Senator Serafini moved to make the Bill a Special Order for April 1, 2019.

The motion was adopted.

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

House Bill 1352 – Chair, Appropriations Committee (By Request – Departmental – University System of Maryland)

AN ACT concerning

University System of Maryland – Academic Facilities Bonding Authority

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1425 – Chair, Appropriations Committee (By Request – Departmental – Stadium Authority)

AN ACT concerning

Maryland Stadium Authority – Development of Supplemental Facilities to Benefit Camden Yards

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

BUDGET AND TAXATION COMMITTEE REPORT NO. 28 CONSENT NO. 16

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

BILL NO.	REPORT	SPONSOR	CONTENT
<u>FAVORABLE</u>			
HB 80	FAV	Cecil County Delegation	Horse Racing at Fair Hill – Union Hospital Allocation – Repeal
HB 380	FAV	Del. Walker	Income Tax Subtraction Modification – Mortgage Forgiveness Debt Relief – Extension
HB 477	FAV	Del. Clark	Property Tax Credit – Public Safety Officer – Definition

BILL NO.	REPORT	SPONSOR	CONTENT
HB 672	FAV	Del. Valentino– Smith	Housing – Local Housing Grant Program for Homeless Veterans and Survivors of Domestic Violence
HB 997	FAV	Cecil County Delegation	Cecil County – Special Taxing Districts – Internet Service

Favorable report adopted on all of the preceding bills.

The preceding bills were read the second time and ordered prepared for Third Reading.

BUDGET AND TAXATION COMMITTEE REPORT NO. 29

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

Senate Bill 816 – Senator Smith

AN ACT concerning

Property Tax Credit – Surviving Spouse of Veteran

SB0816/339936/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 816

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “certain” insert “retired”; and in the same line, after “veterans;” insert “providing that certain surviving spouses who are under a certain age may continue to receive the tax credit if the surviving spouses qualified for and received the tax credit before a certain date;”.

AMENDMENT NO. 2

On page 2, in line 3, after “A” insert “**RETIRED**”; after line 22, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That a surviving spouse, who is under the age of 65 years and has not remarried, of a retired member of the uniformed services of the United States as defined in 10 U.S.C. § 101, the military reserves, or the National Guard, may continue to receive the tax credit under § 9–258 of the Tax –Property Article as enacted by Section 1 of this Act if the surviving spouse qualified for and received the tax credit before June 1, 2019.”;

and in line 23, 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 King, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 828 – Senator Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

**Employees’, Teachers’, and Correctional Officers’ Systems – Active Members –
Death Benefits**

SB0828/549733/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 828

(First Reading File Bill)

On page 3, in line 20, strike “(c) and (d)” and substitute “**(D) AND (E)**”; in line 21, strike beginning with the first comma through the second “**CHILD**”; and strike beginning with the comma in line 22 down through “**SECTION**” in line 23.

On page 4, after line 2, insert:

“(C) (1) EXCEPT AS PROVIDED IN SUBSECTIONS (D) AND (E) OF THIS SECTION, WHEN THE BOARD OF TRUSTEES RECEIVES PROOF OF A DEATH OF A MEMBER DESCRIBED UNDER SUBSECTION (A) OF THIS SECTION AND THERE IS NO

SURVIVING SPOUSE, A CHILD UNDER THE AGE OF 26 YEARS OR A DISABLED CHILD OF THE MEMBER MAY ELECT TO RECEIVE AN ALLOWANCE IN ACCORDANCE WITH THIS SUBSECTION.

(2) IF AN ELECTION IS MADE UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE BOARD OF TRUSTEES SHALL PAY, IN ACCORDANCE WITH PARAGRAPH (3) OF THIS SUBSECTION, AN ALLOWANCE EQUAL TO 50% OF THE BASIC ALLOWANCE THE MEMBER WAS ELIGIBLE TO RECEIVE UNDER DIVISION II OF THIS ARTICLE TO ANY CHILDREN OF THE DECEASED MEMBER WHO ARE UNDER THE AGE OF 26 YEARS OR DISABLED, AS DEFINED UNDER § 72(M)(7) OF THE INTERNAL REVENUE CODE.

(3) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPHS (II) AND (III) OF THIS PARAGRAPH, IF THE BOARD OF TRUSTEES PAYS AN ALLOWANCE UNDER THIS SUBSECTION TO MORE THAN ONE CHILD, THE BOARD OF TRUSTEES SHALL DIVIDE THE ALLOWANCE AMONG THE CHILDREN IN A MANNER THAT PROVIDES FOR PAYMENTS TO CONTINUE UNTIL:

1. EACH CHILD HAS DIED; OR
2. EACH CHILD BECOMES 26 YEARS OLD.

(II) NOTWITHSTANDING SUBPARAGRAPH (I)2 OF THIS PARAGRAPH, A SURVIVING CHILD WHO IS DISABLED SHALL CONTINUE TO RECEIVE AN ALLOWANCE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH PAST THE AGE OF 26 YEARS, IF THE CHILD CONTINUES TO BE DISABLED.

(III) 1. IF A SURVIVING CHILD RECEIVING AN ALLOWANCE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IS DISABLED, AS DEFINED UNDER § 72(M)(7) OF THE INTERNAL REVENUE CODE, THE BOARD OF TRUSTEES SHALL PAY TO THE DISABLED SURVIVING CHILD AN ALLOWANCE EQUAL TO THE TOTAL OF THE ALLOWANCES PAID UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH AFTER:

A. ALL OTHER NONDISABLED SURVIVING CHILDREN HAVE DIED; OR

B. THE YOUNGEST NONDISABLED SURVIVING CHILD BECOMES 26 YEARS OLD.

2. IF MORE THAN ONE SURVIVING CHILD IS DISABLED, AS DEFINED UNDER § 72(M)(7) OF THE INTERNAL REVENUE CODE, THE RETIREMENT ALLOWANCE PAYABLE UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH SHALL BE DIVIDED EQUALLY AMONG THE DISABLED CHILDREN.

(4) BEFORE THE PAYMENT OF AN ALLOWANCE UNDER THIS SUBSECTION, IF ALL INDIVIDUALS WHO ARE ELIGIBLE TO RECEIVE A DEATH BENEFIT UNDER THIS SUBSECTION ELECT TO WAIVE THE PAYMENT OF AN ALLOWANCE, A BENEFIT SHALL BE PAID IN ACCORDANCE WITH § 29–202(A) OF THIS SUBTITLE.”;

in line 3, strike “(c)” and substitute “**(D)**”; and in line 6, strike “(d)” and substitute “**(E)**”.

On pages 4 and 5, strike in their entirety the lines beginning with line 9 on page 4 through line 13 on page 5, inclusive.

On page 5, in line 23, after “WHO” insert “:

1. WAS NOT SUBJECT TO THE REFORMED CONTRIBUTORY PENSION BENEFIT AND”;

in line 24, after “SERVICE” insert “;**OR**

2. WAS SUBJECT TO THE REFORMED CONTRIBUTORY PENSION BENEFIT AND WAS AT LEAST 60 YEARS OLD WITH AT LEAST 15 YEARS OF ELIGIBILITY SERVICE”;

in line 25, strike “(c)” and substitute “**(D)**”; in line 26, strike beginning with the first comma through the second “CHILD”; and strike beginning with the comma in line 27 down through “SECTION” in line 28.

On page 6, after line 8, insert:

“(C) (1) EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, WHEN THE BOARD OF TRUSTEES RECEIVES PROOF OF A DEATH OF A MEMBER DESCRIBED UNDER SUBSECTION (A) OF THIS SECTION AND THERE IS NO SURVIVING SPOUSE, A CHILD UNDER THE AGE OF 26 YEARS OR A DISABLED CHILD OF THE MEMBER MAY ELECT TO RECEIVE AN ALLOWANCE IN ACCORDANCE WITH THIS SUBSECTION.

(2) IF AN ELECTION IS MADE UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE BOARD OF TRUSTEES SHALL PAY, IN ACCORDANCE WITH PARAGRAPH (3) OF THIS SUBSECTION, AN ALLOWANCE EQUAL TO 50% OF THE BASIC ALLOWANCE THE MEMBER WAS ELIGIBLE TO RECEIVE UNDER DIVISION II OF THIS ARTICLE TO ANY CHILDREN OF THE DECEASED MEMBER WHO ARE UNDER THE AGE OF 26 YEARS OR DISABLED, AS DEFINED UNDER § 72(M)(7) OF THE INTERNAL REVENUE CODE.

(3) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPHS (II) AND (III) OF THIS PARAGRAPH, IF THE BOARD OF TRUSTEES PAYS AN ALLOWANCE UNDER THIS SUBSECTION TO MORE THAN ONE CHILD, THE BOARD OF TRUSTEES SHALL DIVIDE THE ALLOWANCE AMONG THE CHILDREN IN A MANNER THAT PROVIDES FOR PAYMENTS TO CONTINUE UNTIL:

1. EACH CHILD HAS DIED; OR
2. EACH CHILD BECOMES 26 YEARS OLD.

(II) NOTWITHSTANDING SUBPARAGRAPH (I)2 OF THIS PARAGRAPH, A SURVIVING CHILD WHO IS DISABLED SHALL CONTINUE TO RECEIVE AN ALLOWANCE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH PAST THE AGE OF 26 YEARS, IF THE CHILD CONTINUES TO BE DISABLED.

(III) 1. IF A SURVIVING CHILD RECEIVING AN ALLOWANCE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IS DISABLED, AS DEFINED UNDER § 72(M)(7) OF THE INTERNAL REVENUE CODE, THE BOARD OF TRUSTEES SHALL PAY TO THE DISABLED SURVIVING CHILD AN ALLOWANCE EQUAL TO THE TOTAL OF THE ALLOWANCES PAID UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH AFTER:

A. ALL OTHER NONDISABLED SURVIVING CHILDREN HAVE DIED; OR

B. THE YOUNGEST NONDISABLED SURVIVING CHILD BECOMES 26 YEARS OLD.

2. IF MORE THAN ONE SURVIVING CHILD IS DISABLED, AS DEFINED UNDER § 72(M)(7) OF THE INTERNAL REVENUE CODE, THE RETIREMENT ALLOWANCE PAYABLE UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH SHALL BE DIVIDED EQUALLY AMONG THE DISABLED CHILDREN.

(4) BEFORE THE PAYMENT OF AN ALLOWANCE UNDER THIS SUBSECTION, IF ALL INDIVIDUALS WHO ARE ELIGIBLE TO RECEIVE A DEATH BENEFIT UNDER THIS SUBSECTION ELECT TO WAIVE THE PAYMENT OF AN ALLOWANCE, A BENEFIT SHALL BE PAID IN ACCORDANCE WITH § 29–202(A) OF THIS SUBTITLE.”;

and in line 9, strike “(c)” and substitute “(D)”.

On pages 6 and 7, strike in their entirety the lines beginning with line 12 on page 6 through line 17 on page 7, inclusive.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

BUDGET AND TAXATION COMMITTEE REPORT NO. 30

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

House Bill 62 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

Employees’ Pension System – Purchase of Eligibility Service Credit – Clarification

HB0062/859730/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 62

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Employees’ Pension System” and substitute “Employees’ and Teachers’ Pension Systems”; strike beginning with “Purchase” in line 2 down through “Clarification” in line 3 and substitute “Benefits”; in line 5, after “employment;” insert “providing that certain members of the Employees’ or Teachers’ Pension System who meet certain criteria may continue employment with certain participating employers of the State Retirement and Pension System without incurring a certain break in service following retirement from the Employees’ or Teachers’ Pension System; requiring certain members of the Employees’ Pension System to cease membership in the Employees’ Pension System under certain circumstances; providing that certain individuals shall receive a specified benefit from the Employees’ Pension System after separating from certain employment with certain participating employers of the State Retirement and Pension System;”; in line 6, strike “purchases of service credit in the Employees’ Pension System” and substitute “benefits in the Employees’ and Teachers’ Pension Systems”; and in line 9, after “23–307(a)” insert “and 23–407(d)”.

AMENDMENT NO. 2

On page 3, after line 8, insert:

“23–407.

(d) An individual who is receiving a service retirement allowance under this title may not be employed within 45 days of the date the individual retired, on a permanent, temporary, or contractual basis, by:

(1) the State or other participating employer; or

(2) a withdrawn participating governmental unit, if the retiree was an employee of the withdrawn participating governmental unit while the withdrawn governmental unit was a participating employer.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) This section applies to an individual who:

(1) was employed as a teacher for the Montgomery County Public School System and enrolled in the Teachers' Pension System under Title 23 of the State Personnel and Pensions Article on or after September 1, 1991;

(2) remains employed as a teacher for the Montgomery County Public School System and is a member of the Teachers' Pension System on July 1, 2019;

(3) (i) was elected to the Howard County Board of Education in 2016;

(ii) enrolled in the Employees' Pension System under Title 23 of the State Personnel and Pensions Article as a member of the Howard County Board of Education on or after December 1, 2016; and

(iii) remains a member of the Howard County Board of Education and is a member of the Employees' Pension System on July 1, 2019; and

(4) on or before July 1, 2019:

(i) has reached or exceeded normal retirement age in the Employees' Pension System and Teachers' Pension System; and

(ii) is eligible to receive a normal service retirement allowance in the Teachers' Pension System.

(b) Notwithstanding § 23–407(d) of the State Personnel and Pensions Article, an individual described under subsection (a) of this section may retire from the Teachers' Pension System on or after July 1, 2019, and on or before December 31, 2019, and continue serving as a member of the Howard County Board of Education without obtaining a 45–day break in service after retirement.

(c) (1) An individual who retires under subsection (b) of this section shall cease membership in the Employees' Pension System on the day preceding the individual's retirement from the Teachers' Pension System.

(2) After separating from employment as a member of the Howard County Board of Education, the individual shall be entitled to receive a return of accumulated

contributions or any other benefit to which the individual is entitled on the basis of the individual's membership in the Employees' Pension System.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) This section applies to an individual who:

(1) (i) was elected and served as a County Commissioner for Kent County from 1994 through 2002; and

(ii) enrolled in the Employees' Pension System as County Commissioner for Kent County on or after July 1, 2002;

(2) (i) was appointed as Town Manager for the Town of Rock Hall in 1997;

(ii) enrolled in the Employees' Pension System as Town Manager for the Town of Rock Hall on or after May 1, 2005; and

(iii) remains employed as Town Manager for the Town of Rock Hall and is a member of the Employees' Pension System on July 1, 2019;

(3) (i) was elected as a County Commissioner for Kent County in 2006;

(ii) resumed membership in the Employees' Pension System as a County Commissioner for Kent County on or after December 1, 2006; and

(iii) remains a County Commissioner and is a member of the Employees' Pension System on July 1, 2019; and

(4) on or before July 1, 2019:

(i) has reached or exceeded normal retirement age in the Employees' Pension System; and

(ii) is eligible to receive a normal service retirement allowance in the Employees' Pension System as Town Manager for the Town of Rock Hall.

(b) Notwithstanding § 23–407(d) of the State Personnel and Pensions Article, an individual described under subsection (a) of this section may retire from the Employees’ Pension System as Town Manager for the Town of Rock Hall on or after July 1, 2019, and on or before December 31, 2019, and continue serving as a County Commissioner for Kent County without obtaining a 45–day break in service after retirement.

(c) (1) An individual who retires under subsection (b) of this section shall cease membership in the Employees’ Pension System as a County Commissioner for Kent County on the day preceding the individual’s retirement from the Employees’ Pension System as the Town Manager for the Town of Rock Hall.

(2) After separating from employment as a County Commissioner for Kent County, the individual shall be entitled to receive a return of accumulated contributions or any other benefit to which the individual is entitled on the basis of the individual’s employment as a County Commissioner for Kent County.”;

and in line 9, strike “2.” and substitute “4.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 81 – Delegates Wilkins, Charkoudian, Crutchfield, Hill, Moon, Saab, ~~and Valentino-Smith~~ Valentino-Smith, Kipke, Pena-Melnyk, Malone, Adams, Shoemaker, Kaiser, Walker, D. Barnes, Boteler, Buckel, Cain, PalakovichCarr, Ebersole, Feldmark, Guyton, Hornberger, Ivey, Long, Luedtke, Mosby, Patterson, Reilly, Rose, Smith, Turner, and Washington

AN ACT concerning

Property Tax Credit – Surviving Spouse of Veteran

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 862 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

State Police Retirement System – Employment of Retirees – Clarifications

HB0862/399834/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 862

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “retirees” and substitute “individuals”; and in the same line, strike “retirement”.

AMENDMENT NO. 2

On page 3, in lines 2, 14, 21, and 24 and 25, in each instance, strike “A RETIREE” and substitute “AN INDIVIDUAL”; in lines 5 and 9, in each instance, strike “RETIREE” and substitute “INDIVIDUAL”; in lines 7, 11, 26, 27, and 32, in each instance, strike “RETIREE’S” and substitute “INDIVIDUAL’S”; in lines 12 and 21, in each instance, strike “RETIREMENT”; in lines 10 and 18, in each instance, strike “A RETIREE” and substitute “AN INDIVIDUAL”; in line 29, strike “A RETIREE’S” and substitute “AN”; and in line 30, strike “RETIREE’S”.

On page 4, in line 4, strike “RETIREE” and substitute “INDIVIDUAL”; and in lines 8 and 10, in each instance, strike “A RETIREE” and substitute “AN INDIVIDUAL”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**MESSAGE FROM THE HOUSE
SENATE BILLS AMENDED IN THE HOUSE NO. 8**

Senate Bill 793 – Senator Hayes (By Request)

AN ACT concerning

Community Safety and Strengthening Act

Senator Zirkin moved to make the Bill a Special Order for April 1, 2019.

The motion was adopted.

AMENDED IN THE HOUSE

Senate Bill 946 – Senators Griffith and ~~Serafini~~, Serafini, Augustine, Bailey, Beidle, Benson, Carozza, Carter, Cassilly, Eckardt, Edwards, Elfreth, Ellis, Feldman, Ferguson, Gallion, Guzzone, Hayes, Hershey, Hester, Hough, Jennings, Kagan, Kelley, King, Kramer, Lam, Lee, McCray, Miller, Nathan-Pulliam, Patterson, Peters, Pinsky, Ready, Reilly, Rosapepe, Salling, Simonaire, Smith, Waldstreicher, Washington, West, Young, Zirkin, and Zucker

EMERGENCY BILL

AN ACT concerning

State Prescription Drug Benefits – Retiree Benefits – Revisions

Senator King moved that the Senate not concur in the House amendments.

SB0946/424865/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 946

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, strike beginning with “authorizing” in line 13 down through “enroll” in line 14 and substitute “providing that certain individuals shall be automatically enrolled”; strike beginning with “during” in line 15 down through “period” in line 16; in line 20, after “counseling” insert “requiring the Department to provide to certain retirees a certain customer service hotline and interactive website”; in line 22, after “circumstances” insert “requiring the Department to submit certain quarterly reports to the Governor and certain committees of the General Assembly; requiring the Department to adopt certain regulations”; and in line 27, after “circumstances” insert “requiring the Secretary of Budget and Management to provide certain notice to certain retirees not later than a certain date; declaring the intent of the General Assembly”.

AMENDMENT NO. 2

On page 10, strike beginning with “**DECEMBER**” in line 26 down through “**2018**” in line 27 and substitute “**MAY 31, 2019**”.

On page 11, in line 26, strike “**JANUARY**” and substitute “**JUNE**”.

AMENDMENT NO. 3

On page 12, strike beginning with “**A**” in line 22 down through “**MEDICARE**” in line 23 and substitute “:

1. THE MARYLAND STATE RETIREE PRESCRIPTION DRUG COVERAGE PROGRAM ESTABLISHED UNDER SUBSECTION (D) OF THIS SECTION; OR

2. THE MARYLAND STATE RETIREE CATASTROPHIC PRESCRIPTION DRUG ASSISTANCE PROGRAM ESTABLISHED UNDER SUBSECTION (E) OF THIS SECTION”;

in line 31, strike “**A**” and substitute “**THE**”; in the same line, after “**PLAN**” insert “**IN THE HEALTH INSURANCE BENEFIT OPTIONS ESTABLISHED**”; and in line 32, after the semicolon insert “**AND**”.

On page 13, in line 2, strike “**; AND**” and substitute a period; strike line 3 in its entirety; in line 4, after “**(II)**” insert “**THE DEPARTMENT SHALL DEVELOP A LIST OF THE PRESCRIPTION DRUGS THAT QUALIFY FOR REIMBURSEMENT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.**

(III)”;

in line 5, strike “**BASED ON WHETHER**” and substitute “**FOR**”; in the same line, after “**RETIREE**” insert “**WHO**”; strike beginning with “**THE**” in line 5 down through “**FOR**” in line 6; in line 15, strike “**MAY ENROLL**” and substitute “**SHALL BE AUTOMATICALLY ENROLLED**”; strike beginning with “**DURING**” in line 17 down through “**OPTIONS**” in line 18 and substitute “**ON ENROLLMENT IN:**

(I) THE MARYLAND STATE RETIREE PRESCRIPTION DRUG COVERAGE PROGRAM ESTABLISHED UNDER SUBSECTION (D) OF THIS SECTION; OR

(II) THE MARYLAND STATE RETIREE CATASTROPHIC PRESCRIPTION DRUG ASSISTANCE PROGRAM ESTABLISHED UNDER SUBSECTION (E) OF THIS SECTION.

AMENDMENT NO. 4

On page 13, in line 19, strike the third bracket; in the same line, strike “] (3)”; in line 20, strike “, [2018] 2019” and substitute “**OF EACH YEAR**”; strike beginning with “BE” in line 22 down through the second comma in line 23 and substitute “**BECOME ELIGIBLE IN THE NEXT CALENDAR YEAR**”; in line 32, after “plan” insert “, **INCLUDING OPTIONS THAT ARE RECOMMENDED OR SIMILAR TO THE PRESCRIPTION DRUG BENEFIT PLAN IN THE HEALTH INSURANCE BENEFIT OPTIONS ESTABLISHED UNDER THE PROGRAM**”.

On page 14, in line 3, strike “AND”; in line 5, after “SECTION” insert “; **AND**”

(IV) THE ONE-ON-ONE COUNSELING AVAILABLE UNDER SUBSECTION (H) OF THIS SECTION.

AMENDMENT NO. 5

On page 14, in lines 6 and 21, strike “(G)” and “(H)”, respectively, and substitute “(H)” and “(I)”, respectively; in line 6, after “**PROVIDE**” insert “**TO MEDICARE-ELIGIBLE RETIREES:**”

(I);

in line 7, strike “**TO MEDICARE-ELIGIBLE RETIREES**”; in the same line, after “**IN**” insert “;”

1.;

in line 9, after “**NEEDS**” insert “; **AND**”

2. DETERMINING ELIGIBILITY AND APPLYING FOR FINANCIAL ASSISTANCE PROGRAMS, INCLUDING THE MEDICARE PRESCRIPTION DRUG EXTRA HELP LOW INCOME SUBSIDY AND THE SENIOR PRESCRIPTION DRUG ASSISTANCE PROGRAM;

(II) A CUSTOMER SERVICE HOTLINE FOR REPORTING ISSUES WITH AND CONCERNS ABOUT THE COUNSELING UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH; AND

(III) AN INTERACTIVE WEBSITE TO ALLOW RETIREES TO DETERMINE, BASED ON DATE OF RETIREMENT AND RETIREMENT INCOME, ELIGIBILITY FOR:

1. THE MARYLAND STATE RETIREE PRESCRIPTION DRUG COVERAGE PROGRAM, THE MARYLAND STATE RETIREE CATASTROPHIC PRESCRIPTION DRUG ASSISTANCE PROGRAM, AND THE STATE RETIREE LIFE-SUSTAINING PRESCRIPTION DRUG ASSISTANCE PROGRAM ESTABLISHED UNDER SUBSECTIONS (D), (E), AND (F) OF THIS SECTION;

2. THE MEDICARE PRESCRIPTION DRUG EXTRA HELP LOW INCOME SUBSIDY; AND

3. THE SENIOR PRESCRIPTION DRUG ASSISTANCE PROGRAM”;

in line 10, strike “PARAGRAPH (1)” and substitute “PARAGRAPH (1)(I)”; in line 12, after “(I)” insert “ENTER INTO A STATEWIDE”; in the same line, after “CONTRACT” insert “WITH AN EXPERIENCED EMPLOYEE BENEFITS ADMINISTRATOR OR A SIMILAR ENTITY”; in line 14, after “1.” insert “EACH YEAR”; strike beginning with “IN” in line 17 down through “MEDICARE” in line 18 and substitute “IN A MANNER THAT ENSURES EQUITABLE GEOGRAPHIC ACCESS TO THE COUNSELING”.

AMENDMENT NO. 6

On page 14, after line 27, insert:

“(J) THE DEPARTMENT SHALL SUBMIT QUARTERLY REPORTS TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE HOUSE APPROPRIATIONS COMMITTEE, THE SENATE BUDGET AND TAXATION COMMITTEE, AND THE JOINT COMMITTEE ON PENSIONS, ON:

(1) THE STATUS OF ESTABLISHING THE PROGRAMS UNDER SUBSECTIONS (D), (E), AND (F) OF THIS SECTION, INCLUDING:

(I) THE STATUS OF PROCURING ANY CONTRACTS NECESSARY TO OPERATE THE PROGRAMS; AND

(II) THE PRESCRIPTION DRUGS DETERMINED TO QUALIFY FOR REIMBURSEMENT UNDER THE MARYLAND STATE RETIREE LIFE-SUSTAINING PRESCRIPTION DRUG ASSISTANCE PROGRAM UNDER SUBSECTION (F) OF THIS SECTION;

(2) THE STATUS OF PROCURING A CONTRACT TO PROVIDE THE ONE-ON-ONE COUNSELING SERVICES REQUIRED IN SUBSECTION (H) OF THIS SECTION;

(3) THE DETAILS OF THE HEALTH REIMBURSEMENT ACCOUNTS OR OTHER PROGRAMS TO PROVIDE ASSISTANCE WITH PRESCRIPTION DRUG COSTS FOR INDIVIDUALS ENROLLED IN THE PROGRAMS UNDER SUBSECTIONS (D), (E), AND (F) OF THIS SECTION, INCLUDING:

(I) THE SPECIFIC OUT-OF-POCKET COSTS ELIGIBLE FOR REIMBURSEMENT;

(II) THE REQUIRED PROCESS FOR RECEIVING REIMBURSEMENT;

(III) THE METHOD OF REIMBURSEMENT;

(IV) THE TIMING OF REIMBURSEMENT; AND

(V) A PLAN TO USE DEBIT CARDS TO PROCESS REIMBURSEMENTS IN A CONVENIENT AND EFFICIENT MANNER; AND

(4) IN TOTAL AND BY CATEGORY FOR THE PREVIOUS QUARTER, THE NUMBER OF ISSUES AND CONCERNS REPORTED TO THE HOTLINE.

(K) THE DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

AMENDMENT NO. 7

On page 15, in lines 10 and 26, in each instance, after “the” insert “Maryland”; after line 30, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That, not later than May 1, 2019, the Secretary of Budget and Management shall provide written certified notice of the provisions of this Act to all:

- (1) Medicare-eligible State retirees;
- (2) Medicare-eligible spouses and surviving spouses of State retirees;
- (3) Medicare-eligible dependent children and surviving dependent children of State retirees; and
- (4) State employees who are eligible, on or before May 31, 2019, to:
 - (i) enroll in a prescription drug benefit plan under Medicare; and
 - (ii) retire from State employment.

SECTION 4. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Department of Budget and Management establish the Maryland State Retiree Prescription Drug Coverage Program, the Maryland State Retiree Catastrophic Prescription Drug Assistance Program, and the Maryland State Retiree Life-Sustaining Prescription Drug Assistance Program in § 2-509.1(d), (e), and (f) of the State Personnel and Pensions Article, respectively, in a manner that allows retirees to access reimbursement at the time of prescription drug purchase, through a mechanism such as debit cards.

SECTION 5. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Department of Budget and Management attend at least one meeting each year of the Joint Committee on Pensions to update the Committee on implementation of the provisions of this Act.”;

and in line 31, strike “3.” and substitute “6.”.

The preceding 7 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **SB0946**
SPONSOR: Senator Griffith, et al
SUBJECT: State Prescription Drug Benefits – Retiree Benefits – Revisions

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 Griffith, Chair
Senator Guzzone
Senator Serafini

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and adopted.

QUORUM CALL

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

(See Roll Call No. 901)

SENATE THIRD READING CALENDAR NO. 65 (GENERAL SENATE BILLS)

Senate Bill 290 – ~~Senator Smith~~ Senators Smith, Hough, and Guzzone

AN ACT concerning

Public Health – Cottage Food Products – Definition and Sale

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

Affirmative – 43 Negative – 0 (See Roll Call No. 902)

The Bill was then sent to the House of Delegates.

Senate Bill 533 – Senators Guzzone and McCray

AN ACT concerning

Sales and Use Tax – ~~Limited Residential Lodging~~ Short-Term Rentals

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

Affirmative – 40 Negative – 3 (See Roll Call No. 903)

The Bill was then sent to the House of Delegates.

Senate Bill 638 – Senator Smith

AN ACT concerning

Child Support – Shared Physical Custody

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

Affirmative – 43 Negative – 0 (See Roll Call No. 904)

The Bill was then sent to the House of Delegates.

Senate Bill 643 – Senator Klausmeier

AN ACT concerning

Criminal Procedure – Forfeiture Proceeds – Appropriation Percentage and Reporting

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

Affirmative – 43 Negative – 0 (See Roll Call No. 905)

The Bill was then sent to the House of Delegates.

Senate Bill 751 – Senator Lam

AN ACT concerning

Governor's Appointments ~~Office~~ ~~Office~~, Appointing Authorities, and the Secretary of Budget and Management – ~~At-Will Employees~~ – Duties and Reports

Senator Cassilly moved to make the Bill a Special Order for April 1, 2019.

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

Affirmative – 17 Negative – 25 (See Roll Call No. 906)

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

Affirmative – 26 Negative – 17 (See Roll Call No. 907)

The Bill was then sent to the House of Delegates.

Senate Bill 809 – Senators Lee, Benson, Carter, Elfreth, Feldman, Guzzone, Hayes, Hester, Kagan, Nathan–Pulliam, Patterson, Peters, Smith, Waldstreicher, Washington, West, Young, and Zucker

AN ACT concerning

Correctional Facilities – Restrictive Housing – Pregnant Inmates

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

Affirmative – 42 Negative – 0 (See Roll Call No. 908)

The Bill was then sent to the House of Delegates.

Senate Bill 945 – Senator Kramer

EMERGENCY BILL

AN ACT concerning

Sales and Use Tax – Taxable Services – Telephone Answering Service

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

Affirmative – 43 Negative – 0 (See Roll Call No. 909)

The Bill was then sent to the House of Delegates.

Senate Bill 949 – Senator Serafini

AN ACT concerning

Labor and Employment – Grant Program for Workforce Skills Assessment

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

Affirmative – 42 Negative – 0 (See Roll Call No. 910)

The Bill was then sent to the House of Delegates.

Senate Bill 983 – Senators Hayes, Augustine, Ellis, Griffith, and Smith

AN ACT concerning

**Procurement – Small Businesses and Minority Businesses – Qualification and Certification
(Small and Minority Business Certification Streamlining Act of 2019)**

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

Affirmative – 42 Negative – 0 (See Roll Call No. 911)

The Bill was then sent to the House of Delegates.

Senate Bill 1017 – Senators Zirkin and Miller

AN ACT concerning

Criminal Procedure – Office of the Public Defender – Definition of Serious Offense

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

Affirmative – 42 Negative – 0 (See Roll Call No. 912)

The Bill was then sent to the House of Delegates.

Senate Bill 1043 – Senator Hough

AN ACT concerning

**Children in Need of Assistance – Qualified Residential Treatment Programs
(Family First Prevention Services Act)**

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

Affirmative – 43 Negative – 0 (See Roll Call No. 913)

The Bill was then sent to the House of Delegates.

QUORUM CALL

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

(See Roll Call No. 914)

ADJOURNMENT

At 1:47 P.M. on motion of Senator Guzzone the Senate adjourned until 8:00 P.M. on Legislative Day March 26, 2019, Calendar Day, Monday, April 1, 2019 in honor of Gary Morgan.

Annapolis, Maryland
Legislative Day: March 26, 2019
Calendar Day: Monday, April 1, 2019
8:00 P.M. Session

The Senate met at 8:14 P.M.

Prayer by Pastor George Barnes, Empowerment Temple AME Church, guest of Senator Hayes.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 917)

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

The Journal of March 29, 2019 was read and approved.

SENATE THIRD READING CALENDAR NO. 66 (GENERAL SENATE BILLS)

Senate Bill 727 – Senators Guzzone, Eckardt, Edwards, Feldman, Jennings, Lee, Peters, Serafini, Young, ~~and Zucker~~ Zucker, Kelley, Augustine, Beidle, Benson, Hayes, Hershey, Klausmeier, Kramer, and Reilly

AN ACT concerning

Health – Professional and Volunteer Firefighter Innovative Cancer Screening Technologies Program

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

Affirmative – 46 Negative – 0 (See Roll Call No. 918)

The Bill was then sent to the House of Delegates.

Senate Bill 816 – Senator Smith

AN ACT concerning

Property Tax Credit – Surviving Spouse of Veteran

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

Affirmative – 46 Negative – 0 (See Roll Call No. 919)

The Bill was then sent to the House of Delegates.

Senate Bill 828 – Senator Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

**Employees’, Teachers’, and Correctional Officers’ Systems – Active Members –
Death Benefits**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 920)

The Bill was then sent to the House of Delegates.

Senate Bill 859 – Senator Zirkin

AN ACT concerning

Natalie M. LaPrade Medical Cannabis Commission – Advertisements

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

Affirmative – 46 Negative – 0 (See Roll Call No. 921)

The Bill was then sent to the House of Delegates.

Senate Bill 944 – Senator Eckardt

AN ACT concerning

**Behavioral Health Programs – Outpatient Mental Health Centers – Medical
Directors – ~~Psychiatric Nurse Practitioners~~**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 922)

The Bill was then sent to the House of Delegates.

SPECIAL ORDER CALENDAR NO. 40

House Bill 844 – Delegates Reilly, Anderton, Arikan, Buckel, Cassilly, Guyton, Hornberger, Kaiser, Luedtke, McComas, Rose, ~~and Walker~~ Walker, and Washington

AN ACT concerning

Public Schools – School Psychologists – Reports

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

Senator Ferguson moved to make the Bill and Report a Special Order for April 2, 2019.

The motion was adopted.

Senate Bill 426 – Senator West

AN ACT concerning

Natalie M. LaPrade Medical Cannabis Commission – Licensed Dispensaries

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

FLOOR AMENDMENT

SB0426/573620/1

BY: Senator West

AMENDMENTS TO SENATE BILL 426, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, strike line 2 in its entirety and substitute “Medical Cannabis – Regulation of Dispensaries, Growers, and Processors and Subtraction Modification”; in line 3, after “of” insert “providing that growers, processors, and dispensaries licensed under certain provisions of law are subject to certain provisions of law; repealing the provision prohibiting the Natalie M. LaPrade Medical Cannabis Commission from issuing more than one medical cannabis grower license to each applicant; prohibiting a person from having an ownership interest in or control of, including the power to manage and operate, more than one grower;”; in line 5, after “law;” insert “prohibiting a person from having an ownership”

interest in or control of, including the power to manage and operate, more than one processor; allowing a subtraction modification under the Maryland income tax for certain expenses paid or incurred during the taxable year in carrying on a trade or business as a certain medical cannabis grower, processor, dispensary, or independent testing laboratory; providing for the application of certain provisions of this Act.”; in the same line, strike “dispensaries”; in line 8, after “Section” insert “13-3306(a)(1).”; in the same line, after “13-3307(a)(1)” insert “, and 13-3309(a)”; strike in their entirety lines 11 through 15, inclusive; in line 18, after “Section” insert “13-3306(a)(2).”; in the same line, after “(i)” insert “, and 13-3309(d) through (h)”; and after line 20, insert:

“BY adding to

Article – Health – General

Section 13-3306(i), 13-3307(d) and (k), and 13-3309(d) and (j)

Annotated Code of Maryland

(2015 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 10-208(a) and 10-308(a)

Annotated Code of Maryland

(2016 Replacement Volume and 2018 Supplement)

BY adding to

Article – Tax – General

Section 10-208(y)

Annotated Code of Maryland

(2016 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10-308(b)

Annotated Code of Maryland

(2016 Replacement Volume and 2018 Supplement)”.

AMENDMENT NO. 2

On page 1 of the bill, after line 23, insert:

“13-3306.

(a) (1) The Commission shall license medical cannabis growers that meet all requirements established by the Commission to operate in the State to provide cannabis to:

(i) Processors licensed by the Commission under this subtitle;

(ii) Dispensaries licensed by the Commission under this subtitle;

and

(iii) Independent testing laboratories registered with the Commission under this subtitle.

(2) (i) Subject to subparagraph (ii) of this paragraph, the Commission may license no more than 22 medical cannabis growers.

(ii) 1. If an applicant for licensure that received Stage One preapproval in calendar year 2016 for a medical cannabis grower license fails to satisfy the requirements for licensure established by the Commission, the Commission shall rescind the applicant's Stage One preapproval.

2. If the Commission rescinds the Stage One preapproval for a license of an applicant under subparagraph 1 of this subparagraph, the maximum number of medical cannabis grower licenses authorized under subparagraph (i) of this paragraph shall be reduced by one medical cannabis grower license.

(iii) 1. Subject to subparagraph 2 of this subparagraph, beginning December 1, 2024, the Commission may report to the General Assembly, in accordance with § 2-1246 of the State Government Article, on the number of licenses necessary to meet the demand for medical cannabis by qualifying patients and caregivers issued identification cards under this subtitle in an affordable, accessible, secure, and efficient manner.

2. Before the Commission determines to submit the report described under subparagraph 1 of this subparagraph, the Commission shall provide the Legislative Policy Committee at least 30 days to submit comments to the Commission.

(iv) The Commission shall establish an application review process for granting medical cannabis grower licenses in which applications are reviewed, evaluated, and ranked based on criteria established by the Commission.

[(v) The Commission may not issue more than one medical cannabis grower license to each applicant.]

(V) A PERSON MAY NOT HAVE AN OWNERSHIP INTEREST IN OR CONTROL OF, INCLUDING THE POWER TO MANAGE AND OPERATE, MORE THAN ONE GROWER.

(vi) A grower shall pay an application fee in an amount to be determined by the Commission consistent with this subtitle.

(I) A GROWER LICENSED UNDER THIS SUBTITLE IS SUBJECT TO THE MARYLAND ANTITRUST ACT AND THE MARYLAND SALES BELOW COST ACT.”.

In the Judicial Proceedings Committee Amendments (SB0426/468570/1), in line 3 of Amendment No. 2, strike “**FIVE**” and substitute “**FOUR**”.

On page 2 of the bill, after line 29, insert:

“(K) A DISPENSARY LICENSED UNDER THIS SUBTITLE IS SUBJECT TO THE MARYLAND ANTITRUST ACT AND THE MARYLAND SALES BELOW COST ACT.

13–3309.

(a) A processor shall be licensed by the Commission.

(D) A PERSON MAY NOT HAVE AN OWNERSHIP INTEREST IN OR CONTROL OF, INCLUDING THE POWER TO MANAGE AND OPERATE, MORE THAN ONE PROCESSOR.

[(d)] (E) (1) A processor license is valid for 6 years on initial licensure.

(2) A processor license is valid for 4 years on renewal.

[(e)] (F) A processor licensed under this section or a processor agent registered under § 13–3310 of this subtitle may not be penalized or arrested under State law for:

(1) Acquiring, possessing, processing, packaging, labeling, transferring, transporting, selling, or distributing medical cannabis or products containing medical cannabis to a dispensary for use by a qualifying patient or a caregiver; or

(2) Transporting medical cannabis or products containing medical cannabis to an independent testing laboratory.

[(f)] (G) The Commission shall establish requirements for security and product handling procedures that a processor must meet to obtain a license under this section, including a requirement for a product-tracking system.

[(g)] (H) The Commission may inspect a processor licensed under this section to ensure compliance with this subtitle.

[(h)] (I) The Commission may impose penalties or rescind the license of a processor that does not meet the standards for licensure set by the Commission.

(J) A PROCESSOR LICENSED UNDER THIS SUBTITLE IS SUBJECT TO THE MARYLAND ANTITRUST ACT AND THE MARYLAND SALES BELOW COST ACT.

Article – Tax – General

10–208.

(a) In addition to the modification under § 10–207 of this subtitle, the amounts under this section are subtracted from the federal adjusted gross income of a resident to determine Maryland adjusted gross income.

(Y) (1) THE SUBTRACTION UNDER SUBSECTION (A) OF THIS SECTION INCLUDES THE AMOUNT OF ORDINARY AND NECESSARY EXPENSES PAID OR INCURRED DURING THE TAXABLE YEAR IN CARRYING ON A TRADE OR A BUSINESS AS A MEDICAL CANNABIS GROWER, PROCESSOR, OR DISPENSARY LICENSED UNDER TITLE 13, SUBTITLE 33 OF THE HEALTH – GENERAL ARTICLE OR AN INDEPENDENT TESTING LABORATORY REGISTERED IN ACCORDANCE WITH § 13–3311 OF THE HEALTH – GENERAL ARTICLE IF:

(I) THE DEDUCTION FOR ORDINARY AND NECESSARY EXPENSES IS DISALLOWED UNDER § 280E OF THE INTERNAL REVENUE CODE; AND

(II) THE MEDICAL CANNABIS GROWER, PROCESSOR, OR DISPENSARY IS NOT AN AFFILIATE, A CORPORATE PARENT, OR A SUBSIDIARY OF

ANOTHER BUSINESS LICENSED UNDER TITLE 13, SUBTITLE 33 OF THE HEALTH – GENERAL ARTICLE.

(2) THE SUBTRACTION ALLOWED UNDER PARAGRAPH (1) OF THIS SUBSECTION INCLUDES A REASONABLE ALLOWANCE FOR SALARIES OR OTHER COMPENSATION FOR PERSONAL SERVICES ACTUALLY RENDERED DURING THE TAXABLE YEAR.

10–308.

(a) In addition to the modification under § 10–307 of this subtitle, the amounts under this section are subtracted from the federal taxable income of a corporation to determine Maryland modified income.

(b) The subtraction under subsection (a) of this section includes the amounts allowed to be subtracted for an individual under:

(1) § 10–208(d) of this title (Enhanced agricultural management equipment expenses);

(2) § 10–208(i) of this title (Reforestation or timber stand expenses);

(3) § 10–208(k) of this title (Wage expenses for targeted jobs); [and]

(4) § 10–208(p) of this title (Elevator handrails in health care facilities);

AND

(5) § 10–208(y) OF THIS TITLE (TRADE OR BUSINESS EXPENSES OF MEDICAL CANNABIS GROWER, PROCESSOR, DISPENSARY, OR INDEPENDENT TESTING LABORATORY).

SECTION 2. AND BE IT FURTHER ENACTED, That §§ 10–208(y) and 10–308(b)(5) of the Tax – General Article, as enacted by Section 1 of this Act, shall be applicable to all taxable years beginning after December 31, 2018.”;

and in line 30, strike “2.” and substitute “3.”.

The preceding 2 amendments were withdrawn.

SUBSTITUTE FLOOR AMENDMENT

SB0426/573620/2

BY: Senator West

AMENDMENTS TO SENATE BILL 426, AS AMENDED
(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, strike line 2 in its entirety and substitute “Medical Cannabis – Regulation of Dispensaries, Growers, and Processors”; in line 3, after “of” insert “providing that growers, processors, and dispensaries licensed under certain provisions of law are subject to certain provisions of law; repealing the provision prohibiting the Natalie M. LaPrade Medical Cannabis Commission from issuing more than one medical cannabis grower license to each applicant; prohibiting a person from having an ownership interest in or control of, including the power to manage and operate, more than one grower;”; in line 5, after “law;” insert “prohibiting a person from having an ownership interest in or control of, including the power to manage and operate, more than one processor;”; in the same line, strike “dispensaries”; in line 8, after “Section” insert “13–3306(a)(1),”; in the same line, after “13–3307(a)(1)” insert “, and 13–3309(a)”; strike in their entirety lines 11 through 15, inclusive; in line 18, after “Section” insert “13–3306(a)(2),”; in the same line, after “(i)” insert “, and 13–3309(d) through (h)”; and after line 20, insert:

“BY adding to

Article – Health – General

Section 13–3306(i), 13–3307(d) and (k), and 13–3309(d) and (j)

Annotated Code of Maryland

(2015 Replacement Volume and 2018 Supplement)”.

AMENDMENT NO. 2

On page 1 of the bill, after line 23, insert:

“13–3306.

(a) (1) The Commission shall license medical cannabis growers that meet all requirements established by the Commission to operate in the State to provide cannabis to:

(i) Processors licensed by the Commission under this subtitle;

(ii) Dispensaries licensed by the Commission under this subtitle;

and

(iii) Independent testing laboratories registered with the Commission under this subtitle.

(2) (i) Subject to subparagraph (ii) of this paragraph, the Commission may license no more than 22 medical cannabis growers.

(ii) 1. If an applicant for licensure that received Stage One preapproval in calendar year 2016 for a medical cannabis grower license fails to satisfy the requirements for licensure established by the Commission, the Commission shall rescind the applicant's Stage One preapproval.

2. If the Commission rescinds the Stage One preapproval for a license of an applicant under subparagraph 1 of this subparagraph, the maximum number of medical cannabis grower licenses authorized under subparagraph (i) of this paragraph shall be reduced by one medical cannabis grower license.

(iii) 1. Subject to subparagraph 2 of this subparagraph, beginning December 1, 2024, the Commission may report to the General Assembly, in accordance with § 2-1246 of the State Government Article, on the number of licenses necessary to meet the demand for medical cannabis by qualifying patients and caregivers issued identification cards under this subtitle in an affordable, accessible, secure, and efficient manner.

2. Before the Commission determines to submit the report described under subparagraph 1 of this subparagraph, the Commission shall provide the Legislative Policy Committee at least 30 days to submit comments to the Commission.

(iv) The Commission shall establish an application review process for granting medical cannabis grower licenses in which applications are reviewed, evaluated, and ranked based on criteria established by the Commission.

[(v) The Commission may not issue more than one medical cannabis grower license to each applicant.]

(V) A PERSON MAY NOT HAVE AN OWNERSHIP INTEREST IN OR CONTROL OF, INCLUDING THE POWER TO MANAGE AND OPERATE, MORE THAN ONE GROWER.

(vi) A grower shall pay an application fee in an amount to be determined by the Commission consistent with this subtitle.

(I) A GROWER LICENSED UNDER THIS SUBTITLE IS SUBJECT TO THE MARYLAND ANTITRUST ACT AND THE MARYLAND SALES BELOW COST ACT.

In the Judicial Proceedings Committee Amendments (SB0426/468570/1), in line 3 of Amendment No. 2, strike "**FIVE**" and substitute "**FOUR**".

On page 2 of the bill, after line 29, insert:

“(K) A DISPENSARY LICENSED UNDER THIS SUBTITLE IS SUBJECT TO THE MARYLAND ANTITRUST ACT AND THE MARYLAND SALES BELOW COST ACT.

13-3309.

(a) A processor shall be licensed by the Commission.

(D) A PERSON MAY NOT HAVE AN OWNERSHIP INTEREST IN OR CONTROL OF, INCLUDING THE POWER TO MANAGE AND OPERATE, MORE THAN ONE PROCESSOR.

[(d)] (E) (1) A processor license is valid for 6 years on initial licensure.

(2) A processor license is valid for 4 years on renewal.

[(e)] (F) A processor licensed under this section or a processor agent registered under § 13-3310 of this subtitle may not be penalized or arrested under State law for:

(1) Acquiring, possessing, processing, packaging, labeling, transferring, transporting, selling, or distributing medical cannabis or products containing medical cannabis to a dispensary for use by a qualifying patient or a caregiver; or

(2) Transporting medical cannabis or products containing medical cannabis to an independent testing laboratory.

[(f)] (G) The Commission shall establish requirements for security and product handling procedures that a processor must meet to obtain a license under this section, including a requirement for a product-tracking system.

[(g)] (H) The Commission may inspect a processor licensed under this section to ensure compliance with this subtitle.

[(h)] (I) The Commission may impose penalties or rescind the license of a processor that does not meet the standards for licensure set by the Commission.

(J) A PROCESSOR LICENSED UNDER THIS SUBTITLE IS SUBJECT TO THE MARYLAND ANTITRUST ACT AND THE MARYLAND SALES BELOW COST ACT.

The preceding 2 amendments were read only.

Senator Hough moved to make the Bill and Amendments a Special Order for April 2, 2019.

The motion was adopted.

Senate Bill 793 – Senator Hayes (By Request)

AN ACT concerning

Community Safety and Strengthening Act

STATUS OF BILL: QUESTION IS: “SHALL THE SENATE CONCUR IN THE HOUSE AMENDMENTS?”

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

SB0793/422713/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 793

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 7, after “workforce;” insert “prohibiting the police department from acquiring certain aircraft, drones, vehicles, or weapons, except under certain circumstances; prohibiting the police department from receiving certain equipment from a

federal military surplus program; requiring the University police department to acknowledge and respond to certain recommendations of the University Police Accountability Board within a certain period of time under certain circumstances;"; in line 9, after "wear" insert "and use"; in line 33, after "circumstances;" insert "requiring the University to be solely responsible for certain benefits afforded to the employees of the police department; providing that the employees of the police department are not entitled to certain benefits afforded to State personnel arising out of their employment with the police department;"; and in line 35, after "terms" insert "“criminal justice unit”.”.

On page 3, in line 23, after "2-101(a)" insert "and 10-201(a)"; in line 28, after "(26)" insert "and 10-201(f)"; and in line 38, strike "24-1212" and substitute "24-1213".

AMENDMENT NO. 2

On page 9, after line 5, insert:

“10-201.

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

(f) (1) “Criminal justice unit” means a government unit or subunit that allocates a substantial part of its annual budget to any of the following functions and that by law:

(i) may arrest, detain, prosecute, or adjudicate persons suspected of or charged with a crime;

(ii) is responsible for the custodial treatment or confinement under Title 3 of this article of persons charged or convicted of a crime or relieved of criminal punishment by reason of a verdict of not criminally responsible;

(iii) is responsible for the correctional supervision, rehabilitation, or release of persons convicted of a crime; or

(iv) is responsible for criminal identification activities and the collection, storage, and dissemination of criminal history record information.

(2) “Criminal justice unit” includes, when exercising jurisdiction over criminal matters, alternative dispositions of criminal matters, or criminal history record information:

(i) a State, county, or municipal police unit, sheriff's office, or correctional facility;

(ii) A POLICE DEPARTMENT OF THE JOHNS HOPKINS UNIVERSITY ESTABLISHED UNDER TITLE 24, SUBTITLE 12 OF THE EDUCATION ARTICLE;

(III) a unit required to report to the Central Repository under § 3–107 or § 3–112 of this article;

~~[(iii)]~~ (IV) the offices of the Attorney General, State's Attorneys, and any other person or unit that by law may prosecute persons accused of a crime; and

~~[(iv)]~~(V) the Administrative Office of the Courts, the Court of Appeals, the Court of Special Appeals, the circuit courts, the District Court of Maryland, and the offices of the clerks of these courts.

(3) Except as provided in §§ 10–215(a)(20) and (21), 10–216(d), and 10–220 of this subtitle, “criminal justice unit” does not include:

(i) the Department of Juvenile Services; or

(ii) a juvenile court.”.

AMENDMENT NO. 3

On page 11, in line 14, after “AREAS” insert “IMMEDIATELY”.

On page 13, in line 26, strike “AND”.

On page 14, after line 5, insert:

“(XI) REQUIRE TRAINING FOR UNIVERSITY POLICE OFFICERS REGARDING SEARCHES, INCLUDING CONSENSUAL SEARCHES; AND

(XII) REQUIRE THAT A UNIVERSITY POLICE OFFICER BE CERTIFIED BY THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION;”.

AMENDMENT NO. 4

On page 14, in line 10, after "WEAR" insert "AND USE"; and after line 33, insert:

“(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IF THE UNIVERSITY ESTABLISHES A POLICE DEPARTMENT UNDER THIS SUBTITLE, THE POLICE DEPARTMENT MAY NOT ACQUIRE ANY MILITARY GRADE VEHICLE OR MILITARY GRADE HARDWARE, INCLUDING:

(I) AN ARMORED OR WEAPONIZED:

- 1. AIRCRAFT;**
- 2. DRONE; OR**
- 3. VEHICLE; OR**

(II) A WEAPON DESIGNATED AS A TITLE II WEAPON UNDER THE NATIONAL FIREARMS ACT.

(2) IF ANY OF THE ITEMS SPECIFIED UNDER PARAGRAPH (1) OF THIS SUBSECTION ARE AVAILABLE FOR COMMERCIAL SALE IN THE STATE, THE UNIVERSITY, AT ITS OWN EXPENSE, MAY PURCHASE THE ITEMS FOR THE POLICE DEPARTMENT.

(3) THE POLICE DEPARTMENT MAY NOT ACCEPT ANY OF THE ITEMS SPECIFIED UNDER PARAGRAPH (1) OF THIS SUBSECTION FROM A PROGRAM OPERATED BY THE FEDERAL GOVERNMENT FOR THE TRANSFER OF SURPLUS MILITARY EQUIPMENT TO A LAW ENFORCEMENT AGENCY.

(E) IF THE UNIVERSITY ESTABLISHES A POLICE DEPARTMENT UNDER THIS SUBTITLE, THE POLICE DEPARTMENT SHALL ACKNOWLEDGE AND RESPOND TO ANY RECOMMENDATIONS OF THE UNIVERSITY POLICE ACCOUNTABILITY BOARD WITHIN 120 DAYS AFTER RECEIVING THE RECOMMENDATIONS.”.

AMENDMENT NO. 5

On page 15, in line 23, strike the second “AND”; and in line 25, after “AREA” insert “;AND”

(III) A MEMBER OF THE JOHNS HOPKINS UNIVERSITY BLACK FACULTY AND STAFF ASSOCIATION”.

AMENDMENT NO. 6

On page 16, in line 26, after “MEETING” insert “IN A PROMINENT MANNER”.

On page 18, in line 25, strike the second “AND”; and in line 27, after “DEPARTMENT” insert “;AND”

(13) A LIST OF ANY SURVEILLANCE TECHNOLOGIES USED BY THE POLICE DEPARTMENT”.

AMENDMENT NO. 7

On page 21, after line 9, insert:

“24-1213.

(A) THE UNIVERSITY SHALL BE SOLELY RESPONSIBLE FOR THE PENSION, RETIREMENT, AND ANY OTHER BENEFITS AFFORDED TO THE EMPLOYEES OF THE POLICE DEPARTMENT.

(B) THE EMPLOYEES OF THE POLICE DEPARTMENT ARE NOT ENTITLED TO STATE PENSION, STATE RETIREMENT, OR ANY OTHER BENEFITS AFFORDED TO STATE PERSONNEL ARISING OUT OF THEIR EMPLOYMENT WITH THE POLICE DEPARTMENT.”.

AMENDMENT NO. 8

On page 25, in line 1, after “days” insert “after the public posting period specified in item (1) of this subsection”; and in line 15, after “e-mailing” insert “and mailing”.

The preceding 8 amendments were read and concurred in.

SB0793/663121/2

BY: Delegate Clippinger

AMENDMENTS TO SENATE BILL 793, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

On pages 1 through 3 of the House Judiciary Committee Amendments (SB0793/422713/1), strike Amendment No. 2 in its entirety.

On page 1 of the House Judiciary Committee Amendments, in Amendment No. 1, in lines 11 and 12, strike “criminal justice unit”; in line 13, strike “and 10-201(a)”; and in line 14, strike “and 10-201(f)”.

On page 2 of the bill, in line 36, after “purposes;” insert “declaring the intent of the General Assembly regarding the police department of the University for certain purposes;”.

On page 3 of the bill, in line 33, after “2-101(c)(27)” insert “and 10-205”.

AMENDMENT NO. 2

On page 9 of the bill, after line 5, insert:

“10-205.

IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE POLICE DEPARTMENT OF THE JOHNS HOPKINS UNIVERSITY, ESTABLISHED IN ACCORDANCE WITH TITLE 24, SUBTITLE 12 OF THE EDUCATION ARTICLE, SHALL FUNCTION AS A CRIMINAL JUSTICE UNIT FOR THE PURPOSES OF THIS SUBTITLE.”.

The preceding 2 amendments were read and concurred in.

SB0793/123122/1

BY: Delegate Clippinger

AMENDMENT TO SENATE BILL 793, AS AMENDED

(Third Reading File Bill)

On page 10 of the bill, in line 3, after “IS” insert “**IMMEDIATELY**”.

On page 3 of the House Judiciary Committee Amendments (SB0793/422713/1), in line 1 of Amendment No. 3, strike “IMMEDIATELY”.

The preceding amendment was read and concurred in.

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

Affirmative – 42 Negative – 2 (See Roll Call No. 923)

The Bill was then sent to the House of Delegates.

FINANCE COMMITTEE REPORT NO. 46

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

Senate Bill 711 – Senator Beidle

AN ACT concerning

University System of Maryland – Regular Employees – Grievance Procedures and Disciplinary Actions

SB0711/977278/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 711

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “a” insert “certain”; strike beginning with “requiring” in line 6 down through “circumstances;” in line 8; and in line 10, after “for” insert “certain”.

AMENDMENT NO. 2

On page 2, in line 20, strike the brackets; in line 21, strike the first set of brackets; strike beginning with “FACULTY” in line 28 down through “ADMINISTRATORS” in line 29 and substitute “ANY EMPLOYEE WHO IS NOT REPRESENTED BY AN EXCLUSIVE REPRESENTATIVE UNDER TITLE 3 OF THE STATE PERSONNEL AND PENSIONS ARTICLE”.

On page 3, in line 1, after “(A)” insert “THIS SECTION APPLIES ONLY TO A REGULAR FULL-TIME OR PART-TIME EMPLOYEE WHO IS REPRESENTED BY AN EXCLUSIVE REPRESENTATIVE UNDER TITLE 3 OF THE STATE PERSONNEL AND PENSIONS ARTICLE.”

(B)”;

in the same line, strike “(1)””; in lines 3, 4, and 5, strike “(I)”, “(II)”, and “(III)”, respectively, and substitute “(1)”, “(2)”, and “(3)”, respectively; strike in their entirety lines 6 through 15, inclusive; and in line 16, strike “(3)” and substitute “(C)”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE REPORT NO. 53

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

Senate Bill 747 – Senators Lam, Guzzone, and Rosapepe

AN ACT concerning

Education – Removal of County Superintendents – Procedures

SB0747/624638/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 747

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after the first “of” insert “requiring the State Superintendent of Schools to provide a county superintendent of schools with certain information if the State Superintendent intends to remove the county superintendent;”; strike beginning with “file” in line 3 down through the second “of” in line 4 and substitute “remove”; in line 5, strike “of”

schools” and substitute “in a certain manner”; strike beginning with “specifying” in line 5 down through “circumstances;” in line 13 and substitute “authorizing the county superintendent to appeal a certain decision to the State Board of Education or an arbitrator;”; and strike beginning with “authorizing” in line 15 down through “Education;” in line 17.

AMENDMENT NO. 2

On page 2, in line 31, after “Superintendent” insert “OR A COUNTY BOARD”.

On page 3, strike in their entirety lines 5 through 20, inclusive; in line 21, strike the brackets; strike beginning with “(3)” in line 21 down through “SUBSECTION” in line 27 and substitute “THE STATE SUPERINTENDENT MAY REMOVE A COUNTY SUPERINTENDENT UNDER THIS SUBSECTION IF THE STATE SUPERINTENDENT PROVIDES THE COUNTY SUPERINTENDENT WITH:

(I) THE REASON FOR REMOVAL, CHOSEN FROM ONE OR MORE OF THE ITEMS IN PARAGRAPH (1) OF THIS SUBSECTION;

(II) DOCUMENTATION SUPPORTING THE CASE FOR REMOVAL;
AND

(III) THE OPPORTUNITY TO REQUEST A HEARING WITHIN 10 DAYS BEFORE THE STATE SUPERINTENDENT IN ACCORDANCE WITH THIS SUBSECTION”;

in line 28, strike the brackets; in the same line, strike “(4)”; in line 29, strike the brackets; and in the same line, strike “30-DAY”.

On page 4, in line 1, strike the bracket; strike beginning with the bracket in line 2 down through “11” in line 3; strike beginning with the semicolon in line 4 down through “BOARD” in line 7; after line 10, insert:

“(4) A COUNTY BOARD MAY REMOVE A COUNTY SUPERINTENDENT UNDER THIS SUBSECTION IF THE COUNTY BOARD PROVIDES THE COUNTY SUPERINTENDENT WITH:

(I) THE REASON FOR REMOVAL, CHOSEN FROM ONE OR MORE OF THE ITEMS IN PARAGRAPH (1) OF THIS SUBSECTION;

(II) DOCUMENTATION SUPPORTING THE CASE FOR REMOVAL;
AND

(III) THE OPPORTUNITY TO REQUEST A HEARING WITHIN 10 DAYS BEFORE THE COUNTY BOARD IN ACCORDANCE WITH THIS SUBSECTION.

(5) IF A COUNTY SUPERINTENDENT REQUESTS A HEARING BEFORE THE COUNTY BOARD WITHIN THE 10-DAY PERIOD:

(I) THE COUNTY BOARD PROMPTLY SHALL HOLD A HEARING, BUT A HEARING MAY NOT BE SET WITHIN 10 DAYS AFTER THE COUNTY BOARD SENDS THE COUNTY SUPERINTENDENT A NOTICE OF THE HEARING; AND

(II) THE COUNTY SUPERINTENDENT SHALL HAVE AN OPPORTUNITY TO BE HEARD PUBLICLY BEFORE THE COUNTY BOARD IN THE COUNTY SUPERINTENDENT'S OWN DEFENSE, IN PERSON OR BY COUNSEL.

(6) THE COUNTY SUPERINTENDENT MAY APPEAL THE DECISION OF THE STATE SUPERINTENDENT OR THE COUNTY BOARD TO:

(I) THE STATE BOARD; OR

(II) AN ARBITRATOR IN ACCORDANCE WITH PARAGRAPH (7) OF THIS SUBSECTION.”;

in line 11, strike “(5)” and substitute “(7)”; strike beginning with “REQUESTS” in line 11 down through “HEARING” in line 12 and substitute “APPEALS THE DECISION OF THE STATE SUPERINTENDENT OR THE COUNTY BOARD TO AN ARBITRATOR, THE HEARING BEFORE THE ARBITRATOR”; and in line 21, after “THE” insert “STATE SUPERINTENDENT OR”.

On page 4 in lines 16, 19, and 30, and on page 5 in lines 4, 9, and 14, in each instance, after “SUPERINTENDENT” insert “OR COUNTY BOARD”.

On page 5, in line 15, after “STATE” insert “SUPERINTENDENT OR COUNTY BOARD”; in line 20, strike “AN INDIVIDUAL” and substitute “A PARTY”; and strike in their entirety lines 23 through 26, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0747/653020/1

BY: Senator Cassilly

AMENDMENTS TO SENATE BILL 747, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments (SB0747/624638/1), in Amendment No. 1, strike beginning with “authorizing” in line 7 down through “arbitrator;” in line 8.

On page 1 of the bill, strike beginning with “specifying” in line 13 down through “court;” in line 15.

AMENDMENT NO. 2

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments, in line 13 of Amendment No. 2, after “SUBSECTION;” insert “AND”.

On pages 2 and 3 of the Education, Health, and Environmental Affairs Committee Amendments, in Amendment No. 2, strike beginning with the semicolon in line 15 on page 2 down through “SUBSECTION” in line 8 on page 3.

On page 3 of the Education, Health, and Environmental Affairs Committee Amendments, in line 9 of Amendment No. 2, strike “(7)”; strike beginning with “APPEALS” in line 10 down through “ARBITRATOR” in line 12; in lines 12 and 13, strike “STATE SUPERINTENDENT OR”; in line 15, strike “OR COUNTY BOARD”; in lines 16 and 17, strike “SUPERINTENDENT OR COUNTY BOARD”; and in line 17, strike “A PARTY”.

On page 4 of the bill, in line 11, strike “(I) IF THE COUNTY SUPERINTENDENT”; strike beginning with “SHALL” in line 12 down through “SUPERINTENDENT” in line 16; strike beginning with “AND” in line 16 down through “SUPERINTENDENT” in line 19; strike beginning with “AND” in line 19 down through “THE” in line 21; strike beginning with “COUNTY” in line 21 down through “SUPERINTENDENT” in line 30; and strike beginning with “HAS” in line 30 down through “SUPERINTENDENT.” in line 31.

On page 5 of the bill, strike beginning with “2.” in line 1 down through “SUPERINTENDENT” in line 4; strike beginning with “AND” in line 4 down through “SUPERINTENDENT” in line 9; strike beginning with “HAD” in line 9 down through “SUPERINTENDENT” in line 14; strike beginning with “DID” in line 14 down through “STATE” in line 15; strike beginning with “SHALL” in line 15 down through “2.” in line 20; and strike beginning with “MAY” in line 20 down through “ACT.” in line 22.

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

Affirmative – 31 Negative – 15 (See Roll Call No. 924)

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 939 – Senator Klausmeier

AN ACT concerning

Natural Resources – Shellfish Nursery Operations – Wetlands License Requirements

SB0939/374032/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 939

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “license;” insert “providing that the installation of certain equipment that is attached to a pier for the cultivation of shellfish seed under a certain”

permit is a lawful use on private wetlands;” and in line 22, strike “and 16–202(h)” and substitute “, 16–202(h), and 16–304”.

AMENDMENT NO. 2

On page 5, after line 3, insert:

“16–304.

Notwithstanding any regulation adopted by the Secretary to protect private wetlands, the following uses are lawful on private wetlands:

- (1) Conservation of soil, vegetation, water, fish, shellfish, and wildlife;
- (2) Trapping, hunting, fishing, and catching shellfish, if otherwise legally permitted;
- (3) Exercise of riparian rights to improve land bounding on navigable water, to preserve access to the navigable water, or to protect the shore against erosion;
- (4) Reclamation of fast land owned by a natural person and lost during the person’s ownership of the land by erosion or avulsion to the extent of provable preexisting boundaries. The right to reclaim lost fast land relates only to fast land lost after January 1, 1972. The burden of proof that the loss occurred after this date is on the owner of the land; [and]
- (5) Routine maintenance and repair of existing bulkheads, provided that there is no addition or channelward encroachment; AND
- (6) INSTALLING A PUMP, A PIPE, OR ANY OTHER EQUIPMENT ATTACHED TO A PIER FOR THE CULTIVATION OF SHELLFISH SEED IN A SHELLFISH NURSERY UNDER A PERMIT ISSUED BY THE DEPARTMENT OF NATURAL RESOURCES UNDER § 4–11A–23 OF THE NATURAL RESOURCES ARTICLE, PROVIDED THAT THE PUMP, PIPE, OR OTHER EQUIPMENT DOES NOT REQUIRE INCREASING THE LENGTH, WIDTH, OR CHANNELWARD ENCROACHMENT OF THE PIER.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 55**

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

Senate Bill 755 – Senator Peters

AN ACT concerning

Interagency Agreements – Historically Black Colleges and Universities – Goals

SB0755/654233/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 755

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Goals” and substitute “Reporting Requirements”; and strike beginning with “require” in line 3 down through the first “to” in line 7.

AMENDMENT NO. 2

On page 2, strike beginning with “**(1)**” in line 18 down through “**(E)**” in line 26.

On page 3, strike beginning with “**DETAILED**” in line 12 down through “**(II)**” in line 14; in line 14, after “**THE**” insert “**TOTAL**”; in line 15, after the semicolon insert “**AND**”; strike beginning with “**(III)**” in line 16 down through “**(IV)**” in line 20 and substitute “**(II)**”; and in line 21, strike “**ENCOURAGE ATTAINMENT OF THE 5% GOAL**” and substitute “**ADDRESS BARRIERS TO INTERAGENCY AGREEMENTS WITH HISTORICALLY BLACK COLLEGES AND UNIVERSITIES**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 958 – Senator Jennings

AN ACT concerning

State Board of Professional Counselors and Therapists – Licensure, Criminal History Records Checks, and Trainee Status – Revisions

SB0958/654538/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 958

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Licensure,” insert “Disciplinary Action,”; in line 4, after “of” insert “authorizing the State Board of Professional Counselors and Therapists to take action against a clinical professional counselor only if the Board discusses certain proposed disciplinary action with a certain Board member and a certain Board member votes; authorizing a licensed professional counselor or therapist to engage in certain advanced assessment activities, rather than appraisal activities, if the licensed professional counselor or therapist has completed certain training;”; in line 5, strike “State”; in lines 5 and 6, strike “of Professional Counselors and Therapists”; in line 20, after “trainees;” insert “defining a certain term;”; in line 24, after “Section” insert “17-205(c),”; and in the same line, after “17-304.1,” insert “17-310,”.

AMENDMENT NO. 2

On page 2, after line 10, insert:

“17-205.

(c) (1) The Board may take action against a marriage and family therapist only if:

(i) Before taking action against the marriage and family therapist, the Board discusses the proposed action with a Board member who is a licensed clinical marriage and family therapist; and

(ii) A Board member who is a licensed clinical marriage and family therapist votes, either in the affirmative or in the negative, on the proposed action.

(2) The Board may take action against an alcohol and drug counselor only if:

(i) Before taking action against the alcohol and drug counselor, the Board discusses the proposed action with a Board member who is a licensed clinical alcohol and drug counselor; and

(ii) A Board member who is a licensed clinical alcohol and drug counselor votes, either in the affirmative or in the negative, on the proposed action.

(3) THE BOARD MAY TAKE ACTION AGAINST A CLINICAL PROFESSIONAL COUNSELOR ONLY IF:

(I) BEFORE TAKING ACTION AGAINST THE CLINICAL PROFESSIONAL COUNSELOR, THE BOARD DISCUSSES THE PROPOSED ACTION WITH A BOARD MEMBER WHO IS A LICENSED CLINICAL PROFESSIONAL COUNSELOR; AND

(II) A BOARD MEMBER WHO IS A LICENSED CLINICAL PROFESSIONAL COUNSELOR VOTES, EITHER IN THE AFFIRMATIVE OR IN THE NEGATIVE, ON THE PROPOSED ACTION.

[(3)] (4) The Board shall investigate all complaints filed against licensed counselors and therapists if, at the time of the violation, the licensed counselor or therapist has also registered and qualified for psychology associate status by virtue of holding a master's degree under Title 18 (Maryland Psychologists Act) of this article.

[(4)] (5) The Board shall notify the Board of Examiners of Psychologists of the complaint in writing within 60 days of receipt of the complaint if an investigation of the supervising licensed psychologists is warranted.

[(5)] (6) The Board shall initiate disciplinary action against any licensed counselor or therapist who also registers as a psychology associate and violates any portion of this statute.”.

AMENDMENT NO. 3

On page 3, after line 15, insert:

“17–310.

(A) IN THIS SECTION “ADVANCED ASSESSMENT ACTIVITIES” MEANS THE USE OF APPRAISAL INSTRUMENTS THAT REQUIRE SPECIALIZED PSYCHOLOGICAL TRAINING FOR ADMINISTRATION AND INTERPRETATION.

(B) A licensed counselor or therapist may engage in [appraisal activities that include instruments that require specialized psychological training for administration and interpretation] ADVANCED ASSESSMENT ACTIVITIES if the licensed counselor or therapist has completed training that includes:

(1) Possession of a doctoral or master’s degree in counseling or a related field that includes a minimum of nine graduate courses of at least 3 semester hours in each of the following courses:

- (i) Psychopathology;**
- (ii) Biological bases of behavior;**
- (iii) Research methods;**
- (iv) Advanced statistics;**
- (v) Tests and measures;**
- (vi) Intellectual assessment;**
- (vii) Personality assessment;**
- (viii) Ethics; and**
- (ix) Practicum in advanced assessment;**

(2) Completion of 500 hours of supervised, direct, client-related, advanced assessment testing that is completed not less than 2 years following the completion of the master’s degree, of which a minimum of 100 hours shall include face-to-face supervision by a supervisor who is:

- (i) A licensed mental health professional;
- (ii) Proficient in the use of advanced assessment tests; and
- (iii) Approved by the Board; and

(3) Passage of a national examination that includes items on advanced assessment that evaluate knowledge of advanced assessment procedures.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 964 – Senator Rosapepe

AN ACT concerning

County Boards of Education – Equal Access to Public Services for Individuals With Limited English Proficiency

SB0964/944938/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 964

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 4 down through “changes” in line 6 and substitute “requiring county boards to take certain reasonable steps to provide equal

access to public services for certain individuals with limited English proficiency”; and strike in their entirety lines 14 through 23, inclusive.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 2 through 5, inclusive, and substitute:

“(A) EACH COUNTY BOARD SHALL TAKE REASONABLE STEPS TO PROVIDE EQUAL ACCESS TO PUBLIC SERVICES FOR INDIVIDUALS WITH LIMITED ENGLISH PROFICIENCY.

(B) REASONABLE STEPS TO PROVIDE EQUAL ACCESS TO PUBLIC SERVICES UNDER SUBSECTION (A) OF THIS SECTION INCLUDE:

(1) THE PROVISION OF ORAL LANGUAGE SERVICES FOR PARENTS AND GUARDIANS WITH LIMITED ENGLISH PROFICIENCY, WHICH MUST BE THROUGH FACE-TO-FACE, IN-HOUSE ORAL LANGUAGE SERVICES IF IN-PERSON CONTACT IS ON A WEEKLY OR MORE FREQUENT BASIS; AND

(2) THE TRANSLATION OF VITAL DOCUMENTS ORDINARILY PROVIDED TO THE PUBLIC INTO ANY LANGUAGE SPOKEN BY ANY LIMITED ENGLISH PROFICIENT POPULATION THAT CONSTITUTES AT LEAST 3% OF THE OVERALL POPULATION WITHIN THE COUNTY AS MEASURED BY THE UNITED STATES CENSUS.”;

and strike in their entirety lines 6 through 25, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 30

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

Senate Bill 176 – The President (By Request – Administration) and Senators Bailey, Carozza, Cassilly, Eckardt, Edwards, Gallion, Hayes, Hershey, Hough, Jennings, Ready, Salling, Serafini, Simonaire, and West

AN ACT concerning

State Commission on Criminal Sentencing Policy – Annual Report – Crimes of Violence

SB0176/388678/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 176

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “a” in line 4 down through “information” in line 8 and substitute “the State Commission on Criminal Sentencing Policy to report certain information to the Governor and certain committees of the General Assembly on or before a certain date”; and strike in their entirety lines 20 through 24, inclusive.

On page 2, in line 2, strike “6–215” and substitute “6–209.1”.

AMENDMENT NO. 2

On pages 3 and 4, strike in their entirety the lines beginning with line 25 on page 3 through line 30 on page 4, inclusive, and substitute:

“6–209.1.

ON OR BEFORE DECEMBER 1, 2019, AND EACH DECEMBER 1 THEREAFTER, THE COMMISSION SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE HOUSE JUDICIARY COMMITTEE AND THE SENATE JUDICIAL PROCEEDINGS COMMITTEE THE FOLLOWING INFORMATION FOR THE PRECEDING CALENDAR YEAR FOR CASES INVOLVING A CRIME OF VIOLENCE AS DEFINED IN § 14–101 OF THE CRIMINAL LAW ARTICLE, DISAGGREGATED BY JUDICIAL CIRCUIT:

(1) DISAGGREGATED BY TYPE OF OFFENSE:

(i) THE NUMBER OF AMERICAN BAR ASSOCIATION PLEAS;

(II) THE NUMBER OF NON-AMERICAN BAR ASSOCIATION PLEAS;

(III) THE NUMBER OF SUSPENDED SENTENCES; AND

(IV) FOR CONVICTIONS IN WHICH A PORTION OF THE SENTENCE WAS SUSPENDED, THE AVERAGE PERCENTAGE OF THE TOTAL SENTENCE SUSPENDED; AND

(2) FOR SENTENCING EVENTS THAT RESULTED IN A DEPARTURE FROM THE SENTENCING GUIDELINES, THE DEPARTURE REASONS CITED AND THE PERCENTAGE OF EVENTS IN WHICH EACH REASON WAS CITED.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 33

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

Senate Bill 1049 – Senator Waldstreicher

AN ACT concerning

Civil Actions – Office of Asbestos Case Mediation and Resolution

SB1049/228179/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 1049

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, strike “providing for the priority of certain civil suits in the mediation process;”; strike beginning with “requiring” in line 11 down through “budget;” in line 13 and substitute “providing for the priority of certain civil suits in the mediation

process; requiring all parties referred to the Office to participate in mediation subject to a certain condition; requiring the Director to notify the court if certain parties are unable to reach an agreement through mediation and requiring the court to proceed with the case in a certain manner; prohibiting the court from proceeding with a certain case before receiving a certain notice; providing that mediation costs shall be paid by the parties equally, unless otherwise agreed to by the parties, and specifying that the parties are not responsible for the Office's operational costs; requiring the court to proceed with a certain case in a certain manner if a certain case management plan is changed, modified, eliminated, or rescinded; requiring the Director to submit an annual report to the General Assembly on the activities of the Office for the preceding calendar year;”; and in line 18, strike “3-18A-03” and substitute “3-18A-04”.

AMENDMENT NO. 2

On page 2, after line 12, insert:

“(F) “TRACK 5” MEANS APPENDIX 5 OF TRACK 5 OF THE DIFFERENTIATED CASE MANAGEMENT PLAN OF THE CIRCUIT COURT FOR BALTIMORE CITY.”

On page 3, after line 6, insert:

“(E) THE DIRECTOR SHALL ESTABLISH PROCEDURES FOR THE EFFECTIVE MEDIATION OF ASBESTOS CASES, INCLUDING PROCEDURES FOR THE USE OF NEUTRAL EXPERTS AND DISCOVERY.”;

and strike in their entirety lines 8 through 30, inclusive, and substitute:

“(A) (1) BEFORE HOLDING OR SCHEDULING A STATUS CONFERENCE FOR AN ACTIVE ASBESTOS CASE, INCLUDING A FORMERLY INACTIVE ASBESTOS CASE THAT BECOMES ACTIVE, THE COURT SHALL REFER THE ASBESTOS CASE TO THE OFFICE FOR MEDIATION.

(2) (I) EITHER PARTY IN AN ASBESTOS CASE MAY SEEK MEDIATION UNDER THIS SUBTITLE BY SUBMITTING TO THE COURT A WRITTEN REQUEST TO PARTICIPATE IN MEDIATION.

(II) ON RECEIPT OF A WRITTEN REQUEST FOR MEDIATION, THE COURT SHALL REFER THE ASBESTOS CASE TO THE OFFICE FOR MEDIATION.

(B) (1) AN INDIVIDUAL PLAINTIFF WHO HAS BEEN DIAGNOSED WITH MESOTHELIOMA MAY ELECT TO FOREGO THE MEDIATION PROCESS AT ANY TIME BY NOTIFYING THE COURT AND THE DIRECTOR IN WRITING.

(2) SUBJECT TO SUBSECTION (H) OF THIS SECTION, ON RECEIPT OF WRITTEN NOTICE OF AN ELECTION UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COURT SHALL PROCEED WITH THE CASE IN ACCORDANCE WITH TRACK 5.

(C) PRIORITY FOR MEDIATION OF AN ASBESTOS CASE UNDER THIS SUBTITLE SHALL BE GIVEN TO CASES INVOLVING SERIOUS ILLNESS, INCLUDING MESOTHELIOMA, LUNG CANCER, AND ANY OTHER TYPE OF CANCER.

(D) SUBJECT TO SUBSECTION (B)(1) OF THIS SECTION, ALL PARTIES REFERRED TO THE OFFICE FOR MEDIATION SHALL PARTICIPATE IN THE MEDIATION PROCESS.

(E) SUBJECT TO SUBSECTION (H) OF THIS SECTION, IF THE PARTIES TO AN ASBESTOS CASE ARE UNABLE TO REACH AN AGREEMENT THROUGH THE MEDIATION PROCESS, THE DIRECTOR SHALL NOTIFY THE COURT OF THE CONCLUSION OF MEDIATION, AND THE COURT SHALL PROCEED WITH THE ASBESTOS CASE IN ACCORDANCE WITH TRACK 5.

(F) THE COURT MAY NOT PROCEED WITH AN ASBESTOS CASE REFERRED TO THE OFFICE FOR MEDIATION BEFORE RECEIVING NOTICE OF THE ELECTION TO FOREGO MEDIATION UNDER SUBSECTION (B) OF THIS SECTION OR THE CONCLUSION OF MEDIATION UNDER SUBSECTION (E) OF THIS SECTION.

(G) (1) UNLESS OTHERWISE AGREED TO BY THE PARTIES, THE COSTS OF MEDIATION SHALL BE DIVIDED EQUALLY BETWEEN THE PARTIES.

(2) THE PARTIES MAY NOT BE HELD RESPONSIBLE FOR THE OFFICE'S OPERATIONAL COSTS.

(H) IF TRACK 5 IS CHANGED, MODIFIED, ELIMINATED, OR RESCINDED, THE COURT SHALL PROCEED WITH THE ASBESTOS CASE IN ACCORDANCE WITH TRACK 5, AS IT EXISTED ON MARCH 29, 2019, AND, IF APPLICABLE, THE ORDER

ESTABLISHING A RIGHT-OF-WAY TRIAL QUEUE FOR LIVING MESOTHELIOMA CASES, GRANTED AND FILED IN THE CIRCUIT COURT FOR BALTIMORE CITY ON FEBRUARY 27, 2013.

3-18A-04.

ON OR BEFORE JANUARY 1 EACH YEAR, THE DIRECTOR SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, ON THE ACTIVITIES OF THE OFFICE FOR THE PRECEDING CALENDAR YEAR.”.

The preceding 2 amendments were read only.

Senator Reilly moved to make the Bill and Amendments a Special Order for April 2, 2019.

The motion was adopted.

**MESSAGE FROM THE HOUSE OF DELEGATES NO. 8
SENATE BILLS PASSED BY YEAS AND NAYS**

BILL NO.	SPONSOR	CONTENT
SB 215	Sen. Edwards	Allegany County and Garrett County – School Buses – Length of Operation
SB 237	Sen. Carter	Vehicle Laws – Canceled, Revoked, and Suspended Driver’s Licenses – Penalties
SB 393	Joint Committee on Federal Relations	Atlantic States Marine Fisheries Compact – Amendment I – Adoption
SB 439	The President	State Board of Barbers – Sunset Extension
SB 440	The President	State Board of Cosmetologists – Sunset Extension
SB 451	Sen. West	Baltimore County – Development Impact Fees – Authorization and Use of Funds

BILL NO.	SPONSOR	CONTENT
SB 693	Sen. Kramer	Maryland Personal Information Protection Act – Security Breach Notification Requirements – Modifications
SB 695	Sen. Kramer	Maryland Commercial Receivership Act

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

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

**MESSAGE FROM THE HOUSE
INTRODUCTORY HOUSE BILLS NO. 29**

House Bill 795 – ~~Delegate Valderrama~~ Delegates Branch and Glenn

AN ACT concerning

~~Workers' Compensation – Provision of Medical Services and Treatment – Notification to Seek Treatment~~ Permanent Partial Disability – Baltimore City Deputy Sheriffs

FOR the purpose of ~~requiring a covered employee, under certain circumstances, to provide the claimant's employer, the employer's insurer, or the Uninsured Employer's Fund certain notification at least a certain number of days before undergoing medical treatment; requiring that medical treatment sought by the covered employee be presumed to be unrelated to an accidental personal injury except under certain circumstances if the notification required under a certain provision of this Act is not provided; making a stylistic change; making a conforming change; and generally relating to the provision of medical services and treatment under the workers' compensation law~~ providing for enhanced workers' compensation benefits for a Baltimore City deputy sheriff for a compensable permanent partial disability of less than a certain number of weeks; providing for the application of this Act; and generally relating to workers' compensation benefits for Baltimore City deputy sheriffs.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section ~~9-660~~ 9-628(a)(9) and (10)
Annotated Code of Maryland
(2016 Replacement Volume and 2018 Supplement)

BY adding to

Article – Labor and Employment

Section 9–628(a)(11)

Annotated Code of Maryland

(2016 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 9–628(h) and 9–629

Annotated Code of Maryland

(2016 Replacement Volume and 2018 Supplement)

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

House Bill 956 – Delegates Mosby, Walker, Anderson, Conaway, Glenn, Haynes, Ivey, Jalisi, R. Lewis, ~~and Turner~~ Turner, Ebersole, Feldmark, Guyton, Luedtke, Palakovich Carr, Patterson, Shoemaker, Smith, Washington, and Wilkins

AN ACT concerning

Income Tax – Lead Remediation Credit

FOR the purpose of allowing an individual or a corporation to claim a credit against the State income tax under certain circumstances for certain costs incurred for an approved lead hazard reduction project with respect to certain property located in Baltimore City; providing for calculation of the credit; disallowing the credit for costs for which the taxpayer has received a grant or loan under certain State programs; providing for the carryover of unused credit; providing for submission of proposals for lead hazard reduction projects to the Department of Housing and Community Development for approval; limiting the total amount of credits that the Department may approve for any fiscal year; prohibiting certain false statements; providing a certain penalty for certain violations; requiring the Department to adopt certain regulations; defining certain terms; providing for the application and termination of this Act; and generally relating to a credit against the State income tax for certain approved lead hazard reduction projects.

BY adding to

Article – Tax – General

Section 10–749

Annotated Code of Maryland

(2016 Replacement Volume and 2018 Supplement)

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

House Bill 1002 – Delegates J. Lewis, Atterbeary, Bridges, Carr, Charkoudian, Conaway, Cox, Crutchfield, D.M. Davis, Dumais, W. Fisher, Glenn, Guyton, Hettleman, Jalisi, Kelly, Korman, Lierman, Lopez, Love, Luedtke, Moon, Mosby, Palakovich Carr, Queen, Shetty, Stewart, Sydnor, Turner, R. Watson, Wells, and Wilkins

AN ACT concerning

Correctional Services – Restrictive Housing – Direct Release

FOR the purpose of prohibiting the Commissioner of ~~Corrections~~ Correction from ~~directly releasing an inmate who has been placed in restrictive housing from a facility to the community without providing the inmate a certain transitional process and within a certain time period from release; establishing the requirements of a certain transitional process; prohibiting an inmate from being placed in restrictive housing within a certain number of days of release, except under certain circumstances; requiring a certain inmate to receive certain placement authorization in a certain manner; requiring the Commissioner to document a certain action in a certain manner; requiring a certain inmate to receive a copy of a certain release plan and information under certain circumstances;~~ prohibiting an inmate placed in restrictive housing from having access to a transitional coordinator or case manager within a certain period before the direct release of the inmate from a correctional facility to the community; defining a certain term; and generally relating to restrictive housing of inmates.

BY repealing and reenacting, without amendments,
 Article – Correctional Services
 Section 9–614(a)
 Annotated Code of Maryland
 (2017 Replacement Volume and 2018 Supplement)

BY adding to
 Article – Correctional Services
 Section 9–614.1
 Annotated Code of Maryland
 (2017 Replacement Volume and 2018 Supplement)

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

House Bill 1003 – Delegates Valderrama, D.E. Davis, and Lisanti

AN ACT concerning

Vehicle Laws – Rental Vehicles – Security

FOR the purpose of establishing that the owner of a rental vehicle may satisfy a certain insurance requirement by maintaining a certain security that is ~~primary under~~

~~certain circumstances and~~ secondary to any other valid and collectible coverage under certain circumstances and subject to a certain exception; providing that security maintained by the owner of a rental vehicle or replacement vehicle is primary under certain circumstances; establishing a certain insurer's right to subrogation for certain damages under certain circumstances; requiring the owner of a rental vehicle to provide a certain notice to the renter of the rental vehicle; authorizing certain persons to request certain information from a motor vehicle rental company in a certain manner; requiring a motor vehicle rental company to disclose certain information about a person that rents or is authorized to drive a rental vehicle to a certain person under certain circumstances; requiring a motor vehicle rental company to make a reasonable effort to obtain and disclose certain information about the person who was driving the rental vehicle at the time of the adverse event under certain circumstances; providing a certain exception to the requirement that a motor vehicle rental company disclose certain information; prohibiting a motor vehicle rental company from being compelled to disclose certain additional information; establishing a certain immunity from liability for a motor vehicle rental company that discloses certain information in accordance with this Act, subject to a certain exception; providing that a motor vehicle rental company shall be required to provide certain security on a primary basis for certain claims under certain circumstances; providing for the application of this Act; defining certain terms; and generally relating to required security for certain rental vehicles.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 17–103

Annotated Code of Maryland

(2012 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 17–104 and 18–102

Annotated Code of Maryland

(2012 Replacement Volume and 2018 Supplement)

BY adding to

Article – Transportation

Section 17–104.3 and 18–106

Annotated Code of Maryland

(2012 Replacement Volume and 2018 Supplement)

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

House Bill 1366 – Delegates Cain, Bagnall, Bartlett, Chang, Charkoudian, Feldmark, Guyton, Kerr, Lehman, Lierman, Palakovich Carr, ~~Pena–Melnyk, Smith, Solomon, and C. Watson~~ C. Watson, and Lafferty

AN ACT concerning

**Maryland Association of Environmental and Outdoor Education Grant
(Maryland Green Schools Act of 2019)**

FOR the purpose of requiring the Governor to include a certain amount in the State budget for certain fiscal years to increase the number of green schools in the State; specifying the purposes for which the funds may be used; requiring that a certain evaluation be conducted in a certain manner, examine certain issues, and be provided to certain persons; and generally relating to green schools.

BY adding to

Article – Education

Section 7–117

Annotated Code of Maryland

(2018 Replacement Volume and 2018 Supplement)

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

House Bill 1390 – Delegates Smith, Anderson, Boyce, Bridges, Conaway, and Mosby

AN ACT concerning

Baltimore City – Property Tax Credit – Low–Income Employees

FOR the purpose of 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 dwellings in Baltimore City that are owned by certain employees of Baltimore City under certain circumstances; providing that the credit may not exceed a certain amount; 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 low–income employees of Baltimore City.

BY adding to

Article – Tax – Property

Section 9–304(k)

Annotated Code of Maryland

(2012 Replacement Volume and 2018 Supplement)

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

LAID OVER CALENDAR NO. 26

House Bill 66 – ~~Delegate Stein~~ Delegates Stein, Boyce, Bridges, Fraser–Hidalgo, Harrison, Lehman, Stewart, and Wells

AN ACT concerning

Railroad Company – Movement of Freight – Required Crew

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENT (1) OFFERED FROM THE FLOOR BY SENATOR HERSHEY.

FLOOR AMENDMENT

HB0066/833729/1

BY: Senator Hershey

AMENDMENT TO HOUSE BILL 66

(Third Reading File Bill)

On page 1, in line 5, after “Act;” insert “providing that this Act does not apply to trains used for a certain purpose;”.

On page 2, in line 1, after “(1)” insert “IN THIS SUBSECTION, “PASSENGER OR COMMUTER TRAIN” DOES NOT INCLUDE A TRAIN USED FOR SEASONAL PASSENGER EXCURSIONS.”

(2)”;

and in lines 4, 8, 11, and 20, strike “(2)”, “(3)”, “(4)”, and “(5)”, respectively, and substitute “(3)”, “(4)”, “(5)”, and “(6)”, respectively.

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

Affirmative – 17 Negative – 29 (See Roll Call No. 925)

Read the second time and ordered prepared for Third Reading.

FINANCE COMMITTEE REPORT NO. 44

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

House Bill 38 – Delegate Carr

AN ACT concerning

Labor and Employment – Noncompete and Conflict of Interest Clauses**HB0038/247176/1**

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 38

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 18, strike the colon and substitute “**THE STATE MINIMUM WAGE SET UNDER § 3-413 OF THIS TITLE OR THE APPLICABLE LOCAL MINIMUM WAGE, WHICHEVER IS GREATER; AND**”.

AMENDMENT NO. 2

On page 1, in line 5, after “application” insert “and construction”.

On page 2, strike in their entirety lines 1 and 2; after line 14, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be construed to affect a determination by a court in an action involving a noncompete or conflict of interest provision that is not subject to Section 1 of this Act.”;

and in line 15, 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 Kelley, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 84 – Delegates Charkoudian, Hettleman, Feldmark, Glenn, Guyton, Hill, Jackson, Korman, Lehman, R. Lewis, Lierman, McIntosh, Queen, Smith, Stewart, Terrasa, Washington, C. Watson, and Wilkins

AN ACT concerning

Maryland Farms and Families Fund – Purpose, Use, Funding, and Grant Qualifications – Alterations

HB0084/717279/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 84

(Third Reading File Bill)

On page 4, in line 11, after “(a)” insert “**(1)**”; in lines 14, 17, 18, 19, and 21, strike “(1)”, “**(2)**”, “**(3)**”, “**(4)**”, and “**(5)**”, respectively, and substitute “**(I)**”, “**(II)**”, “**(III)**”, “**(IV)**”, and “**(V)**”, respectively; and after line 22, insert:

“(2) IN ADDITION TO THE REQUIREMENTS UNDER PARAGRAPH (1) OF THIS SUBSECTION, IN AWARDING A GRANT IN ACCORDANCE WITH THIS SUBTITLE, THE DEPARTMENT MAY CONSIDER WHETHER THE NONPROFIT ORGANIZATION HAS A DEMONSTRATED RECORD OF PROVIDING SERVICES IN FOOD DESERTS.”

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 201 – Delegates Korman, Acevero, Bartlett, Boyce, Crutchfield, Gaines, Haynes, Hettleman, Hill, Ivey, Jalisi, Johnson, Jones, R. Lewis, Lierman, Love, Luedtke, Palakovich Carr, Patterson, Pendergrass, Shetty, Stewart, Sydnor, Terrasa, Valderrama, and P. Young

AN ACT concerning

**Maryland Transit Administration – State Employees ~~Subject to Collective Bargaining~~ – Free Ridership
(Transit Benefit for State Employees)**

HB0201/827178/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 201

(Third Reading File Bill)

On page 2, in lines 29 and 30, strike “:

(1)".

On pages 2 and 3, strike beginning with the semicolon in line 31 on page 2 down through "government" in line 2 on page 3.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 362 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Maryland–National Capital Park and Planning Commission – Collective Bargaining – Exclusive Representative Duty of Fair Representation

MC/PG 109–19

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 520 – Delegates Lierman, Jones, Bagnall, Boyce, Bridges, Charkoudian, Clippinger, Conaway, Ebersole, Feldmark, Glenn, Hettleman, Ivey, Jalisi, Korman, Krimm, Lafferty, Lehman, R. Lewis, McIntosh, Palakovich Carr, Sample–Hughes, Smith, Solomon, Valderrama, ~~and Wells~~ Wells, Brooks, Bartlett, Terrasa, Pendergrass, Pena–Melnyk, Barron, Bhandari, Carr, Charles, Cullison, Hill, Johnson, Kerr, Rosenberg, and K. Young

AN ACT concerning

Prenatal and Infant Care Coordination – Grant Funding and Task Force

HB0520/297770/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 520

(Third Reading File Bill)

On page 3, in line 17, strike “and”; and in line 20, after “Hospital” insert “;

(x) one representative of the Maryland Patient Safety Center; and

(xi) one representative of the Maryland Section of the American College of Obstetricians and Gynecologists”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 570 – Delegates Sample–Hughes, Barron, Crutchfield, Ghrist, Kelly, Krebs, R. Lewis, Patterson, ~~and K. Young~~ K. Young, Pendergrass, Pena–Melnyk, Bagnall, Bhandari, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kerr, Kipke, Metzgar, Morgan, Rosenberg, Saab, and Szeliga

AN ACT concerning

Behavioral Health Programs – Medical Directors – Telehealth

Favorable report adopted.

FLOOR AMENDMENT

HB0570/413929/1

BY: Senator McCray

AMENDMENTS TO HOUSE BILL 570

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Behavioral Health Programs” and substitute “Outpatient Mental Health Centers”; in line 5, after “program” insert “licensed as an outpatient mental health center”; and in line 9, strike “behavioral health programs” and substitute “outpatient mental health centers”.

AMENDMENT NO. 2

On page 2, in line 12, after “PROGRAM” insert “LICENSED AS AN OUTPATIENT MENTAL HEALTH CENTER”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 583 – Delegates Wilkins, Crosby, Ebersole, Hettleman, Hill, Ivey, Jalisi, Lehman, R. Lewis, Queen, Sample–Hughes, Shetty, Smith, Solomon, Sydnor, Valentino–Smith, Wilson, ~~and K. Young~~ K. Young, Pendergrass, Pena–Melnyk, Bagnall, Barron, Bhandari, Carr, Charles, Chisholm, Cullison, Johnson, Kerr, Krebs, Metzgar, Morgan, Rosenberg, Saab, and Szeliga

AN ACT concerning

Health – Maternal Mortality Review Program – Recommendations and Reporting Requirement

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 589 – Delegates Barron ~~and Kipke~~, Kipke, Pendergrass, Pena–Melnyk, Bagnall, Bhandari, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kelly, Kerr, Krebs, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Sample–Hughes, Szeliga, and K. Young

EMERGENCY BILL

AN ACT concerning

Maryland Medical Assistance Program and Managed Care Organizations That Use Pharmacy Benefits Managers – ~~Reimbursement Requirements~~ Audit and Professional Dispensing Fees

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

FINANCE COMMITTEE REPORT NO. 45

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

House Bill 592 – The Speaker (By Request – Office of the Attorney General) and Delegates Atterbeary, D.E. Davis, Fennell, Gaines, Kelly, Sample–Hughes, Stein, ~~and Wilson~~ Wilson, Pendergrass, Pena–Melnyk, Bagnall, Barron, Bhandari, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kerr, Kipke, Krebs, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Szeliga, and K. Young

AN ACT concerning

**Health Care Facilities – Comprehensive and Extended Care Facilities –
Discharges and Transfers**

HB0592/237372/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 592

(Third Reading File Bill)

On page 9, in line 13, after the semicolon insert “AND”; and strike beginning with the semicolon in line 16 down through “ENVIRONMENT” in line 18.

On page 10, in line 28, strike “(c)(3)” and substitute “(D)(3)”; and in line 29, after the bracket insert “AND”.

On page 11, strike beginning with “(3)” in line 6 down through the semicolon in line 7; and in lines 10 and 14, strike “(4)” and “(5)”, respectively, and substitute “(3)” and “(4)”, respectively.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 751 – Delegate Hill

AN ACT concerning

Health Insurance – Prior Authorization – Requirements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 759 – Delegates Morgan, Buckel, Carr, Charles, Chisholm, Hill, Kelly, Kerr, Kipke, Krebs, Pena–Melnik, Saab, Sample–Hughes, ~~and Szeliga~~ Szeliga, Pendergrass, Bagnall, Barron, Bhandari, Cullison, Johnson, R. Lewis, Metzgar, Rosenberg, and K. Young

AN ACT concerning

Pharmacy Benefits Managers – Pharmacy Choice

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 829 – Delegates Ghrist, Adams, Kelly, Mautz, ~~and Sample–Hughes~~ Sample–Hughes, Pendergrass, Pena–Melnik, Bagnall, Barron, Bhandari, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kerr, Kipke, Krebs, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Szeliga, and K. Young

AN ACT concerning

Health Insurance – Provider Panels – Graduate Providers

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 838 – Delegates Valentino–Smith, Acevero, Hettleman, Krimm, Lierman, Solomon, Terrasa, and P. Young

AN ACT concerning

Food Supplement Program – Restaurant Meals Program

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 994 – Delegates Mosby, Acevero, Barron, Boyce, Bridges, Brooks, Charles, W. Fisher, Holmes, Ivey, Lierman, Moon, Pena–Melnik, Proctor, Sample–Hughes, Smith, Turner, Wells, and Wilkins

AN ACT concerning

**Labor and Employment – Criminal Record Screening Practices
(Ban the Box)**

HB0994/747070/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 994

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “including” in line 12 down through “applicant” in line 14 and substitute “requiring an applicant for employment to disclose certain information regarding the criminal record of the applicant except under certain circumstances before the first in–person interview; providing that certain provisions of this Act do not prohibit an employer from making a certain inquiry or taking certain other action”; in line 15, after “employers;” insert “requiring the Commissioner on a certain determination to resolve certain issues informally by mediation; authorizing the Commissioner to ask the Attorney General to bring a certain action on behalf of certain applicants under certain circumstances; authorizing the Attorney General to bring a certain action in a certain county under certain circumstances for injunctive relief, damages, or other relief”; strike line 23 in its entirety and substitute “establishing a certain civil penalty”.

On page 2, strike beginning with “authorizing” in line 1 down through “Act,” in line 5; and in line 14, strike “3–1405” and substitute “3–1406”.

AMENDMENT NO. 2

On page 4, in line 15, after “(4)” insert “**THE MARKING OF A CHARGE “STET” ON THE DOCKET;**”

(5)”;

in line 16, strike “(5)” and substitute “(6)”; and strike beginning with the colon in line 19 down through “(II)” in line 21.

On page 5, in line 4, strike “(A)”; in line 8, strike “FEDERAL OR STATE” and substitute “FEDERAL, STATE, OR LOCAL”; strike in their entirety lines 11 through 14, inclusive; in line 16, before “AN” insert “(A)”; in the same line, strike “AN” and substitute “EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, AN”; and strike beginning with “INCLUDE” in line 29 down through “APPLICANT” in line 32 and substitute “, AT ANY TIME BEFORE THE FIRST IN-PERSON INTERVIEW REQUIRE AN APPLICANT TO DISCLOSE WHETHER THE APPLICANT HAS A CRIMINAL RECORD OR HAS HAD CRIMINAL ACCUSATIONS BROUGHT AGAINST THE APPLICANT.”

(B) AN EMPLOYER MAY REQUIRE AN APPLICANT TO DISCLOSE DURING THE FIRST INTERVIEW WITH THE APPLICANT WHETHER THE APPLICANT HAS A CRIMINAL RECORD OR HAS HAD CRIMINAL ACCUSATIONS BROUGHT AGAINST THE APPLICANT”.

On page 6, after line 10, insert:

“(A) (1) WHENEVER THE COMMISSIONER DETERMINES THAT THIS SUBTITLE HAS BEEN VIOLATED, THE COMMISSIONER SHALL TRY TO RESOLVE ANY ISSUE INVOLVED IN THE VIOLATION INFORMALLY BY MEDIATION.

(2) IF MEDIATION UNDER PARAGRAPH (1) OF THIS SUBSECTION IS UNSUCCESSFUL, THE COMMISSIONER MAY ASK THE ATTORNEY GENERAL TO BRING AN ACTION ON BEHALF OF THE APPLICANT OR EMPLOYEE.

(B) THE ATTORNEY GENERAL MAY BRING AN ACTION UNDER THIS SECTION IN THE COUNTY WHERE THE VIOLATION ALLEGEDLY OCCURRED, FOR INJUNCTIVE RELIEF, DAMAGES, OR OTHER RELIEF.”;

after line 11, insert “3-1405.”; and in line 16, strike “3-1405.”.

On pages 6 and 7, strike in their entirety the lines beginning with line 25 on page 6 through line 12 on page 7, inclusive, and substitute:

“3-1406.

AN EMPLOYER WHO VIOLATES ANY PROVISION OF THIS SUBTITLE IS SUBJECT TO A CIVIL FINE NOT EXCEEDING \$500 FOR EACH VIOLATION.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1066 – Delegates Valentino–Smith, Lierman, and P. Young

AN ACT concerning

Family Investment Program – ~~Transitional Assistance for Education Pilot Program~~ Work Activity Requirement – Authorized Activities and Report

HB1066/347375/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1066

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 23, after “certain” insert “vocational education or”; and in the same line, strike “or vocational training”.

AMENDMENT NO. 2

On page 4, in line 10, strike “EDUCATIONAL TRAINING THAT IS DIRECTLY RELATED TO EMPLOYMENT AND” and substitute “EDUCATION THAT”; in line 19, strike “BUDGET AND TAXATION” and substitute “FINANCE”; in line 21, after “SUBSECTION” insert “TO NEW APPLICANTS”; and in lines 29 and 30, strike “EDUCATION OR VOCATIONAL EDUCATIONAL TRAINING” and substitute “VOCATIONAL EDUCATION OR EDUCATION”.

On page 5, in lines 1 and 2, 5, 9 and 10, and 12 and 13, in each instance, strike “EDUCATION OR VOCATIONAL EDUCATIONAL TRAINING” and substitute “VOCATIONAL EDUCATION OR EDUCATION”; in line 13, strike “PROGRAM” and substitute “PROGRAMS”; and in line 16, strike “EDUCATIONAL TRAINING” and substitute “EDUCATION”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1246 – Delegates Fraser–Hidalgo, Barve, Charkoudian, Clippinger, Hill, Korman, Lierman, Shetty, ~~and Wilkins~~ Wilkins, Attar, Boyce, Harrison, Healey, Holmes, Jalisi, Lafferty, Lehman, Love, Stein, Stewart, and Wells

AN ACT concerning

~~Plug-In Electric Drive Vehicle Excise Tax Credit~~
Clean Cars Act of 2019

HB1246/767672/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1246
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, strike in their entirety lines 18 through 22, inclusive.

AMENDMENT NO. 2

On page 5, strike in their entirety lines 32 through 35, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1280 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Collective Bargaining – Technical Unit

MC/PG 114-19

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

FINANCE COMMITTEE REPORT NO. 47

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

House Bill 754 – ~~Delegate Kipke~~ Delegates Kipke, Pendergrass, Pena-Melnyk, Bagnall, Barron, Bhandari, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kelly, Kerr, Krebs, R. Lewis, Metzgar, Morgan, Rosenberg, Sample-Hughes, Szeliga, and K. Young

EMERGENCY BILL

AN ACT concerning

Health Insurance and Pharmacy Benefits Managers – Cost Pricing and Reimbursement

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 822 – Delegates Hettleman, Acevero, Korman, Terrasa, Valentino-Smith, and P. Young

AN ACT concerning

University System of Maryland – Regular Employees – Grievance Procedures and Disciplinary Actions

HB0822/837572/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 822

(Third Reading File Bill)

On page 1, strike beginning with “requiring” in line 7 down through the first semicolon in line 8.

On page 3, in lines 11 and 16, strike “(1)” and “(2)”, respectively; in lines 13, 14, and 15, strike “(I)”, “(II)”, and “(III)”, respectively, and substitute “(1)”, “(2)”, and “(3)”, respectively; strike beginning with “THE” in line 18 down through the period in line 20; and in line 26, strike “(3)” and substitute “(C)”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 885 – Delegates Palakovich Carr, Acevero, Barve, Boyce, Bridges, Carr, Charkoudian, Conaway, Crutchfield, Dumais, Ebersole, Feldmark, Guyton, Harrison, Healey, Hettleman, Hill, Ivey, Kaiser, Kelly, Korman, Lafferty, Lehman, R. Lewis, Lierman, Love, Luedtke, Moon, Mosby, Qi, Queen, Shetty, Smith, Solomon, Stewart, Terrasa, Wells, Wilkins, and P. Young

AN ACT concerning

Transportation – Vision Zero – Establishment

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1122 – Delegates Hornberger, Buckel, Kipke, ~~and Patterson~~ Patterson, Pena-Melnyk, Bagnall, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kelly, Kerr, Krebs, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Sample-Hughes, Szeliga, and K. Young

AN ACT concerning

**Behavioral Health Programs – Outpatient Mental Health Centers –
Requirements for Medical Directors**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 49 CONSENT NO. 22**

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

BILL NO.	REPORT	SPONSOR	CONTENT
<u>FAVORABLE</u>			
HB 360	FAV	St. Mary's County Delegation	St. Mary's County – Alcoholic Beverages – Sunday Sales at a Bar or Counter
HB 388	FAV	Charles County Delegation	Charles County – Alcoholic Beverages – View of Licensed Premises
HB 389	FAV	Charles County Delegation	Charles County – Alcoholic Beverages – Resort Complex License
HB 438	FAV	Charles County Delegation	Charles County – Alcoholic Beverages – Golf Course Privilege
HB 701	FAV	Washington County Delegation	Washington County – Alcoholic Beverages – Sunday Hours of Sale
HB 803	FAV	Harford County Delegation	Harford County – Alcoholic Beverages – Annual Financial Audit
HB 805	FAV	Harford County Delegation	Harford County – Alcoholic Beverages – Continuing Care Facility for the Aged License

BILL NO.	REPORT	SPONSOR	CONTENT
HB 869	FAV	Howard County Delegation	Howard County – Alcoholic Beverages – Marketplace License Ho. Co. 06–19
HB 960	FAV	Del. Mosby	Baltimore City – Alcoholic Beverages Licenses – Prohibited Transfers
HB 982	FAV	St. Mary’s County Delegation	St. Mary’s County – Alcoholic Beverages – Class C Per Diem Licenses
HB 1149	FAV	Harford County Delegation	Harford County – Alcoholic Beverages – Filing Period for Renewal Applications

Favorable report adopted on all of the preceding bills.

The preceding bills were read the second time and ordered prepared for Third Reading.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 50**

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

House Bill 28 – Delegate Clark

AN ACT concerning

Natural Resources – Shellfish Nursery Operations – Wetlands License Requirements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 272 – Delegates Lafferty, B. Barnes, Cain, Cassilly, Dumais, Gilchrist, Impallaria, Lehman, Lierman, Lisanti, Love, Stewart, Wells, and P. Young

AN ACT concerning

Natural Resources – State and Local Forest Conservation Funds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 349 – Delegates Jacobs, Adams, Arentz, Ghrist, ~~and Hornberger~~
Hornberger, Cassilly, and Love**

AN ACT concerning

~~**Limited Fishing Guide License Natural Resources – Payment for Service**~~
Special Charter Boat License – Alteration

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 618 – Delegate Adams

AN ACT concerning

Dorchester County – Sunday Hunting – Deer Bow Hunting Season

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 619 – Delegate Adams

AN ACT concerning

Dorchester County – Sunday Hunting – Deer Muzzle Loader Season

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 620 – Delegate Adams

AN ACT concerning

Dorchester County – Sunday Hunting – Deer Firearms Season

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 639 – ~~Delegates Howard, Bagnall, Bartlett, Cain, Carey, Chang, Chisholm, Kipke, Lehman, Malone, Pena-Melnyk, Rogers, and Saab~~ Anne Arundel County Delegation

AN ACT concerning

~~Anne Arundel County~~ **Public Safety – Buildings Used for Agritourism**

HB0639/994338/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 639

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “agritourism” insert “in Allegany County, Anne Arundel County, Baltimore County, Kent County, Prince George’s County, and St. Mary’s County”.

AMENDMENT NO. 2

On page 2, in lines 5 and 22, in each instance, after “**ANNE ARUNDEL COUNTY,**” insert “**BALTIMORE COUNTY,**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 51 CONSENT NO. 23**

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

BILL NO.	REPORT	SPONSOR	CONTENT
<u>FAVORABLE</u>			
HB 761	FAV	Del. Patterson	Health – Sickle Cell Disease – Steering Committee and Services
HB 876	FAV	Del. Hettleman	Higher Education – Policy on Student Concerns About Athletic Programs and Activities
HB 924	FAV	Del. Cullison	State Board of Physicians – Registered Cardiovascular Invasive Specialists
HB 1081	FAV	Del. Charkoudian	State Board of Public Accountancy – Firm Permits – Attest Services
HB 1099	FAV	The Speaker	State Athletic Commission – Sunset Extension
HB 1186	FAV	Del. Ebersole	Nonpublic Schools – Fire Drill Requirements – State Fire Prevention Code
HB 1228	FAV	Del. Arentz	State Real Estate Commission – Real Estate Brokerage Relationships, Continuing Education, and Disclosures

Favorable report adopted on all of the preceding bills.

The preceding bills were read the second time and ordered prepared for Third Reading.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 52**

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

House Bill 132 – Delegates Reznik, Acevero, Bagnall, Barve, Beitzel, Bhandari, Boyce, Buckel, Crutchfield, Ebersole, Gaines, Haynes, Jones, Kipke, R. Lewis, Lierman, McKay, Pena–Melnyk, Shetty, Stewart, Terrasa, Wells, ~~and K. Young~~ K. Young, Washington, and Palakovich Carr

AN ACT concerning

Education – Robotics Grant Program – Alterations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 238 – Delegates Atterbeary, Ebersole, Hill, Miller, Pendergrass, Shetty, and Terrasa

AN ACT concerning

Education – Removal of County Superintendents – Procedures

Senator Lam moved to make the Bill and Report a Special Order for April 2, 2019.

The motion was adopted.

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

House Bill 268 – Delegates Beitzel, Buckel, and McKay

AN ACT concerning

Maryland Community College Promise Scholarship Program – Alterations to the Award of Scholarship Funds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 364 – Delegates Bagnall, Acevero, Arikan, Bartlett, Cain, Charkoudian, Chisholm, Feldmark, Guyton, Ivey, Johnson, Kerr, Kipke, Lehman, J. Lewis, R. Lewis, Malone, Metzgar, Moon, Palakovich Carr, Pendergrass, Reznik, Rogers, Shetty, Stewart, Terrasa, Wells, ~~and K. Young~~ K. Young, Barron, Bhandari, Carr, Charles, Hill, Kelly, Krebs, Morgan, Pena–Melnyk, Rosenberg, and Sample–Hughes

AN ACT concerning

Health Care Practitioners – Medical Examinations on Anesthetized or Unconscious Patients

HB0364/614230/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 364
(Third Reading File Bill)

On page 2, in line 7, strike “THE”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 404 – ~~Delegate R. Lewis~~ Delegates R. Lewis, Bagnall, Bhandari, and Hill

SECOND PRINTING

AN ACT concerning

State Acupuncture Board – Practice of Acupuncture – Definition and Education Requirements

HB0404/584139/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 404
(Third Reading File Bill – Second Printing)

On page 1, in line 4, after “program” insert “or its equivalent”; in line 5, strike “repealing” and substitute “altering”; and in line 7, strike “a certain course” and substitute “certain courses”.

On page 3, in line 12, after “PROGRAM” insert “OR ITS EQUIVALENT”; in line 15, strike “OR”; in line 18, strike the bracket; in line 19, strike “by the Accreditation Commission for Acupuncture and Oriental Medicine” and substitute “OR ACCREDITED UNDER ITEM 1 OR 2 OF THIS ITEM”; and in the same line, strike the bracket.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 471 – Delegates K. Young, Pendergrass, R. Lewis, ~~and Sample-Hughes~~ Sample-Hughes, Pena-Melnyk, Bagnall, Bhandari, Carr, Charles, Chisholm, Cullison, Kelly, Kerr, Kipke, Krebs, Metzgar, Rosenberg, Saab, and Szeliga

AN ACT concerning

**Health Occupations – Requirements for the Practice of Optometry –
Miscellaneous Revisions**

HB0471/244637/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 471

(Third Reading File Bill)

On page 17, strike in their entirety lines 15 through 17, inclusive; and in line 18, strike “**(I)**” and substitute “**(H)**”.

On page 18, after line 5, insert:

“(I) “THERAPEUTICALLY CERTIFIED OPTOMETRIST” MEANS A LICENSED OPTOMETRIST WHO IS CERTIFIED BY THE BOARD TO PRACTICE OPTOMETRY TO THE EXTENT PERMITTED UNDER § 11-404.2 OF THIS TITLE.”

On page 24, in line 1, after the closing bracket insert “**IN**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 633 – Delegates Lierman, Acevero, B. Barnes, Hettleman, McIntosh, Solomon, Terrasa, Valentino-Smith, and P. Young

AN ACT concerning

**Higher Education – Legal Representation Fund for Title IX Proceedings –
Established**

HB0633/264336/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 633

(Third Reading File Bill)

On page 3, strike beginning with “**MONEY**” in line 12 down through “**(K)**” in line 16.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 648 – ~~Delegate Bagnall~~ Delegates Bagnall, Barron, Bhandari, Charles, Chisholm, Hill, Krebs, Metzgar, Morgan, Pena–Melnyk, and Saab

AN ACT concerning

Interstate Physical Therapy Licensure Compact

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 54**

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

House Bill 87 – Delegates Ebersole, Cain, Carey, Charkoudian, Feldmark, Guyton, Hettleman, Ivey, Kerr, Korman, Luedtke, Moon, Mosby, Palakovich Carr, Patterson, Smith, Solomon, Terrasa, Turner, C. Watson, and Wilkins

AN ACT concerning

State Board of Education – Membership – Teachers and Parent

HB0087/444133/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 87

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Teachers” and substitute “Teacher”; in the same line, after “Parent” insert “Members”; in line 4, strike “certain number of members who are certified teachers with certain experience” and substitute “certain certified teacher”; in lines 5 and 7, in each instance, strike “members” and substitute “member”; in line 6, strike

“individuals are” and substitute “individual is”; in line 7, after “appoint” insert “a”; in line 12, after “the” insert “State”; in the same line, after “Department” insert “of Education”; in line 14, after “adopts;” insert “authorizing the Department to consult with the State Retirement Agency of the Maryland State Retirement and Pension System to conduct a certain election;”; in the same line, after “authorizing” insert “a”; in line 15, strike “members” and substitute “member”; in line 16, strike “a” and substitute “the”; in line 21, strike “teacher”; and in line 22, strike “and the initial parent member”.

AMENDMENT NO. 2

On page 2, in lines 10 and 24, in each instance, strike “14” and substitute “13”; in lines 20 and 25, in each instance, strike “MEMBERS” and substitute “MEMBER”; in line 24, strike “TWO” and substitute “ONE”; in line 25, after “BE” insert “A”; and strike beginning with “TEACHERS” in line 25 down through “AND” in line 28 and substitute “TEACHER WHO IS ACTIVELY TEACHING.”.

On page 3, strike in their entirety lines 1 through 3, inclusive; in line 4, strike “MEMBERS” and substitute “MEMBER”; in line 11, after “TEACHERS” insert “WHO ARE ACTIVELY TEACHING”; in line 15, after “(IV)” insert “1.”; and after line 16, insert:

“2. THE DEPARTMENT MAY CONSULT WITH THE STATE RETIREMENT AGENCY OF THE MARYLAND STATE RETIREMENT AND PENSION SYSTEM TO CONDUCT THE ELECTION REQUIRED UNDER THIS SUBPARAGRAPH.”;

in lines 17 and 19, in each instance, strike “A” and substitute “THE”; and in line 21, strike “14” and substitute “13”.

AMENDMENT NO. 3

On page 4, in line 22, strike “two”; in the same line, strike “members” and substitute “member”; and strike beginning with “as” in line 22 down through “member” in line 27 and substitute “, who”.

On page 5, in line 1, after “Education” insert “, who”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 488 – Delegate McIntosh

AN ACT concerning

Forestry – Mel Noland Fellowship Program – Establishment

HB0488/274136/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 488

(Third Reading File Bill)

On page 5, in line 14, strike “**TO THE DEPARTMENT**”; and in line 16, strike “**MANAGING**” and substitute “**SUPERVISING**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 652 – Delegates Love, Acevero, Boyce, Brooks, Carr, Cullison, Ebersole, Gilchrist, Kelly, Lafferty, Lehman, R. Lewis, Lierman, Lisanti, Moon, Palakovich Carr, Solomon, Stewart, Terrasa, Valderrama, and K. Young

AN ACT concerning

Agriculture – Use of Antimicrobial Drugs – Limitations and Reporting Requirements

HB0652/804232/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 652

(Third Reading File Bill)

On page 3 in line 28, and on page 4 in line 1, in each instance, strike the brackets.

On page 5, in line 5, after “ADMINISTERED” insert “IN FEED OR WATER”; and in line 24, strike “MANDATE” and substitute “REQUIRE”.

On page 7, in line 3, after “DRUG” insert “, AS LISTED IN APPENDIX A OF THE FEDERAL FOOD AND DRUG ADMINISTRATION’S GUIDANCE FOR INDUSTRY #152,”; and in line 4, after “ADMINISTERED” insert “IN FEED OR WATER”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 658 – Delegates Valentino–Smith, Sydnor, D. Barnes, Barron, Branch, Jackson, Jones, Lehman, J. Lewis, McIntosh, Patterson, Pena–Melnik, Rosenberg, Walker, and R. Watson

AN ACT concerning

**Interagency Agreements – Historically Black Colleges and Universities – ~~Goals~~
Reporting Requirements**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 720 – Delegates Barve, Busch, and Stein

AN ACT concerning

Natural Resources – Fishery Management Plans – Oysters

HB0720/724639/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 720
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 18, after the semicolon insert “prohibiting the Department from using certain funds for a certain purpose:”.

AMENDMENT NO. 2

On page 4, in line 18, strike “APPOINTED” and substitute “DESIGNATED”; in line 20, strike “AND”; and in line 23, after “CENTER” insert “; AND”

18. A REPRESENTATIVE FROM THE PATUXENT ENVIRONMENTAL AND AQUATIC RESEARCH LABORATORY, MORGAN STATE UNIVERSITY, DESIGNATED BY THE RESEARCH LABORATORY”.

On page 5, strike in their entirety lines 1 and 2; in lines 3 and 5, strike “(III)” and “(IV)”, respectively, and substitute “(II)” and “(III)”, respectively; and after line 32, insert:

“(5) THE DEPARTMENT MAY NOT USE FUNDS ALLOCATED TO A COUNTY OYSTER COMMITTEE FOR THE COMMISSION ESTABLISHED UNDER THIS SUBSECTION.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 735 – Delegates Healey, Carr, Charkoudian, Ebersole, Fraser-Hidalgo, Gilchrist, Korman, Lafferty, Qi, Shetty, Stein, and Stewart

AN ACT concerning

~~**Task Force on Forest Conservation in Maryland**~~
Technical Study on Changes in Forest Cover and Tree Canopy in Maryland

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 735

(Third Reading File Bill)

On page 4, in line 23, strike “citing” and substitute “siting”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 830 – Delegate Washington

AN ACT concerning

**County Public Campaign Financing – ~~Late Fees, Civil Penalties, and~~
Administration**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1104 – Delegates Sample–Hughes, R. Lewis, and P. Young

AN ACT concerning

**State Board of Professional Counselors and Therapists – Licensure,
Disciplinary Action, Criminal History Records Checks, and Trainee Status –
Revisions**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1144 – Delegates Lehman, Pena–Melnyk, Acevero, B. Barnes, Barron, Boyce, Charkoudian, Charles, Fennell, W. Fisher, Hettleman, Ivey, Jackson, Moon, Palakovich Carr, Proctor, Rogers, Solomon, Stewart, Turner, Valentino–Smith, Washington, Wells, and K. Young

AN ACT concerning

County Boards of Education – Equal Access to Public Services for Individuals With Limited English Proficiency

HB1144/654335/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1144

(Third Reading File Bill)

On page 2, in line 25, after “CONSTITUTES” insert “AT LEAST”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 27 CONSENT NO. 20

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

BILL NO.	REPORT	SPONSOR	CONTENT
<u>FAVORABLE</u>			
HB 78	FAV	Del. Wilkins	Correctional Services – Inmates – Labor
HB 121	FAV	Del. Dumais	Criminal Procedure – Charge by Citation – Violation of Condition of Release
HB 135	FAV	Del. Moon	Criminal Law – Cruelty to Animals – Payment of Costs

BILL NO.	REPORT	SPONSOR	CONTENT
HB 240	FAV	Del. Rosenberg	Hate Crimes – Threats
HB 259	FAV	Del. Moon	Criminal Procedure – Expungement – Boating Offenses
HB 407	FAV	Del. Beitzel	Garrett County – Pretrial Release, Work Release, and Home Detention Programs
HB 420 (Emerg)	FAV	Del. Sydnor	Criminal Law – Threat of Mass Violence
HB 516	FAV	Del. Smith	Office of Legislative Audits – Audits of the Baltimore Police Department
HB 528	FAV	Del. Smith	Baltimore City – Police Districts – Redistricting

Favorable report adopted on all of the preceding bills.

The preceding bills were read the second time and ordered prepared for Third Reading.

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 28 CONSENT NO. 21

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

BILL NO.	REPORT	SPONSOR	CONTENT
<u>FAVORABLE</u>			
HB 76	FAV	Del. Moon	Vehicle Laws – Canceled, Revoked, and Suspended Driver’s Licenses – Penalties
HB 424	FAV	Del. Corderman	Washington County – Disposition of Marriage Ceremony Fee

BILL NO.	REPORT	SPONSOR	CONTENT
HB 625	FAV	Del. Clippinger	Baltimore Police Department – Commission to Restore Trust in Policing – Alterations
HB 712	FAV	Del. Crutchfield	Criminal Law – Continuing Course of Conduct With a Child – Unit of Prosecution
HB 734	FAV	Del. W. Fisher	Criminal Law – Labor Trafficking (Anti-Exploitation Act of 2019)
HB 898	FAV	Del. Johnson	Trusts – Maryland Trust Act – Methods of Notice
HB 939	FAV	Del. Cassilly	Vehicle Laws – Electric Bicycles – Equipment and Operation
HB 1212	FAV	Del. McComas	Family Law – Kinship Caregivers
HB 1330	FAV	Del. R. Watson	State Law Library – Renaming

Favorable report adopted on all of the preceding bills.

The preceding bills were read the second time and ordered prepared for Third Reading.

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 29

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

House Bill 55 – Delegates Barron and Sydnor

AN ACT concerning

Transportation – Ignition Interlock ~~Devices~~ System – 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:

House Bill 331 – Delegates Jacobs, Adams, Arentz, Arikan, Beitzel, Boteler, Ciliberti, Clark, Cox, Ghrist, Hartman, Hornberger, Howard, Kipke, Krebs, Malone, Mangione, Mautz, Morgan, Otto, Pippy, Reilly, Sample–Hughes, Shoemaker, Szeliga, and Wivell

EMERGENCY BILL

AN ACT concerning

Farm Area Motor Vehicles – Registration and Authorized Use

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 343 – Delegates Lopez, Charkoudian, Ivey, Johnson, R. Lewis, Love, Mosby, Palakovich Carr, Qi, Queen, Shetty, Smith, Stewart, and Wilkins

AN ACT concerning

School Bus Monitoring Cameras – Civil Penalty – Sunset 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:

House Bill 421 – Delegates Love, Acevero, Atterbeary, B. Barnes, Barron, Boyce, Bridges, Carr, Charkoudian, Clippinger, Cullison, Ebersole, Feldmark, Gilchrist, Hettleman, Ivey, Kaiser, Kelly, Korman, Lafferty, Lehman, Lierman, Lopez, Luedtke, McIntosh, Moon, Palakovich Carr, Pena–Melnyk, Qi, Queen, Reznik, Shetty, Solomon, Stewart, Terrasa, Valderrama, Wells, and K. Young

AN ACT concerning

Vehicle Laws – Licenses, Identification Cards, and Moped Operator’s Permits – Indication of Applicant’s Sex

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:

House Bill 519 – Delegate Dumais

AN ACT concerning

Family Law – Parentage and Adoption

HB0519/708576/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 519

(Third Reading File Bill)

On page 9, in line 11, strike “**TRUST**” and substitute “**TRUSTS**”.

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:

House Bill 932 – Delegates Johnson, Arikan, Cassilly, Chisholm, Crosby, Kerr, Krebs, Lisanti, Reilly, ~~and Turner~~ Turner, Bagnall, Barron, Carr, Charles, Kelly, Kipke, R. Lewis, Metzgar, Morgan, Pena–Melnik, Rosenberg, and Saab

AN ACT concerning

Maryland Trust Act – Division or Consolidation of Trust

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1305 – Delegate Ivey

AN ACT concerning

Estates and Trusts – Administration of Estates – Waiver of Fees – Required

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1401 – ~~Delegate Barve~~ Delegates Barve, Cassilly, Clark, Jacobs, Parrott, and Wivell

AN ACT concerning

Vehicle Laws – Overweight Vehicles – ~~Heavyweight~~ Heavy Weight Port Corridor Permit

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 31

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

House Bill 92 – Delegate Dumais

AN ACT concerning

Public Safety – Handgun Permits – Payment of Fees

HB0092/718570/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 92

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “may” and substitute “is required to”; in the same line, after “by” insert “electronic check,”; and in the same line, after “card” insert a comma.

AMENDMENT NO. 2

On page 2, in line 14, strike “may” and substitute “SHALL”; strike beginning with the second “a” in line 14 down through “order” in line 15 and substitute “AN ELECTRONIC CHECK”; and in line 15, before “CREDIT” insert “A”.

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:

House Bill 113 – Delegates Moon, Hornberger, Atterbeary, Barron, Charkoudian, Kittleman, J. Lewis, Lierman, Luedtke, Palakovich Carr, Sydnor, Washington, and Wilkins

AN ACT concerning

Criminal Law – Gaming – Civil Offense

HB0113/258472/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 113

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 8 down through “treatment;” in line 17.

AMENDMENT NO. 2

On page 4, in lines 9 and 10, strike “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A” and substitute “A”.

On pages 4 and 5, strike beginning with “(I)” in line 16 on page 4 down through “(5)” in line 16 on page 5.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 138 – Delegates Moon, Atterbeary, J. Lewis, R. Lewis, Lierman, Sydnor, and Wells

AN ACT concerning

Law Enforcement – Federal Military Surplus Program – Equipment Acquisition

HB0138/158777/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 138

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “report;” insert “providing for the termination of this Act;”.

AMENDMENT NO. 2

On page 2, in line 27, after the period insert “It shall remain effective for a period of 3 years and, at the end of September 30, 2022, this Act, with no further action required by the General Assembly, 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 with amendments:

House Bill 214 – Delegates Pena–Melnyk, Acevero, Atterbeary, B. Barnes, D. Barnes, Barron, Bartlett, Boyce, Chang, Charkoudian, Conaway, Crutchfield, Cullison, Dumais, Fennell, W. Fisher, Fraser–Hidalgo, Glenn, Healey, Hill, Ivey, Kelly, Korman, Lafferty, Lehman, J. Lewis, R. Lewis, Lopez, Love, McIntosh, Moon, Mosby, Palakovich Carr, Pendergrass, Proctor, Reznik, Rosenberg, Shetty, Stewart, Sydnor, Turner, Valderrama, Valentino–Smith, Walker, Washington, and Wilkins

SECOND PRINTING

AN ACT concerning

**Victims and Witnesses – U Nonimmigrant Status – Certification of Victim
Helpfulness**

HB0214/378173/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 214

(Third Reading File Bill – Second Printing)

AMENDMENT NO. 1

On page 2, in line 2, strike “certain criminal or civil” and substitute “civil or criminal”; and strike beginning with “clarifying” in line 3 down through “relief” in line 4.

AMENDMENT NO. 2

On page 2, in line 23, strike “(A)”; in line 24, strike “, IN GOOD FAITH,”; in line 25, before “COMPLIANCE” insert “GOOD FAITH IN”; in line 26, strike “CRIMINAL LIABILITY OR”; in the same line, after “CIVIL” insert “OR CRIMINAL”; in the same line, strike “FOR MONETARY DAMAGES”; and strike in their entirety lines 28 and 29.

On page 3, in line 21, strike “214.14(A)(3)” and substitute “214.14(A)(3)(I)”; and in line 27, strike “TITLE 8,”.

On page 5, strike beginning with “OR” in line 1 down through “FRIEND’S” in line 2.

On page 6, in line 1, strike “A”; in line 10, strike “, IN GOOD FAITH,”; in line 11, after “ACT” insert “IN GOOD FAITH”; in line 12, strike “IN” and substitute “UNDER”; in line 13, strike “MAY BRING” and substitute “WHO BRINGS”; and in line 14, strike “BUT”.

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:

House Bill 433 – Delegates Fraser–Hidalgo, Pena–Melnyk, Atterbeary, Barve, Korman, Shetty, and Wilkins

AN ACT concerning

Maryland Police Training and Standards Commission – Police Officer Certification – Eligibility (Freedom to Serve Act)

HB0433/888570/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 433

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, strike “providing for the construction of this Act;”.

AMENDMENT NO. 2

On page 2, in line 10, after “(II)” insert “SUBJECT TO SUBSECTION (B) OF THIS SECTION;”; in line 13, after “CITIZENSHIP” insert “AND THE APPLICATION IS STILL PENDING APPROVAL”; strike beginning with “WITHIN” in line 17 down through “AGENCY” in line 18 and substitute “AS REQUIRED BY SUBSECTION (A)(4)(II) OF THIS SECTION”; strike in their entirety lines 25 through 27, inclusive; and in line 28, 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 Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 743 – ~~Delegate Dumais~~ Delegates Dumais, Grammer, and Arikan

AN ACT concerning

Criminal Procedure – Incompetency and Criminal Responsibility – Dismissal of Charges

HB0743/898471/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 743

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “clarifying that a certain required dismissal of” and substitute “altering a certain time period after which a court is required to dismiss”; and in line 7, strike “is without prejudice” and substitute “under certain circumstances; making conforming changes”.

AMENDMENT NO. 2

On pages 1 and 2, strike beginning with “WITHOUT” in line 19 on page 1 down through “PREJUDICE” in line 1 on page 2.

On page 2, in line 3, after “(1)” insert “WHEN CHARGED WITH MURDER IN THE FIRST DEGREE IN VIOLATION OF § 2-201 OF THE CRIMINAL LAW ARTICLE, AFTER THE EXPIRATION OF 10 YEARS;

(2)”;

in line 7, after “Article” insert “NOT COVERED UNDER ITEM (1) OF THIS SUBSECTION”; in line 10, strike “(2)” and substitute “**(3)**”; in the same line, after “(1)” insert “**OR (2)**”; and in line 24, 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 Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 787 – Delegates Atterbeary, Arikan, Barron, Bromwell, Cardin, Guyton, Hettleman, J. Lewis, Lierman, Luedtke, and McComas

AN ACT concerning

Crimes – Child Abuse and Neglect – Failure to Report

HB0787/858274/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 787

(Third Reading File Bill)

On page 2, in line 14, strike “\$10,000” and substitute “\$1,000”; and in line 15, strike “3 YEARS” and substitute “6 MONTHS”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 871 – Delegates ~~Pippy, Atterbeary, Cain, Cain, Atterbeary,~~ Cardin, Chang, Cox, Crutchfield, D.M. Davis, W. Fisher, J. Lewis, Lopez, Moon, Mosby, Shetty, Sydnor, R. Watson, ~~and Wilkins~~ Wilkins, Grammer, Bartlett, McComas, Hartman, Arikan, and Malone

AN ACT concerning

Criminal Law – Human Trafficking and Prostitution Offenses

HB0871/108075/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 871

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 17, after “changes;” insert “making a stylistic change;”.

On page 2, in line 22, strike “11–307, and 14–101(a)(26)” and substitute “and 11–307”.

AMENDMENT NO. 2

On page 3, in line 20, strike “of” and substitute “**FOR**”.

On page 6, in line 10, strike the brackets.

On page 11, in line 9, before “**FELONY**” insert “**A**”; and in the same line, strike “**HUMAN TRAFFICKING**” and substitute “**OFFENSE**”.

On page 16, in line 21, before “**FELONY**” insert “**A**”; and in the same line, strike “**HUMAN TRAFFICKING**” and substitute “**OFFENSE**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 32

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

House Bill 122 – Delegates Dumais, ~~Arkan~~, Atterbeary, Barron, Bartlett, Crutchfield, W. Fisher, ~~Cramer~~, Hettleman, Lopez, Malone, ~~McComas~~, Moon, Shetty, and Sydnor

AN ACT concerning

Protective Orders – Relief Eligibility – Rape and Sexual Offenses

HB0122/388470/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 122

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Protective” and substitute “Peace”; in the same line, after “Eligibility” insert “and Duration”; and strike beginning with “removing” in line 3 down through “protective orders” in line 9 and substitute “authorizing a commissioner under certain circumstances to issue an interim peace order to protect a petitioner seeking relief if the underlying act for the petition is rape or a certain sexual offense; authorizing a judge under certain circumstances to issue a temporary peace order or a final peace order to protect a petitioner seeking relief if the underlying act for the petition is rape or a certain sexual offense; increasing the maximum length of effectiveness of a final peace order if the underlying act is rape or a certain sexual offense; and generally relating to peace orders and rape and sexual offenses”.

On pages 1 and 2, strike in their entirety the lines beginning with line 10 on page 1 through line 4 on page 2, inclusive, and substitute:

“BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–1503.1(b), 3–1504(a), and 3–1505(c) and (f)
Annotated Code of Maryland
(2013 Replacement Volume and 2018 Supplement)”.

AMENDMENT NO. 2

On pages 3 through 5, strike in their entirety the lines beginning with line 10 on page 3 through line 3 on page 5, inclusive, and substitute:

“Article – Courts and Judicial Proceedings

3–1503.1.

(b) (1) [If] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, IF a petition is filed with a commissioner and the commissioner finds that there are reasonable grounds to believe that the respondent has committed, and is likely to commit in the future, an act specified in § 3–1503(a) of this subtitle against the petitioner, the commissioner may issue an interim peace order to protect the petitioner.

(2) IF A PETITION IS FILED WITH A COMMISSIONER AND THE COMMISSIONER FINDS THAT THERE ARE REASONABLE GROUNDS TO BELIEVE THAT THE RESPONDENT HAS COMMITTED RAPE OR A SEXUAL OFFENSE UNDER § 3–303, § 3–304, § 3–307, OR § 3–308 OF THE CRIMINAL LAW ARTICLE OR ATTEMPTED RAPE OR SEXUAL OFFENSE IN ANY DEGREE AGAINST THE PETITIONER, THE

COMMISSIONER MAY ISSUE AN INTERIM PEACE ORDER TO PROTECT THE PETITIONER.

3–1504.

(a) (1) (I) [If SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, IF after a hearing on a petition, whether ex parte or otherwise, a judge finds that there are reasonable grounds to believe that the respondent has committed, and is likely to commit in the future, an act specified in § 3–1503(a) of this subtitle against the petitioner, the judge may issue a temporary peace order to protect the petitioner.

(II) IF A PETITION IS FILED WITH A JUDGE AND THE JUDGE FINDS THAT THERE ARE REASONABLE GROUNDS TO BELIEVE THAT THE RESPONDENT HAS COMMITTED RAPE OR A SEXUAL OFFENSE UNDER § 3–303, § 3–304, § 3–307, OR § 3–308 OF THE CRIMINAL LAW ARTICLE OR ATTEMPTED RAPE OR SEXUAL OFFENSE IN ANY DEGREE AGAINST THE PETITIONER, THE JUDGE MAY ISSUE A TEMPORARY PEACE ORDER TO PROTECT THE PETITIONER.

(2) The temporary peace order may include any or all of the following relief:

(i) Order the respondent to refrain from committing or threatening to commit an act specified in § 3–1503(a) of this subtitle against the petitioner;

(ii) Order the respondent to refrain from contacting, attempting to contact, or harassing the petitioner;

(iii) Order the respondent to refrain from entering the residence of the petitioner; and

(iv) Order the respondent to remain away from the place of employment, school, or temporary residence of the petitioner.

(3) If the judge issues an order under this section, the order shall contain only the relief that is minimally necessary to protect the petitioner.

3–1505.

(c) (1) If the respondent appears for the final peace order hearing, has been served with an interim peace order or a temporary peace order, or the court otherwise has personal jurisdiction over the respondent, the judge:

(i) May proceed with the final peace order hearing; and

(ii) **1. [If] SUBJECT TO ITEM 2 OF THIS ITEM, IF** the judge finds by a preponderance of the evidence that the respondent has committed, and is likely to commit in the future, an act specified in § 3–1503(a) of this subtitle against the petitioner, or if the respondent consents to the entry of a peace order, the court may issue a final peace order to protect the petitioner[.]; **AND**

2. IF A PETITION IS FILED WITH A JUDGE AND THE JUDGE FINDS THAT THERE ARE REASONABLE GROUNDS TO BELIEVE THAT THE RESPONDENT HAS COMMITTED RAPE OR A SEXUAL OFFENSE UNDER § 3–303, § 3–304, § 3–307, OR § 3–308 OF THE CRIMINAL LAW ARTICLE OR ATTEMPTED RAPE OR SEXUAL OFFENSE IN ANY DEGREE AGAINST THE PETITIONER, MAY ISSUE A FINAL PEACE ORDER TO PROTECT THE PETITIONER.

(2) A final peace order may be issued only to an individual who has filed a petition under § 3–1503 of this subtitle.

(3) In cases where both parties file a petition under § 3–1503 of this subtitle, the judge may issue mutual peace orders if the judge finds by a preponderance of the evidence that each party has committed, and is likely to commit in the future, an act specified in § 3–1503(a) of this subtitle against the other party.

(f) **(1) [All] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, ALL** relief granted in a final peace order shall be effective for the period stated in the order, not to exceed 6 months.

(2) IF THE UNDERLYING ACT FOR A FINAL PEACE ORDER IS RAPE OR A SEXUAL OFFENSE UNDER § 3–303, § 3–304, § 3–307, OR § 3–308 OF THE CRIMINAL LAW ARTICLE OR ATTEMPTED RAPE OR SEXUAL OFFENSE IN ANY DEGREE, RELIEF GRANTED IN A FINAL PEACE ORDER SHALL BE EFFECTIVE FOR THE PERIOD STATED IN THE ORDER, NOT TO EXCEED 1 YEAR.”

The preceding 2 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: **SB0946**
SPONSOR: Senator Griffith, et al
SUBJECT: State Prescription Drug Benefits – Retiree Benefits – Revisions

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 Griffith, Chairman
Senator Guzzone
Senator Serafini.

The House appoints:

Delegate B. Barnes, Chair
Delegate Lierman
Delegate Anderton

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

AMENDED IN THE HOUSE

Senate Bill 830 – Senator Elfreth

AN ACT concerning

Natural Resources – Fishery Management Plans – Oysters

Senator Pinsky moved that the Senate not concur in the House amendments.

SB0830/440419/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 830

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “prohibiting” in line 18 down through “purpose;” in line 19; and in line 20, after “purpose” insert “under certain circumstances”.

AMENDMENT NO. 2

On page 3, in line 21, strike “**ONLY INCLUDE**” and substitute “**INCLUDE ONLY**”; in lines 26 and 28, in each instance, strike the first “**ASSOCIATION**” and substitute “**ASSOCIATION,**”; in lines 30 and 32, in each instance, strike “**INDUSTRY**” and substitute “**INDUSTRY,**”; in line 29, after “**4.**” insert “**A REPRESENTATIVE FROM THE BLACKS OF THE CHESAPEAKE FOUNDATION, DESIGNATED BY THE FOUNDATION;**”

5.;

and in line 31, strike “**5.**” and substitute “**6.**”.

AMENDMENT NO. 3

On page 4, in lines 1, 3, 5, 7, 9, 11, 13, 15, 17, and 19, strike “**6.**”, “**7.**”, “**8.**”, “**9.**”, “**10.**”, “**11.**”, “**12.**”, “**13.**”, “**14.**”, and “**15.**”, respectively, and substitute “**7.**”, “**8.**”, “**9.**”, “**10.**”, “**11.**”, “**12.**”, “**13.**”, “**14.**”, “**16.**”, and “**17.**”, respectively; in line 2, strike “**MARYLAND**” and substitute “**MARYLAND,**”; in line 4, strike the first “**FOUNDATION**” and substitute “**FOUNDATION,**”; in line 6, strike the first “**CONSERVANCY**” and substitute “**CONSERVANCY,**”; in line 8, strike the first “**ASSOCIATION**” and substitute “**ASSOCIATION,**”; in line 10, strike the first “**FEDERATION**” and substitute “**FEDERATION,**”; in line 14, strike the first “**COMMISSION**” and substitute “**COMMISSION,**”; in line 16, strike the first “**ENVIRONMENTAL**” and substitute “**ENVIRONMENTAL,**”; in line 18, strike the first “**AQUARIUM**” and substitute “**AQUARIUM,**”; in line 20, strike “**SCIENCE**” and substitute “**SCIENCE,**”; after line 16, insert:

“15. A REPRESENTATIVE FROM THE CHESAPEAKE BAYSAVERS, DESIGNATED BY THE CHESAPEAKE BAYSAVERS;”;

in line 18, strike “AND”; and in line 20, after the second “CENTER” insert “; AND”

18. A REPRESENTATIVE FROM THE PATUXENT ENVIRONMENTAL AND AQUATIC RESEARCH LABORATORY, MORGAN STATE UNIVERSITY, DESIGNATED BY THE RESEARCH LABORATORY”.

AMENDMENT NO. 4

On page 5, strike in their entirety lines 27 through 29, inclusive.

AMENDMENT NO. 5

On page 6, in line 24, after “OYSTERS” insert “, INCLUDING THE PUBLIC FISHERY”.

AMENDMENT NO. 6

On page 8, in line 20, after “ARTICLE,” insert “AND WITH THE CONSENT OF A 75% MAJORITY OF ITS MEMBERS,”.

AMENDMENT NO. 7

On page 9, in line 16, after “Department” insert “of Natural Resources”.

The preceding 7 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: SB0830
SPONSOR: Senator Elfreth
SUBJECT: Natural Resources – Fishery Management Plans – Oysters

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Pinsky, Chair

Senator Young
Senator Simonaire

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and adopted.

AMENDED IN THE HOUSE

Senate Bill 842 – Senator Carter

AN ACT concerning

Criminal Law – Gaming – Civil Offense

Senator Zirkin moved that the Senate not concur in the House amendments.

SB0842/555762/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 842

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “penalties;” insert “requiring a court to order the Maryland Department of Health, or a certain designee, to conduct a certain assessment of a certain individual under certain circumstances; authorizing a court to order the Department, or a certain designee, to conduct a certain assessment of a certain individual under certain circumstances; authorizing a defendant to request a certain assessment; requiring a court to state the basis of its decision on the record if the court denies a certain request; requiring the Department, or a certain designee, to conduct an assessment and provide certain information to certain persons under certain circumstances; authorizing a court, under certain circumstances, to hold a case sub curia pending certain receipt of proof of completed treatment;”.

AMENDMENT NO. 2

On page 4, in line 4, strike “A” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A”; and in line 10, after “(2)” insert “(I) IF AN INDIVIDUAL UNDER THE AGE OF 21 YEARS IS CONVICTED OF VIOLATING THIS SECTION FOR THE FIRST TIME, INSTEAD OF IMPOSING A FINE A COURT SHALL ORDER THE MARYLAND DEPARTMENT OF HEALTH OR A CERTIFIED AND LICENSED DESIGNEE TO:”

1. CONDUCT AN ASSESSMENT OF THE DEFENDANT FOR A PROBLEM GAMBLING DISORDER; AND

2. DETERMINE WHETHER THE DEFENDANT IS IN NEED OF OR MAY BENEFIT FROM TREATMENT FOR A PROBLEM GAMBLING DISORDER.

(II) IF AN INDIVIDUAL AT LEAST 21 YEARS OLD IS CONVICTED OF VIOLATING THIS SECTION FOR THE FIRST TIME, INSTEAD OF IMPOSING A FINE A COURT MAY ORDER THE MARYLAND DEPARTMENT OF HEALTH OR A CERTIFIED AND LICENSED DESIGNEE TO:

1. CONDUCT AN ASSESSMENT OF THE DEFENDANT FOR A PROBLEM GAMBLING DISORDER; AND

2. DETERMINE WHETHER THE DEFENDANT IS IN NEED OF OR MAY BENEFIT FROM TREATMENT FOR A PROBLEM GAMBLING DISORDER.

(III) AN ASSESSMENT FOR PROBLEM GAMBLING DISORDER MAY BE REQUESTED BY A DEFENDANT CHARGED WITH VIOLATING THIS SECTION.

(IV) IF A COURT DENIES THE REQUEST UNDER SUBPARAGRAPH (III) OF THE PARAGRAPH, THE COURT SHALL STATE ON THE RECORD THE BASIS FOR THE DENIAL.

(3) ON RECEIVING AN ORDER UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE MARYLAND DEPARTMENT OF HEALTH, OR THE DESIGNEE, SHALL CONDUCT AN ASSESSMENT OF THE DEFENDANT FOR A PROBLEM GAMBLING DISORDER AND PROVIDE THE RESULTS TO THE COURT, THE DEFENDANT OR

DEFENDANT’S ATTORNEY, AND THE STATE IDENTIFYING THE DEFENDANT’S
PROBLEM GAMBLING TREATMENT NEEDS.

(4) A COURT THAT ORDERS A PERSON TO A PROBLEM GAMBLING
ASSESSMENT TREATMENT UNDER PARAGRAPH (2) OF THIS SUBSECTION MAY HOLD
THE CASE SUB CURIA PENDING RECEIPT OF PROOF OF COMPLETION OF THE
ASSESSMENT OR TREATMENT.

(5)”.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: SB0842
SPONSOR: Senator Carter
SUBJECT: Criminal Law – Gaming – Civil Offense

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Hough, Chair
Senator Ready
Senator Carter

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and adopted.

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

House Bill 175 – Chair, Ways and Means Committee (By Request – Departmental – Commerce)

AN ACT concerning

Maryland Research and Development Tax Credit – Sunset Extension

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

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

House Bill 262 – Delegates Luedtke, Acevero, Anderson, Atterbeary, B. Barnes, D. Barnes, Barve, Boyce, Brooks, Chang, Charkoudian, Conaway, Crutchfield, Cullison, Ebersole, Feldmark, Fennell, W. Fisher, Fraser-Hidalgo, Gaines, Gilchrist, Haynes, Hettleman, Hill, Holmes, Ivey, Kaiser, Kelly, Korman, Krimm, J. Lewis, R. Lewis, Lierman, Lisanti, Lopez, Love, McIntosh, Moon, Mosby, Palakovich Carr, Patterson, Pena-Melnyk, Proctor, Qi, Queen, Reznik, Rosenberg, Shetty, Smith, Solomon, Stein, Stewart, Sydnor, Turner, Valderrama, Valentino-Smith, Washington, R. Watson, Wilkins, K. Young, and P. Young

AN ACT concerning

Higher Education – Tuition Rates – Exemptions

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

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

House Bill 277 – Delegates Korman, Bagnall, Bartlett, Bhandari, Brooks, Charkoudian, Crutchfield, Dumais, Ebersole, Gaines, Haynes, Healey, Hettleman, Ivey, Jones, Kerr, R. Lewis, Lierman, Love, Luedtke, Palakovich Carr, Reznik, Shetty, Smith, Solomon, Stein, Stewart, Valderrama, K. Young, and P. Young

AN ACT concerning

**Regional Initiative to Limit or Reduce Greenhouse Gas Emissions in
Transportation Sector – Authorization
(Regional Transportation and Climate Protection Act of 2019)**

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

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

House Bill 308 – Delegates R. Lewis, Charkoudian, Hill, Lisanti, and Shetty

AN ACT concerning

**Public Service Commission – Certificate of Public Convenience and Necessity –
Rapid Health Impact Assessment and Final Action**

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

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

**House Bill 594 – The Speaker (By Request – Office of the Attorney General) and
Delegates Atterbeary, Barve, Clippinger, D.E. Davis, Fennell, Gaines,
Hettleman, Hill, Kelly, Sample-Hughes, Stein, Valentino-Smith, and Wilson**

AN ACT concerning

**Financial Institutions – Student Loan Servicers – Unfair, Abusive, or Deceptive
Trade Practices**

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

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

**House Bill 600 – Delegates M. Fisher, Adams, Arentz, Chisholm, Clark, Ghrist,
Hartman, Howard, Impallaria, Jacobs, Malone, Miller, Morgan, Otto, and
Saab**

AN ACT concerning

~~**Renewable Energy Portfolio Standard – Tier 1 Renewable Source – Nuclear
Energy**~~
Study on the Future of Nuclear Energy in Maryland

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

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

House Bill 768 – Delegates Pena–Melnik, D. Barnes, Acevero, Anderson, Atterbeary, Bagnall, B. Barnes, Barron, Bartlett, Barve, Boyce, Bridges, Brooks, Cain, Cardin, Carey, Carr, Cassilly, Chang, Charkoudian, Charles, Ciliberti, Clippinger, Conaway, Corderman, Crosby, Crutchfield, D.M. Davis, D.E. Davis, Dumais, Ebersole, Feldmark, Fennell, W. Fisher, Fraser–Hidalgo, Gaines, Ghrist, Gilchrist, Glenn, Guyton, Harrison, Haynes, Healey, Hettleman, Hill, Holmes, Impallaria, Ivey, Jackson, Jalisi, Johnson, Jones, Kaiser, Kelly, Kerr, Korman, Krimm, Lafferty, Lehman, J. Lewis, R. Lewis, Lierman, Lisanti, Lopez, Love, Luedtke, McIntosh, Metzgar, Moon, Mosby, Palakovich Carr, Patterson, Proctor, Qi, Queen, Reilly, Reznik, Rogers, Rosenberg, Sample–Hughes, Shetty, Smith, Solomon, Stein, Stewart, Sydnor, Terrasa, Turner, Valderrama, Valentino–Smith, Walker, Washington, C. Watson, R. Watson, Wilkins, Wilson, K. Young, ~~and P. Young~~ P. Young, Pendergrass, Bhandari, and Cullison

AN ACT concerning

Health – Prescription Drug Affordability Board

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

Senator Benson, Chair, for the Committee on Rules recommended the following Bill be re–referred to the Committee on Finance:

House Bill 796 – Delegates Wilkins, Bagnall, Hill, Kerr, R. Lewis, Lisanti, Patterson, and Shetty

AN ACT concerning

Public Health – Maternal Mortality Review Program – Establishment of Local Teams

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

Senator Benson, Chair, for the Committee on Rules recommended the following Bill be re–referred to the Committee on Finance:

House Bill 934 – Delegate D.E. Davis

AN ACT concerning

Consumer Protection – Resale of Tickets – Disclosures and Refunds

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

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

House Bill 1010 – Delegates Atterbeary, Brooks, Anderton, Boteler, Bridges, Buckel, Carr, Cassilly, Chang, Charles, Corderman, Cullison, W. Fisher, Ghrist, Gilchrist, Grammer, Hornberger, Ivey, Jackson, Kelly, Kerr, Krimm, J. Lewis, Lierman, Lisanti, Lopez, Luedtke, Moon, Mosby, Palakovich Carr, Pippy, Queen, Reilly, Reznik, Saab, Shetty, Shoemaker, Smith, Solomon, Stewart, Szeliga, Valderrama, Washington, Wilkins, K. Young, and P. Young

AN ACT concerning

Brewery Modernization Act of 2019

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

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

House Bill 1065 – Delegate Carey

AN ACT concerning

Maryland Commercial Receivership Act

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

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

House Bill 1120 – Delegates Carey, Attar, Bhandari, Bridges, Bromwell, Busch, Cardin, Crosby, Hettleman, Jones, Kipke, Lafferty, McIntosh, Pendergrass, Rosenberg, Stein, Szeliga, and C. Watson

EMERGENCY BILL

AN ACT concerning

State Prescription Drug Benefits – Retiree Benefits – Revisions

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

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

House Bill 1157 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Alcoholic Beverages – ~~Transfer of Class A Off-Sale~~
Licenses and Permits**

PG 303–19

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

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

House Bill 1249 – Delegates Reznik, Atterbeary, B. Barnes, Barron, Cain, Cardin, Conaway, Crutchfield, Cullison, Dumais, Ebersole, W. Fisher, Gilchrist, Guyton, Healey, Hettleman, Hill, Ivey, Jalisi, Kelly, J. Lewis, R. Lewis, Lopez, Moon, Mosby, Palakovich Carr, Pena–Melnyk, Pendergrass, Shetty, Solomon, Sydnor, Terrasa, Valentino–Smith, Wilkins, and P. Young

AN ACT concerning

**Pilot Program – Alleged Rape, Sexual Offense, or Child Sexual Abuse – HIV
Postexposure Prophylaxis**

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

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

House Bill 1281 – Delegate Lierman

AN ACT concerning

Transportation – Bikeways Network Program – Funding

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

QUORUM CALL

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

(See Roll Call No. 926)

ADJOURNMENT

At 10:34 P.M. on motion of Senator Guzzone the Senate adjourned until 10:00 A.M. on Legislative Day March 27, 2019, Calendar Day, Tuesday, April 2, 2019 in honor of John Merrill, Violinist for the Baltimore Symphony Orchestra for over forty years.

Annapolis, Maryland
Legislative Day: March 27, 2019
Calendar Day: Tuesday, April 2, 2019
10:00 A.M. Session

The Senate met at 10:21 A.M.

Prayer by Rabbi Yechiel Scheffer, Pikesville Jewish Congregation, guest of Senator Zirkin.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 929)

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

The Journal of April 1, 2019 was read and approved.

MESSAGE FROM THE HOUSE
SENATE BILLS AMENDED IN THE HOUSE NO. 9

AMENDED IN THE HOUSE

Senate Bill 29 – Chair, Finance Committee (By Request – Departmental – Maryland Insurance Administration)

AN ACT concerning

**Insurance – Licensure of Insurance Producers and Public Adjusters –
Continuing Education Requirements**

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

SB0029/683197/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 29

(Third Reading File Bill)

On page 1, in line 12, after “date” insert “for certain provisions of this Act”.

On page 7, in line 16, after “That” insert “Section 1 of”; and after line 17, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That, except as provided in Section 3 of this Act, this Act shall take effect June 1, 2019.”

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 – 45 Negative – 0 (See Roll Call No. 930)

AMENDED IN THE HOUSE

Senate Bill 694 – Senators Kramer, Feldman, Hayes, Hershey, Jennings, and Kelley

AN ACT concerning

Commercial Law – Credit Card Processors – ~~Service~~ Merchant Processing Agreements

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

SB0694/613894/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 694

(Third Reading File Bill)

On page 4, in line 26, strike “**SERVICES**” and substitute “**PROCESSING**”.

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 – 44 Negative – 0 (See Roll Call No. 931)

AMENDED IN THE HOUSE

Senate Bill 701 – Senator Kramer

AN ACT concerning

Transportation Network Companies – Insurance

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

SB0701/403393/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 701

(Third Reading File Bill)

On page 3, in line 4, after “ADMITTED” insert “INSURER”; and in the same line, after “OR” insert “A”.

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 – 44 Negative – 0 (See Roll Call No. 932)

**MESSAGE FROM THE HOUSE
SENATE BILLS AMENDED IN THE HOUSE NO. 10**

AMENDED IN THE HOUSE

Senate Bill 17 – Senator Kagan

AN ACT concerning

**State Grants and Contracts – Reimbursement of Nonprofit Indirect Costs –
Application**

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

SB0017/536280/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 17

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, strike “altering a certain definition:”.

AMENDMENT NO. 2

On page 2, strike beginning with the colon in line 4 down through “**(1)**” in line 5; strike beginning with “**;** OR” in line 6 down through “STATE” in line 8; in line 23, strike “**WAS AWARDED ON OR AFTER OCTOBER 1, 2018**” and substitute “**IS AWARDED ON OR AFTER JULY 1, 2019**”; and in line 30, strike “**BEGAN BEFORE OCTOBER 1, 2018**” and substitute “**BEGINS BEFORE JULY 1, 2019**”.

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 – 45 Negative – 0 (See Roll Call No. 933)

AMENDED IN THE HOUSE

Senate Bill 396 – Senators Elfreth, Augustine, Ellis, Feldman, Ferguson, Guzzone, Hester, Kagan, Lam, Lee, McCray, Pinsky, Rosapepe, Smith, Waldstreicher, Washington, Young, Zirkin, and Zucker

AN ACT concerning

**Higher Education – Legal Representation Fund for Title IX Proceedings –
Established**

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

SB0396/344561/1

BY: Appropriations Committee

AMENDMENT TO SENATE BILL 396

(Third Reading File Bill)

On page 3, in line 18, strike “\$500,000” and substitute “\$250,000”.

The preceding amendment was read and concurred in.

SB0396/584966/1

BY: Appropriations Committee

AMENDMENT TO SENATE BILL 396

(Third Reading File Bill)

On page 3, strike beginning with “MONEY” in line 13 down through “(K)” in line 17.

The preceding amendment was read and concurred in.

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

Affirmative – 42 Negative – 3 (See Roll Call No. 934)

AMENDED IN THE HOUSE

Senate Bill 449 – Senators Pinsky, Augustine, Carter, Ellis, Feldman, Ferguson, Guzzone, Kagan, King, Klausmeier, Lam, Lee, Miller, Peters, Rosapepe, Smith, Waldstreicher, Washington, Young, and Zucker

AN ACT concerning

Election Law – ~~Election Day Voter~~ Registration and Voting at Precinct Polling Places

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

SB0449/625360/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 449

(Third Reading File Bill)

On page 3, in line 19, strike “THE” and substitute “A”.

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 – 31 Negative – 14 (See Roll Call No. 935)

AMENDED IN THE HOUSE

Senate Bill 652 – Senator Young

AN ACT concerning

Interstate Physical Therapy Licensure Compact

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

SB0652/456682/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 652

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “State” insert “Board of Physical Therapy Examiners”.

AMENDMENT NO. 2

On page 6, in line 11, strike “MARYLAND” and substitute “THE BOARD”.

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 – 45 Negative – 0 (See Roll Call No. 936)

AMENDED IN THE HOUSE

Senate Bill 729 – Senators Guzzone, Elfreth, Feldman, Lam, Lee, Patterson, Peters, and Zucker

AN ACT concerning

~~Task Force on Forest Conservation in Maryland~~
Technical Study on Changes in Forest Cover and Tree Canopy in Maryland

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

SB0729/670518/1

BY: Environment and Transportation Committee

AMENDMENT TO SENATE BILL 729
(Third Reading File Bill)

On page 4, in line 23, strike “citing” and substitute “siting”.

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 – 45 Negative – 0 (See Roll Call No. 937)

AMENDED IN THE HOUSE

Senate Bill 734 – Senators Zucker, Feldman, Ferguson, Guzzone, Hershey, Lam, Lee, Nathan–Pulliam, Rosapepe, ~~and West~~ West, and Ellis

AN ACT concerning

Education – Students With Reading Difficulties – Screenings and Interventions

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

SB0734/255465/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 734
(Third Reading File Bill)

On page 4, in line 26, strike “**SYSTEMIC**” and substitute “**SYSTEMATIC**”.

On page 8, in line 1, strike “**SEPTEMBER**” and substitute “**OCTOBER**”.

On page 9, in line 31, after “1030” insert “/H.B. 1413”.

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 – 45 Negative – 0 (See Roll Call No. 938)

AMENDED IN THE HOUSE

Senate Bill 770 – Senator Smith

AN ACT concerning

Vehicle Laws – Electric Low Speed Scooters

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

SB0770/180817/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 770

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 16, strike “Chapter 294” and substitute “Chapters 294 and 392”.

On page 2, in line 7, after “21–1202” insert “and 25–102(a)(8)”.

AMENDMENT NO. 2

On page 5, after line 6, insert:

“25–102.

(a) The provisions of the Maryland Vehicle Law do not prevent a local authority, in the reasonable exercise of its police power, from exercising the following powers as to highways under its jurisdiction:

(8) Regulating the operation of bicycles, requiring them to be registered, and imposing a registration fee;”.

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 – 45 Negative – 0 (See Roll Call No. 939)

**MESSAGE FROM THE HOUSE
SENATE BILLS AMENDED IN THE HOUSE NO. 12**

AMENDED IN THE HOUSE

Senate Bill 180 – Senator King

AN ACT concerning

Education – Robotics Grant Program – Alterations

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

SB0180/445362/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 180

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “budget;” insert “requiring the State Department of Education to award grants in a certain manner;”.

AMENDMENT NO. 2

On page 1, in line 19, strike “PROVIDES A MAJORITY OF PUBLIC SCHOOL” and substitute “;”

(1) PROVIDES”.

On page 2, in line 2, after “DEVELOPMENT” insert “;**AND**”

(2) SERVES PUBLIC SCHOOL STUDENTS AS A MAJORITY OF ITS PARTICIPATING YOUTH;

in line 18, after “**(E)**” insert “**(1)**”; and after line 19, insert:

“(2) TO THE EXTENT PRACTICABLE, THE DEPARTMENT SHALL AWARD GRANTS TO ENSURE GEOGRAPHIC DIVERSITY AMONG THE GRANTEES.”

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 – 45 Negative – 0 (See Roll Call No. 940)

AMENDED IN THE HOUSE

Senate Bill 234 – Senators Young, Elfreth, Feldman, Griffith, Lee, Pinsky, Rosapepe, Washington, ~~and West~~ West, Lam, Ellis, Nathan-Pulliam, Patterson, and Simonaire

AN ACT concerning

Natural Resources – State and Local Forest Conservation Funds

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

SB0234/550012/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 234

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, strike “for”; in line 14, strike “a certain” and substitute “the mitigation”; and in line 15, strike “a certain amount” and substitute “the equivalent number”.

AMENDMENT NO. 2

On page 2, in line 18, after “**BANK**” insert “**IN THE SAME COUNTY OR WATERSHED**”.

AMENDMENT NO. 3

On page 5, in line 21, after “GENERAL” insert “MITIGATION”; and in line 24, strike “AN EQUAL” and substitute “THE EQUIVALENT”.

The preceding 3 amendments were read and concurred in.

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

Affirmative – 45 Negative – 0 (See Roll Call No. 941)

AMENDED IN THE HOUSE

Senate Bill 448 – Senators Pinsky, Augustine, Beidle, Benson, Carter, Elfreth, Ellis, Feldman, Ferguson, Griffith, Guzzone, Hayes, Kagan, Kelley, King, Klausmeier, Kramer, Lam, Lee, McCray, Nathan–Pulliam, Patterson, Rosapepe, Simonaire, Smith, Waldstreicher, Washington, West, Young, and Zucker

AN ACT concerning

Oysters – Tributary–Scale Sanctuaries – Protection and Restoration

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

SB0448/460213/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 448

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, strike “report” and substitute “provide certain reports”; and in line 10, strike “a certain date” and substitute “certain dates”.

AMENDMENT NO. 2

On page 5, after line 25, insert:

“(d) On or before July 1, 2029, the Department of Natural Resources shall review the results of the continued monitoring of the five oyster sanctuaries required under Section 2 of this Act and provide a report on the success of large–scale restoration projects in the

five sanctuaries to the Senate Education, Health, and Environmental Affairs Committee and the House Environment and Transportation Committee in accordance with § 2-1246 of the State Government Article.”.

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 – 31 Negative – 13 (See Roll Call No. 942)

AMENDED IN THE HOUSE

Senate Bill 879 – Senators Griffith, Miller, Augustine, Bailey, Beidle, Benson, Carozza, Carter, Cassilly, Eckardt, Edwards, Elfreth, Ellis, Feldman, Ferguson, Gallion, Guzzone, Hayes, Hershey, Hester, Hough, Jennings, Kagan, Kelley, King, Klausmeier, Kramer, Lam, Lee, McCray, Nathan–Pulliam, Patterson, Peters, Pinsky, Ready, Reilly, Rosapepe, Salling, Serafini, Simonaire, Smith, Waldstreicher, Washington, West, Young, Zirkin, and Zucker

AN ACT concerning

**Primary and Secondary Education – Black History Month – Harriet Tubman
and Frederick Douglass**

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

SB0879/955760/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 879

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike the second “the” and substitute “at least one”.

AMENDMENT NO. 2

On page 2, in line 16, strike “the” and substitute “AT LEAST ONE”; and in line 17, after “for” insert “EACH OF”.

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 – 45 Negative – 0 (See Roll Call No. 943)

AMENDED IN THE HOUSE

Senate Bill 478 – Senators Peters, Eckardt, Edwards, Guzzone, King, Salling, Serafini, and Zucker

AN ACT concerning

**Property Tax – Vehicles Valued as Stock in Business – ~~Alteration of Tax Credit~~
and Notification on Annexation**

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

SB0478/445666/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 478

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “altering” in line 5 down through “date;” in line 8; and in line 15, strike “the” and substitute “notification of municipal annexation and a”.

AMENDMENT NO. 2

On page 3, in line 28, strike “EXCEPT AS PROVIDED IN” and substitute “SUBJECT TO”.

On page 4, in line 11, strike “FOR” and substitute “IN ADDITION TO THE PROPERTY TAX CREDIT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION, FOR”; in line 15, strike “EQUAL” and substitute “UP”; and in line 22, strike “any” and substitute “THE PROPERTY TAX”.

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 – 45 Negative – 0 (See Roll Call No. 944)

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 32

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

House Bill 301 – Delegates Wilkins, Anderson, Barron, Boyce, Bridges, Charles, Conaway, Ebersole, Fennell, W. Fisher, Fraser-Hidalgo, Ivey, Jalisi, Lafferty, Love, Stewart, Wells, and K. Young

AN ACT concerning

Vehicle Laws – ~~Ethnicity-Based or Race-Based~~ Traffic Stops – Policy and Reporting Requirements

HB0301/448576/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 301

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, strike “repealing” and substitute “altering”; and in line 12, after “stops;” insert “requiring the Maryland Statistical Analysis Center to submit a certain report disaggregated by jurisdiction and law enforcement agency;”.

AMENDMENT NO. 2

On page 5, in line 19, before “to” insert “, DISAGGREGATED BY JURISDICTION AND LAW ENFORCEMENT AGENCY,”.

AMENDMENT NO. 3

On page 6, in lines 19 and 21, in each instance, strike the bracket; in line 19, strike “5” and substitute “10”; and in the same line, strike “2020” and substitute “2025”.

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:

House Bill 748 – Delegate Fraser–Hidalgo

AN ACT concerning

Vehicle Laws – Electric Low Speed Scooters

HB0748/988678/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 748

(Third Reading File Bill)

On page 1, in line 16, strike “Chapter 294” and substitute “Chapters 294 and 392”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 911 – Delegates Krimm, Acevero, Barron, Carr, Hettleman, Jackson, Kipke, J. Lewis, R. Lewis, McKay, Solomon, and Valentino–Smith

AN ACT concerning

Joint Committee on Ending Homelessness – Unaccompanied Minors in Need of Shelter – ~~Consent to Shelter and Supportive Services~~

HB0911/338573/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 911

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 2 and 3 and substitute “Workgroup to Study Shelter and Supportive Services for Unaccompanied Homeless Minors”; and strike beginning with “altering” in line 16 down through “Homelessness” in line 22 and substitute “establishing the Workgroup to Study Shelter and Supportive Services for Unaccompanied Homeless Minors; 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 compile and identify certain information 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; defining a certain term; and generally relating to the Workgroup to Study Shelter and Supportive Services for Unaccompanied Homeless Minors”.

On page 2, strike in their entirety lines 6 through 26, inclusive; and in line 28, strike “the Laws of Maryland read as follows”.

AMENDMENT NO. 2

On pages 5 through 8, strike in their entirety the lines beginning with line 24 on page 5 through line 29 on page 8, inclusive, and substitute:

“(a) In this section, “unaccompanied homeless minor” means a minor:

(1) who is not in the physical custody of a parent or guardian and lacks a fixed, regular, and adequate nighttime residence; or

(2) whose status or circumstances indicate a significant danger of experiencing homelessness in the near future.

(b) There is a Workgroup to Study Shelter and Supportive Services for Unaccompanied Homeless Minors.

(c) The Workgroup consists of the following members:

(1) the Senate Chair of the Joint Committee on Ending Homelessness;

(2) the House Chair of the Joint Committee on Ending Homelessness;

(3) the Secretary of Housing and Community Development, or the Secretary's designee;

(4) the Secretary of Human Services, or the Secretary's designee;

(5) the Secretary of Juvenile Services, or the Secretary's designee;

(6) the Secretary of Health, or the Secretary's designee;

(7) the State Superintendent of Schools, or the State Superintendent's designee; and

(8) additional members invited by the Senate Chair and House Chair of the Joint Committee on Ending Homelessness.

(d) The Senate Chair and House Chair of the Joint Committee on Ending Homelessness shall serve as cochairs of the Workgroup.

(e) The Joint Committee on Ending Homelessness shall provide staff for the Workgroup.

(f) A member of the Workgroup:

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

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

(g) The Workgroup shall:

(1) compile existing information on, identify, and study the unique needs of unaccompanied homeless minors, and identify the public and private sector programs and resources available to meet those needs;

(2) identify gaps in public and private sector programs and resources available to meet the needs of unaccompanied homeless minors;

(3) identify barriers to access to safe shelter for unaccompanied homeless minors, and compile information on and study shelter practices in other states; and

(4) make recommendations on:

(i) legislation, regulations, and policy initiatives to address the needs of unaccompanied homeless minors in the State;

(ii) funding requirements and budgetary priorities to address the needs of unaccompanied homeless minors in the State; and

(iii) any other relevant issues or considerations identified by the Workgroup.

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

On page 9, in line 2, strike “October” and substitute “July”; and in the same line, after “2019.” insert “It shall remain effective for a period of 1 year and, at the end of June 30, 2020, this Act, with no further action required by the General Assembly, 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 with amendments:

House Bill 1001 – Delegates J. Lewis, Acevero, Atterbeary, D. Barnes, Barron, Bridges, Charkoudian, Conaway, Crutchfield, D.M. Davis, W. Fisher, Glenn, Guyton, Healey, Hornberger, Ivey, Jalisi, Kelly, R. Lewis, Lierman, Lopez, Love, Moon, Mosby, Queen, Rosenberg, Shetty, Smith, Solomon, Sydnor, Turner, R. Watson, and Wilkins

AN ACT concerning

**Correctional Services – Restrictive Housing – Reporting by Correctional Units
and Requirements Relating to Minors**

HB1001/288978/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1001
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “repealing” in line 5 down through “Assembly” in line 6 and substitute “altering a certain reporting requirement”; strike beginning with “compile” in line 7 down through “Assembly” in line 8 and substitute “submit a certain report to the General Assembly in a certain manner”; in line 11, after “conditions” insert “, subject to a certain exception”; and strike beginning with “authorizing” in line 12 down through “circumstances;” in line 13.

AMENDMENT NO. 2

On page 3, in line 15, after “shall” insert “make the information submitted in accordance with paragraph (1) of this subsection available on its [Web site] WEBSITE AND, WHEN THE INFORMATION HAS BEEN RECEIVED FROM EVERY CORRECTIONAL UNIT IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION, PROMPTLY SUBMIT THE INFORMATION IN A REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE.”;

in the same line, strike the colon; strike in their entirety lines 16 through 20, inclusive; in line 28, strike “THERE IS” and substitute “THE MINOR POSES”; and in the same line, strike “AND” and substitute “OR”.

AMENDMENT NO. 3

On page 4, in line 16, strike “MAXIMIZED” and substitute “UNLESS IT WOULD POSE A RISK OF PHYSICAL HARM TO THE MINOR OR ANOTHER,”; and strike in their entirety lines 22 through 26, inclusive.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1007 – Delegates Shetty, J. Lewis, Arikan, Atterbeary, Carr, Cox, Dumais, W. Fisher, Hettleman, Hill, Luedtke, McComas, Moon, Solomon, Terrasa, and Wilkins

AN ACT concerning

Child Advocacy Centers – Expansion

HB1007/438579/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1007

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 15 down through the semicolon in line 17.

AMENDMENT NO. 2

On page 5, in line 7, strike “(1)”; in lines 8, 12, and 14, strike “(I)”, “(II)”, and “(III)”, respectively, and substitute “(1)”, “(2)”, and “(3)”, respectively; and strike in their entirety lines 16 and 17.

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:

House Bill 1027 – Delegates Lopez, Wilson, Acevero, B. Barnes, Bartlett, Cardin, Feldmark, Glenn, Grammer, Harrison, Kelly, Mosby, Queen, Reznik, Solomon, Stewart, ~~and Wells~~ Wells, Atterbeary, Malone, J. Lewis, Sydnor, Moon, Crutchfield, McComas, Pippy, Hartman, R. Watson, Arikan, Shetty, W. Fisher, Cox, Anderson, and Conaway

AN ACT concerning

Criminal Law – Child Pornography

HB1027/518379/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1027

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “altering” in line 3 down through “pornography;” in line 4; in line 6, after “actual” insert “and identifiable”; in line 11, strike “11–101, 11–201, and”; and strike in their entirety lines 14 through 18, inclusive.

AMENDMENT NO. 2

On pages 2 through 5, strike in their entirety the lines beginning with line 4 on page 2 through line 9 on page 5, inclusive.

On page 5, in lines 11, 12, 14, and 17, in each instance, after “ACTUAL” insert “AND IDENTIFIABLE”; in line 13, strike “ENGAGED IN SEXUAL CONDUCT”; in lines 14 and 15, strike “AN ACTUAL MINOR OR”; in line 16, after “AN” insert “ACTUAL AND”; and in line 25, after “ACTUAL” insert “AND IDENTIFIABLE”.

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:

House Bill 1096 – Delegates Hettleman, Atterbeary, Barron, Buckel, Cain, Cardin, Charkoudian, Conaway, Dumais, W. Fisher, Gilchrist, Guyton, Healey, Ivey, Kelly, Korman, Lehman, J. Lewis, R. Lewis, Lierman, Lisanti, Love, Luedtke, Moon, Mosby, Queen, Reznik, Shetty, Solomon, Sydnor, Terrasa, Valderrama, Valentino-Smith, C. Watson, ~~and Wilkins~~ Wilkins, Palakovich Carr, Lopez, Grammer, Bartlett, Crutchfield, McComas, Pippy, Arikan, Cox, Anderson, Hartman, and Malone

AN ACT concerning

Criminal Procedure – Sexual Assault Evidence Collection Kits – Analysis

HB1096/518777/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1096

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, after “manner;” insert “providing that the failure to take certain actions in a timely manner may not constitute the basis for excluding certain evidence;”; and in line 18, strike “a certain victim’s” and substitute “certain”.

On page 2, in lines 3 and 4, strike “for certain provisions of this Act”.

AMENDMENT NO. 2

On page 5, in line 1, after “**(1)**” insert “**(I)**”; and after line 5, insert:

“(II) FAILURE TO COMPLETE THE SCREENING, TESTING, AND ANALYSIS IN A TIMELY MANNER AS REQUIRED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY NOT CONSTITUTE THE BASIS FOR EXCLUDING THE ANALYSIS OR RESULTS AS EVIDENCE IN A CRIMINAL PROCEEDING.”.

On page 6, in line 13, strike “December 1, 2019” and substitute “January 1, 2020”; strike beginning with “Section” in line 14 down through “Act.” in line 17; and in line 17, strike “June 1, 2019” and substitute “January 1, 2020”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1244 – Delegates Acevero, Charles, Pena–Melnyk, Corderman, W. Fisher, Harrison, Hettleman, Ivey, Jackson, Johnson, Kelly, Lehman, J. Lewis, R. Lewis, Lierman, Lopez, McKay, Palakovich Carr, Qi, Queen, Solomon, Stewart, Sydnor, Terrasa, Turner, C. Watson, ~~and Wilkins~~ Wilkins, Barron, Bhandari, Carr, Hill, Kerr, Pendergrass, Sample–Hughes, and K. Young

AN ACT concerning

**Public Buildings and Places of Public Accommodation – Diaper-Changing
Facilities**

HB1244/518074/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1244

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “establishing” in line 14 down through “determination” in line 15 and substitute “providing that the governing body of a political subdivision is responsible for enforcement of certain provisions of this Act under certain circumstances”.

AMENDMENT NO. 2

On page 2, in lines 26 and 28, in each instance, after “**STATE**” insert “**OR A POLITICAL SUBDIVISION OF THE STATE**”.

On page 3, in line 8, strike “**\$50,000**” and substitute “**\$10,000**”.

On page 4, in line 5, before “**THE**” insert “**(A)**”; and after line 10, insert:

“(B) THE GOVERNING BODY OF A POLITICAL SUBDIVISION IS RESPONSIBLE FOR THE ENFORCEMENT OF THIS SUBTITLE IF:

(1) CONSTRUCTION IS NOT ON STATE-OWNED LAND;

(2) FUNDS OF THE POLITICAL SUBDIVISION ARE USED; AND

(3) NO STATE FUNDS ARE USED, EXCEPT FOR STATE FUNDS FOR SCHOOL CONSTRUCTION.”

The preceding 2 amendments were read only.

Senator Edwards moved to make the Bill and Amendments a Special Order for April 3, 2019.

The motion was adopted.

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 34

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

House Bill 370 – Chair, Appropriations Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Department of Labor, Licensing, and Regulation – Police Force – 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:

House Bill 641 – Delegates Atterbeary, Anderson, Arentz, Barve, Brooks, Cardin, D.E. Davis, Ghrist, Hettleman, Jacobs, Kaiser, Kelly, Love, Luedtke, Malone, Moon, Otto, Parrott, Qi, Shetty, Stein, Stewart, ~~and Wilson~~ Wilson, Arian, Sydnor, Grammer, McComas, Hartman, and W. Fisher

AN ACT concerning

Criminal Law – Sexual Contact With an Animal

HB0641/888773/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 641

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Animal” insert “– Aggravated Cruelty to Animals”; strike beginning with “providing” in line 4 down through “animal;” in line 7; in line 7, strike “sexual contact with” and substitute “aggravated cruelty to”; and strike in their entirety lines 14 through 19, inclusive.

On page 2, strike in their entirety lines 1 through 14, inclusive.

AMENDMENT NO. 2

On pages 4 and 5, strike in their entirety the lines beginning with line 14 on page 4 through line 8 on page 5, 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 ORDER CALENDAR NO. 40

House Bill 1093 – Delegates ~~P. Young and Lisanti~~, Lisanti, Kaiser, Walker, D. Barnes, Boteler, Buckel, Cain, Ebersole, Feldmark, Guyton, Hornberger, Ivey, Long, Luedtke, Mosby, Palakovich Carr, Patterson, Reilly, Rose, Shoemaker, Turner, Washington, and Wilkins

AN ACT concerning

Income Tax – Subtraction Modification – Retirement Income

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

Read the second time and ordered prepared for Third Reading.

SENATE THIRD READING CALENDAR NO. 17 (GENERAL HOUSE BILLS)

House Bill 36 – Delegate Wivell

AN ACT concerning

Surface Mining – Zone of Dewatering Influence – Water Supply Replacement

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

Affirmative – 44 Negative – 0 (See Roll Call No. 945)

The Bill was then returned to the House of Delegates.

House Bill 93 – Delegate Rosenberg

AN ACT concerning

Walter Sondheim Jr. Public Service Internship Scholarship Program – Repeal of Award Cap

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

Affirmative – 45 Negative – 0 (See Roll Call No. 946)

The Bill was then returned to the House of Delegates.

House Bill 109 – Delegates Lierman, Anderson, Bagnall, D. Barnes, Barron, Bartlett, Bridges, Brooks, Cain, Charkoudian, Clippinger, Conaway, Cullison, Ebersole, Feldmark, Fraser-Hidalgo, Gilchrist, Guyton, Haynes, Healey, Hettleman, Hill, Kelly, Korman, Lafferty, Lehman, R. Lewis, Love, Luedtke, Moon, Mosby, Palakovich Carr, Reznik, Shetty, Smith, Solomon, Stein, Stewart, Terrasa, Washington, Wells, ~~and K. Young~~ K. Young, and Cardin

AN ACT concerning

**Environment – Expanded Polystyrene Food Service Products – ~~Prohibition~~
Prohibitions**

Senator Eckardt moved to make the Bill a Special Order for the evening session.

The motion was adopted.

House Bill 124 – Delegates K. Young, Healey, Bartlett, Bhandari, Brooks, Ebersole, Feldmark, Jalisi, Jones, Kelly, Kerr, Krimm, R. Lewis, Pendergrass, Shetty, Terrasa, and C. Watson

AN ACT concerning

Tanning Devices – Use by Minors

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

Affirmative – 32 Negative – 13 (See Roll Call No. 947)

The Bill was then returned to the House of Delegates.

House Bill 145 – Delegates K. Young, Bagnall, Barron, Bhandari, Brooks, Cullison, Dumais, Fraser-Hidalgo, Healey, Hill, Jalisi, Jones, Kelly, Kerr, Kipke, Korman, R. Lewis, Lierman, Lisanti, McIntosh, Metzgar, Sample-Hughes, Shetty, ~~and P. Young~~ P. Young, Pendergrass, Pena-Melnyk, Carr, Charles, Johnson, Krebs, Rosenberg, and Szeliga

AN ACT concerning

Hospitals – Patient’s Bill of Rights

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

Affirmative – 45 Negative – 0 (See Roll Call No. 948)

The Bill was then returned to the House of Delegates.

House Bill 172 – Chair, Ways and Means Committee (By Request – Departmental – State Board of Elections)

AN ACT concerning

Election Law – Voter Registration Deadlines and Security of Voter Registration Information

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

Affirmative – 45 Negative – 0 (See Roll Call No. 949)

The Bill was then returned to the House of Delegates.

House Bill 174 – Chair, Ways and Means Committee (By Request – Departmental – State Board of Elections)

AN ACT concerning

Election Law – Absentee Ballot Requests – Last Four Digits of Social Security Number

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

Affirmative – 45 Negative – 0 (See Roll Call No. 950)

The Bill was then returned to the House of Delegates.

House Bill 176 – Chair, Ways and Means Committee (By Request – Departmental – State Board of Elections)

AN ACT concerning

Election Law – ~~Certificates of Candidacy and Nomination~~ Candidates – Revisions

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

Affirmative – 44 Negative – 0 (See Roll Call No. 951)

The Bill was then returned to the House of Delegates.

House Bill 177 – Chair, Ways and Means Committee (By Request – Departmental – State Board of Elections)

AN ACT concerning

Election Law – Judicial Proceedings Involving Local Boards of Elections – Notice

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

Affirmative – 45 Negative – 0 (See Roll Call No. 952)

The Bill was then returned to the House of Delegates.

House Bill 218 – Delegates Krebs, Cullison, ~~and Pena-Melnyk~~ Pena-Melnyk, and Sample-Hughes

AN ACT concerning

Public Health – Disposition of Remains – Forfeiture or Waiver of Right of Disposition

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

Affirmative – 45 Negative – 0 (See Roll Call No. 953)

The Bill was then returned to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 18 (GENERAL HOUSE BILLS)

House Bill 284 – Delegates J. Lewis, Carey, W. Fisher, Ivey, Luedtke, Washington, ~~and Wilkins~~ Wilkins, Bagnall, Barron, Bhandari, Carr, Charles, Chisholm, Hill, Kerr, Krebs, R. Lewis, Metzgar, Morgan, Pena-Melnyk, Pendergrass, Rosenberg, Saab, Sample-Hughes, and K. Young

AN ACT concerning

**Procurement – Small Businesses and Minority Businesses – Qualification and Certification
(Small and Minority Business Certification Streamlining Act of 2019)**

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

Affirmative – 45 Negative – 0 (See Roll Call No. 954)

The Bill was then returned to the House of Delegates.

House Bill 393 – Delegates Cassilly, Jalisi, Johnson, and Lisanti

AN ACT concerning

Natural Resources – Park Services Associates – Parking Citations

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

Affirmative – 38 Negative – 7 (See Roll Call No. 955)

The Bill was then returned to the House of Delegates.

House Bill 406 – Delegate Beitzel

AN ACT concerning

**Wetlands and Waterways Program – State-Owned ~~Lands~~ Lakes – Structural
Shoreline Stabilization**

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

Affirmative – 43 Negative – 0 (See Roll Call No. 956)

The Bill was then returned to the House of Delegates.

**House Bill 522 – ~~Delegate Krebs~~ Delegates Krebs, Pendergrass, Pena-Melnyk,
Bagnall, Barron, Bhandari, Carr, Charles, Chisholm, Cullison, Hill,
Johnson, Kelly, Kerr, Kipke, R. Lewis, Metzgar, Morgan, Rosenberg, Saab,
Sample-Hughes, Szeliga, and K. Young**

AN ACT concerning

Public Health – Food Establishments – Licensing

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

Affirmative – 45 Negative – 0 (See Roll Call No. 957)

The Bill was then returned to the House of Delegates.

House Bill 646 – ~~Delegate Pendergrass~~ Delegates Pendergrass, Pena–Melnyk, Bagnall, Barron, Carr, Charles, Chisholm, Cullison, Kelly, Kerr, Kipke, Krebs, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Sample–Hughes, Szeliga, and K. Young

AN ACT concerning

**Maryland Health Care Commission – State Health Plan and Certificate of Need
for Hospital Capital Expenditures**

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

Affirmative – 45 Negative – 0 (See Roll Call No. 958)

The Bill was then returned to the House of Delegates.

House Bill 671 – ~~Delegates Rogers, Bagnall, Bartlett, Branch, Carey, Chang, Crosby, D.E. Davis, Fennell, Lisanti, McIntosh, Sample–Hughes, C. Watson, and Wilson~~ Wilson, and Howard

AN ACT concerning

Household Goods Movers Registration

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

Affirmative – 45 Negative – 0 (See Roll Call No. 959)

The Bill was then returned to the House of Delegates.

**House Bill 679 – The Speaker (By Request – Workplace Harassment Commission)
and Delegate Jones**

AN ACT concerning

**Workplace Harassment – Prohibitions, Liability, ~~and~~ Enforcement, and
Prevention Training**

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

Affirmative – 45 Negative – 0 (See Roll Call No. 960)

The Bill was then returned to the House of Delegates.

**House Bill 703 – Delegates Lafferty, Fraser–Hidalgo, Holmes, Love, Stewart, and
Wells**

AN ACT concerning

Environmental Violations – Reporting Requirements

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

Affirmative – 34 Negative – 10 (See Roll Call No. 961)

The Bill was then returned to the House of Delegates.

House Bill 704 – Delegates Washington and ~~Charkoudian~~, Charkoudian, and Cain

AN ACT concerning

Maryland Longitudinal Data System – Student Data and Governing Board

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

Affirmative – 43 Negative – 2 (See Roll Call No. 962)

The Bill was then returned to the House of Delegates.

House Bill 878 – Delegates Kaiser, Barve, Cain, Ebersole, Feldmark, Gaines, Haynes, Krebs, Mosby, and K. Young

AN ACT concerning

Election Law – Campaign Finance Reports – Late Fees and Certificates of Nomination

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

Affirmative – 43 Negative – 2 (See Roll Call No. 963)

The Bill was then returned to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 19 (GENERAL HOUSE BILLS)

House Bill 1025 – Delegate Mosby

AN ACT concerning

Election Law – Coordinated Expenditures and Donations – Investigation

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

Affirmative – 44 Negative – 1 (See Roll Call No. 964)

The Bill was then returned to the House of Delegates.

House Bill 1072 – Delegates Brooks, D. Barnes, Bromwell, Carey, Dumais, Fennell, Glenn, Haynes, Hettleman, Mosby, Patterson, Proctor, Qi, Sample–Hughes, Stein, Walker, R. Watson, Wilson, and P. Young

AN ACT concerning

Transportation Network Companies – Insurance

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

Affirmative – 45 Negative – 0 (See Roll Call No. 965)

The Bill was then returned to the House of Delegates.

House Bill 1123 – Delegates Fraser–Hidalgo, Cassilly, Barve, Gilchrist, Jacobs, Otto, Stein, and Wivell

~~EMERGENCY BILL~~

AN ACT concerning

Agriculture – Hemp Research and Production

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

Affirmative – 45 Negative – 0 (See Roll Call No. 966)

The Bill was then returned to the House of Delegates.

House Bill 1167 – Delegates Haynes and Glenn

AN ACT concerning

Labor and Employment – Apprenticeship Career Training Pilot Program for Formerly Incarcerated Individuals – Establishment

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

Affirmative – 45 Negative – 0 (See Roll Call No. 967)

The Bill was then returned to the House of Delegates.

House Bill 1169 – Delegates D.E. Davis, Branch, Brooks, Busch, Queen, and Valderrama

AN ACT concerning

Business Regulation – Tobacco Products and Electronic Smoking Devices – Revisions

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

Affirmative – 32 Negative – 13 (See Roll Call No. 968)

The Bill was then returned to the House of Delegates.

House Bill 1172 – ~~Delegate Cassilly~~ Delegates Cassilly and Reilly, Reilly, Lisanti, Johnson, Szeliga, Arikan, Hornberger, and McComas

AN ACT concerning

Economic Development – Regional Advanced Manufacturing Partnership of Maryland

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

Affirmative – 45 Negative – 0 (See Roll Call No. 969)

The Bill was then returned to the House of Delegates.

House Bill 1183 – Delegates Hill, Bartlett, Cain, Carr, Clippinger, Crutchfield, Cullison, Ebersole, Feldmark, Haynes, Hettleman, Johnson, Kelly, R. Lewis, Luedtke, McIntosh, Qi, Shetty, Terrasa, and K. Young

AN ACT concerning

Public Health – Treatment for the Prevention of HIV – Consent by Minors

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

Affirmative – 45 Negative – 0 (See Roll Call No. 970)

The Bill was then returned to the House of Delegates.

House Bill 1259 – Delegate Ebersole

AN ACT concerning

Education – Collective Bargaining for Noncertificated Employees – Supervisory

Employees and Management Personnel

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

Affirmative – 30 Negative – 15 (See Roll Call No. 971)

The Bill was then returned to the House of Delegates.

House Bill 1284 – Delegate Luedtke

AN ACT concerning

Organ Donation – Prohibition on Discrimination by Insurer and Unpaid Leave

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

Affirmative – 44 Negative – 0 (See Roll Call No. 972)

The Bill was then returned to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 20 (GENERAL HOUSE BILLS)

House Bill 62 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

**Employees’ Pension System – Purchase of Eligibility Service Credit –
Clarification**

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

Affirmative – 45 Negative – 0 (See Roll Call No. 973)

The Bill was then returned to the House of Delegates.

**House Bill 81 – Delegates Wilkins, Charkoudian, Crutchfield, Hill, Moon, Saab,
~~and Valentino Smith~~ Valentino Smith, Kipke, Pena-Melnyk, Malone,
Adams, Shoemaker, Kaiser, Walker, D. Barnes, Boteler, Buckel, Cain,
Palakovich Carr, Ebersole, Feldmark, Guyton, Hornberger, Ivey, Long,
Luedtke, Mosby, Patterson, Reilly, Rose, Smith, Turner, and Washington**

AN ACT concerning

Property Tax Credit – Surviving Spouse of Veteran

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

Affirmative – 45 Negative – 0 (See Roll Call No. 974)

The Bill was then returned to the House of Delegates.

House Bill 82 – Delegates Charkoudian, Lierman, Feldmark, W. Fisher, Glenn, Guyton, Korman, Lehman, R. Lewis, Palakovich Carr, Stewart, Terrasa, Washington, and Wilkins

AN ACT concerning

Transportation – Complete Streets – Access to Healthy Food and Necessities

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

Affirmative – 45 Negative – 0 (See Roll Call No. 975)

The Bill was then returned to the House of Delegates.

House Bill 221 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Utility Services – Master Meters Task Force –
Extension**

PG 407–19

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

Affirmative – 45 Negative – 0 (See Roll Call No. 976)

The Bill was then returned to the House of Delegates.

House Bill 244 – Garrett County Delegation

AN ACT concerning

Garrett County – Hotel Rental Tax – Rate and Distribution of Revenue

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

Affirmative – 43 Negative – 2 (See Roll Call No. 977)

The Bill was then returned to the House of Delegates.

House Bill 302 – Montgomery County Delegation

AN ACT concerning

Montgomery County Housing Opportunities Commission – Collective Bargaining – Exclusive Representative Duty of Fair Representation

MC 26–19

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

Affirmative – 45 Negative – 0 (See Roll Call No. 978)

The Bill was then returned to the House of Delegates.

House Bill 324 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Discrimination – Prohibited in Contracts

MC/PG 107–19

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

Affirmative – 44 Negative – 0 (See Roll Call No. 979)

The Bill was then returned to the House of Delegates.

House Bill 325 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Indirect Customer Assistance Program

MC/PG 105–19

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

Affirmative – 45 Negative – 0 (See Roll Call No. 980)

The Bill was then returned to the House of Delegates.

House Bill 396 – Delegates Carr, Shetty, and Solomon

AN ACT concerning

Property Tax – Optional Installment Payment Schedule

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

Affirmative – 45 Negative – 0 (See Roll Call No. 981)

The Bill was then returned to the House of Delegates.

House Bill 449 – ~~Delegate Lafferty~~ Baltimore County Delegation

AN ACT concerning

Baltimore County – Development Impact Fees – Authorization and Use of Funds

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

Affirmative – 44 Negative – 1 (See Roll Call No. 982)

The Bill was then returned to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 21 (GENERAL HOUSE BILLS)**House Bill 469 – Chair, Appropriations Committee (By Request – Departmental – Teachers and State Employees Supplemental Retirement Plans)**

AN ACT concerning

Supplemental Retirement Plans – Investments – Procurement of Investment Management Services

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

Affirmative – 45 Negative – 0 (See Roll Call No. 983)

The Bill was then returned to the House of Delegates.

House Bill 527 – Delegates Charkoudian, Acevero, Arikan, B. Barnes, Cullison, Hornberger, Kittleman, Korman, Krebs, J. Lewis, R. Lewis, Metzgar, Moon, Smith, Solomon, Stewart, Turner, ~~and Wilkins~~ Wilkins, Pendergrass, Pena-Melnyk, Bagnall, Barron, Carr, Charles, Chisholm, Hill, Johnson, Kelly, Kerr, Kipke, Morgan, Rosenberg, Saab, Sample-Hughes, Szeliga, and K. Young

AN ACT concerning

Public Health – Cottage Food Products – Definition and Sale

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

Affirmative – 45 Negative – 0 (See Roll Call No. 984)

The Bill was then returned to the House of Delegates.

House Bill 810 – Delegates Kelly, Acevero, Atterbeary, Bagnall, B. Barnes, D. Barnes, Barron, Barve, Boyce, Branch, Bridges, Bromwell, Brooks, Busch, Cain, Cardin, Carr, Chang, Charkoudian, Charles, Corderman, Crutchfield, Cullison, D.M. Davis, Dumais, Ebersole, Feldmark, Fennell, W. Fisher, Fraser-Hidalgo, Gaines, Gilchrist, Glenn, Guyton, Harrison, Haynes, Healey, Hettleman, Hill, Jackson, Jalisi, Johnson, Jones, Kaiser, Korman, Krimm, Lafferty, J. Lewis, Lierman, Lisanti, Love, Luedtke, Moon, Mosby, Palakovich Carr, Pena-Melnyk, Qi, Queen, Reznik, Rosenberg, Sample-Hughes, Shetty, Smith, Solomon, Stein, Stewart, Sydnor, Terrasa, Turner, Valderrama, Valentino-Smith, R. Watson, Wilkins, K. Young, ~~and P. Young~~ P. Young, Boteler, Buckel, Rose, Reilly, Patterson, Hornberger, Walker, Washington, Long, Shoemaker, and Ivey

AN ACT concerning

Income Tax – Child and Dependent Care Tax Credit – Alterations

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

Affirmative – 45 Negative – 0 (See Roll Call No. 985)

The Bill was then returned to the House of Delegates.

House Bill 862 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

State Police Retirement System – Employment of Retirees – Clarifications

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

Affirmative – 45 Negative – 0 (See Roll Call No. 986)

The Bill was then returned to the House of Delegates.

House Bill 931 – Delegate Kipke

AN ACT concerning

Health Care Facilities – Certificate of Need – Modifications

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

Affirmative – 45 Negative – 0 (See Roll Call No. 987)

The Bill was then returned to the House of Delegates.

House Bill 1105 – Delegates Miller, Arentz, Howard, and Mautz

AN ACT concerning

**Investor-Owned Electric Companies – Acquisition of Substantial Influence –
Prohibition**

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

Affirmative – 45 Negative – 0 (See Roll Call No. 988)

The Bill was then returned to the House of Delegates.

House Bill 1347 – Delegates Jones, Brooks, Cardin, Hettleman, and Stein

EMERGENCY BILL

AN ACT concerning

~~**Maryland Consolidated Capital Bond Loan of 2018 – Baltimore County – Road
and Intersection Improvements**~~

Prior Authorizations of State Debt – Alterations

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

Affirmative – 45 Negative – 0 (See Roll Call No. 989)

The Bill was then returned to the House of Delegates.

**House Bill 1352 – Chair, Appropriations Committee (By Request – Departmental
– University System of Maryland)**

AN ACT concerning

University System of Maryland – Academic Facilities Bonding Authority

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

Affirmative – 45 Negative – 0 (See Roll Call No. 990)

The Bill was then returned to the House of Delegates.

**House Bill 1425 – Chair, Appropriations Committee (By Request – Departmental
– Stadium Authority)**

AN ACT concerning

**Maryland Stadium Authority – Development of Supplemental Facilities to
Benefit Camden Yards**

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

Affirmative – 45 Negative – 0 (See Roll Call No. 991)

The Bill was then returned to the House of Delegates.

**SENATE THIRD READING CALENDAR NO. 22 (GENERAL HOUSE BILLS)
CONSENT NO. 13**

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 80	Cecil County Delegation	Horse Racing at Fair Hill – Union Hospital Allocation – Repeal	B&T
HB 380	Del. Walker	Income Tax Subtraction Modification – Mortgage Forgiveness Debt Relief – Extension	B&T
HB 477	Del. Clark	Property Tax Credit – Public Safety Officer – Definition	B&T
HB 672	Del. Valentino–Smith	Housing – Local Housing Grant Program for Homeless Veterans and Survivors of Domestic Violence	B&T

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 997	Cecil County Delegation	Cecil County – Special Taxing Districts – Internet Service	B&T

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

All of the above listed bills on the Third Reading Consent Calendar were read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 992)

The Bills were then returned to the House of Delegates.

EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE REPORT NO. 57

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

Senate Bill 1030 – The President (By Request – Commission on Innovation and Excellence in Education) and Senators King, Pinsky, Ferguson, and Young

AN ACT concerning

The Blueprint for Maryland’s Future

SB1030/594838/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1030 (First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Young” and substitute “Young, Peters, Zucker, Elfreth, McCray, and Guzzone”; in line 2, after “The” insert “Education”; in line 17, after “staff” insert “or provide certain coverage”; in the same line, after “funds;” insert “requiring a county that provides certain positions or services from funds outside of those made from a certain appropriation in a certain fiscal year to continue to provide certain positions or services in certain fiscal years;”; in line 19, after “school” insert “or to complete”

a certain assessment.”; in line 20, strike “schools” and substitute “school”; and in line 24, after “boards;” insert “renaming the Commission on Innovation and Excellence in Education Fund to be The Blueprint for Maryland’s Future Fund; altering the purpose and use of the Fund; altering the source of revenue distributed to the Fund to include revenues collected and remitted by marketplace facilitators and certain out-of-state vendors, under certain circumstances;”.

On page 2, in line 2, after “evaluation” insert “at a certain frequency”; in line 5, after “Program;” insert “requiring the Department to report, on or before certain dates, certain information about the Program to the Governor and the General Assembly; establishing the Maryland Office of the Inspector General of Education; providing that the Office is an independent unit of the State; providing for the purpose of the Office; requiring all expenses and operations related to the Office to be separately identified and independent of any other unit of State government; establishing the Inspector General in the Office; providing for the eligibility, professional qualifications, appointment, term, and removal of the Inspector General; providing for the salary of the Inspector General and funding for the Office; providing for the Inspector General’s duties and powers when investigating the management and affairs of certain entities; prohibiting the Inspector General from taking certain actions under certain circumstances; authorizing a person to have an attorney present during contact with the Inspector General; providing that a certain circuit court may grant appropriate relief after conducting a certain hearing; prohibiting certain entities from taking adverse, retaliatory action against an individual because the individual cooperated with or provided information to the Inspector General; providing that certain records produced by the Inspector General are not subject to the Public Information Act; authorizing the Inspector General to appoint and employ certain professional and clerical staff; requiring the Office, on or before a certain date each year, to submit a certain report to the State Superintendent, the State Board of Education, the Interagency Commission on School Construction, the Governor, and the General Assembly;”; in line 10, after “board” insert “, including the Baltimore City Board of School Commissioners,”; in line 13, after the comma insert “including”; in line 14, after “years;” insert “providing that a county board that did not receive a certain grant in a certain fiscal year must submit certain documentation to apply for a grant in a certain fiscal year; requiring certain funding that is not needed for a certain purpose to be used for another purpose; establishing the Workgroup to Study the Maryland State Department of Education and the Maryland Higher Education Commission; providing for the membership, chair, staffing, and purpose of the Workgroup; requiring the Department and the Maryland Higher Education Commission to provide information to the Workgroup, as requested; requiring the Workgroup to report its findings and recommendations to the Governor and the General Assembly on or before a certain date;”; in line 15, strike “and” and substitute “, including”;

in the same line, after “Commissioners” insert a comma; in line 21, after “date;” insert “stating the intent of the General Assembly that the Governor transfer or release certain funds that are restricted in a certain fiscal year budget bill for certain purposes in accordance with this Act; providing that, if the Governor does not transfer or release certain funds for certain purposes, a certain amount shall be distributed in a certain fiscal year in addition to certain funds required to be distributed under this Act; requiring each county board, including the Baltimore City Board of School Commissioners, to report on or before certain dates to the House Committee on Ways and Means, the House Appropriations Committee, the Senate Education, Health, and Environmental Affairs Committee, and the Senate Budget and Taxation Committee on how certain funds were distributed and spent;”; in the same line, strike “for a” and substitute “in”; in line 22, strike “year” and substitute “years”; in the same line, after the semicolon insert “stating the intent of the General Assembly that the Commission on Innovation and Excellence in Education include in its final report a certain implementation schedule;”; in line 25, after “Education;” insert “providing that The Blueprint for Maryland’s Future Fund is the successor of the Commission on Innovation and Excellence in Education Fund; providing that a certain name of a certain fund in laws and other documents means the name of the successor fund; requiring the publisher of the Annotated Code, in consultation with a certain State entity, to correct cross–references and terminology in the Code that are rendered incorrect by this Act;”; in line 27, strike “another Act” and substitute “certain other Acts”; in line 32, strike the first “and”; in the same line, after “6–123” insert “; and 9.9–101 through 9.9–105 to be under the new title “Title 9.9. Maryland Office of the Inspector General for Education””; in line 42, strike the second “and”; and in the same line, after “5–218” insert “, and 5–219”.

On page 3, after line 24, insert:

“BY repealing and reenacting, with amendments,

Article – Education

Section 5–219

Annotated Code of Maryland

(2018 Replacement Volume and 2018 Supplement)

(As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 2–1303

Annotated Code of Maryland

(2016 Replacement Volume and 2018 Supplement)”.

AMENDMENT NO. 2

On page 5, in line 5, strike “AT NO COST”; and in line 6, strike “FROM LOW-INCOME FAMILIES”.

On page 6, in line 7, strike “CAREER” and substitute “SUBJECT TO ITEM (III) OF THIS ITEM, CAREER”; in line 11, after “INCLUDE” insert “AN APPRENTICESHIP OR OTHER”; in lines 11 and 12, strike “OR AN APPRENTICESHIP”; in line 14, strike “AND”; and in line 15, after “(III)” insert “CAREER AND TECHNOLOGY OPPORTUNITIES THAT INCLUDE EXPANDED OPPORTUNITIES FOR SCIENCE-BASED, CERTIFIED AGRICULTURE EDUCATION; AND

(IV)”.

AMENDMENT NO. 3

On page 10, in line 10, after “ELIGIBLE” insert “:

(I) FOR FISCAL YEAR 2020,;

in line 11, strike “2016–2017” and substitute “2017–2018”; in the same line, after “YEAR” insert “;AND

(II) FOR FISCAL YEAR 2021, FOR FREE OR REDUCED PRICE MEALS IN THE:

1. 2017–2018 SCHOOL YEAR; OR

2. 2018–2019 SCHOOL YEAR.”;

in line 19, after “(IV)” insert “ESTABLISHING OR EXPANDING SCHOOL-BASED HEALTH CENTER SERVICES;

(V)”;

and in line 29, after the second comma insert “LANGUAGE CLASSES, WORKFORCE DEVELOPMENT TRAINING,”.

On page 10 in lines 21, 24, and 28, and on page 11 in lines 1, 3, 4, 5, and 7, strike “(V)”, “(VI)”, “(VII)”, “(VIII)”, “(IX)”, “(X)”, “(XI)”, and “(XII)”, respectively, and substitute “(VI)”, “(VII)”, “(VIII)”, “(IX)”, “(X)”, “(XI)”, “(XII)”, and “(XIII)”, respectively.

On page 11, in line 18, strike “EACH” and substitute “EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF THIS PARAGRAPH, EACH”; after line 19, insert:

“(III) IF A LOCAL SCHOOL SYSTEM HAS AT LEAST 40 ELIGIBLE SCHOOLS, THE COUNTY BOARD MAY, ON BEHALF OF ELIGIBLE SCHOOLS, EXPEND THE FUNDS DISTRIBUTED BY THE STATE UNDER THIS PARAGRAPH, PROVIDED THAT A PLAN IS DEVELOPED IN CONSULTATION WITH THE ELIGIBLE SCHOOLS THAT ENSURES THAT THE REQUIREMENTS OF SUBSECTION (D) OF THIS SECTION ARE MET.”;

in line 23, after “(1)” insert “(I)”; in line 24, strike “SCHOOLS” and substitute “SCHOOL”; strike beginning with “AND” in line 24 down through “POSITION” in line 25; after line 25, insert:

“(II) 1. EACH ELIGIBLE SCHOOL SHALL PROVIDE FULL-TIME COVERAGE BY AT LEAST ONE PROFESSIONAL HEALTH CARE PRACTITIONER DURING SCHOOL HOURS, INCLUDING ANY EXTENDED LEARNING TIME, WHO IS A LICENSED PHYSICIAN, A LICENSED PHYSICIAN’S ASSISTANT, OR A LICENSED REGISTERED NURSE, PRACTICING WITHIN THE SCOPE OF THE HEALTH CARE PRACTITIONER’S LICENSE.

2. A HEALTH CARE PRACTITIONER PROVIDING COVERAGE UNDER THIS SUBPARAGRAPH MAY WORK UNDER A SCHOOL HEALTH SERVICES PROGRAM, A COUNTY HEALTH DEPARTMENT, A SCHOOL-BASED HEALTH CENTER, OR A COMMUNITY-PARTNERED SCHOOL BEHAVIORAL HEALTH SERVICES PROGRAM.

3. THIS SUBPARAGRAPH MAY NOT BE CONSTRUED TO:

A. REQUIRE THAT AN ELIGIBLE SCHOOL HIRE A FULL-TIME HEALTH CARE PRACTITIONER STAFF POSITION; OR

B. PRECLUDE THE HIRING OF ANY OTHER HEALTH CARE PRACTITIONERS THAT MEET THE NEEDS OF THE STUDENTS.;

in line 27, strike “POSITIONS REQUIRED” and substitute “REQUIREMENTS”; in line 29, after “POSITIONS” insert “AND PROVIDE THE COVERAGE”; in line 30, strike “SHALL” and substitute “MAY ONLY”; in line 31, strike “WRAPAROUND” and substitute “:

(I) WRAPAROUND;

and in the same line, after “SCHOOL” insert “;AND

(II) THE ASSESSMENT REQUIRED UNDER SUBSECTION (E) OF THIS SECTION”.

On page 12, in line 2, strike “INDIVIDUALS IN THE POSITIONS” and substitute “AN INDIVIDUAL IN A POSITION OR HAS THE COVERAGE”; in line 3, after the first comma insert “AT LEAST”; in the same line, after “THE” insert “SAME AMOUNT OF”; in the same line, after “FUNDS” insert “SHALL BE PROVIDED TO THE ELIGIBLE SCHOOL TO BE”; in the same line, after “THOSE POSITIONS” insert “OR COVERAGE IN FISCAL YEARS 2020 AND 2021”; strike beginning with “AS” in line 3 down through “SCHOOL” in line 5; in line 6, strike “SCHOOLS” and substitute “SCHOOL”; and strike beginning with “THE” in line 11 down through “PROGRAM” in line 14 and substitute “THE ASSESSMENT PERFORMED UNDER THIS SUBSECTION SHALL:

(I) BE DONE IN COLLABORATION WITH THE PRINCIPAL AND SCHOOL HEALTH CARE PRACTITIONER; AND

(II) INCLUDE AN ASSESSMENT OF THE PHYSICAL, BEHAVIORAL, AND EMOTIONAL HEALTH NEEDS OF STUDENTS AND THEIR COMMUNITIES.

(F) A COUNTY THAT PROVIDES A SCHOOL NURSE, SCHOOL HEALTH SERVICES, OR COMMUNITY SCHOOL SERVICES FROM FUNDS OUTSIDE OF THOSE MADE IN THE FISCAL YEAR 2019 LOCAL APPROPRIATION TO THE COUNTY BOARD SHALL CONTINUE TO PROVIDE AT LEAST THE SAME RESOURCES TO AN ELIGIBLE SCHOOL IN FISCAL YEARS 2020 AND 2021”.

On page 14, after line 13, insert:

“5–219.

(a) In this section, “Fund” means [the Commission on Innovation and Excellence in Education] **THE BLUEPRINT FOR MARYLAND’S FUTURE** Fund.

(b) There is [a Commission on Innovation and Excellence in Education] **THE BLUEPRINT FOR MARYLAND’S FUTURE** Fund.

(c) The purpose of the Fund is to assist in providing adequate funding for early childhood education and primary and secondary education to provide a world-class education to students so they are prepared for college and a career in the global economy of the 21st century, based on the [final] recommendations of the Commission on Innovation and Excellence in Education.

(d) The Department 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 § 2–605.1 of the Tax – General Article;

(2) Money appropriated in the State budget for the Fund; and

(3) Any other money from any other source accepted for the benefit of the Fund.

(g) The Fund may be used only to assist in providing adequate funding for early childhood education and primary and secondary education [through revised education funding formulas] based on the [final] recommendations of the Commission on Innovation and Excellence in Education, **INCLUDING REVISED EDUCATION FUNDING FORMULAS.**

(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 interest earnings of the Fund shall be credited to the Fund.

(i) Expenditures from the Fund may be made only in accordance with the State budget.

AMENDMENT NO. 5

On page 15, in line 24, after “DESIGN” insert “**AND IMPLEMENT AT LEAST TWO OF THE FOLLOWING**”.

On page 17, in line 9, after the second comma insert “**RELIGIOUS TOLERANCE,**”; in line 15, after the semicolon insert:

“(VI) AWARENESS OF AND SENSITIVITY TO THE SEXUAL ORIENTATION AND GENDER IDENTITY OF STUDENTS;

(VII) IMPLEMENTING INDIVIDUALIZED EDUCATION PROGRAMS AND 504 PLANS FOR STUDENTS WITH DISABILITIES;

(VIII) AWARENESS OF TRAUMA-INFORMED APPROACHES TO MEET STUDENTS’ NEEDS;

(IX) RECOGNITION OF STUDENT MENTAL HEALTH DISORDERS;”;

and in line 16, strike “(VI)” and substitute “**(X)**”.

On page 18, in line 14, after “OF” insert “**AT LEAST TWO OF THE PROPOSED:**

1.”;

in the same line, strike “**THE PROPOSED PRACTICUM**” and substitute “**PRACTICUM**”; in lines 16, 18, 20, and 24, strike “**(II)**”, “**(III)**”, “**(IV)**”, and “**(V)**”, respectively, and substitute “**2.**”, “**3.**”, “**(II)**”, and “**(III)**”, respectively; in line 16, strike “**A DESCRIPTION OF THE PROPOSED PROFESSIONAL**” and substitute “**PROFESSIONAL**”; in line 17, after the

semicolon insert “OR”; and in line 18, strike “A DESCRIPTION OF THE PROPOSED PEER” and substitute “PEER”.

On page 19, in line 7, after “EVALUATION” insert “AT LEAST ONCE DURING EACH GRANT PERIOD”; and after line 20, insert:

“(G) ON OR BEFORE DECEMBER 1, 2019, AND ON OR BEFORE DECEMBER 1 OF 2020 AND 2021, THE DEPARTMENT SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY ON:

(1) THE NUMBER OF GRANT APPLICATIONS RECEIVED UNDER THE PROGRAM;

(2) THE NUMBER OF GRANTS AWARDED UNDER THE PROGRAM; AND

(3) THE CURRENT STATUS OF EACH GRANTEE AND THE GRANTEE’S ACTIVITIES FUNDED UNDER THE PROGRAM.”

AMENDMENT NO. 6

On page 19, before line 21, insert:

“TITLE 9.9. MARYLAND OFFICE OF THE INSPECTOR GENERAL FOR EDUCATION.

9.9-101.

(A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “INSPECTOR GENERAL” MEANS THE INSPECTOR GENERAL IN THE MARYLAND OFFICE OF THE INSPECTOR GENERAL FOR EDUCATION.

(C) “OFFICE” MEANS THE MARYLAND OFFICE OF THE INSPECTOR GENERAL FOR EDUCATION.

9.9-102.

(A) THERE IS A MARYLAND OFFICE OF THE INSPECTOR GENERAL FOR EDUCATION.

(B) THE OFFICE IS AN INDEPENDENT UNIT OF THE STATE.

(C) THE PURPOSE OF THE OFFICE IS TO PROVIDE ACCOUNTABILITY AND TRANSPARENCY IN THE EXPENDITURE OF PUBLIC FUNDS FOR EDUCATION IN THE STATE.

(D) ALL EXPENSES AND OPERATIONS RELATED TO THE ADMINISTRATION OF THE OFFICE SHALL BE SEPARATELY IDENTIFIED AND INDEPENDENT OF ANY OTHER UNIT OF STATE GOVERNMENT.

9.9-103.

(A) THERE IS AN INSPECTOR GENERAL IN THE MARYLAND OFFICE OF THE INSPECTOR GENERAL FOR EDUCATION.

(B) (1) AN INDIVIDUAL IS ELIGIBLE TO BE THE INSPECTOR GENERAL ONLY IF THE INDIVIDUAL EXECUTES AN AFFIDAVIT STATING THAT THE INDIVIDUAL WILL NOT ACCEPT APPOINTMENT TO, OR BE A CANDIDATE FOR, A STATE OR LOCAL OFFICE:

(I) DURING THE PERIOD OF SERVICE AS THE INSPECTOR GENERAL; AND

(II) FOR AT LEAST 3 YEARS IMMEDIATELY AFTER THE INDIVIDUAL LAST SERVES AS THE INSPECTOR GENERAL.

(2) THE INSPECTOR GENERAL SHALL RENEW THE AFFIDAVIT EVERY 2 YEARS DURING THE PERIOD OF SERVICE.

(3) A FAILURE TO RENEW THE AFFIDAVIT UNDER THIS SUBSECTION SHALL SUBJECT THE INSPECTOR GENERAL TO REMOVAL FROM OFFICE UNDER THIS SECTION.

(C) (1) THE INSPECTOR GENERAL SHALL BE APPOINTED BY A MAJORITY VOTE OF THE GOVERNOR, THE ATTORNEY GENERAL, AND THE STATE TREASURER, SUBJECT TO THE ADVICE AND CONSENT OF THE SENATE.

(2) THE TERM OF THE INSPECTOR GENERAL IS 5 YEARS, BEGINNING JULY 1 AFTER THE APPOINTMENT OF THE INSPECTOR GENERAL.

(3) AT THE END OF A TERM, THE INSPECTOR GENERAL SHALL CONTINUE TO SERVE UNTIL A SUCCESSOR IS APPOINTED.

(4) IF A VACANCY OCCURS IN THE OFFICE, AN INTERIM INSPECTOR GENERAL SHALL BE APPOINTED AS A SUCCESSOR TO SERVE FOR THE REMAINDER OF THE UNEXPIRED TERM.

(D) THE INSPECTOR GENERAL MAY BE REMOVED BY A MAJORITY VOTE OF THE GOVERNOR, THE ATTORNEY GENERAL, AND THE STATE TREASURER FOR:

(1) MISCONDUCT IN OFFICE;

(2) PERSISTENT FAILURE TO PERFORM THE DUTIES OF THE OFFICE;

OR

(3) CONDUCT PREJUDICIAL TO THE PROPER ADMINISTRATION OF JUSTICE.

(E) THE INSPECTOR GENERAL SHALL BE PROFESSIONALLY QUALIFIED THROUGH EXPERIENCE OR EDUCATION IN AT LEAST ONE OF THE FOLLOWING AREAS:

(1) LAW;

(2) AUDITING;

(3) GOVERNMENT OPERATIONS;

(4) FINANCIAL MANAGEMENT; OR

(5) EDUCATION POLICY.

(F) (1) THE INSPECTOR GENERAL IS ENTITLED TO THE SALARY PROVIDED IN THE STATE BUDGET.

(2) FUNDING FOR THE OFFICE SHALL BE AS PROVIDED IN THE STATE BUDGET.

9.9-104.

(A) THE INSPECTOR GENERAL SHALL BE RESPONSIBLE FOR EXAMINING AND INVESTIGATING THE MATTERS LISTED IN SUBSECTION (B) OF THIS SECTION WITH RESPECT TO THE MANAGEMENT AND AFFAIRS OF THE FOLLOWING ENTITIES:

(1) COUNTY BOARDS, LOCAL SCHOOL SYSTEMS, AND PUBLIC SCHOOLS;

(2) NONPUBLIC SCHOOLS THAT RECEIVE STATE FUNDS;

(3) THE DEPARTMENT; AND

(4) THE INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION.

(B) THE INSPECTOR GENERAL MAY RECEIVE AND INVESTIGATE COMPLAINTS OR INFORMATION CONCERNING:

(1) INSTANCES OF FRAUD, WASTE, OR ABUSE INVOLVING THE USE OF PUBLIC FUNDS AND PROPERTY;

(2) VIOLATIONS OF CIVIL RIGHTS, AS DEFINED IN FEDERAL OR STATE LAWS, OF STUDENTS OR EMPLOYEES OF THE ENTITIES LISTED IN SUBSECTION (A) OF THIS SECTION;

(3) WHETHER POLICIES AND PROCEDURES GOVERNING THE PREVENTION AND REPORTING OF CHILD ABUSE AND NEGLECT COMPLY WITH APPLICABLE FEDERAL AND STATE LAWS ON CHILD ABUSE AND NEGLECT; AND

(4) COMPLIANCE WITH OTHER APPLICABLE FEDERAL AND STATE LAWS.

(C) (1) THE INSPECTOR GENERAL MAY NOT DISCLOSE THE IDENTITY OF THE SOURCE OF A COMPLAINT OR INFORMATION PROVIDED UNDER SUBSECTION (B) OF THIS SECTION UNLESS THE INSPECTOR GENERAL:

(I) OBTAINS THE WRITTEN CONSENT OF THE SOURCE; OR

(II) DETERMINES THAT DISCLOSURE OF THE IDENTITY OF THE SOURCE IS NECESSARY AND UNAVOIDABLE DURING THE COURSE OF THE INVESTIGATION.

(2) IF THE INSPECTOR GENERAL DETERMINES THAT DISCLOSURE OF THE IDENTITY OF A SOURCE IS NECESSARY AND UNAVOIDABLE, THE INSPECTOR GENERAL SHALL NOTIFY THE SOURCE IN WRITING AT LEAST 7 DAYS BEFORE DISCLOSURE.

(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, DURING AN INVESTIGATION CONDUCTED IN ACCORDANCE WITH THIS TITLE, THE INSPECTOR GENERAL SHALL HAVE ACCESS TO ALL RECORDS, DATA, REPORTS, CONTRACTS, CORRESPONDENCE, OR OTHER DOCUMENTS OF AN ENTITY LISTED UNDER SUBSECTION (A) OF THIS SECTION THAT IS THE SUBJECT OF THE INVESTIGATION.

(2) THE INSPECTOR GENERAL MAY NOT ACCESS OR COMPEL THE PRODUCTION OF DOCUMENTS THAT ARE:

(I) PROTECTED UNDER THE ATTORNEY-CLIENT PRIVILEGE;

OR

(II) CONFIDENTIAL OR PRIVILEGED UNDER APPLICABLE PROVISIONS OF FEDERAL OR STATE LAW.

(E) (1) (I) DURING AN INVESTIGATION CONDUCTED IN ACCORDANCE WITH THIS TITLE, THE INSPECTOR GENERAL MAY:

1. SEEK AND OBTAIN SWORN TESTIMONY; AND

2. ISSUE SUBPOENAS AS NECESSARY TO COMPEL THE PRODUCTION OF DOCUMENTS AND RECORDS OR THE ATTENDANCE OF WITNESSES.

(II) A SUBPOENA MAY BE SERVED IN THE SAME MANNER AS ONE ISSUED BY A CIRCUIT COURT.

(2) (I) A PERSON MAY HAVE AN ATTORNEY PRESENT DURING ANY CONTACT WITH THE INSPECTOR GENERAL.

(II) THE INSPECTOR GENERAL SHALL ADVISE A PERSON OF THE RIGHT TO COUNSEL WHEN A SUBPOENA IS SERVED.

(3) (I) 1. THE INSPECTOR GENERAL IMMEDIATELY MAY REPORT THE FAILURE OF A PERSON TO OBEY A LAWFULLY SERVED SUBPOENA TO THE CIRCUIT COURT OF THE COUNTY THAT HAS JURISDICTION.

2. THE INSPECTOR GENERAL SHALL PROVIDE A COPY OF THE SUBPOENA AND PROOF OF SERVICE TO THE CIRCUIT COURT.

(II) AFTER CONDUCTING A HEARING AT WHICH THE PERSON WHO ALLEGEDLY FAILED TO COMPLY WITH A SUBPOENA HAS AN OPPORTUNITY TO BE HEARD AND REPRESENTED BY COUNSEL, THE CIRCUIT COURT MAY GRANT APPROPRIATE RELIEF.

(F) A STATE OR LOCAL AGENCY, COUNTY BOARD, OR PUBLIC OFFICIAL MAY NOT TAKE ADVERSE, RETALIATORY ACTION AGAINST AN INDIVIDUAL BECAUSE THE INDIVIDUAL COOPERATED WITH OR PROVIDED INFORMATION TO THE INSPECTOR GENERAL.

(G) RECORDS OR INFORMATION PROVIDED TO, PREPARED FOR, OR OBTAINED BY THE INSPECTOR GENERAL IN CONNECTION WITH AN INVESTIGATION ARE CONFIDENTIAL AND NOT SUBJECT TO DISCLOSURE UNDER THE PUBLIC INFORMATION ACT.

(H) IF THE INSPECTOR GENERAL FINDS OR HAS REASONABLE GROUNDS TO BELIEVE THAT THERE HAS BEEN A CRIMINAL VIOLATION OF FEDERAL OR STATE LAW, THE INSPECTOR GENERAL SHALL NOTIFY AND REFER THE MATTER TO THE APPROPRIATE FEDERAL, STATE, OR LOCAL LAW ENFORCEMENT AUTHORITY, LOCAL STATE'S ATTORNEY'S OFFICE, OFFICE OF THE ATTORNEY GENERAL, OFFICE OF THE STATE PROSECUTOR, OR FEDERAL AGENCY.

(I) IF THE INSPECTOR GENERAL IDENTIFIES AN ISSUE OF CONCERN THAT WOULD NOT CONSTITUTE A CRIMINAL VIOLATION OF STATE LAW, THE INSPECTOR GENERAL MAY REPORT THE ISSUE OF CONCERN TO THE STATE SUPERINTENDENT, THE STATE BOARD, THE INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION, THE GOVERNOR, AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

(J) THE INSPECTOR GENERAL MAY APPOINT AND EMPLOY PROFESSIONAL AND CLERICAL STAFF, INCLUDING ATTORNEYS, ACCOUNTANTS, AUDITORS, ANALYSTS, AND INVESTIGATORS, AS APPROPRIATED IN THE ANNUAL STATE BUDGET, TO CONDUCT THE WORK OF THE OFFICE.

9.9-105.

(A) ON OR BEFORE DECEMBER 1 EACH YEAR, THE OFFICE SHALL SUBMIT A REPORT TO THE STATE SUPERINTENDENT, THE STATE BOARD, THE INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION, THE GOVERNOR, AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

(B) THE REPORT SHALL INCLUDE INFORMATION ON:

(1) THE OFFICE'S GOALS AND PRIORITIES FOR THE UPCOMING YEAR;

(2) THE OFFICE’S ACTIVITIES DURING THE PRECEDING YEAR;

(3) THE NUMBER OF INCIDENTS, IN THE AGGREGATE, AND A GENERAL SUMMARY OF THE NATURE OF THE REPORTED INCIDENTS, REFERRED TO THE APPROPRIATE FEDERAL, STATE, OR LOCAL LAW ENFORCEMENT AUTHORITY, LOCAL STATE’S ATTORNEY’S OFFICE, OFFICE OF THE ATTORNEY GENERAL, OFFICE OF THE STATE PROSECUTOR, OR FEDERAL AGENCY DURING THE PRECEDING YEAR;

(4) SPECIFIC FINDINGS AND RECOMMENDATIONS RELATING TO:

(I) INSTANCES OF FRAUD, WASTE, OR ABUSE INVOLVING THE USE OF PUBLIC FUNDS AND PROPERTY;

(II) VIOLATIONS OF THE CIVIL RIGHTS OF STUDENTS OR EMPLOYEES;

(III) POLICIES AND PROCEDURES RELATED TO CHILD ABUSE AND NEGLECT AND COMPLIANCE WITH APPLICABLE FEDERAL AND STATE LAWS; AND

(IV) COMPLIANCE WITH OTHER APPLICABLE FEDERAL AND STATE LAWS; AND

(5) ANY REGULATORY OR STATUTORY CHANGES NECESSARY TO ENSURE COMPLIANCE WITH APPLICABLE FEDERAL AND STATE LAWS.”.

AMENDMENT NO. 7

On page 22, after line 10, insert:

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

Article – Education

5–219.

(a) In this section, “Fund” means The Blueprint for Maryland’s Future Fund.

(b) There is The Blueprint for Maryland’s Future Fund.

(c) The purpose of the Fund is to assist in providing adequate funding for early childhood education and primary and secondary education to provide a world-class education to students so they are prepared for college and a career in the global economy of the 21st century, based on the recommendations of the Commission on Innovation and Excellence in Education.

(d) The Department 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 [§ 2–605.1] §§ 2–605.1 AND 2–1303 of the Tax – General Article;

(2) Money appropriated in the State budget for the Fund; and

(3) Any other money from any other source accepted for the benefit of the Fund.

(g) The Fund may be used only to assist in providing adequate funding for early childhood education and primary and secondary education based on the recommendations of the Commission on Innovation and Excellence in Education, including revised education funding formulas.

(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 interest earnings of the Fund shall be credited to the Fund.

(i) Expenditures from the Fund may be made only in accordance with the State budget.

Article – Tax – General2–1303.

(A) After making the distributions required under §§ 2–1301 through 2–1302.1 of this subtitle, the Comptroller shall pay:

(1) revenues from the hotel surcharge into the Dorchester County Economic Development Fund established under § 10–130 of the Economic Development Article; [and]

(2) SUBJECT TO SUBSECTION (B) OF THIS SECTION, TO THE BLUEPRINT FOR MARYLAND’S FUTURE FUND ESTABLISHED UNDER § 5–219 OF THE EDUCATION ARTICLE, REVENUES COLLECTED AND REMITTED BY:

(I) A MARKETPLACE FACILITATOR; OR

(II) A PERSON THAT ENGAGES IN THE BUSINESS OF AN OUT–OF–STATE VENDOR AND WHO IS REQUIRED TO COLLECT AND REMIT SALES AND USE TAX AS SPECIFIED IN COMAR 03.06.01.33B(5); AND

(3) the remaining sales and use tax revenue into the General Fund of the State.

(B) FOR EACH FISCAL YEAR, THE COMPTROLLER SHALL PAY INTO THE GENERAL FUND OF THE STATE THE FIRST \$100,000,000 OF REVENUES COLLECTED AND REMITTED BY:

(1) A MARKETPLACE FACILITATOR; OR

(2) A PERSON THAT ENGAGES IN THE BUSINESS OF AN OUT–OF–STATE VENDOR AND WHO IS REQUIRED TO COLLECT AND REMIT SALES AND USE TAX AS SPECIFIED IN COMAR 03.06.01.33B(5).”

AMENDMENT NO. 8

On page 22, in line 11, strike “3.” and substitute “4.”; in line 14, after “include” insert “one-time”; in the same line, after “stipends” insert “or payments”; in line 15, strike “or” and substitute a comma; in the same line, after “promotions” insert “, retirement benefits, or other benefits”; and in line 17, after the third comma insert “interval movements, pathway movements.”.

On page 23, in line 12, strike “July 1” and substitute “June 30”; in the same line, after the second comma insert “and on or before June 30, 2020.”; in lines 12 and 30, in each instance, after “board” insert “, including the Baltimore City Board of School Commissioners.”; in line 13, after “grant” insert “for the immediately following fiscal year”; in line 15, after “(2)” insert “(i)”; in lines 16, 18, 21, 23, and 27, strike “(i)”, “(ii)”, “(iii)”, “(iv)”, and “(v)”, respectively, and substitute “1.”, “2.”, “3.”, “4.”, and “5.”, respectively; in line 18, strike “The” and substitute “Except as provided in subparagraph (ii) of this paragraph, the”; in line 20, after the second comma insert “interval movements, pathway movements.”; in line 22, strike “negotiated and”; in line 25, after the first comma insert “interval movements, pathway movements.”; after line 28, insert:

“(ii) For a school system that has a personnel system with interval movements and pathway movements for teachers, the application shall include the planned and funded salary increases for the current and next fiscal years.”;

and in line 29, after “subsection” insert “and except as provided in paragraph (4) of this subsection”.

On page 24, in line 9, after “(4)” insert “(i)”; after line 12, insert:

“(ii) For a county that did not receive a State grant in fiscal year 2020, in order to apply for the grant in fiscal year 2021 the county board must submit documentation showing that the salary increase required in paragraph (1) of this subsection will be funded in fiscal year 2021.”;

in line 13, strike “provide \$75,000,000” and substitute “distribute \$75,000,001”; and in line 14, after “boards” insert “that are eligible”.

AMENDMENT NO. 9

On page 25, strike in their entirety lines 12 through 16, inclusive; in line 17, strike the second comma and substitute “:”

(a) Subject to subsection (b) of this section.”;

in line 19, strike “\$137,500,000” and substitute “\$65,468,589”; in line 20, after “amount” insert “, rounded to the nearest whole dollar,”; in line 21, strike “and” and substitute “, including”; and in the same line, after “Commissioners” insert a comma.

On page 26, strike line 5 in its entirety and substitute:

“(11) Frederick County.....4.53%”;

after line 18, insert:

“(b) If any of the funding provided in subsection (a) of this section is not needed to fully implement individualized education programs and 504 plans for students with disabilities, each county board of education, including the Baltimore City Board of School Commissioners, shall use the remaining funding to implement other recommendations made by the Commission on Innovation and Excellence in Education in the Commission’s January 2019 Interim Report.

SECTION 6. AND BE IT FURTHER ENACTED, That, for each of fiscal years 2020 and 2021, in addition to the State aid provided under Title 5, Subtitle 2 of the Education Article, the State shall distribute to each county board of education, including the Baltimore City Board of School Commissioners, \$83,333 to fund a full-time mental health services coordinator staff position as required under § 7-1511 of the Education Article.

SECTION 7. AND BE IT FURTHER ENACTED, That:

(a) There is a Workgroup to Study the Maryland State Department of Education and the Maryland Higher Education Commission.

(b) The Workgroup consists of the following members:

(1) two members of the Senate of Maryland, appointed by the President of the Senate;

(2) two members of the House of Delegates, appointed by the Speaker of the House; and

(3) three members appointed by the Governor.

(c) (1) The Governor, the President of the Senate, and the Speaker of the House jointly shall select the chair of the Workgroup.

(2) If the Governor, the President of the Senate, and the Speaker of the House have not jointly selected the chair of the Workgroup on or before August 1, 2019, the President of the Senate and the Speaker of the House jointly shall select the chair of the Workgroup.

(d) The Department of Legislative Services, in consultation with the Governor’s Office, shall provide staff for the Workgroup.

(e) (1) The Workgroup shall study and make recommendations regarding the capability of the Maryland State Department of Education and the Maryland Higher Education Commission to carry out their responsibilities and duties and to implement The Blueprint for Maryland’s Future described in Title 1, Subtitle 3 of the Education Article, as enacted by Section 1 of this Act.

(2) The Maryland State Department of Education and the Maryland Higher Education Commission shall provide information to the Workgroup, as requested.

(f) On or before December 31, 2019, the Workgroup shall report its findings and recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.”;

in line 19, strike “6.” and substitute “8.”; in line 21, strike “peforming” and substitute “performing”; and in line 24, after “support” insert “for struggling learners”.

On page 27, in line 3, strike “and”; in line 4, after “tutoring” insert “; and

3. screening, identifying, and addressing literacy deficits”;

in line 7, strike “and” and substitute “, including”; and in line 8, after “Commissioners” insert a comma.

On page 28, in line 8, strike “and” and substitute “, including”; in line 9, after “Commissioners” insert a comma; and in line 19, strike “7.” and substitute “9.”.

AMENDMENT NO. 10

On page 29, after line 5, insert:

“SECTION 10. AND BE IT FURTHER ENACTED, That it is intent of the General Assembly that the Governor transfer or release the funds that are restricted in the fiscal year 2020 operating budget bill (Chapter _____ of the Acts of the General Assembly of 2019) for the purposes stated in the budget bill in accordance with this Act. If the Governor does not transfer or release the funds restricted in the fiscal year 2020 operating budget bill (Chapter _____ of the Acts of the General Assembly of 2019) for the purposes specified in this Act, that amount shall be distributed in fiscal year 2021 in addition to the fiscal year 2021 funds required to be distributed under this Act.

SECTION 11. AND BE IT FURTHER ENACTED, That, on or before December 1, 2019, and on or before December 1, 2020, each county board of education, including the Baltimore City Board of School Commissioners, shall report, in accordance with § 2-1246 of the State Government Article, to the House Committee on Ways and Means, the House Appropriations Committee, the Senate Education, Health, and Environmental Affairs Committee, and the Senate Budget and Taxation Committee on how the funds distributed in accordance with this Act were spent, including funds spent at the school level, to begin to implement The Blueprint for Maryland’s Future and the policy recommendations of the Commission on Innovation and Excellence in Education, as identified in its January 2019 Interim Report.”;

in lines 6, 10, 19, 25, and 30, strike “8.”, “9.”, “10.”, “11.”, and “12.”, respectively, and substitute “12.”, “13.”, “15.”, “18.”, and “20.”, respectively; strike beginning with the second comma in line 6 down through “recommendations” in line 9 and substitute “:

(a) The Governor shall appropriate \$57,000,000 to The Blueprint for Maryland’s Future Fund in fiscal year 2021, in addition to the \$298,000,000 otherwise required to be distributed in fiscal year 2021 by this Act.

(b) The Governor shall appropriate \$370,000,000 to The Blueprint for Maryland’s Future Fund in fiscal year 2022. In addition, the Governor shall appropriate \$130,000,000 to The Blueprint for Maryland’s Future Fund in fiscal year 2022, contingent on additional revenues available as a result of legislation enacted in the 2019 and 2020 legislative sessions to implement the recommendations of the Commission on Innovation and Excellence in Education.”;

after line 18, insert:

“SECTION 14. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Commission on Innovation and Excellence in Education include in its final report an implementation schedule that phases in the final recommendations of the Commission as evenly as practicable over the phase-in period.”;

after line 24, insert:

“SECTION 16. AND BE IT FURTHER ENACTED, That, as provided in § 5-219 of the Education Article, as enacted by Section 1 of this Act:

(a) The Blueprint for Maryland’s Future Fund is the successor of the Commission on Innovation and Excellence in Education Fund.

(b) In every law, executive order, rule, regulation, policy, or document created by an official, an employee, or a unit of the State, the name of that fund means the name of the successor fund.

SECTION 17. AND BE IT FURTHER ENACTED, That the publisher of the Annotated Code of Maryland, in consultation with and subject to the approval of the Department of Legislative Services, shall correct, with no further action required by the General Assembly, cross-references and terminology rendered incorrect by this Act. The publisher shall adequately describe any correction made in an editor’s note following the section affected.”;

after line 29, insert:

“SECTION 19. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take effect contingent on the taking effect of Chapter ____ (S.B. 728/H.B. 1301) of the Acts of the General Assembly of 2019, and if Chapter ____ (S.B. 728/H.B. 1301) does not take effect, Section 3 of this Act, with no further action required by the General Assembly, shall be null and void.”;

and in line 30, strike “Section 11” and substitute “Sections 18 and 19”.

The preceding 10 amendments were read and adopted.

Favorable report, as amended, adopted.

Senator Pinsky moved to suspend Rule 52(c)(1) to allow the reprint to be considered as the official bill on second reading.

The motion was adopted.

Senator Pinsky moved to make the Bill a Special Order for next session.

The motion was adopted.

**MESSAGE FROM THE HOUSE OF DELEGATES NO. 9
SENATE BILLS PASSED BY YEAS AND NAYS**

BILL NO.	SPONSOR	CONTENT
SB 20	Chair, Finance Committee	Appraisal Management Companies – Notice and Response Requirements for Violations – Repeal of Exception
SB 26	Chair, Judicial Proceedings Committee	State Department of Assessments and Taxation – Expedited Document Processing
SB 39	Sen. McCray	Baltimore City – Police Districts – Redistricting
SB 69	Chair, Finance Committee	Appraisal Management Companies – Annual Fee and Reports
SB 99	Sen. Elfreth	Public Safety – Buildings Used for Agritourism
SB 116	Sen. McCray	Transportation – Complete Streets – Access to Healthy Food and Necessities
SB 133 (Emerg)	Sen. Gallion	Farm Area Motor Vehicles – Registration and Authorized Use
SB 143	Sen. Young	Cownose Ray Fishery Management Plan and Moratorium on Contests
SB 347	The President	State Athletic Commission – Sunset Extension

BILL NO.	SPONSOR	CONTENT
SB 438	The President	Security Systems Technicians – Sunset Extension

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

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

**MESSAGE FROM THE HOUSE
INTRODUCTORY HOUSE BILLS NO. 30**

House Bill 96 – Delegate Dumais

AN ACT concerning

Public Safety – Regulated Firearms – ~~Transfer~~ Prohibition of Loans

FOR the purpose of ~~providing that, for certain purposes, the term “transfer” includes a loan other than a certain exchange of a regulated firearm between two individuals under certain circumstances;~~ prohibiting a certain dealer or other person from loaning a regulated firearm to a certain borrower under certain circumstances; prohibiting a certain dealer or other person from selling, renting, loaning, or transferring a regulated firearm to a certain person who the dealer or other person knows or has reason to believe intends to commit a certain crime or cause certain harm; creating a certain exception to a certain prohibition on selling, renting, loaning, or transferring a regulated firearm to a person under a certain age; making certain conforming changes; and generally relating to regulated firearms.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section ~~5-124~~ 5-134(b)
Annotated Code of Maryland
(2018 Replacement Volume)

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

House Bill 215 – ~~Delegate Jackson~~ Delegates Jackson and Krebs

AN ACT concerning

Public Information Act – 9-1-1 Communications – Denial of Part of a Public Record

FOR the purpose of ~~requiring~~ authorizing a certain custodian of records to deny inspection of ~~the~~ part of a 9-1-1 communications record ~~that depicts certain information, subject to a certain exception~~ under certain circumstances after providing certain notice and considering certain information; requiring a custodian to grant or deny a certain application within a certain period of time; authorizing a custodian to redact certain information under certain circumstances; requiring a certain custodian to allow inspection of a certain public record by the person in interest; providing for the application of this Act; providing that this Act may not be construed to affect the discovery or evidentiary rights of certain parties or to create a certain right of civil action; defining a certain term certain terms; and generally relating to the denial of part of a 9-1-1 communications record.

BY repealing and reenacting, with amendments,

Article – General Provisions

Section 4-203(a)

Annotated Code of Maryland

(2014 Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,

Article – General Provisions

Section ~~4-328~~ 4-343

Annotated Code of Maryland

(2014 Volume and 2018 Supplement)

BY adding to

Article – General Provisions

Section ~~4-342~~ 4-356

Annotated Code of Maryland

(2014 Volume and 2018 Supplement)

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

House Bill 940 – Delegate Hill

AN ACT concerning

Unregulated Space in Hospital Operating Suites Pilot Project – Study

FOR the purpose of ~~establishing an unregulated space in hospital operating suites pilot project; requiring the pilot project to be operated by the Health Services Cost Review Commission; authorizing the Commission to allow up to five hospitals to participate in the pilot project; providing that certain hospitals may be subject to a certain rate determination; authorizing certain hospitals to make available certain operating room space to certain patients and payers under certain conditions; requiring the Commission to develop certain criteria and standards for the pilot project~~ requiring the Health Services Cost Review Commission to conduct a certain study, in

conjunction with the Maryland Health Care Commission and certain stakeholders, on the feasibility and desirability of allowing for an unregulated space in a hospital operating room as a pilot project; requiring the Health Services Cost Review Commission to report to certain committees of the General Assembly on or before a certain date each year; ~~providing for the termination of this Act;~~ and generally relating to ~~the~~ a study of an unregulated space in hospital operating suites pilot project.

~~BY adding to~~

~~Article – Health – General
Section 19–200
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)~~

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

House Bill 1155 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – ~~Illegal Littering~~ Disposal of Bulky Items – Penalties

PG 418–19

FOR the purpose of ~~authorizing the governing body of Prince George’s County to impose, by ordinance, certain alternative penalties for illegal disposal of litter, including additional penalties for disposal of litter within a certain distance of certain bodies of water; authorizing for a first offense, and requiring for a second or subsequent offense, the Motor Vehicle Administration to suspend, for a certain period of time, the driver’s license of a person who is convicted of a certain litter disposal offense that occurs in Prince George’s County; providing for a certain hearing on the request of a licensee under certain circumstances~~ authorizing the governing body of Prince George’s County to adopt an ordinance to prohibit disposing of a bulky item in certain locations under certain circumstances; authorizing Prince George’s County to impose certain penalties for certain violations; defining a certain term; and generally relating to ~~penalties for the illegal littering~~ disposal of bulky items in Prince George’s County.

BY repealing and reenacting, without amendments,

Article – Criminal Law
Section 10–110(a) and (c)
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law
Section 10–110(f) and (j)

Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

~~BY adding to~~

~~Article — Transportation~~

~~Section 16-206.2~~

~~Annotated Code of Maryland~~

~~(2012 Replacement Volume and 2018 Supplement)~~

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

House Bill 1160 – Delegate Lierman

AN ACT concerning

Public Health – Breathe Easy East Baltimore Pilot Program

FOR the purpose of ~~requiring the director of the Asthma Control Program in the Maryland Department of Health to establish the Breathe Easy Pilot Program in cooperation and consultation with certain entities~~ establishing the Breathe Easy East Baltimore Pilot Program in the Baltimore City Health Department; providing for the purpose of the Pilot Program; requiring the ~~director~~ Baltimore City Health Department, in consultation with a certain entity, to select, on or before a certain date, certain households to participate in the Pilot Program, to provide certain households with certain asthma remediation services, and to study certain information; authorizing the ~~director~~ Baltimore City Health Department to include in the Pilot Program, at the discretion of the ~~director~~ Baltimore City Health Department, the implementation of certain policies ~~in the Baltimore City Health Department~~ and the development of a certain referral process or certain integrated partnerships through which certain households may access certain programs or services; requiring the ~~director~~ Baltimore City Health Department to attempt to access certain federal funds; requiring the ~~director~~ Baltimore City Health Department to submit a certain report to the Governor and General Assembly on or before a certain date; defining certain terms; requiring, for a certain fiscal year, the Governor to include in the State budget certain funding; providing for the termination of this Act; and generally relating to the Breathe Easy East Baltimore Pilot Program.

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

~~Article — Health — General~~

~~Section 13-1701 through 13-1703~~

~~Annotated Code of Maryland~~

~~(2015 Replacement Volume and 2018 Supplement)~~

BY adding to

Article – Health – General

Section ~~13-1707~~ 13-17A-01 to be under the new subtitle “Subtitle 17A. Breathe Easy East Baltimore Pilot Program”

Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

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

House Bill 1306 – Howard County Delegation

AN ACT concerning

Howard County – Howard County Housing Commission – Subsidiary Entities

Ho. Co. 26–19

FOR the purpose of providing that a nonprofit entity shall be deemed controlled by the Howard County Housing Commission under certain circumstances; altering the applicability of certain tax exemption provisions to include a subsidiary entity of a certain Howard County Housing Commission entity; defining a certain term; making stylistic changes; and generally relating to the Howard County Housing Commission.

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 12–104
Annotated Code of Maryland
(2006 Volume and 2018 Supplement)

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

House Bill 1362 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County Environmental Justice Commission – Alterations and Extension

PG 421–19

FOR the purpose of altering the composition of the Prince George’s County Environmental Justice Commission to include ~~the Prince George’s County State’s Attorney or the State’s Attorney’s designee~~ certain individuals; altering the date by which the Commission is required to report certain findings and recommendations to the Prince George’s County House Delegation; extending the termination date of the Commission; and generally relating to the Prince George’s County Environmental Justice Commission.

BY repealing and reenacting, with amendments,
Chapter 779 of the Acts of the General Assembly of 2018
Section 1 and 2

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

House Bill 1388 – Delegates Crutchfield, Carr, Charles, Kelly, Kerr, and Sample-Hughes

AN ACT concerning

Long-Term Care Insurance – Annual Notice

FOR the purpose of requiring certain carriers to provide each insured under a policy or contract of long-term care insurance in the State an annual notice, in a certain manner, containing certain information; and generally relating to long-term care insurance.

BY adding to

Article – Insurance

Section 18-117.1

Annotated Code of Maryland

(2017 Replacement Volume and 2018 Supplement)

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

House Bill 1421 – Chair, Health and Government Operations Committee (By Request – Departmental – Health)

AN ACT concerning

Maryland Health Benefit Exchange – Functions and Outreach

FOR the purpose of requiring the Maryland Health Benefit Exchange to conduct outreach and education activities for certain purposes; requiring the Exchange to perform certain functions for Maryland Medical Assistance programs, as requested by the Maryland Department of Health and approved by the Board of Trustees for the Exchange, for a certain purpose; defining a certain term; and generally relating to the functions and operations of the Maryland Health Benefit Exchange.

BY renumbering

Article – Insurance

Section 31-101(h) through (aa), respectively

to be Section 31-101(i) through (bb), respectively

Annotated Code of Maryland

(2017 Replacement Volume and 2018 Supplement)

BY adding to

Article – Insurance

Section 31-101(h)

Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 31–108(b)
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

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

**House Bill 1426 – Chair, Health and Government Operations Committee (By
Request – Departmental – Health)**

AN ACT concerning

Health Services Cost Review Commission – Duties and Reports – Revisions

FOR the purpose of altering the information required to be included in a certain annual report required to be submitted to certain persons by the Health Services Cost Review Commission; altering a certain reporting date; repealing certain provisions of law rendered obsolete by certain provisions of this Act; authorizing the Commission, on request by the Secretary of Health, to assist in the implementation of certain model programs; making technical changes; defining a certain term; and generally relating to the Health Services Cost Review Commission.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–201, 19–207(b), and 19–219(c)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY repealing
Article – Health – General
Section 19–214(e)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–604
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

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

BUDGET AND TAXATION COMMITTEE REPORT NO. 31 CONSENT NO. 24

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

BILL NO.	REPORT	SPONSOR	CONTENT
<u>FAVORABLE</u>			
HB 63	FAV	Del. B. Barnes	State Retirement and Pension System – Maryland Pension Administration System – Member Contributions
HB 64	FAV	Del. B. Barnes	State Retirement and Pension System – Designation of Beneficiary
HB 265	FAV	Del. B. Barnes	Alternate Contributory Pension Selection – Return to Employment
HB 266	FAV	Del. B. Barnes	State Retirement and Pension System – Designated Beneficiary Change – Rescission
HB 267	FAV	Del. B. Barnes	Optional Retirement Program – Regulations
HB 861	FAV	Del. B. Barnes	State Retirement and Pension System – Service Credit for Unused Sick Leave
HB 863	FAV	Del. B. Barnes	State Retirement and Pension System – Workers’ Compensation Offset
HB 1056	FAV	Queen Anne’s County Delegation	Correctional Officers’ Retirement System – Queen Anne’s County

Favorable report adopted on all of the preceding bills.

The preceding bills were read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 41

House Bill 844 – Delegates Reilly, Anderton, Arikan, Buckel, Cassilly, Guyton, Hornberger, Kaiser, Luedtke, McComas, Rose, ~~and Walker~~ Walker, and Washington

AN ACT concerning

Public Schools – School Psychologists – Reports

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

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 426 – Senator West

AN ACT concerning

Natalie M. LaPrade Medical Cannabis Commission – Licensed Dispensaries

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

SUBSTITUTE FLOOR AMENDMENT

SB0426/573620/2

BY: Senator West

AMENDMENTS TO SENATE BILL 426, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, strike line 2 in its entirety and substitute “Medical Cannabis – Regulation of Dispensaries, Growers, and Processors”; in line 3, after “of” insert “providing that growers, processors, and dispensaries licensed under certain provisions of law are subject to certain provisions of law; repealing the provision prohibiting the Natalie M. LaPrade Medical Cannabis Commission from issuing more than one medical cannabis grower license to each applicant; prohibiting a person from having an ownership interest in or control of, including the power to manage and operate, more than one grower;”; in line 5, after “law;” insert “prohibiting a person from having an ownership interest in or control of, including the power to manage and operate, more than one processor;”; in the same line,

strike “dispensaries”; in line 8, after “Section” insert “13–3306(a)(1).”; in the same line, after “13–3307(a)(1)” insert “, and 13–3309(a)”; strike in their entirety lines 11 through 15, inclusive; in line 18, after “Section” insert “13–3306(a)(2).”; in the same line, after “(i)” insert “, and 13–3309(d) through (h)”; and after line 20, insert:

“BY adding to

Article – Health – General

Section 13–3306(i), 13–3307(d) and (k), and 13–3309(d) and (j)

Annotated Code of Maryland

(2015 Replacement Volume and 2018 Supplement)”.

AMENDMENT NO. 2

On page 1 of the bill, after line 23, insert:

“13–3306.

(a) (1) The Commission shall license medical cannabis growers that meet all requirements established by the Commission to operate in the State to provide cannabis to:

(i) Processors licensed by the Commission under this subtitle;

(ii) Dispensaries licensed by the Commission under this subtitle;

and

(iii) Independent testing laboratories registered with the Commission under this subtitle.

(2) (i) Subject to subparagraph (ii) of this paragraph, the Commission may license no more than 22 medical cannabis growers.

(ii) 1. If an applicant for licensure that received Stage One preapproval in calendar year 2016 for a medical cannabis grower license fails to satisfy the requirements for licensure established by the Commission, the Commission shall rescind the applicant’s Stage One preapproval.

2. If the Commission rescinds the Stage One preapproval for a license of an applicant under subparagraph 1 of this subparagraph, the maximum number of medical cannabis grower licenses authorized under subparagraph (i) of this paragraph shall be reduced by one medical cannabis grower license.

(iii) 1. Subject to subparagraph 2 of this subparagraph, beginning December 1, 2024, the Commission may report to the General Assembly, in accordance with § 2-1246 of the State Government Article, on the number of licenses necessary to meet the demand for medical cannabis by qualifying patients and caregivers issued identification cards under this subtitle in an affordable, accessible, secure, and efficient manner.

2. Before the Commission determines to submit the report described under subparagraph 1 of this subparagraph, the Commission shall provide the Legislative Policy Committee at least 30 days to submit comments to the Commission.

(iv) The Commission shall establish an application review process for granting medical cannabis grower licenses in which applications are reviewed, evaluated, and ranked based on criteria established by the Commission.

[(v) The Commission may not issue more than one medical cannabis grower license to each applicant.]

(V) A PERSON MAY NOT HAVE AN OWNERSHIP INTEREST IN OR CONTROL OF, INCLUDING THE POWER TO MANAGE AND OPERATE, MORE THAN ONE GROWER.

(vi) A grower shall pay an application fee in an amount to be determined by the Commission consistent with this subtitle.

(I) A GROWER LICENSED UNDER THIS SUBTITLE IS SUBJECT TO THE MARYLAND ANTITRUST ACT AND THE MARYLAND SALES BELOW COST ACT.”.

In the Judicial Proceedings Committee Amendments (SB0426/468570/1), in line 3 of Amendment No. 2, strike “**FIVE**” and substitute “**FOUR**”.

On page 2 of the bill, after line 29, insert:

“(K) A DISPENSARY LICENSED UNDER THIS SUBTITLE IS SUBJECT TO THE MARYLAND ANTITRUST ACT AND THE MARYLAND SALES BELOW COST ACT.

(a) A processor shall be licensed by the Commission.

(D) A PERSON MAY NOT HAVE AN OWNERSHIP INTEREST IN OR CONTROL OF, INCLUDING THE POWER TO MANAGE AND OPERATE, MORE THAN ONE PROCESSOR.

[(d)] (E) (1) A processor license is valid for 6 years on initial licensure.

(2) A processor license is valid for 4 years on renewal.

[(e)] (F) A processor licensed under this section or a processor agent registered under § 13–3310 of this subtitle may not be penalized or arrested under State law for:

(1) Acquiring, possessing, processing, packaging, labeling, transferring, transporting, selling, or distributing medical cannabis or products containing medical cannabis to a dispensary for use by a qualifying patient or a caregiver; or

(2) Transporting medical cannabis or products containing medical cannabis to an independent testing laboratory.

[(f)] (G) The Commission shall establish requirements for security and product handling procedures that a processor must meet to obtain a license under this section, including a requirement for a product-tracking system.

[(g)] (H) The Commission may inspect a processor licensed under this section to ensure compliance with this subtitle.

[(h)] (I) The Commission may impose penalties or rescind the license of a processor that does not meet the standards for licensure set by the Commission.

(J) A PROCESSOR LICENSED UNDER THIS SUBTITLE IS SUBJECT TO THE MARYLAND ANTITRUST ACT AND THE MARYLAND SALES BELOW COST ACT.”

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 1049 – Senator Waldstreicher

AN ACT concerning

Civil Actions – Office of Asbestos Case Mediation and Resolution

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

SB1049/228179/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 1049

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, strike “providing for the priority of certain civil suits in the mediation process;”; strike beginning with “requiring” in line 11 down through “budget;” in line 13 and substitute “providing for the priority of certain civil suits in the mediation process; requiring all parties referred to the Office to participate in mediation subject to a certain condition; requiring the Director to notify the court if certain parties are unable to reach an agreement through mediation and requiring the court to proceed with the case in a certain manner; prohibiting the court from proceeding with a certain case before receiving a certain notice; providing that mediation costs shall be paid by the parties equally, unless otherwise agreed to by the parties, and specifying that the parties are not responsible for the Office’s operational costs; requiring the court to proceed with a certain case in a certain manner if a certain case management plan is changed, modified, eliminated, or rescinded; requiring the Director to submit an annual report to the General Assembly on the activities of the Office for the preceding calendar year;”; and in line 18, strike “3-18A-03” and substitute “3-18A-04”.

AMENDMENT NO. 2

On page 2, after line 12, insert:

“(F) “TRACK 5” MEANS APPENDIX 5 OF TRACK 5 OF THE DIFFERENTIATED CASE MANAGEMENT PLAN OF THE CIRCUIT COURT FOR BALTIMORE CITY.”

On page 3, after line 6, insert:

“(E) THE DIRECTOR SHALL ESTABLISH PROCEDURES FOR THE EFFECTIVE MEDIATION OF ASBESTOS CASES, INCLUDING PROCEDURES FOR THE USE OF NEUTRAL EXPERTS AND DISCOVERY.”;

and strike in their entirety lines 8 through 30, inclusive, and substitute:

“(A) (1) BEFORE HOLDING OR SCHEDULING A STATUS CONFERENCE FOR AN ACTIVE ASBESTOS CASE, INCLUDING A FORMERLY INACTIVE ASBESTOS CASE THAT BECOMES ACTIVE, THE COURT SHALL REFER THE ASBESTOS CASE TO THE OFFICE FOR MEDIATION.

(2) (I) EITHER PARTY IN AN ASBESTOS CASE MAY SEEK MEDIATION UNDER THIS SUBTITLE BY SUBMITTING TO THE COURT A WRITTEN REQUEST TO PARTICIPATE IN MEDIATION.

(II) ON RECEIPT OF A WRITTEN REQUEST FOR MEDIATION, THE COURT SHALL REFER THE ASBESTOS CASE TO THE OFFICE FOR MEDIATION.

(B) (1) AN INDIVIDUAL PLAINTIFF WHO HAS BEEN DIAGNOSED WITH MESOTHELIOMA MAY ELECT TO FOREGO THE MEDIATION PROCESS AT ANY TIME BY NOTIFYING THE COURT AND THE DIRECTOR IN WRITING.

(2) SUBJECT TO SUBSECTION (H) OF THIS SECTION, ON RECEIPT OF WRITTEN NOTICE OF AN ELECTION UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COURT SHALL PROCEED WITH THE CASE IN ACCORDANCE WITH TRACK 5.

(C) PRIORITY FOR MEDIATION OF AN ASBESTOS CASE UNDER THIS SUBTITLE SHALL BE GIVEN TO CASES INVOLVING SERIOUS ILLNESS, INCLUDING MESOTHELIOMA, LUNG CANCER, AND ANY OTHER TYPE OF CANCER.

(D) SUBJECT TO SUBSECTION (B)(1) OF THIS SECTION, ALL PARTIES REFERRED TO THE OFFICE FOR MEDIATION SHALL PARTICIPATE IN THE MEDIATION PROCESS.

(E) SUBJECT TO SUBSECTION (H) OF THIS SECTION, IF THE PARTIES TO AN ASBESTOS CASE ARE UNABLE TO REACH AN AGREEMENT THROUGH THE MEDIATION PROCESS, THE DIRECTOR SHALL NOTIFY THE COURT OF THE CONCLUSION OF MEDIATION, AND THE COURT SHALL PROCEED WITH THE ASBESTOS CASE IN ACCORDANCE WITH TRACK 5.

(F) THE COURT MAY NOT PROCEED WITH AN ASBESTOS CASE REFERRED TO THE OFFICE FOR MEDIATION BEFORE RECEIVING NOTICE OF THE ELECTION TO FOREGO MEDIATION UNDER SUBSECTION (B) OF THIS SECTION OR THE CONCLUSION OF MEDIATION UNDER SUBSECTION (E) OF THIS SECTION.

(G) (1) UNLESS OTHERWISE AGREED TO BY THE PARTIES, THE COSTS OF MEDIATION SHALL BE DIVIDED EQUALLY BETWEEN THE PARTIES.

(2) THE PARTIES MAY NOT BE HELD RESPONSIBLE FOR THE OFFICE'S OPERATIONAL COSTS.

(H) IF TRACK 5 IS CHANGED, MODIFIED, ELIMINATED, OR RESCINDED, THE COURT SHALL PROCEED WITH THE ASBESTOS CASE IN ACCORDANCE WITH TRACK 5, AS IT EXISTED ON MARCH 29, 2019, AND, IF APPLICABLE, THE ORDER ESTABLISHING A RIGHT-OF-WAY TRIAL QUEUE FOR LIVING MESOTHELIOMA CASES, GRANTED AND FILED IN THE CIRCUIT COURT FOR BALTIMORE CITY ON FEBRUARY 27, 2013.

3-18A-04.

ON OR BEFORE JANUARY 1 EACH YEAR, THE DIRECTOR SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, ON THE ACTIVITIES OF THE OFFICE FOR THE PRECEDING CALENDAR YEAR.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**House Bill 238 – Delegates Atterbeary, Ebersole, Hill, Miller, Pendergrass, Shetty,
and Terrasa**

AN ACT concerning

Education – Removal of County Superintendents – Procedures

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

Favorable report adopted.

FLOOR AMENDMENT

HB0238/203427/1

BY: Senator Lam

AMENDMENTS TO HOUSE BILL 238

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “manner;” insert “authorizing a county superintendent to appeal a certain decision by the State Superintendent to the State Board of Education; authorizing a county superintendent to appeal a certain decision by the county board to the State Board;”; and strike beginning with “authorizing” in line 15 down through “court;” in line 19.

AMENDMENT NO. 2

On page 4, in line 5, before “**THE**” insert “**(I)**”; in lines 8, 10, and 12, strike “**(I)**”, “**(II)**”, and “**(III)**”, respectively, and substitute “**1.**”, “**2.**”, and “**3.**”, respectively; after line 14, insert:

“(II) THE COUNTY SUPERINTENDENT MAY APPEAL THE DECISION OF THE STATE SUPERINTENDENT TO THE STATE BOARD.”;

in line 27, after “**(4)**” insert “**(I)**”; and in line 30, strike “**(I)**” and substitute “**1.**”.

On page 5, in line 1, strike “**(II)**” and substitute “**2.**”; in line 3, strike “**(III)**” and substitute “**3.**”; and after line 4, insert:

“(II) THE COUNTY SUPERINTENDENT MAY APPEAL THE DECISION OF THE COUNTY BOARD TO THE STATE BOARD.”.

On pages 5 and 6, strike in their entirety the lines beginning with line 5 on page 5 through line 32 on page 6, inclusive.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 1272 – Delegates Pendergrass and McIntosh, McIntosh, Cullison, K. Young, Pena-Melnyk, R. Lewis, Charles, Kelly, Rosenberg, Barron, Johnson, and Hill

AN ACT concerning

Maryland Department of Health – Family Planning Program – Funding

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

FLOOR AMENDMENT

HB1272/643620/1

BY: Senator Simonaire

AMENDMENTS TO HOUSE BILL 1272

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “prohibiting” in line 3 down through “circumstances;” in line 4; and in lines 5 and 6, strike “under certain circumstances”.

AMENDMENT NO. 2

On page 2, after line 27, insert:

“(F) FOR FISCAL YEAR 2021 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL FUND THE PROGRAM WITH STATE FUNDS AT THE SAME LEVEL OF TOTAL FUNDS PROVIDED TO THE PROGRAM IN THE IMMEDIATELY PRECEDING FISCAL YEAR.”

On pages 2 and 3, strike in their entirety the lines beginning with line 28 on page 2 through line 9 on page 3, inclusive.

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

Affirmative – 16 Negative – 28 (See Roll Call No. 993)

Senator Simonaire moved to make the Bill a Special Order for next session.

The motion was adopted.

Senate Bill 904 – Senators Kelley and Elfreth

AN ACT concerning

Maryland Department of Health – Family Planning Program – Funding

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

Senator Simonaire moved to make the Bill a Special Order for next session.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 994)

RECESS

At 1:34 P.M. on motion of Senator Guzzone the Senate recessed until 5:00 P.M. on Legislative Day, March 27, 2019, Calendar Day, Tuesday, April 2, 2019.

AFTER RECESS
Annapolis, Maryland
Legislative Day: March 27, 2019
Calendar Day: Tuesday, April 2, 2019

At 5:17 P.M. the Senate resumed its session.

QUORUM CALL

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

(See Roll Call No. 996)

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

The Journal of April 2, 2019 was read and approved.

SPECIAL ORDER CALENDAR NO. 42

Senate Bill 1030 – The President (By Request – Commission on Innovation and Excellence in Education) and Senators King, Pinsky, Ferguson, and Young

AN ACT concerning

The Blueprint for Maryland's Future

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

FLOOR AMENDMENT

SB1030/723129/1

BY: Senator Pinsky

AMENDMENT TO SENATE BILL 1030
(First Reading File Bill – Committee Reprint)

On page 1, in the sponsor line, strike "and Guzzone" and substitute "Guzzone, Feldman, Hayes, Kelley, Lam, and Patterson".

The preceding amendment was read and adopted.

FLOOR AMENDMENT

SB1030/713227/1

BY: Senator Serafini

AMENDMENT TO SENATE BILL 1030
(First Reading File Bill – Committee Reprint)

On page 26, strike line 23 in its entirety; and in lines 24 and 25, strike “**(3)**” and “**(4)**”, respectively, and substitute “**(2)**” and “**(3)**”, respectively.

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

Affirmative – 16 Negative – 27 (See Roll Call No. 997)

FLOOR AMENDMENT

SB1030/223420/1

BY: Senator Serafini

AMENDMENT TO SENATE BILL 1030
(First Reading File Bill – Committee Reprint)

On page 26, in line 18, after “**(A)**” insert “**(1)**”; in the same line, strike “**THE**” and substitute “**EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE**”; in lines 21, 23, 24, and 25, strike “**(1)**”, “**(2)**”, “**(3)**”, and “**(4)**”, respectively, and substitute “**(I)**”, “**(II)**”, “**(III)**”, and “**(IV)**”, respectively; and after line 25, insert:

“(2) THE INSPECTOR GENERAL MAY NOT EXAMINE OR INVESTIGATE A PUBLIC SCHOOL THAT DOES NOT RECEIVE STATE FUNDS.”

The preceding amendment was withdrawn.

FLOOR AMENDMENT

SB1030/853128/1

BY: Senator Serafini

AMENDMENTS TO SENATE BILL 1030
(First Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 3, in line 29, after “years;” insert “stating the intent of the General Assembly that certain appropriations be affirmed, by joint resolution, to be within the fiscal resources of the State and that the affirmation occur by a certain date;”.

AMENDMENT NO. 2

On page 43, after line 35, insert:

“(c) It is the intent of the General Assembly that, for the additional appropriations to The Blueprint for Maryland’s Future Fund in fiscal years 2021 and 2022, the General Assembly during the 2020 regular session shall affirm by joint resolution adopted not later than the 50th day of the session that the additional appropriations to The Blueprint for Maryland’s Future Fund are within the State’s fiscal resources for fiscal years 2021 and 2022.”.

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

Affirmative – 16 Negative – 29 (See Roll Call No. 998)

FLOOR AMENDMENT

SB1030/753529/1

BY: Senator Washington

AMENDMENT TO SENATE BILL 1030
(First Reading File Bill – Committee Reprint)

On page 21, in line 15, after “NEEDS” insert “AND TO COMMUNICATE EFFECTIVELY WITH STUDENT FAMILIES”; and in line 21, after “STUDENTS” insert “AND THEIR FAMILIES”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

SB1030/963726/1

BY: Senator Bailey

AMENDMENT TO SENATE BILL 1030
(First Reading File Bill – Committee Reprint)

On page 12, in line 2, strike “**IN THE**” and substitute “**ON**”; and in the same line, strike “**2017–2018 SCHOOL YEAR**” and substitute “**OCTOBER 31, 2018**”.

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

Affirmative – 18 Negative – 27 (See Roll Call No. 999)

FLOOR AMENDMENT

SB1030/223420/2

BY: Senator Serafini

AMENDMENT TO SENATE BILL 1030
(First Reading File Bill – Committee Reprint)

On page 26, in line 18, after “**(A)**” insert “**(1)**”; in the same line, strike “**THE**” and substitute “**EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE**”; in lines 21, 23, 24, and 25, strike “**(1)**”, “**(2)**”, “**(3)**”, and “**(4)**”, respectively, and substitute “**(I)**”, “**(II)**”, “**(III)**”, and “**(IV)**”, respectively; and after line 25, insert:

“(2) THE INSPECTOR GENERAL MAY NOT EXAMINE OR INVESTIGATE A NONPUBLIC SCHOOL THAT DOES NOT RECEIVE STATE FUNDS.”

The preceding amendment was read and adopted.

FLOOR AMENDMENT

SB1030/193327/1

BY: Senator Lee

AMENDMENT TO SENATE BILL 1030
(First Reading File Bill – Committee Reprint)

On page 1, in the sponsor line, strike “and Guzzone” and substitute “Guzzone, Lee, Hester, Ellis, Waldstreicher, and Zirkin”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

SB1030/153621/1

BY: Senator Cassilly

AMENDMENT TO SENATE BILL 1030

(First Reading File Bill – Committee Reprint)

On page 27, strike in their entirety lines 3 through 5, inclusive; and in lines 6 and 9, strike “**(3)**” and “**(4)**”, respectively, and substitute “**(2)**” and “**(3)**”, respectively.

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

Affirmative – 15 Negative – 30 (See Roll Call No. 1000)

FLOOR AMENDMENT

SB1030/333428/1

BY: Senator Cassilly

AMENDMENT TO SENATE BILL 1030

(First Reading File Bill – Committee Reprint)

On page 27, in line 5, after the semicolon insert “**AND**”; and strike beginning with “**WHETHER**” in line 6 down through “**(4)**” in line 9.

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

Affirmative – 13 Negative – 32 (See Roll Call No. 1001)

FLOOR AMENDMENT

SB1030/623925/1

BY: Senator Cassilly

AMENDMENT TO SENATE BILL 1030
(First Reading File Bill – Committee Reprint)

On page 27, in line 5, after the semicolon insert “AND”; and strike beginning with the semicolon in line 8 down through “LAWS” in line 10.

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

Affirmative – 13 Negative – 32 (See Roll Call No. 1002)

FLOOR AMENDMENT

SB1030/673526/1

BY: Senator Hershey

AMENDMENT TO SENATE BILL 1030
(First Reading File Bill – Committee Reprint)

On page 25, in line 17, strike “MAJORITY” and substitute “UNANIMOUS”.

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

Affirmative – 15 Negative – 28 (See Roll Call No. 1003)

FLOOR AMENDMENT

SB1030/113827/2

BY: Senator Washington

AMENDMENT TO SENATE BILL 1030
(First Reading File Bill – Committee Reprint)

On page 15, in line 11, strike “THE” and substitute “:

1. THE”;

in lines 11 and 12, strike “AND SCHOOL” and substitute “:

2. A SCHOOL”;

after line 12, insert:

“3. A PARENT TEACHER ORGANIZATION OR A SCHOOL FAMILY COUNCIL; AND”;

and in line 14, after **“STUDENTS”** insert **“, THEIR FAMILIES,”**.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

BUDGET AND TAXATION COMMITTEE REPORT NO. 34

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

Senate Bill 988 – Senator King

AN ACT concerning

Video Lottery Operation License – Renewal

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 1004)

SENATE THIRD READING CALENDAR NO. 67 (GENERAL SENATE BILLS)

Senate Bill 176 – The President (By Request – Administration) and Senators Bailey, Carozza, Cassilly, Eckardt, Edwards, Gallion, Hayes, Hershey, Hough, Jennings, Ready, Salling, Serafini, Simonaire, and West

AN ACT concerning

State Commission on Criminal Sentencing Policy – Annual Report – Crimes of Violence

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1005)

The Bill was then sent to the House of Delegates.

Senate Bill 711 – Senator Beidle

AN ACT concerning

**University System of Maryland – Regular Employees – Grievance Procedures
and Disciplinary Actions**

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1006)

The Bill was then sent to the House of Delegates.

Senate Bill 747 – Senators Lam, Guzzone, and Rosapepe

SECOND PRINTING

AN ACT concerning

Education – Removal of County Superintendents – Procedures

Senator Lam moved to reconsider the vote by which **Senate Bill 747** was ordered printed for third reading and to place the bill 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

SB0747/983125/1

BY: Senator Lam

AMENDMENTS TO SENATE BILL 747

(Bill as Printed for Third Reading)

AMENDMENT NO. 1

On page 1, in line 7, after “manner;” insert “authorizing a county superintendent to appeal a certain decision by the State Superintendent to the State Board of Education; authorizing a county superintendent to appeal a certain decision by the county board to the State Board;”.

AMENDMENT NO. 2

On page 4, in line 7, before “**THE**” insert “**(I)**”; in lines 10, 12, and 14, strike “**(I)**”, “**(II)**”, and “**(III)**”, respectively, and substitute “**1.**”, “**2.**”, and “**3.**”, respectively; after line 16, insert:

“(II) THE COUNTY SUPERINTENDENT MAY APPEAL THE DECISION OF THE STATE SUPERINTENDENT TO THE STATE BOARD.”;

in line 29, after “**(4)**” insert “**(I)**”; in line 32, strike “**(I)**” and substitute “**1.**”; and in line 33, strike “**AND**”.

On page 5, in line 1, strike “**(II)**” and substitute “**2.**”; and in the same line, after “**REMOVAL**” insert “**;**AND”

3. THE OPPORTUNITY TO REQUEST A HEARING WITHIN 10 DAYS BEFORE THE COUNTY BOARD IN ACCORDANCE WITH THIS SUBSECTION.

(II) THE COUNTY SUPERINTENDENT MAY APPEAL THE DECISION OF THE COUNTY BOARD TO THE STATE BOARD”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 755 – Senator Peters

AN ACT concerning

**Interagency Agreements – Historically Black Colleges and Universities – ~~Goals~~
Reporting Requirements**

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1007)

The Bill was then sent to the House of Delegates.

Senate Bill 939 – Senator Klausmeier

AN ACT concerning

Natural Resources – Shellfish Nursery Operations – Wetlands License Requirements

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1008)

The Bill was then sent to the House of Delegates.

Senate Bill 958 – Senator Jennings

AN ACT concerning

State Board of Professional Counselors and Therapists – Licensure, Disciplinary Action, Criminal History Records Checks, and Trainee Status – Revisions

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1009)

The Bill was then sent to the House of Delegates.

Senate Bill 964 – Senator Rosapepe

AN ACT concerning

County Boards of Education – Equal Access to Public Services for Individuals With Limited English Proficiency

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

Affirmative – 35 Negative – 10 (See Roll Call No. 1010)

The Bill was then sent to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 23 (GENERAL HOUSE BILLS)

House Bill 38 – Delegate Carr

AN ACT concerning

Labor and Employment – Noncompete and Conflict of Interest Clauses

FLOOR AMENDMENT

HB0038/533027/1

BY: Senator Cassilly

AMENDMENT TO HOUSE BILL 38

(Third Reading File Bill)

On page 2, in line 8, strike “CLIENT-RELATED”.

The preceding amendment was read and adopted.

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

Affirmative – 44 Negative – 0 (See Roll Call No. 1011)

The Bill was then returned to the House of Delegates.

House Bill 66 – ~~Delegate Stein~~ Delegates Stein, Boyce, Bridges, Fraser-Hidalgo, Harrison, Lehman, Stewart, and Wells

AN ACT concerning

Railroad Company – Movement of Freight – Required Crew

FLOOR AMENDMENT

HB0066/443128/2

BY: Senator Hershey

AMENDMENTS TO HOUSE BILL 66

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “circumstances;” insert “making this Act subject to a certain contingency:”.

AMENDMENT NO. 2

On page 2, after line 29, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That Sections 1 and 2 of this Act are contingent on the enactment in Delaware, Pennsylvania, and Virginia of substantially similar legislation prohibiting the operation of a train or light engine used in connection with the movement of railroad freight unless the train or light engine has a crew of at least two individuals.”;

in line 30, strike “3.” and substitute “4.”; and in the same line, after “That” insert “, subject to Section 3 of this Act.”.

The preceding 2 amendments were read and rejected.

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

Affirmative – 32 Negative – 13 (See Roll Call No. 1012)

The Bill was then returned to the House of Delegates.

House Bill 84 – Delegates Charkoudian, Hettleman, Feldmark, Glenn, Guyton, Hill, Jackson, Korman, Lehman, R. Lewis, Lierman, McIntosh, Queen, Smith, Stewart, Terrasa, Washington, C. Watson, and Wilkins

AN ACT concerning

Maryland Farms and Families Fund – Purpose, Use, Funding, and Grant Qualifications – Alterations

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

Affirmative – 44 Negative – 0 (See Roll Call No. 1013)

The Bill was then returned to the House of Delegates.

House Bill 201 – Delegates Korman, Acevero, Bartlett, Boyce, Crutchfield, Gaines, Haynes, Hettleman, Hill, Ivey, Jalisi, Johnson, Jones, R. Lewis, Lierman, Love, Luedtke, Palakovich Carr, Patterson, Pendergrass, Shetty, Stewart, Sydnor, Terrasa, Valderrama, and P. Young

AN ACT concerning

Maryland Transit Administration – State Employees ~~Subject to Collective Bargaining~~ – Free Ridership (Transit Benefit for State Employees)

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

Affirmative – 29 Negative – 16 (See Roll Call No. 1014)

The Bill was then returned to the House of Delegates.

House Bill 362 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Maryland–National Capital Park and Planning Commission – Collective Bargaining – Exclusive Representative Duty of Fair Representation

MC/PG 109–19

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1015)

The Bill was then returned to the House of Delegates.

House Bill 520 – Delegates Lierman, Jones, Bagnall, Boyce, Bridges, Charkoudian, Clippinger, Conaway, Ebersole, Feldmark, Glenn, Hettleman, Ivey, Jalisi, Korman, Krimm, Lafferty, Lehman, R. Lewis, McIntosh, Palakovich Carr, Sample–Hughes, Smith, Solomon, Valderrama, ~~and Wells~~ Wells, Brooks, Bartlett, Terrasa, Pendergrass, Pena–Melnyk, Barron, Bhandari, Carr, Charles, Cullison, Hill, Johnson, Kerr, Rosenberg, and K. Young

AN ACT concerning

Prenatal and Infant Care Coordination – Grant Funding and Task Force

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1016)

The Bill was then returned to the House of Delegates.

House Bill 570 – Delegates Sample–Hughes, Barron, Crutchfield, Ghrist, Kelly, Krebs, R. Lewis, Patterson, ~~and K. Young~~ K. Young, Pendergrass, Pena–Melnyk, Bagnall, Bhandari, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kerr, Kipke, Metzgar, Morgan, Rosenberg, Saab, and Szeliga

AN ACT concerning

Behavioral Health Programs – Medical Directors – Telehealth

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1017)

The Bill was then returned to the House of Delegates.

House Bill 583 – Delegates Wilkins, Crosby, Ebersole, Hettleman, Hill, Ivey, Jalisi, Lehman, R. Lewis, Queen, Sample–Hughes, Shetty, Smith, Solomon, Sydnor, Valentino–Smith, Wilson, ~~and K. Young~~ K. Young, Pendergrass, Pena–Melnik, Bagnall, Barron, Bhandari, Carr, Charles, Chisholm, Cullison, Johnson, Kerr, Krebs, Metzgar, Morgan, Rosenberg, Saab, and Szeliga

AN ACT concerning

Health – Maternal Mortality Review Program – Recommendations and Reporting Requirement

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1018)

The Bill was then returned to the House of Delegates.

House Bill 589 – Delegates Barron ~~and Kipke~~, Kipke, Pendergrass, Pena–Melnik, Bagnall, Bhandari, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kelly, Kerr, Krebs, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Sample–Hughes, Szeliga, and K. Young

EMERGENCY BILL

AN ACT concerning

Maryland Medical Assistance Program and Managed Care Organizations That Use Pharmacy Benefits Managers – ~~Reimbursement Requirements~~ Audit and Professional Dispensing Fees

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1019)

The Bill was then returned to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 24 (GENERAL HOUSE BILLS)

House Bill 592 – The Speaker (By Request – Office of the Attorney General) and Delegates Atterbeary, D.E. Davis, Fennell, Gaines, Kelly, Sample–Hughes, Stein, ~~and Wilson~~ Wilson, Pendergrass, Pena–Melnyk, Bagnall, Barron, Bhandari, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kerr, Kipke, Krebs, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Szeliga, and K. Young

AN ACT concerning

Health Care Facilities – Comprehensive and Extended Care Facilities – Discharges and Transfers

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1020)

The Bill was then returned to the House of Delegates.

House Bill 751 – Delegate Hill

AN ACT concerning

Health Insurance – Prior Authorization – Requirements

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

Affirmative – 44 Negative – 0 (See Roll Call No. 1021)

The Bill was then returned to the House of Delegates.

House Bill 759 – Delegates Morgan, Buckel, Carr, Charles, Chisholm, Hill, Kelly, Kerr, Kipke, Krebs, Pena–Melnyk, Saab, Sample–Hughes, ~~and Szeliga~~ Szeliga, Pendergrass, Bagnall, Barron, Bhandari, Cullison, Johnson, R. Lewis, Metzgar, Rosenberg, and K. Young

AN ACT concerning

Pharmacy Benefits Managers – Pharmacy Choice

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1022)

The Bill was then returned to the House of Delegates.

**House Bill 829 – Delegates Ghrist, Adams, Kelly, Mautz, ~~and Sample-Hughes~~
Sample-Hughes, Pendergrass, Pena-Melnyk, Bagnall, Barron, Bhandari,
Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kerr, Kipke, Krebs,
R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Szeliga, and K. Young**

AN ACT concerning

Health Insurance – Provider Panels – Graduate Providers

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1023)

The Bill was then returned to the House of Delegates.

**House Bill 838 – Delegates Valentino-Smith, Acevero, Hettleman, Krimm,
Lierman, Solomon, Terrasa, and P. Young**

AN ACT concerning

Food Supplement Program – Restaurant Meals Program

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1024)

The Bill was then returned to the House of Delegates.

**House Bill 994 – Delegates Mosby, Acevero, Barron, Boyce, Bridges, Brooks,
Charles, W. Fisher, Holmes, Ivey, Lierman, Moon, Pena-Melnyk, Proctor,
Sample-Hughes, Smith, Turner, Wells, and Wilkins**

AN ACT concerning

**Labor and Employment – Criminal Record Screening Practices
(Ban the Box)**

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

Affirmative – 30 Negative – 15 (See Roll Call No. 1025)

The Bill was then returned to the House of Delegates.

House Bill 1066 – Delegates Valentino-Smith, Lierman, and P. Young

AN ACT concerning

Family Investment Program – ~~Transitional Assistance for Education Pilot Program~~ Work Activity Requirement – Authorized Activities and Report

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1026)

The Bill was then returned to the House of Delegates.

House Bill 1246 – Delegates Fraser-Hidalgo, Barve, Charkoudian, Clippinger, Hill, Korman, Lierman, Shetty, ~~and Wilkins~~ Wilkins, Attar, Boyce, Harrison, Healey, Holmes, Jalisi, Lafferty, Lehman, Love, Stein, Stewart, and Wells

AN ACT concerning

**~~Plug-In Electric Drive Vehicle Excise Tax Credit~~
Clean Cars Act of 2019**

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

Affirmative – 41 Negative – 4 (See Roll Call No. 1027)

The Bill was then returned to the House of Delegates.

House Bill 1280 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Collective Bargaining – Technical Unit

MC/PG 114-19

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1028)

The Bill was then returned to the House of Delegates.

**SENATE THIRD READING CALENDAR NO. 25 (GENERAL HOUSE BILLS)
CONSENT NO. 14**

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 360	St. Mary's County Delegation	St. Mary's County – Alcoholic Beverages – Sunday Sales at a Bar or Counter	EHE
HB 388	Charles County Delegation	Charles County – Alcoholic Beverages – View of Licensed Premises	EHE
HB 389	Charles County Delegation	Charles County – Alcoholic Beverages – Resort Complex License	EHE
HB 438	Charles County Delegation	Charles County – Alcoholic Beverages – Golf Course Privilege	EHE
HB 701	Washington County Delegation	Washington County – Alcoholic Beverages – Sunday Hours of Sale	EHE
HB 803	Harford County Delegation	Harford County – Alcoholic Beverages – Annual Financial Audit	EHE
HB 805	Harford County Delegation	Harford County – Alcoholic Beverages – Continuing Care Facility for the Aged License	EHE
HB 869	Howard County Delegation	Howard County – Alcoholic Beverages – Marketplace License Ho. Co. 06–19	EHE
HB 960	Del. Mosby	Baltimore City – Alcoholic Beverages Licenses – Prohibited Transfers	EHE
HB 982	St. Mary's County Delegation	St. Mary's County – Alcoholic Beverages – Class C Per Diem Licenses	EHE

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 1149	Harford County Delegation	Harford County – Alcoholic Beverages – Filing Period for Renewal Applications	EHE

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

All of the above listed bills on the Third Reading Consent Calendar were read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 1029)

The Bills were then returned to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 26 (GENERAL HOUSE BILLS)

House Bill 132 – Delegates Reznik, Acevero, Bagnall, Barve, Beitzel, Bhandari, Boyce, Buckel, Crutchfield, Ebersole, Gaines, Haynes, Jones, Kipke, R. Lewis, Lierman, McKay, Pena-Melnyk, Shetty, Stewart, Terrasa, Wells, ~~and K. Young~~ K. Young, Washington, and Palakovich Carr

AN ACT concerning

Education – Robotics Grant Program – Alterations

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

Affirmative – 44 Negative – 0 (See Roll Call No. 1030)

The Bill was then returned to the House of Delegates.

House Bill 268 – Delegates Beitzel, Buckel, and McKay

AN ACT concerning

Maryland Community College Promise Scholarship Program – Alterations to the Award of Scholarship Funds

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

Affirmative – 43 Negative – 1 (See Roll Call No. 1031)

The Bill was then returned to the House of Delegates.

House Bill 364 – Delegates Bagnall, Acevero, Arikan, Bartlett, Cain, Charkoudian, Chisholm, Feldmark, Guyton, Ivey, Johnson, Kerr, Kipke, Lehman, J. Lewis, R. Lewis, Malone, Metzgar, Moon, Palakovich Carr, Pendergrass, Reznik, Rogers, Shetty, Stewart, Terrasa, Wells, ~~and K. Young~~ K. Young, Barron, Bhandari, Carr, Charles, Hill, Kelly, Krebs, Morgan, Pena–Melnyk, Rosenberg, and Sample–Hughes

AN ACT concerning

Health Care Practitioners – Medical Examinations on Anesthetized or Unconscious Patients

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1032)

The Bill was then returned to the House of Delegates.

House Bill 404 – ~~Delegate R. Lewis~~ Delegates R. Lewis, Bagnall, Bhandari, and Hill

SECOND PRINTING

AN ACT concerning

State Acupuncture Board – Practice of Acupuncture – Definition and Education Requirements

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

Affirmative – 44 Negative – 0 (See Roll Call No. 1033)

The Bill was then returned to the House of Delegates.

House Bill 471 – Delegates K. Young, Pendergrass, R. Lewis, ~~and Sample–Hughes~~ Sample–Hughes, Pena–Melnyk, Bagnall, Bhandari, Carr, Charles, Chisholm, Cullison, Kelly, Kerr, Kipke, Krebs, Metzgar, Rosenberg, Saab, and Szeliga

AN ACT concerning

Health Occupations – Requirements for the Practice of Optometry – Miscellaneous Revisions

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1034)

The Bill was then returned to the House of Delegates.

House Bill 633 – Delegates Lierman, Acevero, B. Barnes, Hettleman, McIntosh, Solomon, Terrasa, Valentino-Smith, and P. Young

AN ACT concerning

**Higher Education – Legal Representation Fund for Title IX Proceedings –
Established**

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

Affirmative – 42 Negative – 3 (See Roll Call No. 1035)

The Bill was then returned to the House of Delegates.

House Bill 648 – ~~Delegate Bagnall~~ Delegates Bagnall, Barron, Bhandari, Charles, Chisholm, Hill, Krebs, Metzgar, Morgan, Pena-Melnyk, and Saab

AN ACT concerning

Interstate Physical Therapy Licensure Compact

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

Affirmative – 43 Negative – 0 (See Roll Call No. 1036)

The Bill was then returned to the House of Delegates.

House Bill 754 – ~~Delegate Kipke~~ Delegates Kipke, Pendergrass, Pena-Melnyk, Bagnall, Barron, Bhandari, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kelly, Kerr, Krebs, R. Lewis, Metzgar, Morgan, Rosenberg, Sample-Hughes, Szeliga, and K. Young

EMERGENCY BILL

AN ACT concerning

**Health Insurance and Pharmacy Benefits Managers – Cost Pricing and
Reimbursement**

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1037)

The Bill was then returned to the House of Delegates.

House Bill 822 – Delegates Hettleman, Acevero, Korman, Terrasa, Valentino-Smith, and P. Young

AN ACT concerning

University System of Maryland – Regular Employees – Grievance Procedures and Disciplinary Actions

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1038)

The Bill was then returned to the House of Delegates.

House Bill 885 – Delegates Palakovich Carr, Acevero, Barve, Boyce, Bridges, Carr, Charkoudian, Conaway, Crutchfield, Dumais, Ebersole, Feldmark, Guyton, Harrison, Healey, Hettleman, Hill, Ivey, Kaiser, Kelly, Korman, Lafferty, Lehman, R. Lewis, Lierman, Love, Luedtke, Moon, Mosby, Qi, Queen, Shetty, Smith, Solomon, Stewart, Terrasa, Wells, Wilkins, and P. Young

AN ACT concerning

Transportation – Vision Zero – Establishment

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1039)

The Bill was then returned to the House of Delegates.

House Bill 1122 – Delegates Hornberger, Buckel, Kipke, ~~and Patterson~~ Patterson, Pena-Melnyk, Bagnall, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kelly, Kerr, Krebs, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Sample-Hughes, Szeliga, and K. Young

AN ACT concerning

Behavioral Health Programs – Outpatient Mental Health Centers – Requirements for Medical Directors

FLOOR AMENDMENT

HB1122/373323/1

BY: Senator Kelley

AMENDMENT TO HOUSE BILL 1122

(Third Reading File Bill)

On page 3, in line 8, strike “July” and substitute “October”.

The preceding amendment was read and adopted.

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1040)

The Bill was then returned to the House of Delegates.

**SENATE THIRD READING CALENDAR NO. 27 (GENERAL HOUSE BILLS)
CONSENT NO. 15**

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 761	Del. Patterson	Health – Sickle Cell Disease – Steering Committee and Services	EHE
HB 876	Del. Hettleman	Higher Education – Policy on Student Concerns About Athletic Programs and Activities	EHE
HB 924	Del. Cullison	State Board of Physicians – Registered Cardiovascular Invasive Specialists	EHE
HB 1081	Del. Charkoudian	State Board of Public Accountancy – Firm Permits – Attest Services	EHE
HB 1099	The Speaker	State Athletic Commission – Sunset Extension	EHE
HB 1186	Del. Ebersole	Nonpublic Schools – Fire Drill Requirements – State Fire Prevention Code	EHE

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 1228	Del. Arentz	State Real Estate Commission – Real Estate Brokerage Relationships, Continuing Education, and Disclosures	EHE

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

All of the above listed bills on the Third Reading Consent Calendar were read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 1041)

The Bills were then returned to the House of Delegates.

**SENATE THIRD READING CALENDAR NO. 28 (GENERAL HOUSE BILLS)
CONSENT NO. 16**

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 28	Del. Clark	Natural Resources – Shellfish Nursery Operations – Wetlands License Requirements	EHE
HB 272	Del. Lafferty	Natural Resources – State and Local Forest Conservation Funds	EHE
HB 349	Del. Jacobs	Natural Resources – Special Charter Boat License – Alteration	EHE
HB 618	Del. Adams	Dorchester County – Sunday Hunting – Deer Bow Hunting Season	EHE
HB 619	Del. Adams	Dorchester County – Sunday Hunting – Deer Muzzle Loader Season	EHE

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 620	Del. Adams	Dorchester County – Sunday Hunting – Deer Firearms Season	EHE
HB 639 (Amended)	Anne Arundel County Delegation	Public Safety – Buildings Used for Agritourism	EHE

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

All of the above listed bills on the Third Reading Consent Calendar were read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 0 (See Roll Call No. 1042)

The Bills were then returned to the House of Delegates.

**SENATE THIRD READING CALENDAR NO. 29 (GENERAL HOUSE BILLS)
CONSENT NO. 17**

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 78	Del. Wilkins	Correctional Services – Inmates – Labor	JPR
HB 121	Del. Dumais	Criminal Procedure – Charge by Citation – Violation of Condition of Release	JPR
HB 135	Del. Moon	Criminal Law – Cruelty to Animals – Payment of Costs	JPR
HB 240	Del. Rosenberg	Hate Crimes – Threats	JPR
HB 259	Del. Moon	Criminal Procedure – Expungement – Boating Offenses	JPR

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 407	Del. Beitzel	Garrett County – Pretrial Release, Work Release, and Home Detention Programs	JPR
HB 420 (Emerg)	Del. Sydnor	Criminal Law – Threat of Mass Violence	JPR
HB 516	Del. Smith	Office of Legislative Audits – Audits of the Baltimore Police Department	JPR
HB 528	Del. Smith	Baltimore City – Police Districts – Redistricting	JPR

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

All of the above listed bills on the Third Reading Consent Calendar were read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 1043)

The Bills were then returned to the House of Delegates.

**SENATE THIRD READING CALENDAR NO. 30 (GENERAL HOUSE BILLS)
CONSENT NO. 18**

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 76	Del. Moon	Vehicle Laws – Canceled, Revoked, and Suspended Driver’s Licenses – Penalties	JPR
HB 424	Del. Corderman	Washington County – Disposition of Marriage Ceremony Fee	JPR
HB 625	Del. Clippinger	Baltimore Police Department – Commission to Restore Trust in Policing – Alterations	JPR

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 712	Del. Crutchfield	Criminal Law – Continuing Course of Conduct With a Child – Unit of Prosecution	JPR
HB 734	Del. W. Fisher	Criminal Law – Labor Trafficking (Anti-Exploitation Act of 2019)	JPR
HB 898	Del. Johnson	Trusts – Maryland Trust Act – Methods of Notice	JPR
HB 939	Del. Cassilly	Vehicle Laws – Electric Bicycles – Equipment and Operation	JPR
HB 1212	Del. McComas	Family Law – Kinship Caregivers	JPR
HB 1330	Del. R. Watson	State Law Library – Renaming	JPR

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

All of the above listed bills on the Third Reading Consent Calendar were read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 1044)

The Bills were then returned to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 31 (GENERAL HOUSE BILLS)

House Bill 92 – Delegate Dumais

AN ACT concerning

Public Safety – Handgun Permits – Payment of Fees

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

Affirmative – 44 Negative – 1 (See Roll Call No. 1045)

The Bill was then returned to the House of Delegates.

House Bill 113 – Delegates Moon, Hornberger, Atterbeary, Barron, Charkoudian, Kittleman, J. Lewis, Lierman, Luedtke, Palakovich Carr, Sydnor, Washington, and Wilkins

AN ACT concerning

Criminal Law – Gaming – Civil Offense

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1046)

The Bill was then returned to the House of Delegates.

House Bill 122 – Delegates Dumais, ~~Arikan~~, Atterbeary, Barron, Bartlett, Crutchfield, W. Fisher, ~~Grammer~~, Hettleman, Lopez, Malone, ~~McComas~~, Moon, Shetty, and Sydnor

AN ACT concerning

Protective Orders – Relief Eligibility – Rape and Sexual Offenses

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1047)

The Bill was then returned to the House of Delegates.

House Bill 138 – Delegates Moon, Atterbeary, J. Lewis, R. Lewis, Lierman, Sydnor, and Wells

AN ACT concerning

Law Enforcement – Federal Military Surplus Program – Equipment Acquisition

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1048)

The Bill was then returned to the House of Delegates.

House Bill 214 – Delegates Pena–Melnik, Acevero, Atterbeary, B. Barnes, D. Barnes, Barron, Bartlett, Boyce, Chang, Charkoudian, Conaway, Crutchfield, Cullison, Dumais, Fennell, W. Fisher, Fraser–Hidalgo, Glenn, Healey, Hill, Ivey, Kelly, Korman, Lafferty, Lehman, J. Lewis, R. Lewis, Lopez, Love, McIntosh, Moon, Mosby, Palakovich Carr, Pendergrass,

Proctor, Reznik, Rosenberg, Shetty, Stewart, Sydnor, Turner, Valderrama, Valentino-Smith, Walker, Washington, and Wilkins

SECOND PRINTING

AN ACT concerning

Victims and Witnesses – U Nonimmigrant Status – Certification of Victim Helpfulness

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

Affirmative – 44 Negative – 0 (See Roll Call No. 1049)

The Bill was then returned to the House of Delegates.

House Bill 433 – Delegates Fraser-Hidalgo, Pena-Melnyk, Atterbeary, Barve, Korman, Shetty, and Wilkins

AN ACT concerning

Maryland Police Training and Standards Commission – Police Officer Certification – Eligibility (Freedom to Serve Act)

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1050)

The Bill was then returned to the House of Delegates.

House Bill 743 – ~~Delegate Dumais~~ Delegates Dumais, Grammer, and Arikan

AN ACT concerning

Criminal Procedure – Incompetency and Criminal Responsibility – Dismissal of Charges

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1051)

The Bill was then returned to the House of Delegates.

House Bill 787 – Delegates Atterbeary, Arikan, Barron, Bromwell, Cardin, Guyton, Hettleman, J. Lewis, Lierman, Luedtke, and McComas

AN ACT concerning

Crimes – Child Abuse and Neglect – Failure to Report

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

Affirmative – 44 Negative – 0 (See Roll Call No. 1052)

The Bill was then returned to the House of Delegates.

House Bill 871 – Delegates ~~Pippy, Atterbeary, Cain, Cain, Atterbeary,~~ Cardin, Chang, Cox, Crutchfield, D.M. Davis, W. Fisher, J. Lewis, Lopez, Moon, Mosby, Shetty, Sydnor, R. Watson, ~~and Wilkins~~ Wilkins, Grammer, Bartlett, McComas, Hartman, Arikan, and Malone

AN ACT concerning

Criminal Law – Human Trafficking and Prostitution Offenses

Senator Beidle moved to make the Bill a Special Order for April 3, 2019.

The motion was adopted.

SENATE THIRD READING CALENDAR NO. 32 (GENERAL HOUSE BILLS)

House Bill 87 – Delegates Ebersole, Cain, Carey, Charkoudian, Feldmark, Guyton, Hettleman, Ivey, Kerr, Korman, Luedtke, Moon, Mosby, Palakovich Carr, Patterson, Smith, Solomon, Terrasa, Turner, C. Watson, and Wilkins

AN ACT concerning

State Board of Education – Membership – Teachers and Parent

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1053)

The Bill was then returned to the House of Delegates.

House Bill 488 – Delegate McIntosh

AN ACT concerning

Forestry – Mel Noland Fellowship Program – Establishment

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1054)

The Bill was then returned to the House of Delegates.

House Bill 652 – Delegates Love, Acevero, Boyce, Brooks, Carr, Cullison, Ebersole, Gilchrist, Kelly, Lafferty, Lehman, R. Lewis, Lierman, Lisanti, Moon, Palakovich Carr, Solomon, Stewart, Terrasa, Valderrama, and K. Young

AN ACT concerning

Agriculture – Use of Antimicrobial Drugs – Limitations and Reporting Requirements

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

Affirmative – 29 Negative – 16 (See Roll Call No. 1055)

The Bill was then returned to the House of Delegates.

House Bill 658 – Delegates Valentino-Smith, Sydnor, D. Barnes, Barron, Branch, Jackson, Jones, Lehman, J. Lewis, McIntosh, Patterson, Pena-Melnyk, Rosenberg, Walker, and R. Watson

AN ACT concerning

Interagency Agreements – Historically Black Colleges and Universities – ~~Goals~~ Reporting Requirements

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1056)

The Bill was then returned to the House of Delegates.

House Bill 720 – Delegates Barve, Busch, and Stein

AN ACT concerning

Natural Resources – Fishery Management Plans – Oysters

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

Affirmative – 32 Negative – 13 (See Roll Call No. 1057)

The Bill was then returned to the House of Delegates.

House Bill 735 – Delegates Healey, Carr, Charkoudian, Ebersole, Fraser–Hidalgo, Gilchrist, Korman, Lafferty, Qi, Shetty, Stein, and Stewart

AN ACT concerning

~~**Task Force on Forest Conservation in Maryland**~~
Technical Study on Changes in Forest Cover and Tree Canopy in Maryland

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1058)

The Bill was then returned to the House of Delegates.

House Bill 830 – Delegate Washington

AN ACT concerning

County Public Campaign Financing – Late Fees, Civil Penalties, and Administration

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1059)

The Bill was then returned to the House of Delegates.

House Bill 1104 – Delegates Sample–Hughes, R. Lewis, and P. Young

AN ACT concerning

State Board of Professional Counselors and Therapists – Licensure, Disciplinary Action, Criminal History Records Checks, and Trainee Status – Revisions

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1060)

The Bill was then returned to the House of Delegates.

House Bill 1144 – Delegates Lehman, Pena–Melnik, Acevero, B. Barnes, Barron, Boyce, Charkoudian, Charles, Fennell, W. Fisher, Hettleman, Ivey, Jackson, Moon, Palakovich Carr, Proctor, Rogers, Solomon, Stewart, Turner, Valentino–Smith, Washington, Wells, and K. Young

AN ACT concerning

**County Boards of Education – Equal Access to Public Services for Individuals
With Limited English Proficiency**

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

Affirmative – 36 Negative – 9 (See Roll Call No. 1061)

The Bill was then returned to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 33 (GENERAL HOUSE BILLS)

House Bill 55 – Delegates Barron and Sydnor

AN ACT concerning

Transportation – Ignition Interlock ~~Devices~~ System – Definition

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

Affirmative – 43 Negative – 2 (See Roll Call No. 1062)

The Bill was then returned to the House of Delegates.

**House Bill 331 – Delegates Jacobs, Adams, Arentz, Arikan, Beitzel, Boteler,
Ciliberti, Clark, Cox, Ghrist, Hartman, Hornberger, Howard, Kipke, Krebs,
Malone, Mangione, Mautz, Morgan, Otto, Pippy, Reilly, Sample–Hughes,
Shoemaker, Szeliga, and Wivell**

EMERGENCY BILL

AN ACT concerning

Farm Area Motor Vehicles – Registration and Authorized Use

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1063)

The Bill was then returned to the House of Delegates.

**House Bill 343 – Delegates Lopez, Charkoudian, Ivey, Johnson, R. Lewis, Love,
Mosby, Palakovich Carr, Qi, Queen, Shetty, Smith, Stewart, and Wilkins**

AN ACT concerning

School Bus Monitoring Cameras – Civil Penalty – Sunset Repeal

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

Affirmative – 44 Negative – 1 (See Roll Call No. 1064)

The Bill was then returned to the House of Delegates.

House Bill 421 – Delegates Love, Acevero, Atterbeary, B. Barnes, Barron, Boyce, Bridges, Carr, Charkoudian, Clippinger, Cullison, Ebersole, Feldmark, Gilchrist, Hettleman, Ivey, Kaiser, Kelly, Korman, Lafferty, Lehman, Lierman, Lopez, Luedtke, McIntosh, Moon, Palakovich Carr, Pena–Melnik, Qi, Queen, Reznik, Shetty, Solomon, Stewart, Terrasa, Valderrama, Wells, and K. Young

AN ACT concerning

**Vehicle Laws – Licenses, Identification Cards, and Moped Operator’s Permits –
Indication of Applicant’s Sex**

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

Affirmative – 31 Negative – 14 (See Roll Call No. 1065)

The Bill was then returned to the House of Delegates.

House Bill 519 – Delegate Dumais

AN ACT concerning

Family Law – Parentage and Adoption

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

Affirmative – 31 Negative – 14 (See Roll Call No. 1066)

The Bill was then returned to the House of Delegates.

House Bill 932 – Delegates Johnson, Arikan, Cassilly, Chisholm, Crosby, Kerr, Krebs, Lisanti, Reilly, ~~and Turner~~ Turner, Bagnall, Barron, Carr, Charles, Kelly, Kipke, R. Lewis, Metzgar, Morgan, Pena–Melnik, Rosenberg, and Saab

AN ACT concerning

Maryland Trust Act – Division or Consolidation of Trust

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1067)

The Bill was then returned to the House of Delegates.

House Bill 1305 – Delegate Ivey

AN ACT concerning

Estates and Trusts – Administration of Estates – Waiver of Fees – Required

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

Affirmative – 42 Negative – 3 (See Roll Call No. 1068)

The Bill was then returned to the House of Delegates.

House Bill 1401 – ~~Delegate Barve~~ Delegates Barve, Cassilly, Clark, Jacobs, Parrott, and Wivell

AN ACT concerning

Vehicle Laws – Overweight Vehicles – ~~Heavyweight~~ Heavy Weight Port Corridor Permit

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1069)

The Bill was then returned to the House of Delegates.

RECONSIDERATION**House Bill 519 – Delegate Dumais**

AN ACT concerning

Family Law – Parentage and Adoption

Senator Zirkin moved to reconsider the vote by which **House Bill 519** Passed Third Reading.

The motion was adopted.

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

FLOOR AMENDMENT

HB0519/273127/1

BY: Senator Zirkin

AMENDMENT TO HOUSE BILL 519

(Third Reading File Bill)

On page 21, in line 26, strike “October” and substitute “June”.

The preceding amendment was read and adopted.

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

Affirmative – 32 Negative – 13 (See Roll Call No. 1070)

The Bill was then returned to the House of Delegates.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 56**

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

House Bill 1288 – Delegate Barron

AN ACT concerning

Physicians – Dispensing Permit Exemption – ~~Prepackaged~~ Topical Medication

HB1288/884832/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1288

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 11 through 15, inclusive; after line 15, insert:

“BY renumbering

Article – Health Occupations

Section 12–102(c)(2)(iii) and (iv), respectively

to be Section 12–102(c)(2)(iv) and (v), respectively

Annotated Code of Maryland

(2014 Replacement Volume and 2018 Supplement)”;

in line 16, strike “with” and substitute “without”; in line 18, strike “12–102(c)(2)(iii) and (iv)” and substitute “12–102(c)(2)(ii)1.C. and 4.M.”; and after line 20, insert:

“BY adding to

Article – Health Occupations

Section 12–102(c)(2)(iii) and 14–509

Annotated Code of Maryland

(2014 Replacement Volume and 2018 Supplement)”.

On page 2, in line 6, after “That” insert “Section(s) 12–102(c)(2)(iii) and (iv), respectively, of Article – Health Occupations of the Annotated Code of Maryland be renumbered to be Section(s) 12–102(c)(2)(iv) and (v), respectively.”

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

AMENDMENT NO. 2

On page 2, strike in their entirety lines 17 through 21, inclusive; after line 21, insert:

“(ii) A licensed dentist, physician, or podiatrist from personally preparing and dispensing the dentist’s, physician’s, or podiatrist’s prescriptions when:

1. The dentist, physician, or podiatrist:

C. Has received a written permit from that board to dispense prescription drugs or devices except that a written permit is not required in order to dispense starter dosages or samples without charge; and

4. The dentist, physician, or podiatrist:

M. Completes ten continuing education credits over a 5-year period relating to the preparing and dispensing of prescription drugs, offered by the Accreditation Council for Pharmacy Education (ACPE) or as approved by the Secretary, in consultation with each respective board of licensure, as a condition of permit renewal;

(III) A LICENSED PHYSICIAN FROM DISPENSING A TOPICAL MEDICATION WITHOUT OBTAINING THE PERMIT REQUIRED UNDER ITEM (II)1C OF THIS PARAGRAPH OR COMPLETING THE CONTINUING EDUCATION REQUIRED UNDER ITEM (II)4M OF THIS PARAGRAPH WHEN THE PHYSICIAN:

1. OTHERWISE COMPLIES WITH ITEM (II) OF THIS PARAGRAPH; AND

2. HAS OBTAINED A SPECIAL WRITTEN PERMIT UNDER § 14-509 OF THIS ARTICLE;

and strike in their entirety lines 22 through 31, inclusive.

AMENDMENT NO. 3

On page 3, in line 10, after “HYPOTICHOSIS” insert “WITHOUT OBTAINING A DISPENSING PERMIT OR COMPLETING THE CONTINUING EDUCATION REQUIRED UNDER § 12-102(C)(2)(II) OF THIS ARTICLE”; and in line 11, strike “COMPLIES” and substitute “OTHERWISE COMPLIES”.

On page 4, in line 8, strike “2.” and substitute “3.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE REPORT NO. 58

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

Senate Bill 529 – Senators Zucker, Guzzone, King, Lee, McCray, Nathan–Pulliam, Pinsky, Smith, and Young

AN ACT concerning

State Board of Education – Membership – Teachers and Parent

SB0529/514532/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 529

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Teachers” and substitute “Teacher”; in the same line, after “Parent” insert “Members”; in line 4, strike “certain number of members who are certified teachers” and substitute “certain certified teacher”; in line 5, strike “members” and substitute “member”; in line 6, strike “individuals are” and substitute “individual is”; in line 7, after “appoint” insert “a”; in the same line, strike “members” and substitute “member”; strike beginning with “from” in line 8 down through “Education” in line 9; strike beginning with “requiring” in line 9 down through “State;” in line 12; in line 12, before “Department” insert “State”; in the same line, after “Department” insert “of Education”; in line 14, after “adopts;” insert “authorizing the Department to consult with the State Retirement Agency of the Maryland State Retirement and Pension System to conduct a certain election; authorizing a certain teacher member to attend and participate in certain sessions of the State Board; prohibiting the teacher member from voting on certain matters;”; in line 17, after “PTA;” insert “authorizing a certain parent member to attend and participate in certain sessions of the State Board;”; in line 18, strike “teacher”; and in lines 18 and 19, strike “and the initial parent member”.

AMENDMENT NO. 2

On page 2, in line 3, strike “14” and substitute “13”; in line 13, strike “MEMBERS” and substitute “MEMBER”; and after line 16, insert:

“(4) (I) OF THE 13 REGULAR MEMBERS OF THE STATE BOARD, ONE REGULAR MEMBER SHALL BE A CERTIFIED TEACHER WHO IS ACTIVELY TEACHING.

(II) THE GOVERNOR SHALL APPOINT THE TEACHER MEMBER, WITH THE ADVICE AND CONSENT OF THE SENATE, WHO RECEIVED THE HIGHEST NUMBER OF VOTES AFTER AN ELECTION BY TEACHERS IN THE STATE.

(III) THE DEPARTMENT SHALL PROVIDE NOTICE OF A TEACHER MEMBER VACANCY ON THE STATE BOARD TO:

1. ALL CERTIFIED TEACHERS WHO ARE ACTIVELY TEACHING IN THE STATE; AND

2. ALL TEACHERS' ORGANIZATIONS REPRESENTING TEACHERS IN THE STATE FOR PURPOSES OF COLLECTIVE BARGAINING.

(IV) 1. THE ELECTION SHALL BE CONDUCTED UNDER REGULATIONS THAT THE DEPARTMENT ADOPTS.

2. THE DEPARTMENT MAY CONSULT WITH THE STATE RETIREMENT AGENCY OF THE MARYLAND STATE RETIREMENT AND PENSION SYSTEM TO CONDUCT THE ELECTION REQUIRED UNDER THIS SUBPARAGRAPH.

(V) THE TEACHER MEMBER MAY ATTEND AND PARTICIPATE IN AN EXECUTIVE SESSION OF THE STATE BOARD.

(VI) THE TEACHER MEMBER MAY NOT VOTE ON ANY MATTER THAT RELATES TO APPEALS TO THE STATE BOARD UNDER § 6-202 OF THIS ARTICLE.

(5) (I) OF THE 13 REGULAR MEMBERS OF THE STATE BOARD, ONE REGULAR MEMBER SHALL BE THE PARENT OF A STUDENT ENROLLED IN A PUBLIC SCHOOL IN THE STATE.

(II) THE GOVERNOR SHALL APPOINT THE PARENT MEMBER, WITH THE ADVICE AND CONSENT OF THE SENATE, FROM A LIST OF THREE QUALIFIED INDIVIDUALS SUBMITTED TO THE GOVERNOR BY THE MARYLAND PTA.

(III) THE DEPARTMENT SHALL PROVIDE NOTICE OF THE PARENT MEMBER VACANCY ON THE STATE BOARD TO THE MARYLAND PTA.

(IV) THE PARENT MEMBER MAY ATTEND AND PARTICIPATE IN AN EXECUTIVE SESSION OF THE STATE BOARD.”.

On pages 2 and 3, strike in their entirety the lines beginning with line 17 on page 2 through line 10 on page 3, inclusive.

On page 4, in line 3, strike “two”; in the same line, strike “members” and substitute “member”; strike beginning with “as” in line 3 down through “member” in line 8 and substitute “, who”; and in line 11, after “Education” insert “, who”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 916 – Senator Lam

AN ACT concerning

Physicians – Dispensing Permit Exemption – Prepackaged Topical

SB0916/134736/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 916 (First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Prepackaged”; in the same line, after “Topical” insert “Medication”; in line 3, after “a” insert “certain”; in line 4, strike “personally”; in the same line, strike “prepackaged” and substitute “certain”; in the same line, after “topical” insert “medication”; strike beginning with “establishing” in line 4 down through “permit;” in line 5 and substitute “authorizing a physician to dispense a certain topical medication if the physician meets certain requirements; authorizing the State Board of Physicians to issue a certain written permit to certain physicians under certain circumstances;”; in line 6, strike “prepackaged topical” and substitute “topical medication”; after line 6, insert:

“BY renumbering

Article – Health Occupations

Section 12–102(c)(2)(iii) and (iv), respectively

to be Section 12–102(c)(2)(iv) and (v), respectively
Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)”;

in line 7, strike “with” and substitute “without”; in line 9, strike “(k) through (m)” and substitute “4.M.”; in line 14, strike “12–102(k)” and substitute “12–102(c)(2)(iii) and 14–509”; and in line 18, after “That” insert “Section(s) 12–102(c)(2)(iii) and (iv), respectively, of Article – Health Occupations of the Annotated Code of Maryland be renumbered to be Section(s) 12–102(c)(2)(iv) and (v), respectively.”

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

AMENDMENT NO. 2

On page 1, strike in their entirety lines 22 and 23, inclusive.

On page 2, strike in their entirety lines 1 through 5, inclusive; after line 5, insert:

“(ii) A licensed dentist, physician, or podiatrist from personally preparing and dispensing the dentist’s, physician’s, or podiatrist’s prescriptions when:

1. The dentist, physician, or podiatrist:

C. Has received a written permit from that board to dispense prescription drugs or devices except that a written permit is not required in order to dispense starter dosages or samples without charge; and

4. The dentist, physician, or podiatrist:

M. Completes ten continuing education credits over a 5–year period relating to the preparing and dispensing of prescription drugs, offered by the Accreditation Council for Pharmacy Education (ACPE) or as approved by the Secretary, in consultation with each respective board of licensure, as a condition of permit renewal;

(III) A LICENSED PHYSICIAN FROM DISPENSING A TOPICAL MEDICATION WITHOUT OBTAINING THE PERMIT REQUIRED UNDER ITEM (II)1C OF THIS PARAGRAPH OR COMPLETING THE CONTINUING EDUCATION REQUIRED UNDER ITEM (II)4M OF THIS PARAGRAPH WHEN THE PHYSICIAN:

1. OTHERWISE COMPLIES WITH ITEM (II) OF THIS PARAGRAPH; AND

2. HAS OBTAINED A SPECIAL WRITTEN PERMIT UNDER § 14-509 OF THIS ARTICLE;

14-509.”;

in line 6, strike “(K) (1)” and substitute “**(A)**”; strike beginning with “SUBSECTION” in line 6 down through “TOPICAL.” in line 11 and substitute “**SECTION, “ACCME” MEANS THE ACCREDITING COUNCIL FOR CONTINUING MEDICAL EDUCATION.**”

(B) A PHYSICIAN MAY DISPENSE A TOPICAL MEDICATION THAT IS APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION FOR THE TREATMENT OF HYPOTICHOSIS WITHOUT OBTAINING A DISPENSING PERMIT OR COMPLETING THE CONTINUING EDUCATION REQUIRED UNDER § 12-102(C)(2)(II) OF THIS ARTICLE IF THE PHYSICIAN:

(1) OTHERWISE COMPLIES WITH THE REQUIREMENTS OF § 12-102(C)(2)(II) OF THIS ARTICLE; AND

(2) HAS RECEIVED A SPECIAL CLASS OF WRITTEN PERMIT FROM THE BOARD.

(C) THE BOARD MAY ISSUE A SPECIAL CLASS OF WRITTEN PERMIT TO A PHYSICIAN UNDER SUBSECTION (B) OF THIS SECTION IF THE PHYSICIAN:

(1) COMPLETES 1 HOUR OF CONTINUING MEDICAL EDUCATION PER YEAR ON THE DISPENSING OF TOPICAL MEDICATIONS DEVELOPED BY AN ACCME-ACCREDITED MARYLAND NONPROFIT OR GOVERNMENTAL ENTITY; AND

(2) PAYS TO THE BOARD A \$100 PERMIT FEE.”;

strike in their entirety lines 12 through 28, inclusive; and in line 29, strike “2.” and substitute “**3.**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

BUDGET AND TAXATION COMMITTEE REPORT NO. 32

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

House Bill 155 – The Speaker (By Request – Administration) and Delegates Adams, Anderton, Arentz, Beitzel, Buckel, Chisholm, Ciliberti, Clark, Corderman, Hartman, Hornberger, Jacobs, Kipke, Kittleman, Krebs, Malone, Mautz, McComas, McKay, Metzgar, Morgan, Otto, Reilly, Rose, Saab, Shoemaker, and Szeliga

AN ACT concerning

Maryland Department of Health – Capital and Grant Programs – State Grants

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 188 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Property Tax Credits – Grocery Stores

PG 409–19

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 223 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Property Tax Credits – Teachers

PG 410–19

Favorable report adopted.

FLOOR AMENDMENT

HB0223/783920/1

BY: Senator Augustine

AMENDMENTS TO HOUSE BILL 223

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Teachers” and substitute “Board of Education Employees”; and in lines 6 and 12, in each instance, strike “teachers” and substitute “board of education employees”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 6 through 9, inclusive, and substitute:

“(III) “ELIGIBLE EMPLOYEE” MEANS AN EMPLOYEE WHO:”;

in lines 10 and 12, strike “**3.**” and “**4.**”, respectively, and substitute “**1.**” and “**2.**”, respectively; and in line 17, strike “**TEACHER**” and substitute “**EMPLOYEE**”.

On page 3, in line 4, strike “**TEACHERS**” and substitute “**EMPLOYEEES**”; and in line 14, strike “teachers” and substitute “employees”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 403 – Delegates Ebersole and P. Young

AN ACT concerning

**Income Tax Credit – Qualified Farms – Food Donation Pilot Program –
Expansion and Extension**

HB0403/949933/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 403

(Third Reading File Bill)

On page 1, in line 6, after “Baltimore County” insert “, Howard County, Wicomico County, or Worcester County”.

On page 2, in line 9, after the third “County,” insert “**HOWARD COUNTY,**”; in line 10, strike “or”; and in the same line, after the third “County” insert “, **WICOMICO COUNTY, OR WORCESTER COUNTY**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 575 – ~~Delegate Shoemaker~~ Carroll County Delegation

~~EMERGENCY BILL~~

AN ACT concerning

Carroll County – Gaming Events – Repeal of Sunday Prohibition

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 821 – ~~Delegate Barve~~ Delegates Barve and Grammer

AN ACT concerning

State Retirement and Pension System – ~~Investment Management Fees~~ Carried Interest – Reporting

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1192 – Delegates Valderrama, Barron, Carey, Dumais, Gaines, Gilchrist, Healey, Jackson, Kaiser, Krimm, Lehman, McComas, Palakovich Carr, Pena–Melnyk, Qi, Reznik, and Solomon

AN ACT concerning

**Assembly Areas – State–Funded Construction or Renovation – Assisted
Listening System Requirement**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1379 – Delegate B. Barnes

AN ACT concerning

Optional Retirement Program – Membership

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

BUDGET AND TAXATION COMMITTEE REPORT NO. 33

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

House Bill 1116 – Delegates Hettleman, McIntosh, Atterbeary, Bridges, Brooks, Crutchfield, Cullison, Ebersole, W. Fisher, Ghrist, Glenn, Haynes, Hill, Holmes, Hornberger, Jones, Kelly, Lierman, Queen, Sample–Hughes, Shetty, ~~and Sydnor~~ Sydnor, Guyton, Cain, Wilkins, Patterson, Luedtke, Smith, Walker, Washington, Mosby, Turner, Ivey, Palakovich Carr, Feldmark, and Kaiser

AN ACT concerning

**Gender Diversity in the Boardroom – Annual Report ~~or Nonprofit Sales and Use~~
~~Tax Exemption Application~~**

HB1116/269239/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1116

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, after “year;” insert “providing for the termination of this Act;”.

On page 2, strike in their entirety lines 20 through 22, inclusive, and substitute:

“WHEREAS, Of the 70 publicly traded companies headquartered in the State in 2018, 27 have no women in executive positions, 15 have no women on their boards of directors, and 6 have no women on their boards of directors or in their executive suites; and”.

AMENDMENT NO. 2

On page 6, in line 6, after “A” insert “TAX-EXEMPT,”; in line 7, strike “STOCK” and substitute “NONSTOCK”; in line 8, strike “OR DOMESTIC NONSTOCK CORPORATION”; in line 9, after “\$5,000,000,” insert “OR A DOMESTIC STOCK CORPORATION WITH TOTAL SALES EXCEEDING \$5,000,000,”; and in line 20, after the period insert “It shall remain effective for a period of 10 years and, at the end of September 30, 2029, this Act, with no further action required by the General Assembly, 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 King, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 1258 – Calvert County Delegation

AN ACT concerning

Calvert County – Length of Service Award Program – Death Benefits
(Patricia Ann “Pat” Osburn Law)

HB1258/509632/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 1258

(Third Reading File Bill)

On page 5, in line 7, strike “qualified”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**MESSAGE FROM THE HOUSE
INTRODUCTORY HOUSE BILLS NO. 31**

**House Bill 171 – Chair, Ways and Means Committee (By Request – Departmental
– State Board of Elections)**

AN ACT concerning

**Elections – Campaign Finance Entities – Termination and Filing of Final
Campaign Finance Report**

FOR the purpose of altering the circumstances under which a certain provision of law applies requiring a campaign finance entity to terminate and file a final campaign finance report; altering the time period within which a certain campaign finance entity is required to terminate and file a final campaign finance report; requiring the State Board of Elections to provide a certain notification to certain persons affiliated with a campaign finance entity that is required to terminate under a certain provision of law; and generally relating to the termination of campaign finance entities.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 13–310

Annotated Code of Maryland

(2017 Replacement Volume and 2018 Supplement)

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

House Bill 543 – Delegates Jones, Bartlett, Barve, Brooks, Cardin, Chang, Dumais, Gaines, Healey, Hettleman, Hornberger, Lierman, Pena–Melnik, Pendergrass, Solomon, Stein, and Sydnor

AN ACT concerning

Maryland Technology Development Corporation – Investments and Operations

FOR the purpose of ~~requiring the Maryland Technology Development Corporation to recover from a business enterprise certain investments made from the Enterprise Fund under certain circumstances; including in the Fund the recovery of certain money under certain circumstances;~~ providing certain requirements technology-based businesses must meet before the Maryland Technology Development Corporation may make certain grants or provide certain equity investment financing; requiring the Corporation to adopt certain regulations; requiring the Board of Directors of the Corporation to make certain appointments; requiring the Board to adopt certain policies; providing that certain persons are subject to certain public ethics law; providing certain requirements for eligibility as a member of the Maryland Venture Fund Authority; requiring the Maryland Venture Fund Authority in the Corporation to meet at least quarterly for certain purposes; altering the information required to be reported annually by the Corporation; requiring the Corporation to report certain information to the Governor, the Maryland Economic Development Commission, and the General Assembly on a quarterly basis; defining a certain term; making certain conforming changes; and generally relating to the Maryland Technology Development Corporation.

BY repealing and reenacting, without amendments,

Article – Economic Development
Section 10–401(a), 10–468, and 10–474
Annotated Code of Maryland
(2018 Replacement Volume)

BY adding to

Article – Economic Development
Section 10–401(f) through (h) and 10–494
Annotated Code of Maryland
(2018 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Economic Development
Section ~~10–468~~ 10–402(c), 10–403(a), 10–407, 10–408, 10–409, 10–415, 10–469, and
10–470, 10–475, 10–478, 10–488(b) and (c), and 10–489(a)
Annotated Code of Maryland
(2018 Replacement Volume)

~~BY repealing and reenacting, without amendments,
 Article – Economic Development
 Section 10-474
 Annotated Code of Maryland
 (2018 Replacement Volume)~~

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

House Bill 790 – Delegates Queen, Charkoudian, Dumais, Fennell, Glenn, Hettleman, Kelly, Korman, Krimm, Lopez, Luedtke, Moon, Palakovich Carr, Patterson, Pena-Melnyk, Proctor, Qi, Shetty, Stewart, Valderrama, C. Watson, Wilkins, and K. Young

AN ACT concerning

**Equal Pay for Equal Work – Enforcement – Civil Penalties
 (Equal Pay Remedies and Enforcement Act)**

FOR the purpose of ~~requiring~~ authorizing, under certain circumstances, the Commissioner of Labor and Industry or a court to require a certain employer to pay a certain civil penalty for ~~a violation of~~ violating the Equal Pay for Equal Work Law; ~~authorizing the Commissioner or a court to order certain additional civil penalties or certain relief under certain circumstances;~~ requiring that a certain penalty be paid to the General Fund for a certain purpose; and generally relating to enforcement of the Equal Pay for Equal Work Law.

BY repealing and reenacting, with amendments,
 Article – Labor and Employment
 Section 3-308
 Annotated Code of Maryland
 (2016 Replacement Volume and 2018 Supplement)

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

AMENDED IN THE HOUSE

Senate Bill 839 – ~~Senator Carter~~ Senators Carter and Smith

AN ACT concerning

**Labor and Employment – Criminal Record Screening Practices
 (Ban the Box)**

Senator Kelley moved that the Senate not concur in the House amendments.

SB0839/613797/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 839

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 7 down through “circumstances” in line 8; in line 9, strike “before”; in line 10, strike “the”; in the same line, strike “first”; strike beginning with “in-person” in line 11 down through “action;” in line 12 and substitute “including on certain application forms a question or other request for information regarding whether the applicant for employment has a criminal record or has had criminal accusations brought against the applicant;”; strike beginning with “requiring” in line 14 down through “relief;” in line 18; and in line 20, strike “establishing a certain civil penalty;” and substitute “requiring the Commissioner to issue a certain order under certain circumstances; authorizing the Commissioner to assess a certain civil penalty for certain violations of this Act under certain circumstances; requiring the Commissioner to consider certain factors in determining the amount of a certain penalty; subjecting the assessment of a certain penalty to certain requirements; providing for the construction of this Act;”.

On page 2, in line 7, strike “3-1406” and substitute “3-1405”.

AMENDMENT NO. 2

On page 4, in line 8, strike “THE MARKING OF A CHARGE “STET” ON THE DOCKET;”; in line 9, strike “(5)”; in line 10, strike “(6)” and substitute “(5)”; in line 13, after “INCLUDES” insert “:

(I) A UNIT OF LOCAL GOVERNMENT; AND

(II);

and in line 24, before “THIS” insert “(A)”.

On page 5, in line 1, strike “FEDERAL, STATE, OR LOCAL LAW” and substitute “FEDERAL OR STATE LAW”; after line 4, insert:

“(B) THIS SUBTITLE MAY NOT BE CONSTRUED TO PREEMPT A LOCAL JURISDICTION FROM ENACTING OR ENFORCING A LAW THAT IS MORE RESTRICTIVE

WITH RESPECT TO CRIMINAL RECORD SCREENING PRACTICES OF EMPLOYERS IN THE LOCAL JURISDICTION.”;

strike in their entirety lines 6 through 21, inclusive, and substitute:

“AN EMPLOYER MAY NOT INCLUDE ON A PAPER OR ELECTRONIC APPLICATION FORM A QUESTION OR OTHER REQUEST FOR INFORMATION REGARDING WHETHER THE APPLICANT HAS A CRIMINAL RECORD OR HAS HAD CRIMINAL ACCUSATIONS BROUGHT AGAINST THE APPLICANT.”;

and strike in their entirety lines 23 through 32, inclusive.

On page 6, in line 1, strike “3-1405.”; in line 6, strike “3-1406.” and substitute “3-1405.”; and strike in their entirety lines 7 through 10, inclusive, and substitute:

“(A) IF THE COMMISSIONER DETERMINES THAT AN EMPLOYER HAS VIOLATED ANY PROVISION OF THIS SUBTITLE, THE COMMISSIONER:

(1) SHALL ISSUE AN ORDER COMPELLING COMPLIANCE; AND

(2) FOR A SUBSEQUENT VIOLATION, MAY, IN THE COMMISSIONER’S DISCRETION, ASSESS A CIVIL PENALTY OF UP TO \$300 FOR EACH APPLICANT FOR EMPLOYMENT OR EMPLOYEE WITH RESPECT TO WHOM THE EMPLOYER VIOLATED ANY PROVISION OF THIS SUBTITLE.

(B) IN DETERMINING THE AMOUNT OF THE PENALTY, IF ASSESSED, THE COMMISSIONER SHALL CONSIDER:

(1) THE GRAVITY OF THE VIOLATION;

(2) THE SIZE OF THE EMPLOYER’S BUSINESS;

(3) THE EMPLOYER’S GOOD FAITH; AND

(4) THE EMPLOYER’S HISTORY OF VIOLATIONS UNDER THIS SUBTITLE.

(C) THE ASSESSMENT OF A PENALTY UNDER SUBSECTION (A)(2) OF THIS SECTION SHALL BE SUBJECT TO THE NOTICE AND HEARING REQUIREMENTS OF TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE.”.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: SB0839
SPONSOR: Senator Carter
SUBJECT: Labor and Employment – Criminal Record Screening Practices
(Ban the Box)

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 Augustine, Chair
Senator Hayes
Senator Benson

Said Bill is returned herewith.

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

Read and adopted.

**MESSAGE FROM THE HOUSE
SENATE BILLS AMENDED IN THE HOUSE NO. 13**

AMENDED IN THE HOUSE

Senate Bill 46 – Chair, Finance Committee (By Request – Departmental – Maryland Insurance Administration)

AN ACT concerning

Long-Term Care Insurance – Contingent Benefit Upon Lapse – Application

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

SB0046/726584/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 46

(Third Reading File Bill)

On page 2, in line 2, strike “**OCTOBER 1, 2019**” and substitute “**JUNE 1, 2019**”; and in line 22, strike “October 1, 2019” and substitute “June 1, 2019”.

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 – 45 Negative – 0 (See Roll Call No. 1071)

AMENDED IN THE HOUSE

Senate Bill 178 – Senator Eckardt

AN ACT concerning

Behavioral Health Programs – Medical Directors – Telehealth

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

SB0178/376986/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 178

(Third Reading File Bill)

On page 2, in line 17, strike “A” and substitute “**THE**”.

The preceding amendment was read and concurred in.

SB0178/613124/1

BY: Delegate Pena–Melnyk

AMENDMENTS TO SENATE BILL 178

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Behavioral Health Programs” and substitute “Outpatient Mental Health Centers”; in line 5, after “program” insert “licensed as an outpatient mental health center”; and strike beginning with “behavioral” in line 10 down through “programs” in line 11 and substitute “outpatient mental health centers”.

AMENDMENT NO. 2

On page 2, in line 11, after “PROGRAM” insert “LICENSED AS AN OUTPATIENT MENTAL HEALTH CENTER”.

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 – 45 Negative – 0 (See Roll Call No. 1072)

INTRODUCTION OF BILLS

Senator Eckardt moved to suspend Rules 32(a) and 32(b) to comply with the Constitutional requirements in order to introduce a Bill, and two–thirds of the Senators elected voting in the affirmative, the requirements were complied with by yeas and nays.

The motion was adopted.

Senate Bill 1051 – Senator Eckardt

EMERGENCY BILL

AN ACT concerning

Natural Resources – Oysters – Public Fishery Pilot Program

FOR the purpose of establishing the Public Fishery Pilot Program in the Department of Natural Resources; providing for the purpose of the Program; requiring the Department, in coordination with the Oyster Advisory Commission, to develop and operate the Program; requiring, on approval by the Commission, the operation of the

Program in certain protected oyster sanctuaries; requiring the Program to maintain the State's Chesapeake Bay-wide oyster sanctuary ratio at or above a certain percentage; prohibiting the Program from utilizing more than a certain amount of historic oyster bottom; specifying the funding for the Program; requiring the Department, in coordination with the Commission, to annually submit a certain report to the Governor and the General Assembly on or before a certain date; making this Act an emergency measure; providing for the termination of this Act; defining a certain term; and generally relating to the Public Fishery Pilot Program.

BY adding to

Article – Natural Resources
Section 4-222
Annotated Code of Maryland
(2018 Replacement Volume)

Senator Eckardt moved to suspend the rules to allow **Senate Bill 1051** to be referred to the committee of jurisdiction.

The motion was adopted.

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

QUORUM CALL

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

(See Roll Call No. 1073)

ADJOURNMENT

At 7:24 P.M. on motion of Senator Guzzone the Senate adjourned until 10:30 A.M. on Legislative Day March 28, 2019, Calendar Day, Wednesday, April 3, 2019 in memory of Staff Sergeant Dinora Flores.

Annapolis, Maryland
Legislative Day: March 28, 2019
Calendar Day: Wednesday, April 3, 2019
10:30 A.M. Session

The Senate met at 10:40 A.M.

Prayer by Rabbi David Schnyer, Kehila Chadasha and Am Kobel, guest of Senator Kagan.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 1077)

On motion of Senator Guzzone it was ordered that Senators King, Pinsky, Smith, and Zirkin be excused from today's session.

The Journal of April 2, 2019 was read and approved.

INTRODUCTION OF RESOLUTIONS

General Assembly Resolution No. 503 – The President, The Speaker, and all members:

Be it hereby known to all that
The Maryland General Assembly
offers its sincerest congratulations to
Steve Dustin

Deputy Director of the Office of Information Systems
in recognition of

his retirement after 30 years of dedicated and exemplary service to the Maryland General Assembly. Congratulations!

The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 30th day of June 2019.

Read and adopted by a roll call vote as follows:

Affirmative – 43 Negative – 0 (See Roll Call No. 1078)

Senate Resolution No. 511 – The President and Senator George C. Edwards:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
William and Tina Buckel
Rocky Resolve Tree Farm
in recognition of
being honored on Arbor Day as 2019
Maryland State Tree Farmer of the Year.
Thank you for your outstanding dedication in protecting
the trees, forests and natural beauty of our State.
The entire membership extends its best wishes on
this memorable occasion and directs this resolution
be presented on this 3rd day of April 2019.

Read and adopted by a roll call vote as follows:

Affirmative – 43 Negative – 0 (See Roll Call No. 1079)

**MESSAGE FROM THE HOUSE
SENATE BILLS AMENDED IN THE HOUSE NO. 15**

AMENDED IN THE HOUSE

Senate Bill 336 – Senator Carozza

AN ACT concerning

Somerset County – Commissioners – Residency Requirements

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

SB0336/130216/1

BY: Environment and Transportation Committee

AMENDMENT TO SENATE BILL 336

(Third Reading File Bill)

On page 1, in line 4, after “before” insert “the filing deadline for the”.

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 – 43 Negative – 0 (See Roll Call No. 1080)

AMENDED IN THE HOUSE

Senate Bill 909 – Senator Feldman

AN ACT concerning

Health Care Practitioners – Medical Examinations on Anesthetized or Unconscious Patients

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

SB0909/216788/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 909

(Third Reading File Bill)

On page 2, in line 4, strike “THE”.

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 – 44 Negative – 0 (See Roll Call No. 1081)

**MESSAGE FROM THE HOUSE OF DELEGATES NO. 10
SENATE BILLS PASSED BY YEAS AND NAYS**

BILL NO.	SPONSOR	CONTENT
SB 1	Chair, Judicial Proceedings Committee	Paternity Proceedings – Attorney for the Child Support Administration

BILL NO.	SPONSOR	CONTENT
SB 72	Chair, Judicial Proceedings Committee	Membership – Department of Juvenile Services State Advisory Board
SB 129	Sen. Lee	Criminal Law – Continuing Course of Conduct With a Child – Unit of Prosecution
SB 130	Sen. Lee	Criminal Procedure – Charge by Citation – Violation of Condition of Release
SB 134	Sen. Nathan–Pulliam	State Board of Nursing – Criminal History Records Checks – Revised Statement
SB 141	Washington County Senators	Washington County – Disposition of Marriage Ceremony Fee
SB 152	Sen. Ready	Criminal Law – Cruelty to Animals – Payment of Costs
SB 185	Sen. Feldman	Life Insurance – Life of a Minor – Statement on Disclosure
SB 217	Sen. Edwards	Garrett County – Pretrial Release, Work Release, and Home Detention Programs
SB 220	Sen. Kelley	Maryland Medical Assistance Program – Coverage of Dental Services – Repeal of Contingency
SB 232	Sen. Kramer	Hate Crimes – Threats
SB 245	Sen. Kramer	Transportation – Ignition Interlock System – Definition
SB 261	Sen. Ferguson	Estates and Trusts – Administration of Estates – Waiver of Fees – Required
SB 381	Sen. West	Trusts – Maryland Trust Act – Methods of Notice
SB 382	Sen. West	Maryland Trust Act – Division or Consolidation of Trust

BILL NO.	SPONSOR	CONTENT
SB 415	Sen. Kramer	Long-Term Care Insurance – Annual Notice
SB 464	Sen. King	School Bus Monitoring Cameras – Civil Penalty – Sunset Repeal
SB 505	Sen. Elfreth	Environmental Violations – Reporting Requirements
SB 527	Sen. Smith	Correctional Services – Inmates – Labor
SB 585	The President	State Board of Waterworks and Waste Systems Operators – Fee Setting, Sunset Extension, and Program Evaluation
SB 594	Sen. Peters	State Law Library – Renaming
SB 671	The President	State Board of Well Drillers – Fee Setting, Sunset Extension, and Program Evaluation
SB 710	Anne Arundel County Senators	Anne Arundel County – Ethics – Contributions and Participation in Development Applications
SB 733	Sen. Zucker	State Board of Physicians – Registered Cardiovascular Invasive Specialists
SB 847	Sen. Ferguson	Baltimore Police Department – Commission to Restore Trust in Policing – Alterations
SB 853	Sen. Kagan	Maryland Police Training and Standards Commission – Police Officer Certification – Eligibility (Freedom to Serve Act)

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.

FINANCE COMMITTEE REPORT NO. 48

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

Senate Bill 598 – Senator Nathan–Pulliam

AN ACT concerning

Maryland Medical Assistance Program – Coverage – Hepatitis C Drugs**SB0598/437575/1**

BY: Finance Committee

AMENDMENTS TO SENATE BILL 598

(First Reading File Bill)

AMENDMENT NO. 1On page 1, in line 5, after “C” insert “, regardless of the fibrosis score”.AMENDMENT NO. 2

On page 2, in line 11, strike “ANY”; in the same line, strike “DRUG” and substitute “DRUGS”; in the same line, strike “IS” and substitute “ARE”; in line 13, strike “IS” and substitute “ARE”; in the same line, after “C” insert “, REGARDLESS OF THE FIBROSIS SCORE,”; in the same line, after “BE” insert “MEDICALLY”; and strike beginning with “BY” in line 13 down through “RECIPIENT” 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 Kelley, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 619 – Senator Carter

AN ACT concerning

**University of Maryland Medical System Corporation – Board of Directors –
Conflicts of Interest, Prestige of Office, and Financial Disclosure****SB0619/117372/1**

BY: Finance Committee

AMENDMENTS TO SENATE BILL 619

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert "EMERGENCY BILL"; strike beginning with "Directors" in line 2 down through "Disclosure" in line 3 and substitute "Directors, Ethics, and Performance Audits"; strike beginning with "prohibiting" in line 4 down through "Board" in line 9 and substitute "requiring, on or before a certain date, the Board of Directors of the University of Maryland Medical System Corporation to adopt a certain conflict of interest policy; requiring the Board to send a copy of a certain policy to certain persons at certain times; requiring the Board to ensure that the Medical System Corporation continues to be a certain independent corporation; altering the maximum number of members of the Board; requiring certain members of the Board to be appointed by the Governor with the advice and consent of the Senate of Maryland; repealing a provision of law requiring a certain number of voting members of the Board to be members of the General Assembly; authorizing the Governor to appoint certain additional voting members who represent certain hospitals; requiring a certain voting member to be the Governor's designee; adding a certain number of voting members to the Board to be appointed by the President of the Senate and the Speaker of the House; prohibiting a member of the Board from intentionally using the prestige of office for private gain or the gain of another; requiring certain members of the Board annually to submit a certain disclosure statement to the State Health Services Cost Review Commission; requiring certain new members of the Board to submit a certain disclosure within a certain time period; requiring a certain statement to be available to the public on a certain website through a certain registration program under certain circumstances; requiring the Governor to remove a certain member of the Board if the member files a certain false statement; requiring certain statements to be reviewed for compliance with a certain policy by the Board and the compliance officer of the Medical System Corporation; requiring the State Health Services Cost Review Commission annually to send a summary of certain statements to the Governor, the President, and the Speaker; prohibiting the Board from using sole source procurement to award certain contracts to certain persons; requiring the Governor to remove a certain member of the Board under certain circumstances; prohibiting the Board from providing a certain preference for the award of certain contracts; requiring the Medical System Corporation to employ a certain independent entity with certain expertise to conduct a certain performance audit of the administrative and financial offices of the Medical System Corporation for a certain purpose on or before a certain date; providing that a certain audit does not include certain entities; requiring the Medical System Corporation to submit a certified copy of a certain performance audit to the Governor, the President, and the Speaker on or before a certain date; requiring the

Board to conduct a certain internal review and report certain findings and recommendations to the Governor, the President, and the Speaker on or before a certain date; requiring the terms of certain members of the Board to terminate on certain dates; authorizing certain members of the Board to apply for reappointment subject to certain provisions of law as enacted by this Act; requiring certain members appointed to the Board by the Governor to be subject to the advice and consent of the Senate during a certain legislative session; requiring certain members to be considered appointed as of a certain date and subject to certain requirements; making this Act an emergency measure; making certain conforming changes”; in line 10, strike “Board of Directors of the”; in line 13, after “(m)” insert “, 13-303(a),”; in the same line, strike “13-304(a) and (b)” and substitute “13-304(a) and (d)”; in line 18, strike “13-304(k)” and substitute “13-303(m) and (n) and 13-304(k), (l), and (m)”; and in line 23, strike “13-304(k)” and substitute “13-304(b), (c), and (k)”.

On pages 1 and 2, strike in their entirety the lines beginning with line 26 on page 1 through line 8 on page 2, inclusive.

AMENDMENT NO. 2

On page 2, after line 19, insert:

“13-303.

(a) Prior to the transfer date:

(1) The Board of Public Works shall approve the articles of incorporation of the Medical System Corporation which shall reflect the requirements of this subtitle; and

(2) The Board of Regents and the Board of Directors shall take all actions necessary to create and organize the Medical System Corporation, which shall be organized for charitable, scientific, and educational purposes and shall attain and maintain exemption from federal income taxation but which shall not be a State agency, political subdivision, public body, public corporation, or municipal corporation and is not subject to any provisions of law affecting only governmental or public entities.

(M) THE BOARD OF DIRECTORS SHALL ENSURE THAT THE MEDICAL SYSTEM CORPORATION CONTINUES TO BE A PRIVATE, NONPROFIT, NONSTOCK CORPORATION THAT IS INDEPENDENT FROM ANY STATE AGENCY.

(N) (1) ON OR BEFORE MAY 31, 2019, THE BOARD OF DIRECTORS SHALL ADOPT A CONFLICT OF INTEREST POLICY FOR MEMBERS OF THE BOARD THAT INCLUDES:

(I) STANDARDS FOR THE DISCLOSURE OF FINANCIAL INTERESTS;

(II) STANDARDS FOR BOARD MEMBER PARTICIPATION IN CONTRACTS WITH THE MEDICAL SYSTEM CORPORATION IN ACCORDANCE WITH THIS SUBTITLE, INCLUDING AN ATTESTATION THAT THE BOARD MEMBER HAS COMPLIED WITH THE CONFLICT OF INTEREST STANDARDS ADOPTED BY THE BOARD;

(III) A REQUIREMENT THAT A BOARD MEMBER MAY NOT USE THE BOARD MEMBER'S POSITION ON THE BOARD FOR PERSONAL GAIN WHEN CONTRACTING WITH THE MEDICAL SYSTEM CORPORATION; AND

(IV) A REQUIREMENT THAT A BOARD MEMBER PROVIDE AN ATTESTATION OF ANY BUSINESS RELATIONSHIP WITH THE MEDICAL SYSTEM CORPORATION OR ANY AFFILIATE OF THE CORPORATION.

(2) THE BOARD OF DIRECTORS SHALL SEND A COPY OF THE CONFLICT OF INTEREST POLICY ADOPTED UNDER PARAGRAPH (1) OF THIS SUBSECTION TO THE GOVERNOR, THE PRESIDENT OF THE SENATE, AND THE SPEAKER OF THE HOUSE OF DELEGATES:

(I) AFTER THE POLICY IS INITIALLY ADOPTED; AND

(II) EACH TIME A CHANGE IS MADE TO THE POLICY.”;

in line 23, strike “paragraph” and substitute “PARAGRAPHS”; in the same line, after “(2)” insert “AND (3)”; in line 24, strike “27” and substitute “25”; and in line 25, after “Governor” insert “WITH THE ADVICE AND CONSENT OF THE SENATE”.

On page 3, in line 3, after “Governor” insert “WITH THE ADVICE AND CONSENT OF THE SENATE”; strike beginning with “The” in line 5 down through “(v)” in line 7; after line 10, insert:

“(3) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION, FOR EACH HOSPITAL THAT AFFILIATES WITH THE MEDICAL SYSTEM ON OR AFTER JUNE 1, 2019, THE GOVERNOR MAY APPOINT AN ADDITIONAL VOTING MEMBER WHO IS A REPRESENTATIVE FROM THE HOSPITAL.”;

and strike in their entirety lines 11 through 24, inclusive.

AMENDMENT NO. 3

On page 3, after line 24, insert:

“(c) (1) Each member shall be a resident of this State.

(2) Three voting members shall be members of the Board of Regents.

[(3) Two voting members shall be members of the General Assembly, 1 nominated by the President of the Senate and 1 nominated by the Speaker of the House of Delegates.]

(3) ONE VOTING MEMBER SHALL BE THE GOVERNOR’S DESIGNEE.

(4) TWO VOTING MEMBERS SHALL BE APPOINTED AS FOLLOWS:

(i) ONE APPOINTED BY THE PRESIDENT OF THE SENATE OF MARYLAND; AND

(ii) ONE APPOINTED BY THE SPEAKER OF THE HOUSE OF DELEGATES.

[(4)] (5) At least 1 voting member of the Board shall be appointed by the Governor, upon nomination by the membership of the Community Advisory Council, from the membership of the Community Advisory Council.

[(5)] (6) At least 1 voting member of the Board of Directors shall have expertise in the hospital field.

[(6)] (7) In appointing the voting members of the Board of Directors, the Governor shall [insure] ENSURE that the composition of the Board fairly represents the

minority composition of the State.

[(7)] (8) The nonvoting members shall be, ex officio, the Chancellor of the University System of Maryland, the President, the Chief Executive Officer, the Dean of the School of Medicine, the President of the medical staff organization of the medical system, and the Associate Director of nursing services for the medical system.

(d) (1) The term of a member is 5 years and begins on the 1st Monday in June of the year of appointment.

(2) The terms of members are staggered as required by the terms provided for members of the Board on the transfer date.

(3) At the end of a term, a member continues to serve until a successor is appointed and qualifies.

(4) A member appointed to fill a vacancy in an unexpired term serves only for the remainder of that term and until a successor is appointed and qualifies.

(5) A member may be reappointed, but may not serve more than 2 consecutive full terms.

(K) A MEMBER OF THE BOARD MAY NOT INTENTIONALLY USE THE PRESTIGE OF OFFICE OR PUBLIC POSITION FOR THAT MEMBER'S PRIVATE GAIN OR THAT OF ANOTHER.

(L) (1) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF THIS PARAGRAPH, EACH MEMBER ANNUALLY SHALL SUBMIT A DISCLOSURE OF FINANCIAL INTEREST, INCLUDING ANY POTENTIAL CONFLICTS OF INTEREST, TO THE STATE HEALTH SERVICES COST REVIEW COMMISSION.

(II) 1. EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, THE STATE HEALTH SERVICES COST REVIEW COMMISSION SHALL MAKE FREELY AVAILABLE TO THE PUBLIC ON ITS WEBSITE, THROUGH AN ONLINE REGISTRATION PROGRAM, THE STATEMENT SUBMITTED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.

2. THE STATE HEALTH SERVICES COST REVIEW

COMMISSION MAY NOT PROVIDE PUBLIC ACCESS TO THE PORTION OF THE STATEMENT THAT INCLUDES AN ADDRESS THAT THE MEMBER HAS IDENTIFIED AS THE MEMBER’S HOME ADDRESS.

(III) A NEWLY APPOINTED MEMBER SHALL SUBMIT A DISCLOSURE OF FINANCIAL INTEREST WITHIN 60 DAYS AFTER THE MEMBER’S APPOINTMENT TO THE BOARD.

(2) IF THE GOVERNOR DETERMINES THAT A MEMBER HAS WILLFULLY FILED A FALSE STATEMENT UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION, THE GOVERNOR SHALL REMOVE THE MEMBER FROM THE BOARD.

(3) THE BOARD OF DIRECTORS AND THE COMPLIANCE OFFICER FOR THE MEDICAL SYSTEM CORPORATION SHALL REVIEW EACH STATEMENT SUBMITTED UNDER PARAGRAPH (1) OF THIS SUBSECTION FOR COMPLIANCE WITH THE BOARD’S CONFLICT OF INTEREST POLICY.

(4) THE STATE HEALTH SERVICES COST REVIEW COMMISSION ANNUALLY SHALL SEND A SUMMARY OF EACH STATEMENT SUBMITTED UNDER PARAGRAPH (1) OF THIS SUBSECTION TO THE GOVERNOR, THE PRESIDENT OF THE SENATE, AND THE SPEAKER OF THE HOUSE.

(M) (1) THE BOARD MAY NOT USE SOLE SOURCE PROCUREMENT TO AWARD A CONTRACT TO AN ACTIVE MEMBER OF THE BOARD OF DIRECTORS OR A BUSINESS ENTITY THAT EMPLOYS OR HAS AN AFFILIATION WITH AN ACTIVE MEMBER.

(2) THE GOVERNOR SHALL REMOVE A MEMBER FROM THE BOARD OF DIRECTORS WHO HAS BENEFITED FROM A SOLE SOURCE PROCUREMENT.

(3) THE BOARD MAY NOT PROVIDE A PREFERENCE FOR THE AWARD OF A CONTRACT TO AN ACTIVE MEMBER OF THE BOARD OF DIRECTORS OR A BUSINESS ENTITY THAT EMPLOYS OR HAS AN AFFILIATION WITH AN ACTIVE MEMBER.”;

and in line 25, strike “(L)” and substitute “(N)”.

AMENDMENT NO. 4

On pages 3 and 4, strike in their entirety the lines beginning with line 33 on page 3 through line 14 on page 4, inclusive.

On page 4, after line 14, insert:

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

(a) (1) On or before May 15, 2019, the University of Maryland Medical System Corporation shall employ an independent entity with expertise in nonprofit corporate governance to conduct a performance audit of the administrative and financial offices of the University of Maryland Medical System Corporation to evaluate the efficiency and effectiveness of the financial management practices, including procurement and contracting processes, of the University of Maryland Medical System Corporation.

(2) The performance audit required under paragraph (1) of this subsection does not include the administrative and financial offices of the University of Maryland Medical System or any subsidiaries or affiliated hospitals of the University of Maryland Medical System Corporation.

(b) On or before December 31, 2019, the University of Maryland Medical System Corporation shall submit a certified copy of the performance audit to the Governor and, in accordance with § 2–1246 of the State Government Article, the President of the Senate and the Speaker of the House.

SECTION 3. AND BE IT FURTHER ENACTED, That the Board of Directors of the University of Maryland Medical System Corporation shall:

(1) conduct an internal review of the Board’s policies and procedures; and

(2) on or before December 31, 2019, report the findings and any recommendations for improvements to the policies and procedures of the Board to the Governor and, in accordance with § 2–1246 of the State Government Article, the President of the Senate and the Speaker of the House.

SECTION 4. AND BE IT FURTHER ENACTED, That:

(a) The terms of the members of the Board of Directors of the University of Maryland Medical System Corporation who are in office on the effective date of this Act shall terminate as follows:

(1) the terms of approximately one-third of the members of the Board shall terminate on July 1, 2019;

(2) the terms of approximately one-third of the members of the Board shall terminate on October 1, 2019; and

(3) the terms of the remaining members of the Board shall terminate on January 1, 2020.

(b) (1) Subject to the provisions of § 13-301 of the Education Article, as enacted by Section 1 of this Act, a member of the Board whose term is terminated under subsection (a) of this section may apply for reappointment.

(2) The appointment of a member under paragraph (1) of this subsection who is appointed by the Governor is subject to the advice and consent of the Senate during the legislative session immediately following the date of appointment.

(3) A member reappointed under this subsection shall be considered appointed on the date of the member's initial appointment and is subject to the requirements of § 13-304(d) of the Education Article.”;

in line 15, strike “2.” and substitute “5.”; and strike beginning with “shall” in line 15 down through “2019” in line 16 and substitute “is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0619/183222/1

BY: Senator Zucker

AMENDMENT TO SENATE BILL 619, AS AMENDED

On page 8 of the Finance Committee Amendments (SB0619/117372/1), in line 6 of Amendment No. 4, strike “with” and substitute “that has”; in line 7, after “governance” insert “and has certified public accountants”; and in the same line, after “audit” insert “consistent with professional auditing standards”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 803 – Senators Kelley, Benson, Elfreth, Feldman, Hayes, Klausmeier, and Kramer

AN ACT concerning

**Health Facilities – Hospitals – Disclosure of Outpatient Facility Fees
(Facility Fee Right-to-Know Act)**

SB0803/927971/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 803

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “times;” insert “requiring the Health Education and Advocacy Unit within the Office of the Attorney General and the Health Services Cost Review Commission jointly to develop a certain form and develop a certain process; requiring the Commission to determine a certain range of fees and fee estimates; requiring each hospital that charges an outpatient facility fee to use a certain form and a certain range of fees and fee estimates for a certain purpose; requiring that, to the extent practicable, a certain notice be provided in a certain language or format under certain circumstances; requiring certain hospitals annually to report certain information to the Commission; requiring the Commission to post certain information on its website and to provide certain information to the Maryland Insurance Administration and the Unit;”; and strike beginning with “prohibiting” in line 12 down through “circumstances;” in line 13 and substitute “requiring the Unit, in consultation with the Commission, consumers, and other stakeholders, to develop a certain uniform disclosure form and a process for determining”

and updating certain information on or before a certain date; requiring the Office of the Attorney General to submit a certain report to certain committees on or before a certain date;”.

AMENDMENT NO. 2

On page 2, in line 12, strike “MEANS” and substitute “INCLUDES”; strike beginning with “AN” in line 13 down through “(II)” in line 14; in line 15, strike “ADULT” and substitute “INDIVIDUAL”; in line 17, strike “A” and substitute “AN INDIVIDUAL WHO IS A”; in lines 17, 20, and 22, strike “(III)”, “(IV)”, and “(V)”, respectively, and substitute “(II)”, “(III)”, and “(IV)”, respectively; in line 21, strike “THE” and substitute “AN INDIVIDUAL WHO IS A”; in the same line, strike “OR” and substitute “AND”; and in line 23, strike the first “THE” and substitute “AN INDIVIDUAL WHO IS A”.

On page 3, in line 3, strike “THAT” and substitute “WHETHER”; after line 4, insert:

“(IV) THAT THE PATIENT SHOULD CONTACT THE PATIENT’S INSURANCE CARRIER, IF ANY, TO DETERMINE THE NETWORK STATUS OF THE LOCATION THAT IS NOT AT THE HOSPITAL AT WHICH THE SAME PROFESSIONAL MEDICAL SERVICES CAN BE OBTAINED FROM THE PROVIDER;”;

in line 5, strike “(IV)” and substitute “(V)”; in line 7, strike “AND”; after line 7, insert:

“(VI) THAT THE PATIENT SHOULD CONTACT THE PATIENT’S INSURANCE CARRIER, IF ANY, TO DETERMINE THE PATIENT’S INSURANCE COVERAGE AND ESTIMATED FINANCIAL RESPONSIBILITY, INCLUDING CO-PAYMENTS, COINSURANCE, AND DEDUCTIBLE AMOUNTS FOR THE OUTPATIENT FACILITY FEE;”;

(VII) THAT THE PATIENT SHOULD CONTACT THE HEALTH SERVICES COST REVIEW COMMISSION IF THE PATIENT HAS A COMPLAINT DISPUTING A HOSPITAL CHARGE FOR AN OUTPATIENT FACILITY FEE; AND”;

in line 8, strike “(V)” and substitute “(VIII) BEGINNING JULY 1, 2020:

1.”;

in line 10, after "APPOINTMENT" insert "INCLUDING AN ESTIMATE BASED ON TYPICAL OR AVERAGE FACILITY FEES FOR THE SAME OR SIMILAR APPOINTMENTS; AND

2. THAT A FEE RANGE IS PROVIDED BECAUSE THE ACTUAL AMOUNT OF THE FACILITY FEE INCURRED WILL DEPEND ON THE SERVICES ACTUALLY PROVIDED";

and in line 11, after "(2)" insert "(I) THE HEALTH EDUCATION AND ADVOCACY UNIT IN THE OFFICE OF THE ATTORNEY GENERAL AND THE HEALTH SERVICES COST REVIEW COMMISSION JOINTLY SHALL:

1. DEVELOP A UNIFORM DISCLOSURE FORM TO NOTIFY PATIENTS OF OUTPATIENT FACILITY FEES, WHICH SHALL INCLUDE CONTACT INFORMATION FOR:

A. THE HEALTH EDUCATION AND ADVOCACY UNIT; AND

B. THE HEALTH SERVICES COST REVIEW COMMISSION;

AND

2. DEVELOP THE PROCESS FOR DETERMINING THE RANGE OF HOSPITAL OUTPATIENT FACILITY FEES AND FEE ESTIMATES TO BE PROVIDED UNDER PARAGRAPH (1)(VIII) OF THIS SUBSECTION.

(II) THE HEALTH SERVICES COST REVIEW COMMISSION SHALL DETERMINE THE RANGE OF HOSPITAL OUTPATIENT FACILITY FEES AND FEE ESTIMATES TO BE PROVIDED UNDER PARAGRAPH (1)(VIII) OF THIS SUBSECTION.

(III) TO COMPLY WITH PARAGRAPH (1) OF THIS SUBSECTION, EACH HOSPITAL THAT CHARGES AN OUTPATIENT FACILITY FEE SHALL:

1. USE THE UNIFORM DISCLOSURE FORM DEVELOPED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH; AND

2. USE THE RANGE OF HOSPITAL OUTPATIENT FACILITY FEES AND FEE ESTIMATES DETERMINED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.

(IV) 1.”;

in line 11, strike “**THE**” and substitute “**SUBJECT TO SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, THE**”; and after line 14, insert:

2. IF A PATIENT DOES NOT SPEAK ENGLISH OR REQUIRES THE NOTICE TO BE IN AN ALTERNATIVE FORMAT, THE HOSPITAL SHALL, TO THE EXTENT PRACTICABLE, PROVIDE THE NOTICE IN A LANGUAGE OR FORMAT THAT IS UNDERSTOOD BY THE PATIENT.

(3) (I) EACH HOSPITAL ANNUALLY SHALL REPORT TO THE HEALTH SERVICES COST REVIEW COMMISSION A LIST OF THE HOSPITAL-BASED, RATE-REGULATED OUTPATIENT SERVICES PROVIDED BY THE HOSPITAL.

(II) THE HEALTH SERVICES COST REVIEW COMMISSION ANNUALLY SHALL:

1. POST ON ITS WEBSITE THE LIST OF THE HOSPITAL-BASED, RATE-REGULATED OUTPATIENT SERVICES REPORTED BY EACH HOSPITAL UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH; AND

2. PROVIDE THE LIST OF THE HOSPITAL-BASED, RATE-REGULATED OUTPATIENT SERVICES REPORTED BY EACH HOSPITAL TO THE MARYLAND INSURANCE ADMINISTRATION AND THE HEALTH EDUCATION AND ADVOCACY UNIT IN THE OFFICE OF THE ATTORNEY GENERAL.”.

AMENDMENT NO. 3

On page 4, in line 3, strike “**(1)**”; strike in their entirety lines 6 through 8, inclusive; after line 8, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1, 2019, the Health Education and Advocacy Unit within the Office of the Attorney General,

in consultation with the Health Care Services Cost Review Commission, the Maryland Hospital Association, consumers, and other stakeholders, shall develop:

(1) the uniform disclosure form required under § 19–349.2(b)(2) of the Health – General Article, as enacted by Section 1 of this Act; and

(2) a process for determining and updating the range of fees and fee estimates to be used under § 19–349.2(b)(2) of the Health – General Article, as enacted by Section 1 of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That, on or before July 31, 2022, the Office of the Attorney General, in consultation with the Health Services Cost Review Commission and the Maryland Hospital Association, shall report to the Senate Finance Committee and the House Health and Government Operations Committee, in accordance with § 2–1246 of the State Government Article, on the development and use of the uniform disclosure form required under § 19–349.2(b)(2) of the Health – General Article.”;

and in line 9, strike “2.” and substitute “4.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDER CALENDAR NO. 43

House Bill 109 – Delegates Lierman, Anderson, Bagnall, D. Barnes, Barron, Bartlett, Bridges, Brooks, Cain, Charkoudian, Clippinger, Conaway, Cullison, Ebersole, Feldmark, Fraser–Hidalgo, Gilchrist, Guyton, Haynes, Healey, Hettleman, Hill, Kelly, Korman, Lafferty, Lehman, R. Lewis, Love, Luedtke, Moon, Mosby, Palakovich Carr, Reznik, Shetty, Smith, Solomon, Stein, Stewart, Terrasa, Washington, Wells, ~~and K. Young~~ K. Young, and Cardin

AN ACT concerning

**Environment – Expanded Polystyrene Food Service Products – ~~Prohibition~~
Prohibitions**

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

FLOOR AMENDMENT

HB0109/133022/2

BY: Senator Carozza

AMENDMENT TO HOUSE BILL 109

(Third Reading File Bill)

On page 3, in line 23, after “GOVERNMENT” insert a period; and after line 23, insert:

“(3) “FOOD SERVICE BUSINESS” DOES NOT INCLUDE A SERVICE CLUB OR RELIGIOUS ORGANIZATION THAT IS EXEMPT FROM TAXATION UNDER § 501(C) OF THE INTERNAL REVENUE CODE.”

On page 4, in line 7, strike the period.

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

Affirmative – 17 Negative – 26 (See Roll Call No. 1082)

FLOOR AMENDMENT

HB0109/903029/1

BY: Senator Carozza

AMENDMENTS TO HOUSE BILL 109

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 1, strike “authorizing” and substitute “requiring”.

AMENDMENT NO. 2

On page 6, in line 14, strike “MAY” and substitute “SHALL”; and in the same line, after “SUBTITLE” insert “**, INCLUDING REGULATIONS THAT ESTABLISH APPLICATION PROCEDURES AND ELIGIBILITY CRITERIA FOR A WAIVER GRANTED UNDER § 9-2205 OF THIS SUBTITLE**”.

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

Affirmative – 18 Negative – 25 (See Roll Call No. 1083)

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

Affirmative – 31 Negative – 13 (See Roll Call No. 1084)

The Bill was then returned to the House of Delegates.

House Bill 1272 – Delegates Pendergrass ~~and McIntosh~~, McIntosh, Cullison, K. Young, Pena-Melnyk, R. Lewis, Charles, Kelly, Rosenberg, Barron, Johnson, and Hill

AN ACT concerning

Maryland Department of Health – Family Planning Program – Funding

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

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

Affirmative – 28 Negative – 16 (See Roll Call No. 1085)

The Bill was then returned to the House of Delegates.

Senate Bill 904 – Senators Kelley and Elfreth

AN ACT concerning

Maryland Department of Health – Family Planning Program – Funding

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

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

Affirmative – 28 Negative – 16 (See Roll Call No. 1086)

The Bill was then sent to the House of Delegates.

CONFERENCE COMMITTEE REPORT

BILL NO.: **SB 946** SPONSOR: **Senator Griffith**

SUBJECT: **State Prescription Drug Benefits – Retiree Benefits – Revisions**

THIRD READING CALENDAR HOUSE NO. 8 SENATE NO. 40

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Appropriations Committee Amendments (SB0946/424865/1) be rejected.

(2) That the attached Conference Committee Amendments (SB0946/433020/1) be adopted.

SB0946/433020/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 946

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, strike beginning with “authorizing” in line 13 down through “enroll” in line 14 and substitute “providing that certain individuals shall be automatically enrolled”; strike beginning with “during” in line 15 down through “period” in line 16; strike beginning with “requiring” in line 18 down through “counseling” in line 20 and substitute “requiring the Department to ensure Medicare-eligible retirees have access to certain services; requiring the Department to develop a certain plan for communicating to Medicare-eligible retirees the availability of certain programs and services; requiring the Department to submit a report on the plan by a certain date; requiring the report to include certain information”; in line 22, after “circumstances;” insert “requiring the Department to submit certain quarterly reports to the Governor and certain committees of the General Assembly; requiring the Department to adopt certain regulations;”; and in line 27, after “circumstances;” insert “requiring the Secretary of Budget and Management to provide certain notice to certain retirees not later than a certain date; declaring the intent of the General Assembly;”.

AMENDMENT NO. 2

On page 10, in line 27, strike “**2018**” and substitute “**2019**”.

On page 11, in line 26, strike “**2019**” and substitute “**2020**”.

AMENDMENT NO. 3

On page 12, strike beginning with “A” in line 22 down through “MEDICARE” in line 23 and substitute “:

1. THE MARYLAND STATE RETIREE PRESCRIPTION DRUG COVERAGE PROGRAM ESTABLISHED UNDER SUBSECTION (D) OF THIS SECTION; OR

2. THE MARYLAND STATE RETIREE CATASTROPHIC PRESCRIPTION DRUG ASSISTANCE PROGRAM ESTABLISHED UNDER SUBSECTION (E) OF THIS SECTION”;

in line 31, strike “A” and substitute “THE”; in the same line, after “PLAN” insert “IN THE HEALTH INSURANCE BENEFIT OPTIONS ESTABLISHED”; and in line 32, after the semicolon insert “AND”.

On page 13, in line 2, strike “; AND” and substitute a period; strike line 3 in its entirety; in line 4, after “(II)” insert “THE DEPARTMENT SHALL DEVELOP A LIST OF THE PRESCRIPTION DRUGS THAT QUALIFY FOR REIMBURSEMENT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.

(III)”;

in line 5, strike “BASED ON WHETHER” and substitute “FOR”; in the same line, after “RETIREE” insert “WHO”; strike beginning with “THE” in line 5 down through “FOR” in line 6; in line 15, strike “MAY ENROLL” and substitute “SHALL BE AUTOMATICALLY ENROLLED”; and strike beginning with “DURING” in line 17 down through “OPTIONS” in line 18 and substitute “ON ENROLLMENT IN:

(I) THE MARYLAND STATE RETIREE PRESCRIPTION DRUG COVERAGE PROGRAM ESTABLISHED UNDER SUBSECTION (D) OF THIS SECTION; OR

(II) THE MARYLAND STATE RETIREE CATASTROPHIC PRESCRIPTION DRUG ASSISTANCE PROGRAM ESTABLISHED UNDER SUBSECTION (E) OF THIS SECTION”.

On page 13, in line 19, strike the third bracket; in the same line, strike “] (3)”; in line 20, strike “, [2018] 2019” and substitute “OF EACH YEAR”; strike beginning with “BE” in line 22 down through the second comma in line 23 and substitute “BECOME ELIGIBLE IN THE NEXT CALENDAR YEAR”; and in line 32, after “plan” insert “, INCLUDING OPTIONS THAT ARE SIMILAR TO THE PRESCRIPTION DRUG BENEFIT PLAN IN THE HEALTH INSURANCE BENEFIT OPTIONS ESTABLISHED UNDER THE PROGRAM”.

On page 14, in line 3, strike “AND”; and in line 5, after “SECTION” insert “; AND”

(IV) ANY ADDITIONAL RESOURCES MADE AVAILABLE BY THE DEPARTMENT IN ACCORDANCE WITH THIS SECTION”.

AMENDMENT NO. 5

On page 14, strike in their entirety lines 6 through 20, inclusive, and substitute:

“(H) (1) THE DEPARTMENT SHALL ENSURE MEDICARE-ELIGIBLE RETIREES HAVE ACCESS TO ONE-ON-ONE COUNSELING SERVICES TO ASSIST RETIREES IN SELECTING A MEDICARE PRESCRIPTION DRUG BENEFIT PLAN.

(2) THE DEPARTMENT SHALL DEVELOP A PLAN TO COMMUNICATE TO MEDICARE-ELIGIBLE RETIREES THE AVAILABILITY OF:

(I) THE PROGRAMS UNDER SUBSECTIONS (D), (E), AND (F) OF THIS SECTION; AND

(II) SERVICES AND INFORMATION REGARDING PRESCRIPTION DRUG BENEFIT PLANS UNDER MEDICARE.

(3) ON OR BEFORE DECEMBER 31, 2019, THE DEPARTMENT SHALL SUBMIT A REPORT TO THE SENATE BUDGET AND TAXATION COMMITTEE AND THE HOUSE APPROPRIATIONS COMMITTEE, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, ON THE PLAN DEVELOPED UNDER PARAGRAPH (2) OF THIS SUBSECTION.

(4) THE REPORT REQUIRED UNDER PARAGRAPH (3) OF THIS SUBSECTION SHALL INCLUDE:

(I) OPTIONS FOR PROVIDING ONE-ON-ONE COUNSELING, INCLUDING:

1. IN-PERSON, OVER-THE-PHONE, OR WEB-BASED COUNSELING;

2. THE TIMES AT WHICH ONE-ON-ONE COUNSELING WILL BE AVAILABLE;

3. A PLAN TO ENSURE EQUITABLE GEOGRAPHIC ACCESS TO ONE-ON-ONE COUNSELING; AND

4. ENTERING INTO A STATEWIDE CONTRACT WITH AN EMPLOYEE BENEFITS ADMINISTRATOR OR SIMILAR ENTITY TO PROVIDE ONE-ON-ONE COUNSELING SERVICES;

(II) PLANS FOR HOLDING SEMINARS IN EVERY COUNTY OF THE STATE TO PROVIDE INFORMATION REGARDING ELIGIBILITY FOR AND AVAILABLE BENEFITS UNDER THE PROGRAMS ESTABLISHED UNDER SUBSECTIONS (D), (E), AND (F) OF THIS SECTION;

(III) PLANS FOR PROVIDING ACCESS TO A WEB-BASED OVERVIEW AND INTERACTIVE WEBSITE THAT PROVIDE INFORMATION ON:

1. MEDICARE PRESCRIPTION DRUG BENEFIT PLANS; AND

2. SUBSIDY AND FINANCIAL ASSISTANCE PROGRAMS FOR LOW-INCOME INDIVIDUALS; AND

(IV) PLANS FOR PROVIDING A TOLL-FREE HOTLINE FOR REPORTING ISSUES AND CONCERNS REGARDING THE SERVICES PROVIDED IN ACCORDANCE WITH THIS PARAGRAPH.”;

and in line 21, strike “(H)” and substitute “(I)”.

AMENDMENT NO. 6

On page 14, after line 27, insert:

“(J) THE DEPARTMENT SHALL SUBMIT QUARTERLY REPORTS TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE HOUSE APPROPRIATIONS COMMITTEE, THE SENATE BUDGET AND TAXATION COMMITTEE, AND THE JOINT COMMITTEE ON PENSIONS, ON:

(1) THE STATUS OF ESTABLISHING THE PROGRAMS UNDER SUBSECTIONS (D), (E), AND (F) OF THIS SECTION, INCLUDING:

(I) THE STATUS OF PROCURING ANY CONTRACTS NECESSARY TO OPERATE THE PROGRAMS; AND

(II) THE PRESCRIPTION DRUGS DETERMINED TO QUALIFY FOR REIMBURSEMENT UNDER THE MARYLAND STATE RETIREE LIFE-SUSTAINING PRESCRIPTION DRUG ASSISTANCE PROGRAM UNDER SUBSECTION (F) OF THIS SECTION;

(2) THE AVAILABILITY OF ONE-ON-ONE COUNSELING SERVICES REQUIRED UNDER SUBSECTION (H) OF THIS SECTION;

(3) THE DETAILS OF THE HEALTH REIMBURSEMENT ACCOUNTS OR OTHER PROGRAMS TO PROVIDE ASSISTANCE WITH PRESCRIPTION DRUG COSTS FOR INDIVIDUALS ENROLLED IN THE PROGRAMS UNDER SUBSECTIONS (D), (E), AND (F) OF THIS SECTION, INCLUDING:

(I) THE SPECIFIC OUT-OF-POCKET COSTS ELIGIBLE FOR REIMBURSEMENT;

(II) THE REQUIRED PROCESS FOR RECEIVING REIMBURSEMENT;

(III) THE METHOD OF REIMBURSEMENT;

(IV) THE TIMING OF REIMBURSEMENT; AND

(V) A PLAN TO USE DEBIT CARDS TO PROCESS REIMBURSEMENTS IN A CONVENIENT AND EFFICIENT MANNER; AND

(4) IN TOTAL AND BY CATEGORY FOR THE PREVIOUS QUARTER, THE NUMBER OF ISSUES AND CONCERNS REPORTED TO THE HOTLINE.

(K) THE DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT THE PROVISIONS OF THIS SECTION.”.

AMENDMENT NO. 7

On page 15, in lines 10 and 26, in each instance, after “the” insert “Maryland”; after line 30, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That, not later than September 1, 2019, the Secretary of Budget and Management shall provide written certified notice of the provisions of this Act to all:

- (1) Medicare–eligible State retirees;
- (2) Medicare–eligible spouses and surviving spouses of State retirees;
- (3) Medicare–eligible dependent children and surviving dependent children of State retirees; and
- (4) State employees who are eligible, on or before December 31, 2019, to:
 - (i) enroll in a prescription drug benefit plan under Medicare; and
 - (ii) retire from State employment.

SECTION 4. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Department of Budget and Management establish the Maryland State Retiree Prescription Drug Coverage Program, the Maryland State Retiree Catastrophic Prescription Drug Assistance Program, and the Maryland State Retiree Life–Sustaining Prescription Drug Assistance Program in § 2–509.1(d), (e), and (f) of the State Personnel and Pensions Article, respectively, in a manner that allows retirees to access

reimbursement at the time of prescription drug purchase, through a mechanism such as debit cards.

SECTION 5. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Department of Budget and Management attend at least one meeting each year of the Joint Committee on Pensions to update the Committee on implementation of the provisions of this Act.”;

and in line 31, strike “3.” and substitute “6.”.

Senate Members:

House Members:

Chair, **Melony Griffith**

Chair, **Ben Barnes**

Guy Guzzone

Brooke E. Lierman

Andrew A. Serafini

Carl Anderton, Jr.

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

() Chief Clerk
(X) Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1087)

The Bill was then sent to the House of Delegates.

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 35

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

Senate Bill 773 – Senator Smith

AN ACT concerning

Health Care Malpractice Qualified Expert – Qualification

SB0773/338570/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 773

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “exempting” in line 3 down through “proceeding;” in line 5; strike beginning with “providing” in line 9 down through “party;” in line 14 and substitute “establishing that a certain health care provider shall be deemed to have met a certain requirement during the pendency of a claim under certain circumstances;”; in line 14, strike “commence a new” and substitute “refile the same”; in the same line, after “action” insert “once”; and in line 15, strike “previous”.

AMENDMENT NO. 2

On page 2, in line 4, strike the brackets; in lines 4 and 5, strike “**SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, DISCOVERY**”; strike in their entirety lines 6 through 10, inclusive; in line 12, after “**TO**” insert “THE”; strike beginning with “**, REGARDLESS**” in line 12 down through “**PROVIDER’S**” in line 14; in line 18, strike “**50%**” and substitute “25%”; strike beginning with “**CALENDAR**” in line 20 down through “**OCCURRED**” in line 21 and substitute “12 MONTHS IMMEDIATELY BEFORE THE DATE WHEN THE CLAIM WAS FIRST FILED”; strike in their entirety lines 22 through 33, inclusive, and substitute:

“(III) ONCE A HEALTH CARE PROVIDER MEETS THE REQUIREMENTS OF SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE HEALTH CARE PROVIDER SHALL BE DEEMED TO BE A QUALIFIED EXPERT AS TO SUBPARAGRAPH (II) OF THIS PARAGRAPH DURING THE PENDENCY OF THE CLAIM.”;

and in line 34, strike “**(VI)**” and substitute “(IV)”.

On page 3, in line 1, strike “**A PARTY MAY COMMENCE A NEW**” and substitute “UNLESS THERE IS A SHOWING OF BAD FAITH, A PARTY MAY REFILE THE SAME”; in line 5, strike “**180**” and substitute “120”; after line 5, insert:

“(V) A CLAIM OR AN ACTION MAY BE REFILED UNDER SUBPARAGRAPH (IV) OF THIS PARAGRAPH ONLY ONCE.”;

and in line 7, strike “or pending”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

FINANCE COMMITTEE REPORT NO. 49

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

House Bill 116 – Delegates Barron, Sydnor, and Pena–Melnik

AN ACT concerning

Public Health – Correctional Services – Opioid Use Disorder Examinations and Treatment

HB0116/217672/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 116

(Third Reading File Bill)

On page 2, in line 3, after “Correctional” insert “Administrators”.

On page 10, in line 1, after “LONG–ACTING” insert “OPIOID”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 332 – ~~Delegate McKay~~ Delegates McKay, Pendergrass, Pena–Melnyk, Bagnall, Barron, Bhandari, Carr, Charles, Cullison, Hill, Johnson, Kerr, Krebs, R. Lewis, Metzgar, Rosenberg, Sample–Hughes, and K. Young

AN ACT concerning

Maryland Department of Health – Community Dental Clinics Grant Program

HB0332/257470/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 332

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, after “State” insert “operating budget bill or”; and in the same line, after “budget” insert “bill”.

AMENDMENT NO. 2

On page 2, in line 28, strike “INSURES” and substitute “INURES”.

On page 3, in line 4, strike “INSURES” and substitute “INURES”.

On page 6, in line 2, after “STATE” insert “OPERATING BUDGET BILL OR”; and in line 3, after “BUDGET” insert “BILL”.

On page 7, in line 7, after “COMPLAINT” insert “AUTHORIZED”; and in the same line, strike “(B)” and substitute “(A)”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 594 – The Speaker (By Request – Office of the Attorney General) and Delegates Atterbeary, Barve, Clippinger, D.E. Davis, Fennell, Gaines, Hettleman, Hill, Kelly, Sample–Hughes, Stein, Valentino–Smith, and Wilson

AN ACT concerning

Financial Institutions – Student Loan Servicers – Unfair, Abusive, or Deceptive Trade Practices

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1065 – Delegate Carey

AN ACT concerning

Maryland Commercial Receivership Act

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

MOTION

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

The motion was adopted.

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT NO. 8

Senate Executive Nominations Committee
Report No. 8
April 3, 2019

Local Nominees

Please Note: Local Nominees are not required to appear before the Senate Executive Nominations Committee.

Baltimore City Board of Elections

- L-1. Bruce M. Luchansky, Esq. District 41
6107 Benhurst Road
Baltimore, MD 21209

Member of the Baltimore City Board of Elections; appointed to serve a term of four years from June 3, 2019

- L-2. Tamara M. Purnell District 40
1722 N. Smallwood Street
Baltimore, MD 21216

Member of the Baltimore City Board of Elections; appointed to serve a term of four years from June 3, 2019

Prince George's County Board of License Commissioners

- L-3. Armando Camacho District 21
6403 McCahill Drive
Laurel, MD 20707

Member of the Prince George's County Board of License Commissioners; appointed to serve a term of three years from June 1, 2017

- L-4. Daphine Turpin Forbes District 23
3227 Courtside Road
Bowie, MD 20721

Chair of the Prince George's County Board of License Commissioners; appointed to serve a term of three years from June 1, 2017

- L-5. Kenneth J. Miles District 27
8703 Timothy Road
Brandywine, MD 20613

Member of the Prince George's County Board of License Commissioners; appointed to serve a term of three years from June 1, 2016

- L-6. Tammie Norman District 23
5922 Old Chroom Station Road
Upper Marlboro, MD 20772

Member of the Prince George's County Board of License Commissioners; appointed to serve a term of three years from June 1, 2018

L-7. Tammy D. Sparkman
10301 Beaver Knoll Drive
Upper Marlboro, MD 20772

District 27

Member of the Prince George's County Board of License Commissioners; appointed to serve a term of three years from June 1, 2017

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

The above nominations of the Executive were all confirmed by roll call vote as follows:

Affirmative – 43 Negative – 0 (See Roll Call No. 1088)

SPECIAL ORDER CALENDAR NO. 45

House Bill 871 – Delegates ~~Pippy, Atterbeary, Cain, Cain, Atterbeary, Cardin, Chang, Cox, Crutchfield, D.M. Davis, W. Fisher, J. Lewis, Lopez, Moon, Mosby, Shetty, Sydnor, R. Watson, and Wilkins~~ Wilkins, Grammer, Bartlett, McComas, Hartman, Arikan, and Malone

AN ACT concerning

Criminal Law – Human Trafficking and Prostitution Offenses

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. 1089)

The Bill was then returned to the House of Delegates.

QUORUM CALL

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

(See Roll Call No. 1090)

SENATE THIRD READING CALENDAR NO. 68 (GENERAL SENATE BILLS)

Senate Bill 426 – Senator West

AN ACT concerning

~~Natalie M. LaPrade Medical Cannabis Commission – Licensed Dispensaries~~
Medical Cannabis – Regulation of Dispensaries, Growers, and Processors

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

Affirmative – 42 Negative – 1 (See Roll Call No. 1091)

The Bill was then sent to the House of Delegates.

**Senate Bill 529 – Senators Zucker, Guzzone, King, Lee, McCray, Nathan–Pulliam,
Pinsky, Smith, and Young**

AN ACT concerning

**State Board of Education – Membership – ~~Teachers~~ Teacher and Parent
Members**

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

Affirmative – 39 Negative – 5 (See Roll Call No. 1092)

The Bill was then sent to the House of Delegates.

Senate Bill 747 – Senators Lam, Guzzone, and Rosapepe

SECOND PRINTING

AN ACT concerning

Education – Removal of County Superintendents – Procedures

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

Affirmative – 43 Negative – 1 (See Roll Call No. 1093)

The Bill was then sent to the House of Delegates.

Senate Bill 916 – Senator Lam

AN ACT concerning

Physicians – Dispensing Permit Exemption – ~~Prepackaged~~ Topical Medication

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

Affirmative – 44 Negative – 0 (See Roll Call No. 1094)

The Bill was then sent to the House of Delegates.

Senate Bill 988 – Senator King

AN ACT concerning

Video Lottery Operation License – Renewal

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

Affirmative – 44 Negative – 0 (See Roll Call No. 1095)

The Bill was then sent to the House of Delegates.

Senate Bill 1030 – The President (By Request – Commission on Innovation and Excellence in Education) and Senators King, Pinsky, Ferguson, ~~and Young~~ Young, Peters, Zucker, Elfreth, McCray, and Guzzone Guzzone, Feldman, Hayes, Kelley, Lam, Patterson, Lee, Hester, Ellis, Waldstreicher, and Zirkin

AN ACT concerning

The Education Blueprint for Maryland’s Future

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

Affirmative – 43 Negative – 1 (See Roll Call No. 1096)

The Bill was then sent to the House of Delegates.

Senate Bill 1049 – Senator Waldstreicher

AN ACT concerning

Civil Actions – Office of Asbestos Case Mediation and Resolution

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

Affirmative – 44 Negative – 0 (See Roll Call No. 1097)

The Bill was then sent to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 34 (GENERAL HOUSE BILLS)

House Bill 63 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Maryland Pension Administration System – Member Contributions

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

Affirmative – 43 Negative – 0 (See Roll Call No. 1098)

The Bill was then returned to the House of Delegates.

House Bill 64 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Designation of Beneficiary

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

Affirmative – 43 Negative – 0 (See Roll Call No. 1099)

The Bill was then returned to the House of Delegates.

House Bill 238 – Delegates Atterbeary, Ebersole, Hill, Miller, Pendergrass, Shetty, and Terrasa

AN ACT concerning

Education – Removal of County Superintendents – Procedures

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

Affirmative – 40 Negative – 3 (See Roll Call No. 1100)

The Bill was then returned to the House of Delegates.

House Bill 265 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

Alternate Contributory Pension Selection – Return to Employment

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

Affirmative – 43 Negative – 0 (See Roll Call No. 1101)

The Bill was then returned to the House of Delegates.

House Bill 266 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

**State Retirement and Pension System – Designated Beneficiary Change –
Rescission**

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

Affirmative – 42 Negative – 0 (See Roll Call No. 1102)

The Bill was then returned to the House of Delegates.

House Bill 267 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

Optional Retirement Program – Regulations

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

Affirmative – 43 Negative – 0 (See Roll Call No. 1103)

The Bill was then returned to the House of Delegates.

**House Bill 301 – Delegates Wilkins, Anderson, Barron, Boyce, Bridges, Charles,
Conaway, Ebersole, Fennell, W. Fisher, Fraser-Hidalgo, Ivey, Jalisi,
Lafferty, Love, Stewart, Wells, and K. Young**

AN ACT concerning

**Vehicle Laws – ~~Ethnicity-Based or~~ Race-Based Traffic Stops – Policy and
Reporting Requirements**

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

Affirmative – 43 Negative – 0 (See Roll Call No. 1104)

The Bill was then returned to the House of Delegates.

**House Bill 370 – Chair, Appropriations Committee (By Request – Departmental –
Labor, Licensing and Regulation)**

AN ACT concerning

Department of Labor, Licensing, and Regulation – Police Force – Repeal

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

Affirmative – 43 Negative – 0 (See Roll Call No. 1105)

The Bill was then returned to the House of Delegates.

House Bill 641 – Delegates Atterbeary, Anderson, Arentz, Barve, Brooks, Cardin, D.E. Davis, Ghrist, Hettleman, Jacobs, Kaiser, Kelly, Love, Luedtke, Malone, Moon, Otto, Parrott, Qi, Shetty, Stein, Stewart, ~~and Wilson~~ Wilson, Arikan, Sydnor, Grammer, McComas, Hartman, and W. Fisher

AN ACT concerning

Criminal Law – Sexual Contact With an Animal

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

Affirmative – 43 Negative – 0 (See Roll Call No. 1106)

The Bill was then returned to the House of Delegates.

House Bill 748 – Delegate Fraser-Hidalgo

AN ACT concerning

Vehicle Laws – Electric Low Speed Scooters

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

Affirmative – 43 Negative – 0 (See Roll Call No. 1107)

The Bill was then returned to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 35 (GENERAL HOUSE BILLS)

House Bill 844 – Delegates Reilly, Anderton, Arikan, Buckel, Cassilly, Guyton, Hornberger, Kaiser, Luedtke, McComas, Rose, ~~and Walker~~ Walker, and Washington

AN ACT concerning

Public Schools – School Psychologists – Reports

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

Affirmative – 42 Negative – 0 (See Roll Call No. 1108)

The Bill was then returned to the House of Delegates.

House Bill 861 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Service Credit for Unused Sick Leave

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

Affirmative – 42 Negative – 0 (See Roll Call No. 1109)

The Bill was then returned to the House of Delegates.

House Bill 863 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Workers’ Compensation Offset

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

Affirmative – 42 Negative – 0 (See Roll Call No. 1110)

The Bill was then returned to the House of Delegates.

**House Bill 911 – Delegates Krimm, Acevero, Barron, Carr, Hettleman, Jackson,
Kipke, J. Lewis, R. Lewis, McKay, Solomon, and Valentino-Smith**

AN ACT concerning

**Joint Committee on Ending Homelessness – Unaccompanied Minors in Need of
Shelter – ~~Consent to Shelter and Supportive Services~~**

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

Affirmative – 42 Negative – 0 (See Roll Call No. 1111)

The Bill was then returned to the House of Delegates.

**House Bill 1001 – Delegates J. Lewis, Acevero, Atterbeary, D. Barnes, Barron,
Bridges, Charkoudian, Conaway, Crutchfield, D.M. Davis, W. Fisher, Glenn,
Guyton, Healey, Hornberger, Ivey, Jalisi, Kelly, R. Lewis, Lierman, Lopez,**

**Love, Moon, Mosby, Queen, Rosenberg, Shetty, Smith, Solomon, Sydnor,
Turner, R. Watson, and Wilkins**

AN ACT concerning

**Correctional Services – Restrictive Housing – Reporting by Correctional Units
and Requirements Relating to Minors**

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

Affirmative – 42 Negative – 0 (See Roll Call No. 1112)

The Bill was then returned to the House of Delegates.

**House Bill 1007 – Delegates Shetty, J. Lewis, Arikan, Atterbeary, Carr, Cox,
Dumais, W. Fisher, Hettleman, Hill, Luedtke, McComas, Moon, Solomon,
Terrasa, and Wilkins**

AN ACT concerning

Child Advocacy Centers – Expansion

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

Affirmative – 42 Negative – 0 (See Roll Call No. 1113)

The Bill was then returned to the House of Delegates.

**House Bill 1027 – Delegates Lopez, Wilson, Acevero, B. Barnes, Bartlett, Cardin,
Feldmark, Glenn, Grammer, Harrison, Kelly, Mosby, Queen, Reznik,
Solomon, Stewart, ~~and Wells~~ Wells, Atterbeary, Malone, J. Lewis, Sydnor,
Moon, Crutchfield, McComas, Pippy, Hartman, R. Watson, Arikan, Shetty,
W. Fisher, Cox, Anderson, and Conaway**

AN ACT concerning

Criminal Law – Child Pornography

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

Affirmative – 42 Negative – 0 (See Roll Call No. 1114)

The Bill was then returned to the House of Delegates.

House Bill 1056 – Queen Anne’s County Delegation

AN ACT concerning

Correctional Officers' Retirement System – Queen Anne's County

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

Affirmative – 41 Negative – 0 (See Roll Call No. 1115)

The Bill was then returned to the House of Delegates.

House Bill 1093 – Delegates P. Young and ~~Lisanti~~, Lisanti, Kaiser, Walker, D. Barnes, Boteler, Buckel, Cain, Ebersole, Feldmark, Guyton, Hornberger, Ivey, Long, Luedtke, Mosby, Palakovich Carr, Patterson, Reilly, Rose, Shoemaker, Turner, Washington, and Wilkins

AN ACT concerning

Income Tax – Subtraction Modification – Retirement Income

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

Affirmative – 42 Negative – 0 (See Roll Call No. 1116)

The Bill was then returned to the House of Delegates.

House Bill 1096 – Delegates Hettleman, Atterbeary, Barron, Buckel, Cain, Cardin, Charkoudian, Conaway, Dumais, W. Fisher, Gilchrist, Guyton, Healey, Ivey, Kelly, Korman, Lehman, J. Lewis, R. Lewis, Lierman, Lisanti, Love, Luedtke, Moon, Mosby, Queen, Reznik, Shetty, Solomon, Sydnor, Terrasa, Valderrama, Valentino-Smith, C. Watson, and ~~Wilkins~~ Wilkins, Palakovich Carr, Lopez, Grammer, Bartlett, Crutchfield, McComas, Pippy, Arikan, Cox, Anderson, Hartman, and Malone

AN ACT concerning

Criminal Procedure – Sexual Assault Evidence Collection Kits – Analysis

FLOOR AMENDMENT

HB1096/503729/1

BY: Senator Zirkin

AMENDMENTS TO HOUSE BILL 1096, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

In the Judicial Proceedings Committee Amendments (HB1096/518777/1), in line 4 of Amendment No. 1, strike “for certain provisions of this Act”.

AMENDMENT NO. 2

In the Judicial Proceedings Committee Amendments, strike Amendment No. 2 in its entirety.

On page 5 of the bill, in line 1, after “**(1)**” insert “**(I)**”; and after line 5, insert:

“(II) FAILURE TO COMPLETE THE SCREENING, TESTING, AND ANALYSIS IN A TIMELY MANNER AS REQUIRED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY NOT CONSTITUTE THE BASIS FOR EXCLUDING THE ANALYSIS OR RESULTS AS EVIDENCE IN A CRIMINAL PROCEEDING.”

The preceding 2 amendments were read and adopted.

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

Affirmative – 42 Negative – 0 (See Roll Call No. 1117)

The Bill was then returned to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 36 (GENERAL HOUSE BILLS)

House Bill 155 – The Speaker (By Request – Administration) and Delegates Adams, Anderton, Arentz, Beitzel, Buckel, Chisholm, Ciliberti, Clark, Corderman, Hartman, Hornberger, Jacobs, Kipke, Kittleman, Krebs, Malone, Mautz, McComas, McKay, Metzgar, Morgan, Otto, Reilly, Rose, Saab, Shoemaker, and Szeliga

AN ACT concerning

Maryland Department of Health – Capital and Grant Programs – State Grants

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

Affirmative – 42 Negative – 0 (See Roll Call No. 1118)

The Bill was then returned to the House of Delegates.

House Bill 188 – Prince George’s County Delegation

AN ACT concerning

Prince George's County – Property Tax Credits – Grocery Stores**PG 409–19**

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

Affirmative – 42 Negative – 0 (See Roll Call No. 1119)

The Bill was then returned to the House of Delegates.

House Bill 223 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Property Tax Credits – Teachers**PG 410–19**

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

Affirmative – 42 Negative – 0 (See Roll Call No. 1120)

The Bill was then returned to the House of Delegates.

House Bill 403 – Delegates Ebersole and P. Young

AN ACT concerning

**Income Tax Credit – Qualified Farms – Food Donation Pilot Program –
Expansion and Extension**

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

Affirmative – 42 Negative – 0 (See Roll Call No. 1121)

The Bill was then returned to the House of Delegates.

House Bill 575 – ~~Delegate Shoemaker~~ Carroll County Delegation**EMERGENCY BILL**

AN ACT concerning

Carroll County – Gaming Events – Repeal of Sunday Prohibition

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

Affirmative – 42 Negative – 0 (See Roll Call No. 1122)

The Bill was then returned to the House of Delegates.

House Bill 821 – ~~Delegate Barve~~ Delegates Barve and Grammer

AN ACT concerning

State Retirement and Pension System – ~~Investment Management Fees~~ Carried Interest – Reporting

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

Affirmative – 41 Negative – 0 (See Roll Call No. 1123)

The Bill was then returned to the House of Delegates.

House Bill 1116 – Delegates Hettleman, McIntosh, Atterbeary, Bridges, Brooks, Crutchfield, Cullison, Ebersole, W. Fisher, Ghrist, Glenn, Haynes, Hill, Holmes, Hornberger, Jones, Kelly, Lierman, Queen, Sample-Hughes, Shetty, ~~and Sydnor~~ Sydnor, Guyton, Cain, Wilkins, Patterson, Luedtke, Smith, Walker, Washington, Mosby, Turner, Ivey, Palakovich Carr, Feldmark, and Kaiser

AN ACT concerning

Gender Diversity in the Boardroom – Annual Report ~~or Nonprofit Sales and Use Tax Exemption Application~~

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

Affirmative – 37 Negative – 5 (See Roll Call No. 1124)

The Bill was then returned to the House of Delegates.

House Bill 1192 – Delegates Valderrama, Barron, Carey, Dumais, Gaines, Gilchrist, Healey, Jackson, Kaiser, Krimm, Lehman, McComas, Palakovich Carr, Pena-Melnyk, Qi, Reznik, and Solomon

AN ACT concerning

Assembly Areas – State-Funded Construction or Renovation – Assisted Listening System Requirement

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

Affirmative – 42 Negative – 0 (See Roll Call No. 1125)

The Bill was then returned to the House of Delegates.

House Bill 1258 – Calvert County Delegation

AN ACT concerning

**Calvert County – Length of Service Award Program – Death Benefits
(Patricia Ann “Pat” Osburn Law)**

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

Affirmative – 42 Negative – 0 (See Roll Call No. 1126)

The Bill was then returned to the House of Delegates.

House Bill 1288 – Delegate Barron

AN ACT concerning

Physicians – Dispensing Permit Exemption – ~~Prepackaged~~ Topical Medication

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

Affirmative – 42 Negative – 0 (See Roll Call No. 1127)

The Bill was then returned to the House of Delegates.

House Bill 1379 – Delegate B. Barnes

AN ACT concerning

Optional Retirement Program – Membership

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

Affirmative – 42 Negative – 0 (See Roll Call No. 1128)

The Bill was then returned to the House of Delegates.

MESSAGE TO THE SENATE

BILL: **SB0830**

SPONSOR: Senator Elfreth
SUBJECT: Natural Resources – Fishery Management Plans – Oysters

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Pinsky, Chairman
Senator Young
Senator Simonaire.

The House appoints:

Delegate Stein, Chair
Delegate Barve
Delegate Love

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 59**

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

House Bill 460 – Harford County Delegation

AN ACT concerning

Harford County Board of Education – Elected Members – Start Date of Term

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 638 – Delegates Pendergrass, McIntosh, Pena–Melnyk, ~~and Reznik~~
Reznik, Bagnall, Barron, Carr, Charles, Cullison, Hill, Kelly, Kerr, Kipke,
Krebs, R. Lewis, Rosenberg, Sample–Hughes, and K. Young**

AN ACT concerning

State Board of Physicians – Sunset Evaluation and Performance Audit

HB0638/974534/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 638

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “and Performance Audit” and substitute “and Termination”; in line 3, after the first “of” insert “altering the date of the termination provisions relating to statutory and regulatory authority of the State Board of Physicians and certain allied health advisory committees;”; strike beginning with “requiring” in line 6 down through “date;” in line 7; and after line 8, insert:

“BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 14–201, 14–5A–05, 14–5B–05(a), 14–5C–05, 14–5D–04, 14–5E–05, and
14–5F–06

Annotated Code of Maryland

(2014 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 14–5A–25, 14–5B–21, 14–5C–25, 14–5D–20, 14–5E–25, 14–5F–32, and
14–702

Annotated Code of Maryland

(2014 Replacement Volume and 2018 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 15, insert:

“Article – Health Occupations14–201.

There is a State Board of Physicians in the Department.

14–5A–05.

There is a Respiratory Care Professional Standards Committee within the Board.

14–5A–25.

Subject to the evaluation and reestablishment provisions of the Maryland Program Evaluation Act and subject to the termination of this title under § 14–702 of this title, this subtitle and all rules and regulations adopted under this subtitle shall terminate and be of no effect after [July 1, 2023] **JUNE 1, 2020.**

14–5B–05.

(a) There is a Radiation Therapy, Radiography, Nuclear Medicine Technology, and Radiology Assistance Advisory Committee within the Board.

14–5B–21.

Subject to the evaluation and reestablishment provisions of the Maryland Program Evaluation Act, and subject to the termination of this title under § 14–702 of this title, this subtitle and all rules and regulations adopted under this subtitle shall terminate and be of no effect after [July 1, 2023] **JUNE 1, 2020.**

14–5C–05.

There is a Polysomnography Professional Standards Committee within the Board.

14–5C–25.

Subject to the evaluation and reestablishment provisions of the Maryland Program Evaluation Act and subject to the termination of this title under § 14–702 of this title, this

subtitle and all regulations adopted under this subtitle shall terminate and be of no effect after [July 1, 2023] JUNE 1, 2020.

14-5D-04.

There is an Athletic Trainer Advisory Committee within the Board.

14-5D-20.

Subject to the evaluation and reestablishment provisions of the Maryland Program Evaluation Act and subject to the termination of this title under § 14-702 of this title, this subtitle and all rules and regulations adopted under this subtitle shall terminate and be of no effect after [July 1, 2023] JUNE 1, 2020.

14-5E-05.

There is a Perfusion Advisory Committee within the Board.

14-5E-25.

Subject to the evaluation and reestablishment provisions of the Maryland Program Evaluation Act and subject to the termination of this title under § 14-702 of this title, this subtitle and all regulations adopted under this subtitle shall terminate and be of no effect after [July 1, 2023] JUNE 1, 2020.

14-5F-06.

There is a Naturopathic Medicine Advisory Committee within the Board.

14-5F-32.

Subject to the evaluation and reestablishment provisions of the Program Evaluation Act, this subtitle and all rules and regulations adopted under this subtitle shall terminate and be of no effect after [July 1, 2023] JUNE 1, 2020.

14-702.

Subject to the evaluation and reestablishment provisions of the Program Evaluation Act, this title and all rules and regulations adopted under this title shall terminate and be of no effect after [July 1, 2023] JUNE 1, 2020.”.

On page 2, strike in their entirety lines 21 through 27, inclusive; and in line 28, 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 Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 738 – ~~Delegate Kipke~~ Delegates Kipke, Bagnall, Barron, Bhandari, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kelly, Kerr, Krebs, R. Lewis, Metzgar, Morgan, Pena-Melnyk, Pendergrass, Rosenberg, Saab, Sample-Hughes, and Szeliga

AN ACT concerning

**Dental Hygienist – Scope of Practice – ~~Authority to Practice~~ Practice Settings
Under General Supervision of ~~Licensed Dentist~~**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 824 – Delegates Jones, B. Barnes, Gaines, McIntosh, and Mosby

EMERGENCY BILL

AN ACT concerning

**Financial Aid – Guaranteed Access Grants – Verification and Administration by
Institutions of Higher Education**

HB0824/374735/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 824

(Third Reading File Bill)

On page 1, strike beginning with “providing” in line 18 down through “Act;” in line 19.

On page 5, after line 27, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect July 1, 2020.”;

strike in their entirety lines 28 through 31, inclusive; and in line 33, strike “2020” and substitute “2019”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1010 – Delegates Atterbeary, Brooks, Anderton, Boteler, Bridges, Buckel, Carr, Cassilly, Chang, Charles, Corderman, Cullison, W. Fisher, Ghris, Gilchrist, Grammer, Hornberger, Ivey, Jackson, Kelly, Kerr, Krimm, J. Lewis, Lierman, Lisanti, Lopez, Luedtke, Moon, Mosby, Palakovich Carr, Pippy, Queen, Reilly, Reznik, Saab, Shetty, Shoemaker, Smith, Solomon, Stewart, Szeliga, Valderrama, Washington, Wilkins, K. Young, and P. Young

AN ACT concerning

Brewery Modernization Act of 2019**HB1010/454134/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1010

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 23, after “2–210,” insert “2–308(b) and (c).”

AMENDMENT NO. 2

On page 16, after line 25, insert:

“2-308.

(b) The license may be issued only to a person that:

(1) holds a Class 5 manufacturer’s license, a Class 7 micro–brewery license, or a Class 8 farm brewery license; and

(2) produces in the aggregate from all of its locations not more than [22,500] 45,000 barrels of beer annually.

(c) The license authorizes the license holder to:

(1) sell and deliver its own beer produced at the license holder’s premises to:

(i) a holder of a retail license that is authorized to acquire beer from a wholesaler; and

(ii) a holder of a permit that is authorized to acquire beer from a wholesaler; and

(2) distribute not more than [3,000] 5,000 barrels of its own beer annually.”.

On page 17, in lines 4 and 8, in each instance strike “22,500” and substitute “45,000”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1021 – Delegate Glenn

AN ACT concerning

Business Occupations and Professions – Barbers – Additional Students

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1206 – Delegates Kaiser, Cain, Feldmark, Guyton, Hornberger, Luedtke, Palakovich Carr, Patterson, and Rose

AN ACT concerning

Maryland Longitudinal Data System Center – Data Matching

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1349 – Delegates Patterson, Acevero, D. Barnes, Barron, Bartlett, Bridges, Charles, Crosby, Crutchfield, D.M. Davis, Ebersole, Fennell, W. Fisher, Gaines, Glenn, Healey, Hill, Jalisi, Kaiser, Lehman, McComas, McKay, Mosby, Proctor, Queen, Sample–Hughes, Sydnor, Turner, Valentino–Smith, Walker, Washington, R. Watson, Wilkins, and Wilson

AN ACT concerning

Public Schools – Students With Sickle Cell Disease – Revisions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 60**

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

Senate Joint Resolution 5 – Senator Carozza

A Senate Joint Resolution concerning

Welcome Home Korean War Veterans Day

SJ0005/504235/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE JOINT RESOLUTION 5

(First Reading File Joint Resolution)

On page 1 in line 3, and on page 2 in line 4, in each instance, after “27” insert “, 2019.”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 61**

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

House Bill 190 – ~~Delegate Lafferty~~ Delegates Lafferty and Qi

AN ACT concerning

Environment – Failing On-Site Sewage Disposal System – Definition

HB0190/324035/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 190

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 6, strike “(1)”; in lines 7 and 8, in each instance, after “SYSTEM” insert “OR A CESSPOOL,”; and strike in their entirety lines 27 and 28.

AMENDMENT NO. 2

On page 2, in lines 11, 13, and 24, strike “**(I)**”, “**(II)**”, and “**(III)**”, respectively, and substitute “**(1)**”, “**(2)**”, and “**(3)**”, respectively; and in lines 14, 16, 18, 20, and 23, strike “**1.**”, “**2.**”, “**3.**”, “**4.**”, and “**5.**”, respectively, and substitute “**(I)**”, “**(II)**”, “**(III)**”, “**(IV)**”, and “**(V)**”, 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 Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 417 – Delegates Hill, Acevero, Bartlett, Boyce, Bromwell, Brooks, Ebersole, Feldmark, Fraser-Hidalgo, Grammer, Jalisi, Lafferty, R. Lewis, Lierman, Long, Patterson, Stein, Sydnor, Terrasa, C. Watson, Wells, ~~and P. Young~~ P. Young, Bridges, Cassilly, Clark, Gilchrist, Harrison, Healey, Holmes, Jacobs, Lehman, Love, Otto, Proctor, and Stewart

AN ACT concerning

Water Pollution Control – ~~Public~~ Notification of Sewer Overflows and Treatment Plant Bypasses – Alteration

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 510 – Delegates Cassilly, Jalisi, and Stein

AN ACT concerning

**~~Composting – Food Waste – Acceptance for Final Disposal~~
Organic Waste – Organics Recycling – Collection and Acceptance for Final Disposal**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 511 – Delegate Cassilly

AN ACT concerning

**Maryland Commercial Fertilizer Law – Definition of Soil Conditioner –
Alteration**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1166 – Howard County Delegation

AN ACT concerning

Howard County – Authority to Impose Fees for Use of Disposable Bags

Ho. Co. 04–19

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 1353 – Chair, Environment and Transportation Committee (By
Request – Departmental – Agriculture)**

AN ACT concerning

Agriculture – Nuisance Insects

HB1353/694530/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1353
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “program” insert “to use a certain pesticide”; and in the same line, after the semicolon insert “requiring the program to be implemented on certain property”.

AMENDMENT NO. 2

On page 2, in line 17, strike “AN” and substitute “:

(I) AN”;

in line 18, after “PLANTS” insert “**; OR**

(II) A POLLINATOR”;

in line 29, after “PROGRAM” insert “**TO USE BACILLUS THURINGIENSIS ISRAELENISIS**”; after line 29, insert:

“(2) THE PROGRAM SHALL BE IMPLEMENTED ON:

(I) STATE-OWNED PROPERTY;

(II) PROPERTY OWNED BY A LOCAL GOVERNMENT WITH THE CONSENT OF THE LOCAL GOVERNMENT; AND

(III) PRIVATE PROPERTY WITH THE CONSENT OF THE PROPERTY OWNER.”;

and in line 30, strike “(2)” and substitute “**(3)**”.

On pages 2 and 3, strike beginning with “AUTHORIZE” in line 30 on page 2 down through “PESTICIDES.” in line 1 on page 3 and substitute “:

(I) TREAT PROPERTY WITH AN AERIAL SPRAYING OR BACKPACK SPRAYING OF BACILLUS THURINGIENSIS ISRAELENISIS;

(II) CONDUCT FIELD STUDIES TO DETERMINE THE NEED FOR, LOCATION, AND TIME OF SPRAYING;

(III) SCHEDULE SPRAYING WHEN THE CONDITIONS ARE OPTIMAL FOR INGESTION BY NUISANCE INSECTS;

(IV) NOTIFY APPROPRIATE PERSONS OF THE DATE AND LOCATION OF AN UPCOMING SPRAYING; AND

(V) REVIEW THE EFFECTIVENESS OF SPRAYING.”.

On page 3, in line 2, after “PROJECT” insert “**TO USE BACILLUS THURINGIENSIS ISRAELENIS**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

BUDGET AND TAXATION COMMITTEE REPORT NO. 35

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

House Bill 352 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Property Tax Credits – Maryland–National Capital Park and Planning Commission Park Police Officers and Washington Suburban Sanitary Commission Police Officers

MC/PG 108–19

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 358 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Public Facility Bonds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 574 – ~~Delegate Shoemaker~~ Carroll County Delegation

AN ACT concerning

Carroll County – Public Facilities Bonds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 623 – Calvert County Delegation

AN ACT concerning

Calvert County – Local Debt Bonding Authority

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**MESSAGE FROM THE HOUSE
SENATE BILLS AMENDED IN THE HOUSE NO. 16****AMENDED IN THE HOUSE****Senate Bill 253 – Senators Hayes, Carter, Ferguson, McCray, and Washington**

AN ACT concerning

**Major Information Technology Development Project Fund – ~~Money Received by~~
~~Baltimore City Community College~~ – Exemption and Use of Fund**

Senator Pinsky moved that the Senate not concur in the House amendments.

SB0253/873726/1

BY: Delegate Kipke

AMENDMENTS TO SENATE BILL 253

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Fund” insert “– Money Received by Baltimore City Community College”; in line 3, strike “and Use of Fund”; strike beginning with “requiring” in line 5 down through “Act;” in line 7; and in line 16, strike “and (l)”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 5 through 17, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2019.”

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: **SB0253**
SPONSOR: Senator Hayes, et al
SUBJECT: Major Information Technology Development Project Fund –
Exemption and Use of Fund

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Young, Chair
Senator Patterson
Senator Nathan–Pulliam

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and adopted.

AMENDED IN THE HOUSE

**Senate Bill 546 – Senators Pinsky, Ellis, Kagan, Lam, Lee, Nathan–Pulliam,
Patterson, Smith, and Young**

AN ACT concerning

Agriculture – Nutrient Management – Monitoring and Enforcement

Senator Pinsky moved that the Senate not concur in the House amendments.

SB0546/310911/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 546

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 12, strike “General”; strike beginning with “expanding” in line 15 down through the semicolon in line 18; and after line 35, insert:

“BY adding to

Article – Agriculture

Section 8–801.1(c) and 8–803(h) and (i)

Annotated Code of Maryland

(2016 Replacement Volume and 2018 Supplement)”.

On pages 2 and 3, strike in their entirety the lines beginning with line 41 on page 2 through line 1 on page 3, inclusive.

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

AMENDMENT NO. 2

On page 4, in line 26, strike “90” and substitute “60”; and in line 30, strike “MORE” and substitute “LESS”.

AMENDMENT NO. 3

On page 15, in lines 1 and 7, in each instance, strike “GENERAL”.

On page 16, in lines 7 and 14, strike “\$2,000” and “\$1,200”, respectively, and substitute “\$500” and “\$500”, respectively; and in lines 8, 14, and 21, in each instance, strike “GENERAL”.

On page 19, in line 32, strike “General”.

AMENDMENT NO. 4

On pages 17 and 18, strike in their entirety the lines beginning with line 18 on page 17 through line 15 on page 18, inclusive; and after line 15, insert:

“Article – Natural Resources”.

On page 18, in line 25, strike “TRQ008” and substitute “TRQ0088”.

The preceding 4 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: SB0546
SPONSOR: Senator Pinsky, et al
SUBJECT: Agriculture – Nutrient Management – Monitoring and Enforcement

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Pinsky, Chair
Senator Young
Senator Kagan

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and adopted.

**MESSAGE FROM THE HOUSE
SENATE BILLS AMENDED IN THE HOUSE NO. 17**

AMENDED IN THE HOUSE

**Senate Bill 7 – Chair, Education, Health, and Environmental Affairs Committee
(By Request – Departmental – Natural Resources)**

AN ACT concerning

**Natural Resources – Regulation and Use of Commercial Finfish Trotlines –
Repeal of Sunset and License Establishment**

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

SB0007/260010/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 7
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Trotlines” in line 2 down through “Establishment” in line 3 and substitute “Gear”; in line 5, after “trotlines;” insert “repealing a provision of law prohibiting the installation, setting, operation, or maintenance of monofilament gill nets in the Chesapeake Bay to catch fish; prohibiting a person from using a monofilament gill net to catch fish, subject to a certain exception; authorizing the Department of Natural Resources to adopt regulations authorizing the use of a monofilament gill net to catch fish;”; in line 13, after “times;” insert “authorizing a licensed seafood dealer to deal in blue and flathead catfish caught under the license;”; and in line 15, strike “trotlines” and substitute “gear”.

On page 2, in line 5, strike “and (b)(1)” and substitute “, (b)(1), and (d)(2)(ii)4. and 4-710(d)”.

AMENDMENT NO. 2

On page 3, after line 1, insert:

“(d) (1) [Except as provided in paragraphs (2) and (3) of this subsection, a person may not install, set, operate, or maintain in any tidal water of the Chesapeake Bay or its tributaries any monofilament gill net webbing of any description to catch fish.]

(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, A PERSON MAY NOT USE A MONOFILAMENT GILL NET TO CATCH FISH.

(II) THE DEPARTMENT MAY ADOPT REGULATIONS TO AUTHORIZE THE USE OF A MONOFILAMENT GILL NET TO CATCH FISH.

(2) A person may use a monofilament cast net or a monofilament throw net to catch baitfish in any tidal water of the Chesapeake Bay or its tributaries.

(3) In casting a monofilament net as provided under paragraph (2) of this subsection, a person:

(i) May not use a cast net that has a radius greater than 10 feet; and

(ii) May cast a cast net only by hand.”.

AMENDMENT NO. 3

On page 3, after line 22, insert:

“(d) (2) (ii) The following annual fees for an authorization shall apply regardless of when the license is issued or an activity is authorized:

4. For a person to buy, process, pack, resell, market or otherwise deal in fish caught in the tidal waters of Maryland, seafood dealer:

A. \$50 for a person licensed under item 2 of this subparagraph or § 4-701.1 OR § 4-701.2 of this subtitle; or

B. \$250 for a person not licensed under item 2 of this subparagraph.”.

The preceding 3 amendments were read and concurred in.

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

Affirmative – 44 Negative – 0 (See Roll Call No. 1129)

AMENDED IN THE HOUSE

**Senate Bill 54 – Chair, Education, Health, and Environmental Affairs Committee
(By Request – Departmental – Environment)**

AN ACT concerning

Surface Mining – Zone of Dewatering Influence – ~~Contested Case Hearing~~ Remedies

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

SB0054/610017/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 54

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “specifying” in line 5 down through “change” in line 10 and substitute “requiring a certain surface mining permittee to permanently replace a certain water supply within a certain zone of dewatering influence within a certain period of time under certain circumstances; authorizing a certain surface mining permittee to seek reimbursement for certain water supply replacement costs under certain circumstances; providing for the construction of certain provisions of law relating to a contested case hearing; making a stylistic change; correcting an obsolete cross-reference”; and after line 11, insert:

“BY repealing and reenacting, without amendments,

Article – Environment

Section 15–801(a), (e), (f), (g), (n), (p), and (u) and 15–812

Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)".

AMENDMENT NO. 2

On page 1, after line 19, insert:

"15-801.

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

(e) "Department" means the Department of the Environment.

(f) "Land" means the surface of the land upon which surface mining is conducted.

(g) "Landowner" means a person who possesses legal title to the land.

(n) "Permittee" means a person who holds a valid permit to conduct surface mining and reclamation operations approved by the Department under § 15-810 of this subtitle.

(p) "Pit" means the place any minerals are being mined by the surface mining method.

(u) "Surface mining" means all of the following:

(1) The breaking of the surface soil in order to facilitate or accomplish the extraction or removal of minerals;

(2) Any activity or process constituting all or part of a process for the extraction or removal of minerals from their original location; or

(3) The extraction of sand, gravel, rock, stone, earth, or fill from borrow pits for highway construction purposes or other public facilities.

15-812.

(a) The General Assembly finds that in certain regions of the State dewatering of surface mines located in karst terrain may significantly interfere with water supply wells and may cause in some instances sudden subsidence of land, known as sinkholes.

Dewatering in karst terrain may result in property damage to landowners in a definable zone of dewatering influence around a surface mine.

(b) It is the intent of the General Assembly to protect affected property owners in Baltimore, Carroll, Frederick, and Washington counties where karst terrain is found by directing the Department to establish zones of dewatering influence around surface mines in karst terrain and to administer a program requiring permittees to mitigate or compensate affected property owners in these counties.”.

On page 2, in line 22, after “(c)” insert “**(1)**”; in lines 24, 27, and 30, strike “(1)”, “**(2)**”, and “**(3)**”, respectively, and substitute “**(I)**”, “**(II)**”, and “**(III)**”, respectively; and after line 33, insert:

“(2) A PERMITTEE SHALL PERMANENTLY REPLACE A WATER SUPPLY UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION WITHIN 45 DAYS OF THE DATE ON WHICH THE PERMITTEE KNEW OF THE WATER SUPPLY FAILURE.”.

AMENDMENT NO. 3

On page 3, in line 26, after “(f)” insert “**(1)**”; after line 29, insert:

“(2) THE PERMITTEE MAY SEEK REIMBURSEMENT FOR THE COST OF A WATER SUPPLY REPLACEMENT FROM THE OWNER OF REAL PROPERTY THAT IS AFFECTED BY THE SURFACE MINE DEWATERING IF AFTER THE PERMITTEE REPLACES THE WATER SUPPLY IT IS DETERMINED THAT THE PERMITTEE’S DEWATERING ACTIVITY IS NOT THE PROXIMATE CAUSE OF THE WATER SUPPLY FAILURE.”;

in line 34, after “TO” insert “**PERMANENTLY**”; and in line 35, strike “UNDER” and substitute “**IN ACCORDANCE WITH**”.

The preceding 3 amendments were read and concurred in.

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

Affirmative – 44 Negative – 0 (See Roll Call No. 1130)

AMENDED IN THE HOUSE

Senate Bill 58 – Chair, Education, Health, and Environmental Affairs Committee
(By Request – Departmental – Agriculture)

AN ACT concerning

Maryland Agricultural Land Preservation Foundation – Elimination of District Agreements

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

SB0058/870014/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 58
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Foundation –” insert “Board of Trustees and”; in line 4, after “of” insert “authorizing each ex officio member of the board of trustees of the Maryland Agricultural Land Preservation Foundation to appoint a designee to serve in the member’s place on the board;”; in line 7, after “districts;” insert “making conforming changes;”; in lines 7 and 8, strike “the elimination of district agreements within”; and in line 12, after “Section” insert “2–503(a) and”.

AMENDMENT NO. 2

On page 2, after line 5, insert:

“2–503.

(a) (1) The Maryland Agricultural Land Preservation Foundation shall be governed and administered by a board of trustees composed of [the]:

(I) THE State Treasurer, [who shall serve as an ex officio member,] the Comptroller, [who shall serve as an ex officio member,] the Secretary of Planning, [who shall serve as an ex officio member,] and the Secretary [who shall serve as an ex officio member, and nine], ALL OF WHOM SHALL SERVE AS EX OFFICIO MEMBERS;

(II) NINE members from the State at-large to be appointed by the Governor, at least six of whom shall be farmer representatives WHO ARE ENGAGED IN OR

RETIRED FROM ACTIVE FARMING from different areas of the [State. The State Treasurer may appoint, as the Treasurer’s designee, a deputy treasurer to serve on the board of trustees. The Secretary of Planning may appoint as the Secretary’s designee an individual within the Department of Planning. All of the farmer representatives shall be actively engaged in or retired from active farming. Four of the six farmer representatives] STATE, AND FOUR OF WHOM shall be appointed as follows:

[(i)] 1. One from a list of three nominees submitted by the Maryland Agricultural Commission;

[(ii)] 2. One from a list of three nominees submitted by the Maryland Farm Bureau;

[(iii)] 3. One from a list of three nominees submitted by the Maryland State Grange; and

[(iv)] 4. One from a list of three nominees submitted by the Young Farmers Advisory Board; AND

(III) ANY DESIGNEE APPOINTED BY AN EX OFFICIO MEMBER UNDER PARAGRAPH (3) OF THIS SUBSECTION.

(2) Nominees under paragraph [(1)(iv)] (1)(II)4 of this subsection shall meet the requirements of § 2–1002(d) of this title.

(3) EACH EX OFFICIO MEMBER OF THE BOARD OF TRUSTEES MAY APPOINT A DESIGNEE TO SERVE IN THE MEMBER’S PLACE ON THE BOARD.

[(3)](4) The Governor shall appoint the chairman of the board, from among the nine at–large trustees.

(5) A majority of the members of the board serving at any one time constitutes a quorum for the transaction of business.

[(4)] (6) Notwithstanding the provisions of §§ 5–502 through 5–504 of the General Provisions Article, a person may be appointed to and serve on the board as an at–large member even if prior to the appointment the person sold an easement in the person’s agricultural land to the Foundation.”.

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 – 44 Negative – 0 (See Roll Call No. 1131)

AMENDED IN THE HOUSE

Senate Bill 471 – Senators Pinsky, Nathan-Pulliam, Ferguson, King, Lam, Lee, Rosapepe, Smith, Washington, and Young

AN ACT concerning

Agriculture – Use of Antimicrobial Drugs – Limitations and Reporting Requirements

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

SB0471/840610/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 471

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, strike “prescription” and substitute “record”.

On pages 1 and 2, strike beginning with “requiring” in line 21 on page 1 down through “manner;” in line 1 on page 2.

AMENDMENT NO. 2

On page 5, in line 24, strike “MANDATE” and substitute “REQUIRE”.

On page 6, in line 7, strike “MANDATE” and substitute “REQUIRE”.

AMENDMENT NO. 3

On page 7, in line 1, after “OF” insert “THE RECORD PRESCRIBING”; in line 2, strike “PRESCRIPTION”; and in the same line, after “OR” insert “A COPY OF THE”.

AMENDMENT NO. 4

On page 8, in lines 4 and 5, strike “**FARM OPERATION THAT SUBMITTED THE INFORMATION**” and substitute “**OWNER, OPERATOR, AND VETERINARIAN FOR WHOM THE INFORMATION WAS SUBMITTED**”; strike in their entirety lines 12 through 16, inclusive; and in line 17, strike “3.” and substitute “2.”.

The preceding 4 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 – 31 Negative – 13 (See Roll Call No. 1132)

QUORUM CALL

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

(See Roll Call No. 1133)

ADJOURNMENT

At 1:47 P.M. on motion of Senator Guzzone the Senate adjourned until 10:00 A.M. on Legislative Day March 29, 2019, Calendar Day, Thursday, April 4, 2019.

Annapolis, Maryland
Legislative Day: March 29, 2019
Calendar Day: Thursday, April 4, 2019
10:00 A.M. Session

The Senate met at 10:23 A.M.

Prayer by Senator Johnny Ray Salling.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 1135)

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

The Journal of April 3, 2019 was read and approved.

MESSAGE FROM THE HOUSE
INTRODUCTORY HOUSE BILLS NO. 32

House Bill 551 – Delegates R. Lewis, Lisanti, Krebs, and R. Lewis, and Mautz

AN ACT concerning

Alcoholic Beverages – Distilleries – Farmers' Markets and Other Events

FOR the purpose of removing the limit on the number of farmers' markets at which the license holder may use a distillery off-site permit; increasing the number of certain other events at which a distillery off-site permit may be used; and generally relating to distillery off-site permits.

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 2–132.2

Annotated Code of Maryland

(2016 Volume and 2018 Supplement)

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

House Bill 666 – ~~Delegate Lisanti~~ Economic Matters Committee

AN ACT concerning

Alcoholic Beverages – Nonprofit Beer, Wine, and Liquor Festival Permit – Retail Off-Site Permit

FOR the purpose of altering a nonprofit beer festival permit to be a nonprofit beer, wine, and liquor festival permit; altering the scope of authorization, fee, and various requirements to establish the nonprofit beer, wine, and liquor festival permit; repealing a certain wine festival permit and a liquor festival permit; altering a farmers' market off-site permit to be a retail off-site permit; altering the scope of authorization, fee, and various requirements to establish the retail off-site permit; making conforming changes; defining a certain term; and generally relating to alcoholic beverages festivals and permits.

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 2–130(g), 2–131, 2–132.2(e), 2–133(e) and (f), 2–136, and 11–1304(g)

Annotated Code of Maryland

(2016 Volume and 2018 Supplement)

BY repealing

Article – Alcoholic Beverages

Section 2–132.3 and 2–134

Annotated Code of Maryland

(2016 Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 11–102

Annotated Code of Maryland

(2016 Volume and 2018 Supplement)

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

House Bill 860 – Delegate B. Barnes (Chair, Joint Committee on Pensions)

AN ACT concerning

**Employees', Teachers', and Correctional Officers' Systems – Active Members –
Death Benefits**

FOR the purpose of allowing a certain surviving child of a member of the Employees' Retirement System, Employees' Pension System, Teachers' Retirement System, or

Teachers' Pension System to participate in the State Employee and Retiree Health and Welfare Benefits program if the child receives a certain allowance; prohibiting a certain death benefit from being paid if a certain allowance is paid for a death; requiring a certain death benefit to be paid if certain individuals waive the payment of a certain allowance; providing certain survivor benefits to surviving children of certain members of the State Retirement and Pension System; providing for the payment of a certain allowance to surviving children of a member when there is no surviving spouse; providing for the distribution of a certain allowance to surviving children; making conforming changes; and generally relating to death benefits for active members in the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 2–507(e), 29–202, 29–205, and 29–206
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

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

House Bill 1115 – Delegates Solomon, Acevero, Chang, Ebersole, Haynes, Hettleman, Jones, Kerr, Kittleman, J. Lewis, Lierman, McKay, Wilkins, and P. Young

AN ACT concerning

Community Colleges – Workforce Readiness Grant Program – Established

FOR the purpose of establishing the Workforce Readiness Grant Program; specifying the purpose of the Program; authorizing each community college campus to accept certain donations that further the purpose of the Program; ~~requiring~~ authorizing the Governor to appropriate a certain amount of supplemental funding in certain fiscal years for certain community colleges; requiring a certain appropriation to be used to further the purpose of the Program; authorizing the Governor to make a certain appropriation; requiring that certain funding be in addition to certain State funding provided for certain community colleges; requiring the Governor, in certain fiscal years, to identify in the annual budget how certain revenue is being used to supplement certain spending for certain community colleges; requiring the Maryland Higher Education Commission to adopt certain regulations; requiring the Commission to submit a certain report in a certain manner to the Governor and the General Assembly; defining certain terms; providing for the termination of this Act; and generally relating to the Workforce Readiness Grant Program.

BY adding to
Article – Education
Section 16–321
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)

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

House Bill 1315 – Delegate Glenn

AN ACT concerning

Higher Education – Cyber Warrior Diversity Program – Revisions

FOR the purpose of altering the locations of the Cyber Warrior Diversity Program in the State; ~~requiring certain governing entities to use a certain curriculum and to award certain contracts or memoranda of understanding to certain businesses; requiring the Governor to include certain appropriations in the annual State operating budget to provide grants to certain entities and to hold a certain conference; specifying the amounts and uses of certain grants provided under the Program; altering the date by which certain governing entities must notify the Maryland Higher Education Commission regarding certain enrollment; requiring the Commission to allocate certain funds to certain entities on a certain basis; requiring a certain entity to hold a certain conference annually on or before a certain date; defining certain terms; altering a certain definition;~~ and generally relating to the Cyber Warrior Diversity Program.

BY repealing and reenacting, with amendments,
Article – Education
Section 11-1401, ~~11-1402~~ 11-1402(a), and 11-1405
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)

~~BY adding to~~
~~Article – Education~~
~~Section 11-1407~~
~~Annotated Code of Maryland~~
~~(2018 Replacement Volume and 2018 Supplement)~~

~~BY repealing~~
~~Chapter 567 of the Acts of the General Assembly of 2018~~
~~Section 2~~

BY repealing and reenacting, without amendments,
Article – Education
Section 11-1402(b)
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)

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

House Bill 1406 – Chair, Howard County Delegation

AN ACT concerning

Howard County – Department of Correction – Authority to Establish Programs

Ho. Co. 29–19

FOR the purpose of authorizing the Howard County Department of Correction to establish community service and pretrial services programs; authorizing a certain program to include a certain inmate's participation in a certain program; authorizing the Director of the Howard County Department of Correction to adopt regulations relating to the operation of certain programs; authorizing a certain judge or court to allow a certain individual to participate in a certain program under certain circumstances; authorizing a certain inmate to leave the Howard County Detention Center under certain circumstances; authorizing a certain inmate to continue regular employment or obtain new employment; requiring that a certain inmate be confined to the Howard County Detention Center under certain circumstances; requiring a certain inmate to make certain payments; providing that a certain inmate is not an agent or employee of a certain entity; providing that a certain inmate is subject to removal from a certain program and cancellation of certain diminution credits; altering an incorrect reference; and generally relating to the Howard County Department of Correction.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 11–715
Annotated Code of Maryland
(2017 Replacement Volume and 2018 Supplement)

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

House Bill 1410 – Delegate Beitzel

AN ACT concerning

Upper Potomac River Commission – Pension Plans

FOR the purpose of authorizing certain trustees or officers of the Upper Potomac River Commission to invest and reinvest certain money in their custody or control in accordance with certain rules or procedures; requiring any pension plan controlled by the Commission on or after a certain date to adhere to certain principles that address the investment and management of funds for a public pension system; providing for the application of this Act; and generally relating to pension plans controlled by the Upper Potomac River Commission.

BY repealing and reenacting, with amendments,
Article – Local Government

Section 17–102
Annotated Code of Maryland
(2013 Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 40–101
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

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

House Bill 1411 – Delegates Smith, Cain, and Mosby

AN ACT concerning

CASH Campaign of Maryland Grant

FOR the purpose of requiring the Governor to include in the annual State budget a certain appropriation for the CASH Campaign of Maryland for certain services to promote the financial capability of low–income individuals and families; specifying the purposes for which the appropriations may be used; and generally relating to services to promote the financial capability of low–income individuals and families.

BY adding to
Article – Human Services
Section 6–801 and 6–802 to be under the new subtitle “Subtitle 8. Financial Capability Services”
Annotated Code of Maryland
(2007 Volume and 2018 Supplement)

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

House Bill 1428 – The Speaker and Delegates Kipke, Pendergrass, Pena–Melnyk, Bagnall, Barron, Bhandari, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kelly, Kerr, Krebs, R. Lewis, Metzgar, Morgan, Rosenberg, Saab, Sample–Hughes, Szeliga, and K. Young

EMERGENCY BILL

AN ACT concerning

**University of Maryland Medical System Corporation – Board of Directors,
Ethics, and Performance Audit**

FOR the purpose of requiring, on or before a certain date, the Board of Directors of the University of Maryland Medical System Corporation to adopt a certain conflict of

interest policy; requiring the Board to send a copy of a certain policy to certain persons at certain times; requiring the Board to ensure that the Medical System Corporation continues to be a certain independent corporation; altering the maximum number of members of the Board of Directors of the University of Maryland Medical System Corporation; requiring certain members of the Board to be appointed by the Governor with the advice and consent of the Senate of Maryland; prohibiting a member of the Board from being a State or local elected official; repealing a provision of law requiring a certain number of voting members of the Board to be members of the General Assembly; authorizing the Governor to appoint certain additional voting members who represent certain hospitals; requiring a certain voting member to be the Governor or the Governor's designee; adding a certain number of voting members to the Board to be appointed by the President of the Senate and the Speaker of the House; prohibiting a member of the Board from intentionally using the prestige of office for private gain or the gain of another; requiring certain members of the Board annually to submit a certain disclosure statement to the State Health Services Cost Review Commission; requiring a certain statement to be available for public inspection on request; requiring certain statements to be reviewed for compliance with a certain policy by the Board and the compliance officer of the Medical System Corporation; requiring the State Health Services Cost Review Commission annually to send a summary of certain statements to the Governor, the President, and the Speaker; prohibiting the Board from using sole source procurement to award certain contracts to certain persons; requiring the Medical System Corporation to employ a certain independent certified public accountant entity with certain expertise to conduct a certain performance audit of the administrative and financial offices of the Medical System Corporation for a certain purpose on or before a certain date; providing that a certain audit does not include certain entities; requiring the Medical System Corporation to submit a certified copy of a certain performance audit to the Governor, the President, and the Speaker on or before a certain date; requiring the Board to conduct a certain internal review and report certain findings and recommendations to the Governor, the President, and the Speaker on or before a certain date; declaring the intent of the General Assembly; requiring the terms of certain members of the Board to terminate on certain dates; authorizing certain members of the Board to apply for reappointment subject to certain provisions of law as enacted by this Act; requiring certain members appointed to the Board by the Governor to be subject to the advice and consent of the Senate during a certain legislative session; requiring certain members to be considered appointed as of a certain date and subject to certain requirements; making this Act an emergency measure; making certain conforming changes; and generally relating to the University of Maryland Medical System Corporation.

BY repealing and reenacting, without amendments,

Article – Education

Section 13-301(a), (c), and (m), 13-303(a), and ~~13-304(a)~~ 13-304(a) and (d)

Annotated Code of Maryland

(2018 Replacement Volume and 2018 Supplement)

BY adding to

Article – Education
Section 13–303(m) and (n) and 13–304(k), (l), and (m)
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article – Education
 Section 13–304(b), (c), ~~(d)~~, and (k)
 Annotated Code of Maryland
 (2018 Replacement Volume and 2018 Supplement)

~~BY adding to~~

~~Article – Education~~
~~Section 13–304(k), (l), and (m)~~
~~Annotated Code of Maryland~~
~~(2018 Replacement Volume and 2018 Supplement)~~

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

MESSAGE FROM THE HOUSE
SENATE BILLS AMENDED IN THE HOUSE NO. 19

AMENDED IN THE HOUSE

Senate Bill 12 – Chair, Finance Committee (By Request – Departmental – Commerce)

AN ACT concerning

Capital Projects – Inclusion of Public Art

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

SB0012/114069/1

BY: Appropriations Committee

AMENDMENT TO SENATE BILL 12

(Third Reading File Bill)

On page 2, strike beginning with “AS” in line 27 down through “BUDGET” in line 28 and substitute “IN THE ANNUAL STATE CAPITAL BUDGET AS:”

- A. A MISCELLANEOUS GRANT PROGRAM;
- B. A LOCAL HOUSE OF DELEGATES INITIATIVE; OR
- C. A LOCAL SENATE INITIATIVE”.

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 – 45 Negative – 0 (See Roll Call No. 1136)

**MESSAGE FROM THE HOUSE
SENATE BILLS AMENDED IN THE HOUSE NO. 18**

AMENDED IN THE HOUSE

Senate Bill 327 – Senator Smith

AN ACT concerning

Justice Reinvestment Act – Diminution Credits – Sentencing

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

SB0327/352513/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 327

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the second “the” in line 4 down through the first “a” in line 6 and substitute “inmates who are sentenced or committed to custody on a finding of”.

AMENDMENT NO. 2

On page 1, in line 16, strike the brackets; in the same line, strike “that” and substitute “**WHO**”; and strike beginning with “**THE**” in line 16 down through “**A**” in line 18 and substitute “**OR COMMITTED TO CUSTODY ON A FINDING OF**”.

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 – 45 Negative – 0 (See Roll Call No. 1137)

AMENDED IN THE HOUSE

Senate Bill 690 – Senators Lee, Elfreth, Hough, Smith, Waldstreicher, and West

AN ACT concerning

Criminal Law – Human Trafficking and Prostitution Offenses

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

SB0690/382210/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 690

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 15, after “prostitution;” insert “classifying a certain offense of human trafficking as a crime of violence under certain provisions of law;”; and in line 16, after “changes;” insert “making a stylistic change;”.

On page 2, in line 13, strike “14–101(a)(24) and (25)” and substitute “14–101(a)”; in line 19, after “11–306,” insert “and”; and in the same line, strike “, and 14–101(a)(26)”.

On page 3, in line 2, after “2–412(c)(11)” insert “and 5–101(c)”; and in line 17, strike the first “of” and substitute “FOR”.

AMENDMENT NO. 2

On page 6, in line 6, strike the brackets.

On pages 9 and 10, strike in their entirety the lines beginning with line 30 on page 9 through line 2 on page 10, inclusive, and substitute:

- “(1) abduction;
- (2) arson in the first degree;
- (3) kidnapping;
- (4) manslaughter, except involuntary manslaughter;
- (5) mayhem;
- (6) maiming, as previously proscribed under former Article 27, §§ 385 and 386 of the Code;
- (7) murder;
- (8) rape;
- (9) robbery under § 3–402 or § 3–403 of this article;
- (10) carjacking;
- (11) armed carjacking;
- (12) sexual offense in the first degree;
- (13) sexual offense in the second degree;
- (14) use of a firearm in the commission of a felony except possession with intent to distribute a controlled dangerous substance under § 5–602(2) of this article, or other crime of violence;
- (15) child abuse in the first degree under § 3–601 of this article;
- (16) sexual abuse of a minor under § 3–602 of this article if:
 - (i) the victim is under the age of 13 years and the offender is an adult at the time of the offense; and
 - (ii) the offense involved:

1. vaginal intercourse, as defined in § 3–301 of this article;
 2. a sexual act, as defined in § 3–301 of this article;
 3. an act in which a part of the offender’s body penetrates, however slightly, into the victim’s genital opening or anus; or
 4. the intentional touching of the victim’s or the offender’s genital, anal, or other intimate area for sexual arousal, gratification, or abuse;
- (17) home invasion under § 6–202(b) of this article;
- (18) A FELONY OFFENSE UNDER TITLE 3, SUBTITLE 11 OF THIS ARTICLE;**
- (19) an attempt to commit any of the crimes described in items (1) through [(17)] (18) of this subsection;**
- [(19)] (20) continuing course of conduct with a child under § 3–315 of this article;**
- [(20)] (21) assault in the first degree;**
- [(21)] (22) assault with intent to murder;**
- [(22)] (23) assault with intent to rape;**
- [(23)] (24) assault with intent to rob;**
- [(24)] (25) assault with intent to commit a sexual offense in the first degree;**
- and
- [(25)] (26) assault with intent to commit a sexual offense in the second degree.”.**

On page 14, after line 7, insert:

“5-101.

(c) “Crime of violence” means:

(1) abduction;

(2) arson in the first degree;

(3) assault in the first or second degree;

(4) burglary in the first, second, or third degree;

(5) carjacking and armed carjacking;

(6) escape in the first degree;

(7) kidnapping;

(8) voluntary manslaughter;

(9) maiming as previously proscribed under former Article 27, § 386 of the

Code;

(10) mayhem as previously proscribed under former Article 27, § 384 of the

Code;

(11) murder in the first or second degree;

(12) rape in the first or second degree;

(13) robbery;

(14) robbery with a dangerous weapon;

(15) sexual offense in the first, second, or third degree;

(16) home invasion under § 6-202(b) of the Criminal Law Article;

(17) A FELONY OFFENSE UNDER TITLE 3, SUBTITLE 11 OF THE CRIMINAL LAW ARTICLE;

(18) an attempt to commit any of the crimes listed in items (1) through [(16)] (17) of this subsection; or

[(18)] (19) assault with intent to commit any of the crimes listed in items (1) through [(16)] (17) of this subsection or a crime punishable by imprisonment for more than 1 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 – 44 Negative – 0 (See Roll Call No. 1138)

**MESSAGE FROM THE HOUSE
SENATE BILLS AMENDED IN THE HOUSE NO. 20
AMENDED IN THE HOUSE**

Senate Bill 119 – Senator Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

**Employees’ Pension System – Purchase of Eligibility Service Credit –
Clarification**

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

SB0119/474263/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 119
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Employees’ Pension System” and substitute “Employees’ and Teachers’ Pension Systems”; strike beginning with “Purchase” in line 2 down through “Clarification” in line 3 and substitute “Benefits”; in line 5, after “employment;” insert

“providing that certain members of the Employees’ or Teachers’ Pension System who meet certain criteria may continue employment with certain participating employers of the State Retirement and Pension System without incurring a certain break in service following retirement from the Employees’ or Teachers’ Pension System; requiring certain members of the Employees’ Pension System to cease membership in the Employees’ Pension System under certain circumstances; providing that certain individuals shall receive a specified benefit from the Employees’ Pension System after separating from certain employment with certain participating employers of the State Retirement and Pension System;”; in line 6, strike “purchases of service credit in the Employees’ Pension System” and substitute “benefits in the Employees’ and Teachers’ Pension Systems”; and in line 9, after “23–307(a)” insert “and 23–407(d)”.

AMENDMENT NO. 2

On page 3, after line 8, insert:

“23–407.

(d) An individual who is receiving a service retirement allowance under this title may not be employed within 45 days of the date the individual retired, on a permanent, temporary, or contractual basis, by:

(1) the State or other participating employer; or

(2) a withdrawn participating governmental unit, if the retiree was an employee of the withdrawn participating governmental unit while the withdrawn governmental unit was a participating employer.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) This section applies to an individual who:

(1) was employed as a teacher for the Montgomery County Public School System and enrolled in the Teachers’ Pension System under Title 23 of the State Personnel and Pensions Article on or after September 1, 1991;

(2) remains employed as a teacher for the Montgomery County Public School System and is a member of the Teachers’ Pension System on July 1, 2019;

(3) (i) was elected to the Howard County Board of Education in 2016;

(ii) enrolled in the Employees' Pension System under Title 23 of the State Personnel and Pensions Article as a member of the Howard County Board of Education on or after December 1, 2016; and

(iii) remains a member of the Howard County Board of Education and is a member of the Employees' Pension System on July 1, 2019; and

(4) on or before July 1, 2019:

(i) has reached or exceeded normal retirement age in the Employees' Pension System and Teachers' Pension System; and

(ii) is eligible to receive a normal service retirement allowance in the Teachers' Pension System.

(b) Notwithstanding § 23–407(d) of the State Personnel and Pensions Article, an individual described under subsection (a) of this section may retire from the Teachers' Pension System on or after July 1, 2019, and on or before December 31, 2019, and continue serving as a member of the Howard County Board of Education without obtaining a 45–day break in service after retirement.

(c) (1) An individual who retires under subsection (b) of this section shall cease membership in the Employees' Pension System on the day preceding the individual's retirement from the Teachers' Pension System.

(2) After separating from employment as a member of the Howard County Board of Education, the individual shall be entitled to receive a return of accumulated contributions or any other benefit to which the individual is entitled on the basis of the individual's membership in the Employees' Pension System.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) This section applies to an individual who:

(1) (i) was elected and served as a County Commissioner for Kent County from 1994 through 2002; and

(ii) enrolled in the Employees' Pension System as County Commissioner for Kent County on or after July 1, 2002;

(2) (i) was appointed as Town Manager for the Town of Rock Hall in 1997;

(ii) enrolled in the Employees' Pension System as Town Manager for the Town of Rock Hall on or after May 1, 2005; and

(iii) remains employed as Town Manager for the Town of Rock Hall and is a member of the Employees' Pension System on July 1, 2019;

(3) (i) was elected as a County Commissioner for Kent County in 2006;

(ii) resumed membership in the Employees' Pension System as a County Commissioner for Kent County on or after December 1, 2006; and

(iii) remains a County Commissioner and is a member of the Employees' Pension System on July 1, 2019; and

(4) on or before July 1, 2019:

(i) has reached or exceeded normal retirement age in the Employees' Pension System; and

(ii) is eligible to receive a normal service retirement allowance in the Employees' Pension System as Town Manager for the Town of Rock Hall.

(b) Notwithstanding § 23-407(d) of the State Personnel and Pensions Article, an individual described under subsection (a) of this section may retire from the Employees' Pension System as Town Manager for the Town of Rock Hall on or after July 1, 2019, and on or before December 31, 2019, and continue serving as a County Commissioner for Kent County without obtaining a 45-day break in service after retirement.

(c) (1) An individual who retires under subsection (b) of this section shall cease membership in the Employees' Pension System as a County Commissioner for Kent County on the day preceding the individual's retirement from the Employees' Pension System as the Town Manager for the Town of Rock Hall.

(2) After separating from employment as a County Commissioner for Kent County, the individual shall be entitled to receive a return of accumulated contributions or any other benefit to which the individual is entitled on the basis of the individual's employment as a County Commissioner for Kent County.”;

and in line 9, strike “2.” and substitute “4.”.

The preceding 2 amendments were read and concurred in.

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1139)

FINANCE COMMITTEE REPORT NO. 50

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

Senate Bill 175 – The President (By Request – Administration)

AN ACT concerning

Economic Development – Maryland Technology Infrastructure Program

SB0175/867779/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 175

(First Reading File Bill)

On page 3, in line 7, after the first comma insert “A”; in the same line, after the second comma insert “A”; and in line 8, after the first comma insert “AN”.

On page 5, after line 7, insert:

“(4) THE PRESIDENT OF A COMMUNITY COLLEGE LOCATED IN THE STATE, OR THE PRESIDENT’S DESIGNEE, APPOINTED BY THE MARYLAND ASSOCIATION OF COMMUNITY COLLEGES;”;

in lines 8, 9, 11, 13, 14, and 16, strike “(4)”, “(5)”, “(6)”, “(7)”, “(8)”, and “(9)”, respectively, and substitute “(5)”, “(6)”, “(7)”, “(8)”, “(9)”, and “(10)”, respectively; in line 15, strike “AND”; and in line 17, after “DELEGATES” insert “; AND

(11) ONE OF THE FOLLOWING APPOINTED BY THE GOVERNOR:

(I) THE PRESIDENT OF BOWIE STATE UNIVERSITY, OR THE PRESIDENT’S DESIGNEE;

(II) THE PRESIDENT OF COPPIN STATE UNIVERSITY, OR THE PRESIDENT’S DESIGNEE;

(III) THE PRESIDENT OF MORGAN STATE UNIVERSITY, OR THE PRESIDENT’S DESIGNEE; OR

(IV) THE PRESIDENT OF THE UNIVERSITY OF MARYLAND EASTERN SHORE, OR THE PRESIDENT’S DESIGNEE”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 436 – Senators Klausmeier, Beidle, Feldman, and Hershey

AN ACT concerning

Vehicle Laws – Rental Vehicles – Security

SB0436/587777/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 436

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “primary” in line 4 down through the first “and” in line 5; in line 6, after “circumstances” insert “and subject to a certain exception; providing that security maintained by the owner of a rental vehicle or replacement vehicle is primary under certain circumstances”; strike beginning with “establishing” in line 6 down through “circumstances;” in line 7; in line 20, after “exception;” insert “providing that a motor vehicle rental company shall be required to provide certain security on a primary basis for certain claims under certain circumstances;”; and in the same line, after “terms;” insert “providing for a delayed effective date; providing for the application for this Act;”.

On page 2, in line 5, after “17–104.3” insert “and 18–106”.

AMENDMENT NO. 2

On page 3 in lines 25 and 29, and on page 8 in lines 6 and 10, in each instance, after “a” insert “RENTAL VEHICLE OR”.

On page 3, in line 25, after “(2)” insert “THIS SUBSECTION DOES NOT APPLY TO A RENTAL VEHICLE THAT IS NOT A REPLACEMENT VEHICLE IF THE COVERAGE MAINTAINED BY THE RENTER OR DRIVER IS PROVIDED BY THE MARYLAND AUTOMOBILE INSURANCE FUND.”

(3);

in the same line, strike “(3)” and substitute “(5)”; in the same line, after “subsection,” insert “SUBSECTION (F) OF THIS SECTION, AND § 18–106 OF THIS ARTICLE,”; in line 30, strike “(3)” and substitute “(4)”; in line 31, strike “(2)” and substitute “(3)”; and after line 36, insert:

“(5) IF COVERAGE MAINTAINED BY THE RENTER OR INDIVIDUAL TO WHOM THE VEHICLE IS LOANED HAS LAPSED OR DOES NOT PROVIDE THE REQUIRED COVERAGE:

(1) SECURITY MAINTAINED BY THE OWNER OF THE RENTAL VEHICLE OR REPLACEMENT VEHICLE SHALL:

1. BE PRIMARY; AND

2. PROVIDE THE COVERAGE REQUIRED BEGINNING WITH THE FIRST DOLLAR OF A CLAIM; AND

(II) THE OWNER OF THE RENTAL VEHICLE OR REPLACEMENT VEHICLE SHALL HAVE THE DUTY TO DEFEND THE CLAIM.

On pages 3 through 5, strike in their entirety the lines beginning with line 37 on page 3 through line 8 on page 5, inclusive.

On page 5, in line 9, strike “(4)” and substitute “(F)”; in line 10, strike “PARAGRAPH (2)” and substitute “SUBSECTION (E)(3)”; in the same line, strike “SUBSECTION” and substitute “SECTION”; and in line 14, after “FUND” insert “WITH RESPECT TO A RENTAL VEHICLE THAT IS NOT A REPLACEMENT VEHICLE”.

On page 8, in line 6, after “(ii)” insert “THIS PARAGRAPH DOES NOT APPLY TO A RENTAL VEHICLE THAT IS NOT A REPLACEMENT VEHICLE IF THE COVERAGE MAINTAINED BY THE RENTER OR DRIVER IS PROVIDED BY THE MARYLAND AUTOMOBILE INSURANCE FUND.”

(III);

in the same line, strike “subparagraph (iii) of this”; in the same line, after “paragraph” insert “(3) OF THIS SUBSECTION, § 18–106 OF THIS SUBTITLE, AND § 17–104(E)(5) OF THIS ARTICLE”; in line 11, strike “(iii)” and substitute “(IV)”; and in line 12, strike “(ii)” and substitute “(III)”.

On pages 8 and 9, strike in their entirety the lines beginning with line 18 on page 8 through line 25 on page 9, inclusive.

On page 9, in line 26, strike “(IV)” and substitute “(3)”; in line 27, strike “SUBPARAGRAPH (II)” and substitute “PARAGRAPH (2)”; in the same line, strike “PARAGRAPH” and substitute “SUBSECTION”; and in line 31, after “FUND” insert “WITH RESPECT TO A RENTAL VEHICLE THAT IS NOT A REPLACEMENT VEHICLE”.

On page 10, after line 4, insert:

“18–106.

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

(2) “AUTHORIZED DRIVER” MEANS A PERSON, OTHER THAN THE RENTER, WHO USES OR OPERATES A RENTAL VEHICLE WITH THE PERMISSION OF THE MOTOR VEHICLE RENTAL COMPANY.

(3) “MOTOR VEHICLE RENTAL COMPANY” HAS THE MEANING STATED IN § 17-104.3 OF THIS ARTICLE.

(4) “RENTAL AGREEMENT” HAS THE MEANING STATED IN § 17-104.3 OF THIS ARTICLE.

(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THIS SECTION APPLIES ONLY TO:

(I) RENTAL VEHICLE TRANSACTIONS ORIGINATING IN THE STATE; AND

(II) THIRD-PARTY CLAIMS AGAINST A RENTER OR AN AUTHORIZED DRIVER OF A RENTAL VEHICLE ARISING OUT OF THE SECURITY REQUIREMENT UNDER § 18-102(A)(2) OF THIS SUBTITLE OR § 17-104(E) OF THIS ARTICLE.

(2) THIS SECTION DOES NOT APPLY TO A REPLACEMENT VEHICLE UNDER § 18-102(A)(2) OF THIS SUBTITLE OR § 17-104(E) OF THIS ARTICLE.

(C) A MOTOR VEHICLE RENTAL COMPANY SHALL BE RESPONSIBLE FOR PROVIDING THE REQUIRED SECURITY UNDER § 17-103 OF THIS ARTICLE ON A PRIMARY BASIS FOR A THIRD-PARTY LIABILITY CLAIM IF THE MOTOR VEHICLE RENTAL COMPANY:

(1) FAILS TO DELIVER NOTICE OF THE CLAIM;

(2) FAILS TO COOPERATE WITH THE INSURER;

(3) PREJUDICED THE HANDLING OF THE THIRD-PARTY CLAIM BEFORE THE INSURER ASSUMED THE HANDLING OF THE CLAIM;

(4) HAS PROVIDED LIABILITY, PROPERTY DAMAGE, UNINSURED MOTORIST, OR OTHER COVERAGE TO THE INSURED THAT IS APPLICABLE TO THE THIRD-PARTY CLAIM AS A BENEFIT UNDER EITHER:

(I) THE RENTAL AGREEMENT; OR

(II) AN INSURANCE POLICY SOLD TO THE RENTER IN CONNECTION WITH, AND INCIDENTAL TO, THE RENTAL OF THE MOTOR VEHICLE; OR

(5) FAILS TO PROVIDE THE NOTICES REQUIRED UNDER § 18-102(A)(3) OF THIS SUBTITLE OR § 17-104(F) OF THIS ARTICLE.

(D) A MOTOR VEHICLE RENTAL COMPANY SHALL BE RESPONSIBLE FOR PROVIDING THE REQUIRED SECURITY UNDER § 17-103 OF THIS ARTICLE ON A PRIMARY BASIS FOR A THIRD-PARTY LIABILITY CLAIM IF THE DRIVER OF THE RENTAL VEHICLE IS AN INDIVIDUAL WHO IS NOT THE RENTER OR AN AUTHORIZED DRIVER.”;

and in line 6, strike “October 1, 2019.” and substitute “January 1, 2020, and shall apply to all claims arising in the State on or after January 1, 2020.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 759 – Senators Klausmeier and Lam

AN ACT concerning

Health – Prescription Drug Affordability Board

SB0759/367572/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 759

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after the first “staff” insert “and develop a certain budget and plan to be submitted to the Board for approval”.

On page 2, in line 1, after “Act;” insert “requiring the Board in consultation with the Stakeholder Council to collect and review certain information, make a certain determination, monitor and review certain actions, assess certain information, study certain matters, and adopt certain regulations on or before a certain date; requiring the Board to identify certain states and initiate a certain process on or before a certain date; requiring the Board to verify that a certain state has obtained certain consent of a certain owner before taking certain actions; authorizing only certain Board members and staff to access certain information; requiring that the Board’s certain access, use, or sharing of certain information gives rise to a certain cause of action and results in the immediate termination of a certain memorandum of understanding; requiring that, if the Board willfully shares or discloses certain information for certain purposes, the Board shall provide for certain damages;”; in lines 4 and 6, in each instance, strike “a manufacturer” and substitute “certain entities”; strike beginning with “recommend” in line 13 down through “factors” in line 14 and substitute “recommend a certain strategy”; strike beginning with “requiring” in line 14 down through “date;” in line 15 and substitute “providing for the application of certain provisions of this Act;”; strike beginning with “requiring” in line 16 down through “law;” in line 20 and substitute “providing that certain information and data is considered confidential and proprietary and is not subject to disclosure under certain provisions of law;”; strike beginning with “establishing” in line 22 down through “Audits;” in line 26 and substitute “requiring the Board to determine a certain funding source and submit a certain recommendation to certain committees of the General Assembly on or before a certain date;”; and strike beginning with “requiring” in line 29 down through “date;” in line 31 and substitute “requiring the State Designated Health Information Exchange Board jointly to conduct a study with the Board on providing certain data and report certain findings and recommendations to the General Assembly on or before a certain date;”; and in line 36, strike “21-2C-11” and substitute “21-2C-13”.

On pages 2 and 3, strike in their entirety the lines beginning with line 40 on page 2 through line 10 on page 3, inclusive.

AMENDMENT NO. 2

On page 6, after line 18, insert:

“(3) AT LEAST ONE MEMBER OF THE BOARD SHALL HAVE EXPERTISE IN:

(I) THE 340B PROGRAM UNDER THE FEDERAL PUBLIC HEALTH SERVICE ACT;

(II) THE STATE’S ALL-PAYER MODEL CONTRACT;

(III) HOW THE PROGRAM AND CONTRACT INTERACT; AND

(IV) HOW DECISIONS MADE BY THE BOARD WILL AFFECT THE MODEL AND CONTRACT.”;

in lines 19, 22, and 28, strike “(3)”, “(4)”, and “(5)”, respectively, and substitute “(4)”, “(5)”, and “(6)”, respectively; in line 21, after “MANUFACTURERS” insert “, OR A PHARMACY BENEFITS MANAGER OR A TRADE ASSOCIATION FOR PHARMACY BENEFITS MANAGERS”.

On page 7, after line 5, insert:

“(2) THE CHAIR SHALL DEVELOP A 5-YEAR BUDGET AND STAFFING PLAN AND SUBMIT IT TO THE BOARD FOR APPROVAL.”;

in line 6, strike “(2)” and substitute “(3)”; in line 21, strike “§ 21-2C-07(D)” and substitute “§ 21-2C-08(D)”; in line 22, after “SUBTITLE;” insert “AND”; strike in their entirety lines 23 through 25, inclusive; and in line 26, strike “3.” and substitute “2.”.

On page 9, in line 25, strike “EXCHANGE” and substitute “BOARD”.

AMENDMENT NO. 3

On page 10, in line 6, strike “21” and substitute “26”; after line 8, insert:

“(I) ONE REPRESENTATIVE OF GENERIC DRUG CORPORATIONS;

(II) ONE REPRESENTATIVE OF NONPROFIT INSURANCE CARRIERS;;

in lines 9, 11, 13, 15, 16, and 18, strike “(I)”, “(II)”, “(III)”, “(IV)”, “(V)”, and “(VI)”, respectively, and substitute “(III)”, “(IV)”, “(V)”, “(VI)”, “(VII)”, and “(VIII)”, respectively; in line 16, strike “TWO” and substitute “ONE”; in the same line, strike “RESEARCHERS” and substitute “RESEARCHER”; after line 20, insert:

(I) ONE REPRESENTATIVE OF BRAND NAME DRUG CORPORATIONS;;

in lines 21, 22, and 23, strike “(I)”, “(II)”, and “(III)”, respectively, and substitute “(II)”, “(III)”, and “(IV)”, respectively; in line 21, strike “DOCTORS” and substitute “PHYSICIANS”; after line 23, insert:

(V) ONE REPRESENTATIVE OF DENTISTS;;

in lines 24, 25, and 27, strike “(IV)”, “(V)”, and “(VI)”, respectively, and substitute “(VI)”, “(VII)”, and “(VIII)”, respectively; and in line 24, strike “HEALTH INSURERS” and substitute “MANAGED CARE ORGANIZATIONS”.

On page 11, in line 1, strike “(VII)” and substitute “(IX)”; after line 6, insert:

(III) ONE REPRESENTATIVE OF BIOTECHNOLOGY COMPANIES;

(IV) ONE REPRESENTATIVE OF FOR PROFIT HEALTH INSURANCE CARRIERS;;

in lines 7, 8, 10, 11, and 12, strike “(III)”, “(IV)”, “(V)”, “(VI)”, and “(VII)”, respectively, and substitute “(V)”, “(VI)”, “(VII)”, “(VIII)”, and “(IX)”, respectively; in line 14, strike “THE” and substitute “COLLECTIVELY, THE”; and in line 15, strike “IN ONE OR MORE”.

AMENDMENT NO. 4

On page 13, after line 11, insert:

“(A) ON OR BEFORE DECEMBER 31, 2020, THE BOARD, IN CONSULTATION WITH THE STAKEHOLDER COUNCIL, SHALL:

(1) COLLECT AND REVIEW PUBLICLY AVAILABLE INFORMATION REGARDING BRAND AND GENERIC BIOPHARMACEUTICAL MANUFACTURERS, HEALTH INSURERS, PHARMACEUTICAL WHOLESALERS, AND PHARMACY BENEFITS MANAGERS;

(2) REVIEW ANY INFORMATION REQUESTED UNDER § 21-2C-08(C)(2)(I) OF THIS SUBTITLE;

(3) DETERMINE WHAT ADDITIONAL DATA IS NECESSARY TO CARRY OUT ITS DUTIES UNDER THIS SUBTITLE AND HOW TO ACCESS THE DATA;

(4) REVIEW AND ASSESS THE PHARMACEUTICAL DISTRIBUTION AND PAYMENT SYSTEM IN THE STATE;

(5) MONITOR AND REVIEW POTENTIAL AND ACTUAL FEDERAL CHANGES TO THE PHARMACEUTICAL DISTRIBUTION AND PAYMENT SYSTEM, INCLUDING PROPOSED FEDERAL REGULATIONS THAT WOULD REDUCE OUT-OF-POCKET SPENDING ON PRESCRIPTION DRUGS;

(6) MONITOR AND REVIEW FEDERAL REGULATIONS GOVERNING THE MEDICAID DRUG REBATE PROGRAM TO SUPPORT VOLUNTARY, VALUE-BASED PURCHASING ARRANGEMENTS BETWEEN STATES AND MANUFACTURERS;

(7) ASSESS THE IMPACT OF POTENTIAL AND ACTUAL FEDERAL CHANGES TO THE PHARMACEUTICAL DISTRIBUTION AND PAYMENT SYSTEM;

(8) MONITOR AND REVIEW THE IMPACT OF STEPS TAKEN BY THE DEPARTMENT, THE MARYLAND INSURANCE ADMINISTRATION, AND OTHER STATE AGENCIES TO INCREASE TRANSPARENCY AND LOWER THE COST OF PRESCRIPTION DRUGS;

(9) STUDY DIFFERENT CAUSES OF DRUG SHORTAGES AND HOW DRUG SHORTAGES IMPACT THE COST OF PRESCRIPTION DRUG PRODUCTS;

(10) STUDY WHETHER UPPER PAYMENT LIMITS WOULD BE APPROPRIATE IN ADDRESSING COSTS; AND

(11) STUDY OTHER POLICY PROPOSALS FROM ACROSS THE COUNTRY TO LOWER THE COST OF PRESCRIPTION DRUGS, INCLUDING A REVERSE AUCTION MARKETPLACE.

(B) ON OR BEFORE DECEMBER 31, 2020, THE BOARD SHALL:

(1) IDENTIFY STATES THAT REQUIRE REPORTING ON THE COST OF PRESCRIPTION DRUG PRODUCTS; AND

(2) INITIATE A PROCESS OF ENTERING INTO MEMORANDA OF UNDERSTANDING WITH THE STATES IDENTIFIED UNDER ITEM (1) OF THIS SUBSECTION TO AID IN THE COLLECTION OF TRANSPARENCY DATA FOR PRESCRIPTION DRUG PRODUCTS.

(C) (1) BEFORE OBTAINING OR USING ANY INFORMATION OBTAINED THROUGH A MEMORANDUM OF UNDERSTANDING ENTERED INTO WITH ANOTHER STATE UNDER THIS SUBTITLE, THE BOARD SHALL VERIFY THAT THE STATE PROVIDING THE INFORMATION TO THE BOARD HAS OBTAINED THE EXPRESS CONSENT OF THE OWNER OF ANY TRADE SECRET INFORMATION, CONFIDENTIAL COMMERCIAL OR PROPRIETARY INFORMATION, OR INFORMATION DESIGNATED AS CONFIDENTIAL BY THE OWNER OF THE INFORMATION.

(2) ONLY BOARD MEMBERS AND STAFF MAY ACCESS THE INFORMATION OBTAINED THROUGH A MEMORANDUM OF UNDERSTANDING ENTERED INTO WITH ANOTHER STATE UNDER THIS SUBTITLE.

(3) THE BOARD'S UNAUTHORIZED ACCESS, USE, OR SHARING OF ANY TRADE SECRET INFORMATION, CONFIDENTIAL COMMERCIAL OR PROPRIETARY INFORMATION, OR INFORMATION DESIGNATED AS CONFIDENTIAL BY THE OWNER OF THE INFORMATION IN ACCORDANCE WITH A MEMORANDUM OF UNDERSTANDING SHALL:

(I) GIVE RISE TO A CAUSE OF ACTION, AND BE SUBJECT TO ALL APPLICABLE REMEDIES, INCLUDING CIVIL AND CRIMINAL PENALTIES UNDER ANY APPLICABLE FEDERAL AND STATE TRADE SECRET MISAPPROPRIATION LAW; AND

(II) RESULT IN THE IMMEDIATE TERMINATION OF THE MEMORANDUM OF UNDERSTANDING.

(4) IF THE BOARD WILLFULLY SHARES OR DISCLOSES FOR UNAUTHORIZED PURPOSES INFORMATION THAT IS TRADE SECRET INFORMATION, CONFIDENTIAL COMMERCIAL OR PROPRIETARY INFORMATION, OR INFORMATION DESIGNATED AS CONFIDENTIAL BY THE OWNER OF THE INFORMATION, THE BOARD SHALL PROVIDE FOR STATUTORY DAMAGES TO THE OWNER OF THE INFORMATION THE AMOUNT OF \$200,000 PER VIOLATION, IN ADDITION TO BEING SUBJECT TO ANY PENALTIES AVAILABLE UNDER FEDERAL AND STATE LAWS, INCLUDING TRADE SECRET MISAPPROPRIATION LAWS, TO THE EXTENT ALLOWED BY LAW.

(D) BASED ON THE DETERMINATIONS MADE UNDER SUBSECTION (A) OF THIS SECTION AND THE DATA OBTAINED FROM STATES IDENTIFIED UNDER SUBSECTION (B) OF THIS SECTION, THE BOARD, IN CONSULTATION WITH THE STAKEHOLDER COUNCIL, SHALL ADOPT REGULATIONS TO:

(1) ESTABLISH METHODS FOR COLLECTING DATA NECESSARY TO CARRY OUT ITS DUTIES UNDER THIS SECTION; AND

(2) IDENTIFY CIRCUMSTANCES UNDER WHICH THE COST OF A PRESCRIPTION DRUG PRODUCT MAY CREATE OR HAS CREATED AFFORDABILITY CHALLENGES FOR THE STATE HEALTH CARE SYSTEM AND PATIENTS.

21-2C-08.”.

AMENDMENT NO. 5

On page 14, in line 29, strike the third “THE” and substitute “:

1. THE”;

and in line 30, after “PRODUCT” insert “;AND

2. AS APPROPRIATE, A PHARMACY BENEFITS MANAGER, HEALTH INSURANCE CARRIER, HEALTH MAINTENANCE ORGANIZATION, OR MANAGED CARE ORGANIZATION WITH RELEVANT INFORMATION ON SETTING THE COST OF A PRESCRIPTION DRUG PRODUCT IN THE STATE.

On page 15, in line 5, after “MANUFACTURER” insert “, PHARMACY BENEFITS MANAGER, HEALTH INSURANCE CARRIER, HEALTH MAINTENANCE ORGANIZATION, OR MANAGED CARE ORGANIZATION”; strike beginning with “OR” in line 8 down through “SECTION” in line 9; and in line 21, after “COST” insert “AND ANY OTHER RELEVANT PRESCRIPTION DRUG COST INDEX”.

On page 17, in line 4, after “MANUFACTURER” insert “AND PHARMACY BENEFITS MANAGER”; in the same line, after “THE” insert “PRESCRIPTION DRUG PRODUCT UNDER REVIEW FOR THE”; in line 10, strike “(1)”; and strike beginning with “RECOMMEND” in line 12 down through “SUBSECTION” in line 20 and substitute “RECOMMEND A STRATEGY FOR MAKING THE DRUG MORE AFFORDABLE IN THE STATE”.

On pages 17 and 18, strike in their entirety the lines beginning with line 21 on page 17 through line 29 on page 18, inclusive, and substitute:

“21-2C-09.

ALL INFORMATION AND DATA COLLECTED BY THE BOARD DURING A REVIEW UNDER THIS SUBTITLE:

(1) IS CONSIDERED TO BE CONFIDENTIAL AND PROPRIETARY INFORMATION; AND

(2) IS NOT SUBJECT TO DISCLOSURE UNDER THE PUBLIC INFORMATION ACT.”

AMENDMENT NO. 6

On page 18, in line 30, strike “**21-2C-08.**” and substitute “**21-2C-10.**”.

On page 19, in lines 3 and 11, strike “~~21-2C-09.~~” and “~~21-2C-10.~~”, respectively, and substitute “21-2C-11.” and “21-2C-12.”, respectively; and strike beginning with “~~THE~~” in line 6 down through “~~(C)~~” in line 8.

On pages 19 and 20, strike in their entirety the lines beginning with line 12 on page 19 through line 12 on page 20, inclusive, and substitute:

“(A) (1) ON OR BEFORE DECEMBER 31, 2020, THE BOARD SHALL DETERMINE A FUNDING SOURCE FOR THE BOARD.

(2) IN DETERMINING A FUNDING SOURCE, THE BOARD SHALL CONSIDER:

(I) ASSESSING AND COLLECTING A FEE ON MANUFACTURERS, PHARMACY BENEFIT MANAGERS, HEALTH INSURANCE CARRIERS, OR OTHER ENTITIES;

(II) USING REBATES THE STATE OR LOCAL GOVERNMENT RECEIVES FROM MANUFACTURERS; AND

(III) ANY OTHER METHOD IT DETERMINES APPROPRIATE FOR FUNDING THE BOARD.

(3) ON OR BEFORE DECEMBER 31, 2020, THE BOARD SHALL REPORT BACK TO THE SENATE FINANCE COMMITTEE AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE WITH A RECOMMENDATION ON LEGISLATION NECESSARY TO ESTABLISH A FUNDING SOURCE FOR THE BOARD.”.

On page 20, in line 13, strike “~~(D)~~” and substitute “(B)”; in lines 14 and 15, strike “~~ASSESSMENTS REQUIRED UNDER THIS SECTION~~” and substitute “FUNDS FROM THE FUNDING SOURCE DETERMINED BY THE BOARD UNDER SUBSECTION (A) OF THIS SECTION”; in line 16, strike “~~21-2C-11.~~” and substitute “21-2C-13.”; in line 17, after “~~31~~” insert “, 2021, AND”; in the same line, strike “~~YEAR~~” and substitute “DECEMBER 31 THEREAFTER”; and in line 28, after “~~STATE~~” insert “, INCLUDING TO EXPAND THE AUTHORITY OF THE BOARD”.

On pages 20 and 21, strike in their entirety the lines beginning with line 29 on page 20 through line 12 on page 21, inclusive.

On page 21, in line 22, strike “seven” and substitute “eight”; and in lines 23 and 24, in each instance, strike “seven” and substitute “nine”.

AMENDMENT NO. 7

On page 22, in line 11, strike “Health Services Cost Review Commission” and substitute “Prescription Drug Affordability Board established under § 21–2C–02 of the Health – General Article, as enacted by Section 1 of this Act”; in the same line, after “with” insert “the Prescription Drug Affordability Stakeholder Council established under § 21–2C–04 of the Health – General Article, as enacted by Section 1 of this Act, the Health Services Cost Review Commission, and”; in line 13, strike “upper payment limits and”; in line 18, strike “the upper payment limits established” and substitute “policy actions”; after line 23, insert:

“SECTION 5. AND BE IT FURTHER ENACTED, That, on or before December 1, 2020, the State Designated Health Information Exchange and the Prescription Drug Affordability Board established under § 21–2C–02 of the Health – General Article, as enacted by Section 1 of this Act, jointly shall:

(1) study how the Information Exchange can provide de-identified provider and patient data to the Board; and

(2) report their findings and recommendations, including any necessary statutory changes, to the General Assembly, in accordance with § 2–1246 of the State Government Article.”;

in line 24, strike “5.” and substitute “6.”; in line 29, strike “6.” and substitute “7.”; and in line 30, strike “October” and substitute “July”.

The preceding 7 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

FINANCE COMMITTEE REPORT NO. 51

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

House Bill 768 – Delegates Pena–Melnyk, D. Barnes, Acevero, Anderson, Atterbeary, Bagnall, B. Barnes, Barron, Bartlett, Barve, Boyce, Bridges, Brooks, Cain, Cardin, Carey, Carr, Cassilly, Chang, Charkoudian, Charles, Ciliberti, Clippinger, Conaway, Corderman, Crosby, Crutchfield, D.M. Davis, D.E. Davis, Dumais, Ebersole, Feldmark, Fennell, W. Fisher, Fraser–Hidalgo, Gaines, Ghrist, Gilchrist, Glenn, Guyton, Harrison, Haynes, Healey, Hettleman, Hill, Holmes, Impallaria, Ivey, Jackson, Jalisi, Johnson, Jones, Kaiser, Kelly, Kerr, Korman, Krimm, Lafferty, Lehman, J. Lewis, R. Lewis, Lierman, Lisanti, Lopez, Love, Luedtke, McIntosh, Metzgar, Moon, Mosby, Palakovich Carr, Patterson, Proctor, Qi, Queen, Reilly, Reznik, Rogers, Rosenberg, Sample–Hughes, Shetty, Smith, Solomon, Stein, Stewart, Sydnor, Terrasa, Turner, Valderrama, Valentino–Smith, Walker, Washington, C. Watson, R. Watson, Wilkins, Wilson, K. Young, ~~and P. Young~~ P. Young, Pendergrass, Bhandari, and Cullison

AN ACT concerning

Health – Prescription Drug Affordability Board

HB0768/887275/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 768

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 22, strike “make certain determinations” and substitute “collect and review certain information, make a certain determination, monitor and review certain actions, assess certain information, study certain matters,”; in line 24, after “date;” insert “requiring the Board to verify that a certain state has obtained certain consent of a certain owner before taking certain actions; authorizing only certain Board members and staff to access certain information; requiring that the Board’s certain access, use, or sharing of certain information gives rise to a certain cause of action and results in the immediate termination of a certain memorandum of understanding; requiring that, if the Board willfully shares or discloses certain information for certain purposes, the Board shall provide for certain damages;”; strike beginning with “set” in line 36 down through “factors” in line 37 and substitute “recommend a certain strategy”; and strike beginning with “requiring” in line 42 down through “date;” in line 43.

On pages 2 and 3, strike beginning with “requiring” in line 45 on page 2 down through “list;” in line 1 on page 3.

On page 3, in line 25, strike “21-2C-14” and substitute “21-2C-13”.

AMENDMENT NO. 2

On page 7, in line 20, after “MANUFACTURERS” insert “, OR A PHARMACY BENEFITS MANAGER OR A TRADE ASSOCIATION FOR PHARMACY BENEFITS MANAGERS”.

On page 8, in line 24, after “SUBTITLE;” insert “AND”; strike lines 25 through 27, inclusive; and in line 28, strike “3.” and substitute “2.”.

On page 11, in line 4, strike “25” and substitute “26”; after line 26, insert:

“(V) ONE REPRESENTATIVE OF DENTISTS;”;

and in line 27, strike “(V)” and substitute “(VI)”.

On page 12, in lines 1, 3, and 4, strike “(VI)”, “(VII)”, and “(VIII)”, respectively, and substitute “(VII)”, “(VIII)”, and “(IX)”, respectively.

On page 14, strike beginning with “ON” in line 15 down through “SHORTAGE” in line 24 and substitute “ON OR BEFORE DECEMBER 31, 2020, THE BOARD, IN CONSULTATION WITH THE STAKEHOLDER COUNCIL, SHALL:”

(1) COLLECT AND REVIEW PUBLICLY AVAILABLE INFORMATION REGARDING BRAND AND GENERIC BIOPHARMACEUTICAL MANUFACTURERS, HEALTH INSURERS, PHARMACEUTICAL WHOLESALERS, AND PHARMACY BENEFITS MANAGERS;

(2) REVIEW ANY INFORMATION REQUESTED UNDER § 21-2C-08(C)(2)(I) OF THIS SUBTITLE;

(3) DETERMINE WHAT ADDITIONAL DATA IS NECESSARY TO CARRY OUT ITS DUTIES UNDER THIS SUBTITLE AND HOW TO ACCESS THE DATA;

(4) REVIEW AND ASSESS THE PHARMACEUTICAL DISTRIBUTION AND PAYMENT SYSTEM IN THE STATE;

(5) MONITOR AND REVIEW POTENTIAL AND ACTUAL FEDERAL CHANGES TO THE PHARMACEUTICAL DISTRIBUTION AND PAYMENT SYSTEM, INCLUDING PROPOSED FEDERAL REGULATIONS THAT WOULD REDUCE OUT-OF-POCKET SPENDING ON PRESCRIPTION DRUGS;

(6) MONITOR AND REVIEW FEDERAL REGULATIONS GOVERNING THE MEDICAID DRUG REBATE PROGRAM TO SUPPORT VOLUNTARY, VALUE-BASED PURCHASING ARRANGEMENTS BETWEEN STATES AND MANUFACTURERS;

(7) ASSESS THE IMPACT OF POTENTIAL AND ACTUAL FEDERAL CHANGES TO THE PHARMACEUTICAL DISTRIBUTION AND PAYMENT SYSTEM;

(8) MONITOR AND REVIEW THE IMPACT OF STEPS TAKEN BY THE DEPARTMENT, THE MARYLAND INSURANCE ADMINISTRATION, AND OTHER STATE AGENCIES TO INCREASE TRANSPARENCY AND LOWER THE COST OF PRESCRIPTION DRUGS;

(9) STUDY DIFFERENT CAUSES OF DRUG SHORTAGES AND HOW DRUG SHORTAGES IMPACT THE COST OF PRESCRIPTION DRUG PRODUCTS;

(10) STUDY WHETHER UPPER PAYMENT LIMITS WOULD BE APPROPRIATE IN ADDRESSING COSTS; AND

(11) STUDY OTHER POLICY PROPOSALS FROM ACROSS THE COUNTRY TO LOWER THE COST OF PRESCRIPTION DRUGS, INCLUDING A REVERSE AUCTION MARKETPLACE”.

On page 15, after line 2, insert:

“(C) (1) BEFORE OBTAINING OR USING ANY INFORMATION OBTAINED THROUGH A MEMORANDUM OF UNDERSTANDING ENTERED INTO WITH ANOTHER STATE UNDER THIS SUBTITLE, THE BOARD SHALL VERIFY THAT THE STATE PROVIDING THE INFORMATION TO THE BOARD HAS OBTAINED THE EXPRESS

CONSENT OF THE OWNER OF ANY TRADE SECRET INFORMATION, CONFIDENTIAL COMMERCIAL OR PROPRIETARY INFORMATION, OR INFORMATION DESIGNATED AS CONFIDENTIAL BY THE OWNER OF THE INFORMATION.

(2) ONLY BOARD MEMBERS AND STAFF MAY ACCESS THE INFORMATION OBTAINED THROUGH A MEMORANDUM OF UNDERSTANDING ENTERED INTO WITH ANOTHER STATE UNDER THIS SUBTITLE.

(3) THE BOARD’S UNAUTHORIZED ACCESS, USE, OR SHARING OF ANY TRADE SECRET INFORMATION, CONFIDENTIAL COMMERCIAL OR PROPRIETARY INFORMATION, OR INFORMATION DESIGNATED AS CONFIDENTIAL BY THE OWNER OF THE INFORMATION IN ACCORDANCE WITH A MEMORANDUM OF UNDERSTANDING SHALL:

(I) GIVE RISE TO A CAUSE OF ACTION, AND BE SUBJECT TO ALL APPLICABLE REMEDIES, INCLUDING CIVIL AND CRIMINAL PENALTIES UNDER ANY APPLICABLE FEDERAL AND STATE TRADE SECRET MISAPPROPRIATION LAW; AND

(II) RESULT IN THE IMMEDIATE TERMINATION OF THE MEMORANDUM OF UNDERSTANDING.

(4) IF THE BOARD WILLFULLY SHARES OR DISCLOSES FOR UNAUTHORIZED PURPOSES INFORMATION THAT IS TRADE SECRET INFORMATION, CONFIDENTIAL COMMERCIAL OR PROPRIETARY INFORMATION, OR INFORMATION DESIGNATED AS CONFIDENTIAL BY THE OWNER OF THE INFORMATION, THE BOARD SHALL PROVIDE FOR STATUTORY DAMAGES TO THE OWNER OF THE INFORMATION THE AMOUNT OF \$200,000 PER VIOLATION, IN ADDITION TO BEING SUBJECT TO ANY PENALTIES AVAILABLE UNDER FEDERAL AND STATE LAWS, INCLUDING TRADE SECRET MISAPPROPRIATION LAWS, TO THE EXTENT ALLOWED BY LAW.”;

in line 3, strike “(C)” and substitute “(D)”; in line 8, after “SECTION;” insert “AND”; in line 11, strike “;AND” and substitute a period; and strike lines 12 through 14, inclusive.

On page 17, strike beginning with “OR” in line 19 down through “SECTION” in line 20.

On page 19, strike beginning with “SET” in line 23 down through “DRUG” in line 30 and substitute “RECOMMEND A STRATEGY FOR MAKING THE DRUG MORE AFFORDABLE IN THE STATE”.

On page 21, strike lines 7 through 28, inclusive.

On page 22, strike lines 1 through 9, inclusive; in lines 10, 17, 20, and 28, strike “21-2C-10.”, “21-2C-11.”, “21-2C-12.”, and “21-2C-13.”, respectively, and substitute “21-2C-09.”, “21-2C-10.”, “21-2C-11.”, and “21-2C-12.”, respectively; and strike beginning with “THE” in line 23 down through “(C)” in line 25.

On page 24, in line 18, strike “21-2C-14.” and substitute “21-2C-13.”; in line 19, strike “2021” and substitute “2020”; and in line 31, after “STATE” insert “, INCLUDING TO EXPAND THE AUTHORITY OF THE BOARD”.

On page 25, in line 24, strike “eight” and substitute “nine”.

On page 26, in line 18, strike “upper payment limits and”; in line 23, strike “the upper payment limits established” and substitute “policy actions”; and strike lines 29 through 33, inclusive.

On page 27, strike lines 1 through 7, inclusive; in line 8, strike “6.” and substitute “5.”; in line 17, strike “7.” and substitute “6.”; and in line 22, strike “8.” and substitute “7.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 796 – Delegates Wilkins, Bagnall, Hill, Kerr, R. Lewis, Lisanti, Patterson, and Shetty

AN ACT concerning

Public Health – Maternal Mortality Review Program – Establishment of Local Teams

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 934 – Delegate D.E. Davis

AN ACT concerning

Consumer Protection – Resale of Tickets – Disclosures and Refunds

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1098 – Delegate Kipke

AN ACT concerning

**Health Insurance – Maryland Health Benefit Exchange – Small Business Tax
Credit Subsidy**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

RULES COMMITTEE REPORT NO. 13

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

Senate Bill 969 – Senator Peters

AN ACT concerning

**Family Investment Program – Transitional Assistance for Education Pilot
Program**

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

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

**House Bill 171 – Chair, Ways and Means Committee (By Request – Departmental
– State Board of Elections)**

AN ACT concerning

**Elections – Campaign Finance Entities – Termination and Filing of Final
Campaign Finance Report**

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

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

**House Bill 173 – Chair, Ways and Means Committee (By Request – Departmental
– Commerce)**

AN ACT concerning

Economic Development – Job Creation Tax Credit – Sunset Extension

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

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

House Bill 215 – ~~Delegate Jackson~~ Delegates Jackson and Krebs

AN ACT concerning

**Public Information Act – 9-1-1 Communications – Denial of Part of a Public
Record**

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

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

**House Bill 543 – Delegates Jones, Bartlett, Barve, Brooks, Cardin, Chang, Dumais,
Gaines, Healey, Hettleman, Hornberger, Lierman, Pena-Melnyk,
Pendergrass, Solomon, Stein, and Sydnor**

AN ACT concerning

Maryland Technology Development Corporation – Investments and Operations

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

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

House Bill 710 – Delegates Crutchfield, Bartlett, and Charkoudian

AN ACT concerning

Correctional Services – Prerelease ~~Unit~~ Study and Report

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

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

House Bill 790 – Delegates Queen, Charkoudian, Dumais, Fennell, Glenn, Hettleman, Kelly, Korman, Krimm, Lopez, Luedtke, Moon, Palakovich Carr, Patterson, Pena-Melnyk, Proctor, Qi, Shetty, Stewart, Valderrama, C. Watson, Wilkins, and K. Young

AN ACT concerning

**Equal Pay for Equal Work – Enforcement – Civil Penalties
(Equal Pay Remedies and Enforcement Act)**

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

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

House Bill 795 – ~~Delegate Valderrama~~ Delegates Branch and Glenn

AN ACT concerning

**~~Workers' Compensation – Provision of Medical Services and Treatment –
Notification to Seek Treatment~~ Permanent Partial Disability – Baltimore City
Deputy Sheriffs**

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

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

House Bill 956 – Delegates Mosby, Walker, Anderson, Conaway, Glenn, Haynes, Ivey, Jalisi, R. Lewis, ~~and Turner~~ Turner, Ebersole, Feldmark, Guyton,

Luedtke, Palakovich Carr, Patterson, Shoemaker, Smith, Washington, and Wilkins

AN ACT concerning

Income Tax – Lead Remediation Credit

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

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

House Bill 1002 – Delegates J. Lewis, Atterbeary, Bridges, Carr, Charkoudian, Conaway, Cox, Crutchfield, D.M. Davis, Dumais, W. Fisher, Glenn, Guyton, Hettleman, Jalisi, Kelly, Korman, Lierman, Lopez, Love, Luedtke, Moon, Mosby, Palakovich Carr, Queen, Shetty, Stewart, Sydnor, Turner, R. Watson, Wells, and Wilkins

AN ACT concerning

Correctional Services – Restrictive Housing – Direct Release

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

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

House Bill 1003 – Delegates Valderrama, D.E. Davis, and Lisanti

AN ACT concerning

Vehicle Laws – Rental Vehicles – Security

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

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

House Bill 1155 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – ~~Illegal Littering~~ Disposal of Bulky Items – Penalties

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

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

House Bill 1160 – Delegate Lierman

AN ACT concerning

Public Health – Breathe Easy East Baltimore Pilot Program

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

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

House Bill 1306 – Howard County Delegation

AN ACT concerning

Howard County – Howard County Housing Commission – Subsidiary Entities

Ho. Co. 26–19

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

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

House Bill 1362 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County Environmental Justice Commission – Alterations and Extension

PG 421–19

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

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

House Bill 1366 – Delegates Cain, Bagnall, Bartlett, Chang, Charkoudian, Feldmark, Guyton, Kerr, Lehman, Lierman, Palakovich Carr, Pena–Melnyk, Smith, Solomon, ~~and C. Watson~~ C. Watson, and Lafferty

AN ACT concerning

**Maryland Association of Environmental and Outdoor Education Grant
(Maryland Green Schools Act of 2019)**

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

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

House Bill 1388 – Delegates Crutchfield, Carr, Charles, Kelly, Kerr, and Sample–Hughes

AN ACT concerning

Long–Term Care Insurance – Annual Notice

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

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

House Bill 1390 – Delegates Smith, Anderson, Boyce, Bridges, Conaway, and Mosby

AN ACT concerning

Baltimore City – Property Tax Credit – Low–Income Employees

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

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

House Bill 1421 – Chair, Health and Government Operations Committee (By Request – Departmental – Health)

AN ACT concerning

Maryland Health Benefit Exchange – Functions and Outreach

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

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

House Bill 1426 – Chair, Health and Government Operations Committee (By Request – Departmental – Health)

AN ACT concerning

Health Services Cost Review Commission – Duties and Reports – Revisions

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

Senator Benson, Chair, for the Committee on Rules recommended the following Joint Resolution be re-referred to the Committee on Education, Health, and Environmental Affairs:

House Joint Resolution 9 – Delegates Cain, Acevero, Attar, Bagnall, D. Barnes, Barve, Branch, Bridges, Brooks, Busch, Carey, Carr, Chang, Charkoudian, Chisholm, Corderman, Crosby, Dumais, Ebersole, Feldmark, W. Fisher, Fraser-Hidalgo, Guyton, Hill, Holmes, Jones, Kaiser, Kipke, Korman, Lehman, J. Lewis, R. Lewis, Lierman, Love, Luedtke, Malone, McIntosh, Mosby, Palakovich Carr, Pena-Melnyk, Pendergrass, Smith, Solomon, Turner, ~~and Wilkins~~ Wilkins, Healey, Glenn, Atterbeary, B. Barnes, Beitzel, D.E. Davis, Gaines, McComas, Reznik, and Stein

A House Joint Resolution concerning

Freedom of the Press Day

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

Senator Benson, Chair, for the Committee on Rules recommended the following Joint Resolution be re-referred to the Committee on Education, Health, and Environmental Affairs:

House Joint Resolution 11 – Delegates ~~Sample-Hughes and Patterson~~, Patterson, Healey, Glenn, Atterbeary, B. Barnes, Barve, Beitzel, D.E. Davis, Dumais, Gaines, Jones, Kipke, McComas, McIntosh, Pena-Melnyk, Reznik, Stein, and Szeliga

A House Joint Resolution concerning

Women Veterans Day

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

SPECIAL ORDER CALENDAR NO. 44

House Bill 1244 – Delegates Acevero, Charles, Pena-Melnyk, Corderman, W. Fisher, Harrison, Hettleman, Ivey, Jackson, Johnson, Kelly, Lehman, J. Lewis, R. Lewis, Lierman, Lopez, McKay, Palakovich Carr, Qi, Queen, Solomon, Stewart, Sydnor, Terrasa, Turner, C. Watson, ~~and Wilkins~~ Wilkins, Barron, Bhandari, Carr, Hill, Kerr, Pendergrass, Sample-Hughes, and K. Young

AN ACT concerning

Public Buildings ~~and Places of Public Accommodation~~ – Diaper-Changing Facilities

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

HB1244/518074/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1244

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “establishing” in line 14 down through “determination” in line 15 and substitute “providing that the governing body of a political subdivision is responsible for enforcement of certain provisions of this Act under certain circumstances”.

AMENDMENT NO. 2

On page 2, in lines 26 and 28, in each instance, after “**STATE**” insert “OR A POLITICAL SUBDIVISION OF THE STATE”.

On page 3, in line 8, strike “\$50,000” and substitute “\$10,000”.

On page 4, in line 5, before “**THE**” insert “(A)”; and after line 10, insert:

“(B) THE GOVERNING BODY OF A POLITICAL SUBDIVISION IS RESPONSIBLE FOR THE ENFORCEMENT OF THIS SUBTITLE IF:

(1) CONSTRUCTION IS NOT ON STATE-OWNED LAND;

(2) FUNDS OF THE POLITICAL SUBDIVISION ARE USED; AND

(3) NO STATE FUNDS ARE USED, EXCEPT FOR STATE FUNDS FOR SCHOOL CONSTRUCTION.”.

The preceding 2 amendments were read only.

Senator Ready moved to make the Bill and Amendments a Special Order for April 5, 2019.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 1140)

SENATE THIRD READING CALENDAR NO. 69 (GENERAL SENATE BILLS)

Senate Bill 773 – Senator Smith

AN ACT concerning

Health Care Malpractice Qualified Expert – Qualification

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

Affirmative – 44 Negative – 0 (See Roll Call No. 1141)

The Bill was then sent to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 70 (GENERAL SENATE BILLS)

Senate Bill 598 – Senator Nathan-Pulliam

AN ACT concerning

Maryland Medical Assistance Program – Coverage – Hepatitis C Drugs

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1142)

The Bill was then sent to the House of Delegates.

Senate Bill 619 – Senator Carter

EMERGENCY BILL

AN ACT concerning

**University of Maryland Medical System Corporation – Board of ~~Directors~~
~~Conflicts of Interest, Prestige of Office, and Financial Disclosure~~
Directors, Ethics, and Performance Audits**

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1143)

The Bill was then sent to the House of Delegates.

**Senate Bill 803 – Senators Kelley, Benson, Elfreth, Feldman, Hayes, Klausmeier,
and Kramer**

AN ACT concerning

**Health Facilities – Hospitals – Disclosure of Outpatient Facility Fees
(Facility Fee Right-to-Know Act)**

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1144)

The Bill was then sent to the House of Delegates.

Senate Joint Resolution 5 – Senator Carozza

A Senate Joint Resolution concerning

Welcome Home Korean War Veterans Day

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1145)

The Bill was then sent to the House of Delegates.

**SENATE THIRD READING CALENDAR NO. 37 (GENERAL HOUSE BILLS)
CONSENT NO. 19**

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 352	Montgomery County Delegation and Prince George's County Delegation	Property Tax Credits – M–NCPPC Park Police Officers and WSSC Police Officers MC/PG 108–19	B&T
HB 358	St. Mary's County Delegation	St. Mary's County – Public Facility Bonds	B&T
HB 574	Carroll County Delegation	Carroll County – Public Facilities Bonds	B&T
HB 623	Calvert County Delegation	Calvert County – Local Debt Bonding Authority	B&T

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

All of the above listed bills on the Third Reading Consent Calendar were read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 1146)

The Bills were then returned to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 38 (GENERAL HOUSE BILLS)

House Bill 116 – Delegates Barron, Sydnor, and Pena–Melnyk

AN ACT concerning

Public Health – Correctional Services – Opioid Use Disorder Examinations and Treatment

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1147)

The Bill was then returned to the House of Delegates.

House Bill 190 – ~~Delegate Lafferty~~ Delegates Lafferty and Qi

AN ACT concerning

Environment – Failing On-Site Sewage Disposal System – Definition

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

Affirmative – 41 Negative – 4 (See Roll Call No. 1148)

The Bill was then returned to the House of Delegates.

House Bill 332 – ~~Delegate McKay~~ Delegates McKay, Pendergrass, Pena-Melnyk, Bagnall, Barron, Bhandari, Carr, Charles, Cullison, Hill, Johnson, Kerr, Krebs, R. Lewis, Metzgar, Rosenberg, Sample-Hughes, and K. Young

AN ACT concerning

Maryland Department of Health – Community Dental Clinics Grant Program

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1149)

The Bill was then returned to the House of Delegates.

House Bill 417 – Delegates Hill, Acevero, Bartlett, Boyce, Bromwell, Brooks, Ebersole, Feldmark, Fraser-Hidalgo, Grammer, Jalisi, Lafferty, R. Lewis, Lierman, Long, Patterson, Stein, Sydnor, Terrasa, C. Watson, Wells, and P. Young ~~P. Young~~, Bridges, Cassilly, Clark, Gilchrist, Harrison, Healey, Holmes, Jacobs, Lehman, Love, Otto, Proctor, and Stewart

AN ACT concerning

Water Pollution Control – ~~Public~~ Notification of Sewer Overflows and Treatment Plant Bypasses – Alteration

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1150)

The Bill was then returned to the House of Delegates.

House Bill 460 – Harford County Delegation

AN ACT concerning

Harford County Board of Education – Elected Members – Start Date of Term

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1151)

The Bill was then returned to the House of Delegates.

House Bill 510 – Delegates Cassilly, Jalisi, and Stein

AN ACT concerning

~~Composting – Food Waste – Acceptance for Final Disposal~~
Organic Waste – Organics Recycling – Collection and Acceptance for Final Disposal

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1152)

The Bill was then returned to the House of Delegates.

House Bill 511 – Delegate Cassilly

AN ACT concerning

Maryland Commercial Fertilizer Law – Definition of Soil Conditioner – Alteration

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1153)

The Bill was then returned to the House of Delegates.

House Bill 594 – The Speaker (By Request – Office of the Attorney General) and Delegates Atterbeary, Barve, Clippinger, D.E. Davis, Fennell, Gaines, Hettleman, Hill, Kelly, Sample–Hughes, Stein, Valentino–Smith, and Wilson

AN ACT concerning

Financial Institutions – Student Loan Servicers – Unfair, Abusive, or Deceptive Trade Practices

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1154)

The Bill was then returned to the House of Delegates.

House Bill 638 – Delegates Pendergrass, McIntosh, Pena–Melnyk, ~~and Reznik~~ Reznik, Bagnall, Barron, Carr, Charles, Cullison, Hill, Kelly, Kerr, Kipke, Krebs, R. Lewis, Rosenberg, Sample–Hughes, and K. Young

AN ACT concerning

State Board of Physicians – Sunset Evaluation and Performance Audit

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1155)

The Bill was then returned to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 39 (GENERAL HOUSE BILLS)

House Bill 738 – ~~Delegate Kipke~~ Delegates Kipke, Bagnall, Barron, Bhandari, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kelly, Kerr, Krebs, R. Lewis, Metzgar, Morgan, Pena–Melnyk, Pendergrass, Rosenberg, Saab, Sample–Hughes, and Szeliga

AN ACT concerning

Dental Hygienist – Scope of Practice – ~~Authority to Practice~~ Practice Settings Under General Supervision of Licensed Dentist

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1156)

The Bill was then returned to the House of Delegates.

House Bill 824 – Delegates Jones, B. Barnes, Gaines, McIntosh, and Mosby

~~EMERGENCY BILL~~

AN ACT concerning

**Financial Aid – Guaranteed Access Grants – Verification and Administration by
Institutions of Higher Education**

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1157)

The Bill was then returned to the House of Delegates.

**House Bill 1010 – Delegates Atterbeary, Brooks, Anderton, Boteler, Bridges,
Buckel, Carr, Cassilly, Chang, Charles, Corderman, Cullison, W. Fisher,
Ghrist, Gilchrist, Grammer, Hornberger, Ivey, Jackson, Kelly, Kerr, Krimm,
J. Lewis, Lierman, Lisanti, Lopez, Luedtke, Moon, Mosby, Palakovich Carr,
Pippy, Queen, Reilly, Reznik, Saab, Shetty, Shoemaker, Smith, Solomon,
Stewart, Szeliga, Valderrama, Washington, Wilkins, K. Young, and P. Young**

AN ACT concerning

Brewery Modernization Act of 2019

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

Affirmative – 44 Negative – 1 (See Roll Call No. 1158)

The Bill was then returned to the House of Delegates.

House Bill 1021 – Delegate Glenn

AN ACT concerning

Business Occupations and Professions – Barbers – Additional Students

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1159)

The Bill was then returned to the House of Delegates.

House Bill 1065 – Delegate Carey

AN ACT concerning

Maryland Commercial Receivership Act

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1160)

The Bill was then returned to the House of Delegates.

House Bill 1166 – Howard County Delegation

AN ACT concerning

Howard County – Authority to Impose Fees for Use of Disposable Bags

Ho. Co. 04–19

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

Affirmative – 35 Negative – 10 (See Roll Call No. 1161)

The Bill was then returned to the House of Delegates.

House Bill 1206 – Delegates Kaiser, Cain, Feldmark, Guyton, Hornberger, Luedtke, Palakovich Carr, Patterson, and Rose

AN ACT concerning

Maryland Longitudinal Data System Center – Data Matching

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1162)

The Bill was then returned to the House of Delegates.

House Bill 1349 – Delegates Patterson, Acevero, D. Barnes, Barron, Bartlett, Bridges, Charles, Crosby, Crutchfield, D.M. Davis, Ebersole, Fennell, W. Fisher, Gaines, Glenn, Healey, Hill, Jalisi, Kaiser, Lehman, McComas, McKay, Mosby, Proctor, Queen, Sample–Hughes, Sydnor, Turner, Valentino–Smith, Walker, Washington, R. Watson, Wilkins, and Wilson

AN ACT concerning

Public Schools – Students With Sickle Cell Disease – Revisions

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1163)

The Bill was then returned to the House of Delegates.

House Bill 1353 – Chair, Environment and Transportation Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Agriculture – Nuisance Insects

FLOOR AMENDMENT

HB1353/563626/1

BY: Senator Kagan

AMENDMENTS TO HOUSE BILL 1353, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “authorizing” and substitute “specifying that a certain notice be provided to certain entities and posted on certain social media sites; authorizing”.

AMENDMENT NO. 2

On page 3, in line 2, after “(B)” insert “NOTICE PROVIDED UNDER SUBSECTION (A)(3)(IV) OF THIS SECTION SHALL, AT A MINIMUM, BE:

(1) PROVIDED TO:

(i) LOCAL PRESS OUTLETS;

(ii) COUNTY AND LOCAL GOVERNMENTS THAT ARE IN THE AREA THAT WILL BE AFFECTED BY THE SPRAYING;

(iii) EMERGENCY RESPONDERS AND ASSOCIATED AGENCIES THAT SERVICE THE AREA THAT WILL BE AFFECTED BY THE SPRAYING; AND

(IV) THE LOCAL RIVERKEEPER FOR THE AREA THAT WILL BE AFFECTED BY THE SPRAYING; AND

(2) POSTED ON APPROPRIATE SOCIAL MEDIA SITES.

(c)".

The preceding 2 amendments were read and adopted.

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1164)

The Bill was then returned to the House of Delegates.

**MESSAGE FROM THE HOUSE
SENATE BILLS AMENDED IN THE HOUSE NO. 22**

AMENDED IN THE HOUSE

Senate Bill 346 – Senators Ferguson, Elfreth, Ellis, Feldman, Guzzone, Kelley, Rosapepe, Smith, Washington, West, and Young

AN ACT concerning

Public Safety – Regulated Firearms – ~~Transfer~~ Sell, Rent, Transfer, or Loan

Senator Zirkin moved that the Senate not concur in the House amendments.

SB0346/652811/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 346

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Sell, Rent, Transfer, or Loan" and substitute "Prohibition of Loans"; strike beginning with "providing" in line 5 down through "course" in line 11 and substitute "prohibiting a certain dealer or other person from loaning a regulated firearm to a certain borrower under certain circumstances; prohibiting a certain dealer or other person from selling, renting, loaning, or transferring a regulated firearm to a certain person who

the dealer or other person knows or has reason to believe intends to commit a certain crime or cause certain harm; creating a certain exception to a certain prohibition on selling, renting, loaning, or transferring a regulated firearm to a person under a certain age; making certain conforming changes"; and in line 14, strike "5-134" and substitute "5-134(b)".

AMENDMENT NO. 2

On page 3, strike in their entirety lines 1 through 29, inclusive, and substitute:

“(b) A dealer or other person may not sell, rent, **LOAN**, or transfer a regulated firearm to a purchaser, lessee, **BORROWER**, or transferee who the dealer or other person knows or has reasonable cause to believe:

(1) is under the age of 21 years, **UNLESS THE PURCHASER, LESSEE, BORROWER, OR TRANSFEEE MAY POSSESS THE REGULATED FIREARM UNDER § 5-133(D) OF THIS SUBTITLE;**

(2) has been convicted of a disqualifying crime;

(3) has been convicted of a conspiracy to commit a felony;

(4) has been convicted of a violation classified as a common law crime and received a term of imprisonment of more than 2 years;

(5) is a fugitive from justice;

(6) is a habitual drunkard;

(7) is addicted to a controlled dangerous substance or is a habitual user;

(8) suffers from a mental disorder as defined in § 10-101(i)(2) of the Health – General Article, and has a history of violent behavior against the purchaser, lessee, **BORROWER**, or transferee or another, unless the purchaser, lessee, **BORROWER**, or transferee possesses a physician’s certificate that the recipient is capable of possessing a regulated firearm without undue danger to the purchaser, lessee, **BORROWER**, or transferee or to another;

(9) has been confined for more than 30 consecutive days to a facility as defined in § 10-101 of the Health – General Article, unless the purchaser, lessee,

BORROWER, or transferee possess a physician's certificate that the recipient is capable of possessing a regulated firearm without undue danger to the purchaser, lessee, BORROWER, or transferee or to another;".

On pages 4 and 5, strike in their entirety the lines beginning with line 15 on page 4 through line 9 on page 5, inclusive.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB0346**
SPONSOR: Senator Ferguson, et al
SUBJECT: Public Safety – Regulated Firearms – Sell, Rent, Transfer, or
 Loan

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Hough, Chair
Senator Carter
Senator Waldstreicher

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and adopted.

MESSAGE FROM THE HOUSE SENATE BILLS AMENDED IN THE HOUSE NO. 21

AMENDED IN THE HOUSE

Senate Bill 249 – Senator Lam

AN ACT concerning

**Regional Initiative to Limit or Reduce Greenhouse Gas Emissions in
Transportation Sector – Authorization
(Regional Transportation and Climate Protection Act of 2019)**

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

SB0249/580112/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 249
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, strike “certain committees of”; in line 11, strike “a certain date,” and substitute “certain dates”; and in the same line, strike “and with a certain frequency thereafter,”.

AMENDMENT NO. 2

On page 2, in line 14, strike “**EVERY 6 MONTHS FOR**” and substitute “**EACH YEAR THEREAFTER FOR THE NEXT**”; in line 15, strike “**THEREAFTER**”; and strike beginning with the first “**THE**” in line 16 down through “**OF**” in line 19.

The preceding 2 amendments were read and concurred in.

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

Affirmative – 30 Negative – 14 (See Roll Call No. 1165)

AMENDED IN THE HOUSE

Senate Bill 260 – Senators Pinsky, Ferguson, King, and Young

EMERGENCY BILL

AN ACT concerning

**Community Colleges – Maryland Community College Promise Scholarships –
Revisions**

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

SB0260/274664/1

BY: Appropriations Committee

AMENDMENT TO SENATE BILL 260

(Third Reading File Bill)

On page 4, in line 16, strike “PUBLIC”.

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 – 44 Negative – 1 (See Roll Call No. 1166)

AMENDED IN THE HOUSE

Senate Bill 361 – Senators Hershey, Bailey, Carozza, and Eckardt

AN ACT concerning

Limited Fishing Guide License – Payment for Service – Alteration

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

SB0361/320418/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 361

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Limited Fishing Guide License” and substitute “Natural Resources”; in the same line, strike “Payment for Service” and substitute “Special Charter Boat License”; strike beginning with “authorizing” in line 3 down through “licenses” in line 7 and substitute “specifying that a certain special charter boat license issued by the Department of Natural Resources is valid for certain individuals on a single vessel operated”

by a certain licensed fishing guide and for certain individuals on a vessel under the guidance of a certain licensed fishing guide in tidal waters of the State; and generally relating to special charter boat licenses”; and in line 10, strike “4–210” and substitute “4–745(d)(1)”.

AMENDMENT NO. 2

On pages 1 through 3, strike in their entirety the lines beginning with line 16 on page 1 through line 24 on page 3, inclusive, and substitute:

“4–745.

(d) (1) The Department may provide by regulation for issuance of a special charter boat license that shall be effective for not more than 1 year and shall expire on August 31 and that would be valid for all individuals on a [charter boat] SINGLE VESSEL operated by a [licensed] fishing guide LICENSED UNDER § 4–210.1 OR § 4–701 OF THIS TITLE OR FOR ALL INDIVIDUALS ON A VESSEL UNDER THE GUIDANCE OF A FISHING GUIDE LICENSED UNDER § 4–210 OF THIS TITLE in tidal waters of the State. The fee shall be:

- (i) For 6 fishermen or less \$240.
- (ii) For 7 or more fishermen\$290.”.

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 – 45 Negative – 0 (See Roll Call No. 1167)

AMENDED IN THE HOUSE

Senate Bill 432 – Senators Nathan–Pulliam, Carter, Ellis, Feldman, Guzzone, Kelley, Kramer, Lam, Lee, Smith, Waldstreicher, Washington, Young, ~~and Zucker~~ Zucker, and Patterson

AN ACT concerning

Higher Education – Cyber Warrior Diversity Program – Revisions

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

SB0432/484761/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 432

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 4 down through “conference;” in line 7; strike beginning with “requiring” in line 11 down through “terms;” in line 12 and substitute “altering a certain definition;”; and in line 16, strike “11-1402” and substitute “11-1402(a)”.

On pages 1 and 2, strike in their entirety the lines beginning with line 19 on page 1 through line 5 on page 2, inclusive, and substitute:

“BY repealing and reenacting, without amendments,

Article – Education

Section 11-1402(b)

Annotated Code of Maryland

(2018 Replacement Volume and 2018 Supplement)”.

AMENDMENT NO. 2

On page 2, in line 17, after the semicolon insert “AND”; and strike beginning with the semicolon in line 19 down through “**CENTER**” in line 21.

On pages 2 and 3, strike in their entirety the lines beginning with line 23 on page 2 through line 3 on page 3, inclusive.

On page 3, in line 4, strike the brackets; in the same line, strike “(F)”; in line 12, after the semicolon insert “AND”; in line 14, after “**CENTERS**” insert “THAT ARE LOCATED IN THE STATE”; strike beginning with the semicolon in line 14 down through “**CENTER**” in line 16; and strike in their entirety lines 19 through 27, inclusive.

AMENDMENT NO. 3

On page 4, in line 3, strike the brackets; in the same line, strike “**\$2,250,000**”; in line 6, before “**THE**” insert “AND”; strike beginning with the comma in line 6 down through “**CENTER**” in line 7; in line 15, after the semicolon insert “AND”; strike beginning with the

semicolon in line 16 down through “CENTER” in line 18; in line 19, strike “AT LEAST”; and in line 31, after the second comma insert “AND”.

On pages 4 and 5, strike beginning with the comma in line 32 on page 4 down through “CENTER” in line 1 on page 5.

On page 5, strike in their entirety the lines 3 through 16, inclusive.

The preceding 3 amendments were read and concurred in.

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

Affirmative – 45 Negative – 0 (See Roll Call No. 1168)

AMENDED IN THE HOUSE

Senate Bill 719 – Senators Elfreth, ~~Rosapepe~~, Augustine, Beidle, Benson, Carter, Ellis, Feldman, Ferguson, Griffith, Guzzone, Hayes, Hester, Hough, Kagan, King, Klausmeier, Kramer, Lam, Lee, Miller, Nathan–Pulliam, Patterson, Peters, Pinsky, ~~Rosapepe~~, Smith, Waldstreicher, Washington, Young, Zirkin, and Zucker

AN ACT concerning

University System of Maryland – Board of Regents – Transparency and Oversight

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

SB0719/304168/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 719

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 16, after “changes;” insert “requiring the Board to review certain annual statements; requiring the Board to provide certain education and training to certain Board members at certain times; requiring the Board to approve the membership of certain search committees; requiring the Board to notify certain individuals at least a certain”

number of days before certain financial incentives go into effect; providing for the termination of certain provisions of this Act;”; and in line 20, strike “and 12–103” and substitute “, 12–103, 12–108(b)(3), and 12–109(a)”.

On page 2, after line 2, insert:

“BY repealing and reenacting, without amendments,

Article – Education

Section 12–104(a)

Annotated Code of Maryland

(2018 Replacement Volume and 2018 Supplement)

BY adding to

Article – Education

Section 12–104(p) and (q)

Annotated Code of Maryland

(2018 Replacement Volume and 2018 Supplement)”.

AMENDMENT NO. 2

On page 5, after line 14, insert:

“12–104.

(a) In addition to any other powers granted and duties imposed by this title, and subject to the provisions of Title 11 of this article and any other restriction imposed by law by specific reference to the University System of Maryland, or by any trust agreement involving a pledge of property or money, the Board of Regents has the powers and duties set forth in this section.

(P) THE BOARD OF REGENTS SHALL REVIEW THE ANNUAL FINANCIAL DISCLOSURE STATEMENTS FILED BY THE CHANCELLOR AND THE PRESIDENTS OF EACH CONSTITUENT INSTITUTION IN ACCORDANCE WITH § 5–607 OF THE GENERAL PROVISIONS ARTICLE.

(Q) THE BOARD OF REGENTS SHALL PROVIDE EACH MEMBER APPOINTED TO THE BOARD, AT THE TIME OF APPOINTMENT, AND AT REASONABLE INTERVALS, WITH EDUCATION AND TRAINING ON THE BOARD’S GOVERNANCE POLICIES, FIDUCIARY RESPONSIBILITIES, LEGAL OBLIGATIONS, OVERSIGHT OF PERSONNEL

POLICIES, OVERSIGHT OF CONSTITUENT INSTITUTIONS, AND OTHER RESPONSIBILITIES.

12–109.

(a) **(1) Except as provided in Subtitle 3 of this title, AND SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION,** in consultation with the Chancellor and after a thorough search, the Board of Regents shall appoint a qualified person as president of each constituent institution.

(2) THE BOARD OF REGENTS SHALL APPROVE THE MEMBERSHIP OF ANY SEARCH COMMITTEE CONVENED TO RECOMMEND A QUALIFIED PERSON AS PRESIDENT OF A CONSTITUENT INSTITUTION.”.

AMENDMENT NO. 3

On page 5, after line 14, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Education

12–108.

(b) **(3) (I) [The] SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE** Chancellor is entitled to the compensation established by the Board.

(II) THE BOARD OF REGENTS SHALL NOTIFY THE GOVERNOR, THE PRESIDENT OF THE SENATE, AND THE SPEAKER OF THE HOUSE AT LEAST 30 DAYS BEFORE A CONTRACTUAL SALARY INCREASE, NEGOTIATED SEVERANCE PACKAGE, OR ANY OTHER FINANCIAL BONUS FOR THE CHANCELLOR GOES INTO EFFECT.”;

in line 15, strike “2.” and substitute “3.”; and in line 16, after “2019.” insert “Section 2 of this Act shall remain effective for a period of 2 years and, at the end of June 30, 2021, Section 2 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.

The preceding 3 amendments were read and concurred in.

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

Affirmative – 43 Negative – 0 (See Roll Call No. 1169)

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 62**

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

House Bill 118 – Delegates Washington, Wilkins, Acevero, Bagnall, Barron, Bridges, Cain, Charles, Fennell, W. Fisher, Fraser-Hidalgo, Hettleman, Ivey, Kaiser, Lehman, J. Lewis, Lierman, Luedtke, Mosby, Patterson, Pena-Melnyk, Sample-Hughes, Valderrama, ~~and Wells~~ Wells, and Solomon

AN ACT concerning

Higher Education – Senatorial and Delegate Scholarships – In-State Tuition

HB0118/964537/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 118

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “tuition;” insert “making conforming changes;”; and in line 13, after “18-402” insert “, 18-406(a), (b), and (g), 18-406.1.”.

AMENDMENT NO. 2

On page 3, after line 13, insert:

“18-406.

(a) Except as otherwise provided in this section, each recipient of a senatorial scholarship may hold the scholarship for 4 undergraduate academic years, subject to § 18-406.1 of this subtitle, and 4 graduate academic years if the recipient:

(1) Is a full-time student;

(2) Continues to be [a resident of this State] ELIGIBLE FOR IN-STATE TUITION UNDER THIS ARTICLE; and

(3) Continues to be a student at the institution and takes at least 12 semester hours of courses as an undergraduate or 9 semester hours of courses as a graduate student each semester leading to a degree.

(b) A recipient of an undergraduate or graduate senatorial scholarship may hold the scholarship, appropriately prorated, for 8 academic years if the recipient:

(1) Is a part-time student;

(2) Continues to be [a resident of this State] ELIGIBLE FOR IN-STATE TUITION UNDER THIS ARTICLE; and

(3) Continues to be a student at the institution and takes at least 6 semester hours of courses each semester leading to a degree.

(g) A recipient of a senatorial scholarship who is an individual who is on active duty with the United States military and otherwise meets the conditions of subsection (a) or (b) of this section may be domiciled in this State rather than [a resident of this State] ELIGIBLE FOR IN-STATE TUITION UNDER THIS ARTICLE.

18-406.1.

A recipient may hold a scholarship for a fifth undergraduate academic year or for a semester subsequent to the end of a fourth undergraduate academic year if the recipient:

(1) Requests a scholarship from the Senator for a fifth undergraduate academic year or for a semester subsequent to the end of a fourth undergraduate academic year;

(2) Is a full-time student;

(3) Continues to be [a resident of the State] ELIGIBLE FOR IN-STATE TUITION UNDER THIS ARTICLE;

(4) Continues to be a student at the institution and takes courses leading to a degree; and

(5) Has exhausted the funds available under § 18–406(a) of this subtitle.”.

The preceding 2 amendments were read only.

Senator Simonaire moved to make the Bill and Amendments a Special Order for the end of today’s business.

The motion was adopted.

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

House Bill 237 – Delegate Washington

AN ACT concerning

Election Law – Early Voting Centers – Hours of Operation

HB0237/614133/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 237

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Hours of Operation” and substitute “Establishment”; in line 3, after “of” insert “authorizing all counties, rather than counties with fewer than a certain number of registered voters, to establish one early voting center in addition to the number of early voting centers the county is required to establish if the State Board of Elections, in collaboration with the local board of elections, and the governing body of the county agree to establish an additional early voting center;”; strike beginning with “altering” in line 3 down through “elections;” in line 4; and in line 8, strike “10–301.1(d)” and substitute “10–301.1(b)”.

AMENDMENT NO. 2

On page 1, after line 14, insert:

“(b) (1) Each county shall have at least one early voting center established in the county as prescribed in this subsection.

(2) A county with fewer than 125,000 registered voters shall have one early voting center established in the county.

(3) A county with more than 125,000 registered voters but fewer than 200,000 registered voters shall have three early voting centers established in the county.

(4) A county with more than 200,000 registered voters but fewer than 300,000 registered voters shall have four early voting centers established in the county.

(5) A county with more than 300,000 registered voters but fewer than 450,000 registered voters shall have seven early voting centers established in the county.

(6) A county with more than 450,000 registered voters shall have eleven early voting centers.

(7) In addition to the early voting centers required in this subsection, each county [with fewer than 200,000 registered voters] may establish one additional early voting center if the State Board, in collaboration with the local board, and the governing body of the county agree to establish an additional early voting center.”.

On pages 1 and 2, strike in their entirety the lines beginning with line 15 on page 1 through line 4 on page 2, inclusive.

The preceding 2 amendments were read only.

Senator Hayes moved to make the Bill and Amendments a Special Order for April 5, 2019.

The motion was adopted.

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

House Bill 262 – Delegates Luedtke, Acevero, Anderson, Atterbeary, B. Barnes, D. Barnes, Barve, Boyce, Brooks, Chang, Charkoudian, Conaway, Crutchfield, Cullison, Ebersole, Feldmark, Fennell, W. Fisher, Fraser-Hidalgo, Gaines, Gilchrist, Haynes, Hettleman, Hill, Holmes, Ivey, Kaiser, Kelly, Korman, Krimm, J. Lewis, R. Lewis, Lierman, Lisanti, Lopez, Love, McIntosh, Moon, Mosby, Palakovich Carr, Patterson, Pena-Melnyk, Proctor, Qi, Queen, Reznik, Rosenberg, Shetty, Smith, Solomon, Stein,

Stewart, Sydnor, Turner, Valderrama, Valentino-Smith, Washington,
R. Watson, Wilkins, K. Young, and P. Young

AN ACT concerning

Higher Education – Tuition Rates – Exemptions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 533 – Delegates B. Barnes, Dumais, Hettleman, Korman, Lehman,
Pena-Melnyk, ~~and Solomon~~ Solomon, Haynes, Jackson, Jones, and Lierman**

AN ACT concerning

**University System of Maryland – Board of Regents – Transparency and
Oversight**

HB0533/714432/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 533

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 14 and 15, strike “requiring the Board to conduct certain activities in open”; in line 15, strike “or closed sessions;”; and in line 22, after “changes;” insert “requiring the Board to review certain annual statements; requiring the Board to provide certain education and training to certain Board members at certain times; requiring the Board to approve the membership of certain search committees; requiring the Board to notify certain individuals at least a certain number of days before certain financial incentives go into effect; providing for the termination of certain provisions of this Act;”.

On page 2, in line 3, strike “and 12–103” and substitute “, 12–103, 12–108(b)(3), and 12–109(a)”; and after line 5, insert:

“BY repealing and reenacting, without amendments,

Article – Education

Section 12–104(a)
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)

BY adding to

Article – Education
Section 12–104(p) and (q)
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)”.

AMENDMENT NO. 2

On page 4, strike beginning with the colon in line 28 down through “**INCLUDE**” in line 29 and substitute “**INCLUDE**”.

On pages 4 and 5, strike beginning with the semicolon in line 30 on page 4 down through “**SESSION**” in line 7 on page 5.

On page 5, after line 21, insert:

“12–104.

(a) In addition to any other powers granted and duties imposed by this title, and subject to the provisions of Title 11 of this article and any other restriction imposed by law by specific reference to the University System of Maryland, or by any trust agreement involving a pledge of property or money, the Board of Regents has the powers and duties set forth in this section.

(P) THE BOARD OF REGENTS SHALL REVIEW THE ANNUAL FINANCIAL DISCLOSURE STATEMENTS FILED BY THE CHANCELLOR AND THE PRESIDENTS OF EACH CONSTITUENT INSTITUTION IN ACCORDANCE WITH § 5–607 OF THE GENERAL PROVISIONS ARTICLE.

(Q) THE BOARD OF REGENTS SHALL PROVIDE EACH MEMBER APPOINTED TO THE BOARD, AT THE TIME OF APPOINTMENT, AND AT REASONABLE INTERVALS, WITH EDUCATION AND TRAINING ON THE BOARD’S GOVERNANCE POLICIES, FIDUCIARY RESPONSIBILITIES, LEGAL OBLIGATIONS, OVERSIGHT OF PERSONNEL POLICIES, OVERSIGHT OF CONSTITUENT INSTITUTIONS, AND OTHER RESPONSIBILITIES.

12-109.

(a) **(1)** Except as provided in Subtitle 3 of this title, AND SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, in consultation with the Chancellor and after a thorough search, the Board of Regents shall appoint a qualified person as president of each constituent institution.

(2) THE BOARD OF REGENTS SHALL APPROVE THE MEMBERSHIP OF ANY SEARCH COMMITTEE CONVENED TO RECOMMEND A QUALIFIED PERSON AS PRESIDENT OF A CONSTITUENT INSTITUTION.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Education

12-108.

(b) **(3)** **(I)** [The] SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE Chancellor is entitled to the compensation established by the Board.

(II) THE BOARD OF REGENTS SHALL NOTIFY THE GOVERNOR, THE PRESIDENT OF THE SENATE, AND THE SPEAKER OF THE HOUSE AT LEAST 30 DAYS BEFORE A CONTRACTUAL SALARY INCREASE, NEGOTIATED SEVERANCE PACKAGE, OR ANY OTHER FINANCIAL BONUS FOR THE CHANCELLOR GOES INTO EFFECT.”.

On page 6, in line 14, strike “2.” and substitute “3.”; and in line 15, after the period insert “Section 2 of this Act shall remain effective for a period of 2 years and, at the end of June 30, 2021, Section 2 of this Act, with no further action required by the General Assembly, 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 Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 725 – Delegates Charkoudian, Acevero, Atterbeary, Boyce, Cain, Carr, Conaway, Crutchfield, Ebersole, Feldmark, W. Fisher, Gilchrist, Hettleman, Ivey, Korman, R. Lewis, Lierman, Love, Luedtke, Moon, Mosby, Palakovich Carr, Qi, Queen, Reznik, Shetty, Smith, Solomon, Stewart, Terrasa, Washington, Wilkins, and P. Young

AN ACT concerning

Public Schools – Student Discipline – Restorative Approaches

HB0725/984330/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 725

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “requiring the State Board of Education to provide technical assistance and training to county boards of education regarding the use of restorative approaches under certain circumstances;”; and in line 12, after “actions;” insert “requiring the State Department of Education to submit a certain annual report to the Governor and the General Assembly on or before a certain date; requiring a certain report to be disaggregated in a certain manner;”.

AMENDMENT NO. 2

On page 5, in line 31, strike “**PRIMARILY**” and substitute “**PREVENTIVE AND**”; and in the same line, strike “**AND PREVENTIVE**”.

On page 6, in line 23, strike the second “and”; after line 23, insert:

“(2) ON REQUEST, PROVIDE TECHNICAL ASSISTANCE AND TRAINING TO COUNTY BOARDS REGARDING THE USE OF RESTORATIVE APPROACHES; AND”;

and in line 24, strike “(2)” and substitute “**(3)**”.

AMENDMENT NO. 3

On page 7, in line 26, after “(1)” insert “ON OR BEFORE OCTOBER 1 EACH YEAR, THE DEPARTMENT SHALL SUBMIT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY, A STUDENT DISCIPLINE DATA REPORT THAT INCLUDES A DESCRIPTION OF THE USES OF RESTORATIVE APPROACHES IN THE STATE AND A REVIEW OF DISCIPLINARY PRACTICES AND POLICIES IN THE STATE.”

(2)”;

in line 29, strike “and”; and in the same line, after “proficiency” insert “, AND TYPE OF DISCIPLINE”.

On page 8, in line 2, strike “(2)” and substitute “(3)”; and strike beginning with “paragraph” in line 2 down through “of” in line 3.

The preceding 3 amendments were read only.

Senator Cassilly moved to make the Bill and Amendments a Special Order for April 5, 2019.

The motion was adopted.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 63**

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

House Bill 185 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Alcoholic Beverages – Class BLX License for Movie
Theaters**

PG 302-19

HB0185/694630/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 185

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “circumstances;” insert “providing that a certain license may not be issued in a certain legislative district.”

AMENDMENT NO. 2

On page 3, in line 1, after “MAY” insert “NOT”; and strike beginning with “ONLY” in line 2 down through “APPROPRIATE” in line 6.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 311 – Dorchester County Delegation

AN ACT concerning

Dorchester County – Alcoholic Beverages – Class A Licenses

HB0311/164335/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 311

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “certain” and substitute “a”; in line 5, strike “Class B license or a Class D license” and substitute “certain license”; in line 6, strike “that the Board issues” and substitute “issued by the Board”; and in line 7, strike “alcoholic beverages in Dorchester County” and substitute “the issuance of Class A beer, wine, and liquor licenses in Dorchester County”.

AMENDMENT NO. 2

On page 2, in line 4, strike “A”; and in line 5, strike “A”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 354 – Washington County Delegation

AN ACT concerning

Washington County – Alcoholic Beverages – Wineries – Special Event Permits

HB0354/384331/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 354

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “authorizing the Board of License Commissioners for Washington County to permit a certain license holder that has been issued a certain special events permit to sell a certain sparkling wine not produced by the license holder;”; strike beginning with “of” in line 10 down through “Act” in line 11; in line 11, before “and” insert “providing for the termination of this Act;”; in line 15, strike the first comma and substitute “and”; in the same line, strike “, and 31–402.1”; and after line 17, insert:

“BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 31–402.1

Annotated Code of Maryland

(2016 Volume and 2018 Supplement)”.

AMENDMENT NO. 2

On page 3, in line 16, after “(c)” insert “**(1)**”; in lines 18 and 20, strike “(1)” and “(2)”, respectively, and substitute “**(I)**” and “**(II)**”, respectively; and after line 23, insert:

“(2) THE BOARD MAY AUTHORIZE A LICENSE HOLDER TO SELL FOR ON-PREMISES CONSUMPTION NATURALLY OR ARTIFICIALLY CARBONATED SPARKLING WINE NOT PRODUCED BY THE LICENSE HOLDER.”

On page 4, in line 4, strike “**3 YEARS AND 6 MONTHS**” and substitute “**4 YEARS**”; in line 5, strike “**DECEMBER 31, 2020**” and substitute “**JUNE 30, 2021**”; in line 8, strike “**1 year and 7 months**” and substitute “**2 years and 1 month**”; and in line 9, strike “**December 31, 2020,**” and substitute “**June 30, 2021,**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 959 – Delegates Mosby, Conaway, Glenn, Haynes, Smith, and Wells

AN ACT concerning

Baltimore City – Alcoholic Beverages – License Renewals and Adult Entertainment

HB0959/444734/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 959

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after “establishment” insert “or is an active duty member of the armed forces of the United States”.

AMENDMENT NO. 2

On page 4, in line 3, after “IS” insert “:

(1);

and in line 4, after “ESTABLISHMENT” insert “**; OR**

(II) AN ACTIVE DUTY MEMBER OF THE ARMED FORCES OF THE UNITED STATES".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 64**

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

House Bill 199 – Wicomico County Delegation

AN ACT concerning

Wicomico County – Deer Hunting – Sundays

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 242 – Cecil County Delegation

AN ACT concerning

Cecil County – Natural Resources – Hunting

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 680 – Delegates Cullison, Barron, Bromwell, Carey, Carr, Charkoudian, Glenn, Johnson, Kelly, Lafferty, R. Lewis, Pena–Melnyk, Reznik, Sample–Hughes, and P. Young

AN ACT concerning

**Responsible Workforce Development Percentage Price Preference Act
State Procurement – State Funded Construction Projects – Payment of
Employee Health Care Expenses**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 841 – Delegates Clark and Morgan

AN ACT concerning

**Aquaculture – Submerged Aquatic Vegetation – Placement of Shellfish, Bags,
Nets, and Structures**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 1124 – Delegates Brooks, D. Barnes, Branch, Bromwell, D.E. Davis,
Dumais, Fennell, Gaines, Glenn, Hettleman, Jones, R. Lewis, Luedtke,
Mosby, Patterson, Proctor, Qi, Queen, Sample-Hughes, Stein, Valderrama,
Walker, C. Watson, R. Watson, ~~and P. Young~~ P. Young, Bagnall, Barron,
Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kelly, Kerr, Kipke, Krebs,
Metzgar, Morgan, Pena-Melnyk, Pendergrass, Rosenberg, Saab, Szeliga,
and K. Young**

AN ACT concerning

**State Government – Regulations Impacting Small Businesses – Economic
Impact Analyses**

HB1124/344838/1

BY: Education, Health, and Environmental Affairs Committee

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “– Economic” in line 2 down through “Analyses” in line 3; strike beginning with “requiring” in line 4 down through “regulations;” in line 6; strike beginning with “altering” in line 8 down through “Review;” in line 10; in line 10, after “requiring” insert “a”; in the same line, strike “units” and substitute “unit”; strike beginning with “registry” in line 12 down through “has a” in line 13 and substitute “unit’s website by a certain date and provide an opportunity for certain comments if the promulgating unit estimates that the proposed regulation will have a certain”; in line 13, strike “certain” and substitute “promulgating”; in line 15, strike “a certain electronic registry” and substitute “the unit’s website”; strike beginning with “requiring” in line 15 down through “date;” in line 16; in line 16, strike “certain unit” and substitute “promulgating unit”; in line 17, strike “create” and substitute “prepare, update, and post on the unit’s website”.

On pages 1 and 2, strike beginning with “establishing” in line 18 on page 1 down through “date;” in line 3 on page 2 and substitute “repealing provisions of law relating to the Advisory Council on the Impact of Regulations on Small Businesses; repealing a requirement that a promulgating unit take certain actions if the promulgating unit estimates that a proposed regulation will have a certain significant small business impact; repealing provisions establishing the Advisory Council and its purpose; repealing provisions relating to the membership, chair, staffing, meetings, and duties of the Advisory Council; repealing certain reporting requirements; repealing certain definitions; making conforming changes; providing for the delayed effective date of certain provisions of this Act;”.

On page 2, in line 7, strike the first comma and substitute “and”; in the same line, strike “, and (f) through (j)”; strike in their entirety lines 10 through 14, inclusive; and after line 19, insert:

“BY repealing and reenacting, with amendments,

Article – State Government

Section 10–101, 10–110(d), and 10–224(b)

Annotated Code of Maryland

(2014 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 10–110

Annotated Code of Maryland
(2014 Replacement Volume and 2018 Supplement)
(As enacted by Section 1 of this Act)

BY repealing

Article – Economic Development
Section 3–501 through 3–508 and the subtitle “Subtitle 5. Advisory Council on the
Impact of Regulations on Small Businesses”
Annotated Code of Maryland
(2018 Replacement Volume)”.

AMENDMENT NO. 2

On pages 3 through 5, strike in their entirety the lines beginning with line 17 on page 3 through line 4 on page 5, inclusive.

On page 5, in line 7, strike “UNITS” and substitute “**EXECUTIVE BRANCH AGENCIES**”; in the same line, after “ECONOMIC” insert “**IMPACT**”; strike in their entirety lines 12 through 25, inclusive; in line 26, strike the brackets; and in the same line, strike “30”.

On page 7, in line 4, after “BUSINESS” insert “, **NONPROFIT ORGANIZATION,**”; strike beginning with “AND” in line 9 down through “IMPACT” in line 10; in line 11, strike the comma and substitute “**AND**”; in line 12, strike “, **AND THE ADVISORY COUNCIL**”; in line 13, strike the comma; and in line 15, strike “**A**” and substitute “**THE**”.

On pages 7 and 8, strike in their entirety the lines beginning with line 28 on page 7 through line 19 on page 8, inclusive.

On page 9, strike in their entirety lines 5 through 29, inclusive; and in line 30, after “That” insert “**the laws of Maryland read as follows**”.

On page 10, strike in their entirety lines 1 through 23, inclusive, and substitute:

“**Article – State Government**”

10–101.

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

(b) “Administrator” means the Administrator of the Division of State Documents.

[(c) “Advisory Council” means the Advisory Council on the Impact of Regulations on Small Businesses established under § 3–502 of the Economic Development Article.]

[(d)](C) “Committee” means the Joint Committee on Administrative, Executive, and Legislative Review.

[(e)](D) “Local government unit” means:

(1) a county;

(2) a municipal corporation;

(3) a special district that is established by State law and that operates within a single county;

(4) a special district that is established by a county pursuant to public general law; or

(5) an office, board, or department that is established in each county under State law and that is funded, pursuant to State law, at least in part by the county governing body.

[(f)](E) “Mandate” means a directive in a regulation that requires a local government unit to perform a task or assume a responsibility that has a discernible fiscal impact on the local government unit.

[(g)](F) “Register” means the Maryland Register.

[(h)](G) (1) “Regulation” means a statement or an amendment or repeal of a statement that:

(i) has general application;

(ii) has future effect;

(iii) is adopted by a unit to:

1. detail or carry out a law that the unit administers;
2. govern organization of the unit;
3. govern the procedure of the unit; or
4. govern practice before the unit; and

(iv) is in any form, including:

1. a guideline;
2. a rule;
3. a standard;
4. a statement of interpretation; or
5. a statement of policy.

(2) “Regulation” does not include:

(i) a statement that:

1. concerns only internal management of the unit; and
2. does not affect directly the rights of the public or the procedures available to the public;

(ii) a response of the unit to a petition for adoption of a regulation, under § 10–123 of this subtitle; or

(iii) a declaratory ruling of the unit as to a regulation, order, or statute, under Subtitle 3 of this title.

(3) “Regulation”, as used in §§ 10–110 and 10–111.1 of this subtitle, means all or any portion of a regulation.

[(i) (1) “Significant small business impact” means a determination by the Advisory Council that a proposed regulation is likely to have a meaningful effect on the revenues or profits of a significant number of small businesses or a significant percentage of small businesses within a single industry in the State.

(2) “Significant small business impact” does not include an impact resulting from a proposed regulation that is necessary to comply with federal law, unless the Advisory Council determines that the regulation is more stringent than federal law, in accordance with § 3–505 of the Economic Development Article.]

[(j)] (H) “Small business” has the meaning stated in § 2–1505.2 of this article.

[(k)] (I) “Substantively” means in a manner substantially affecting the rights, duties, or obligations of:

(1) a member of a regulated group or profession; or

(2) a member of the public.

[(l)] (J) “Unit” means an officer or unit authorized by law to adopt regulations.

10–110.

(a) Except for subsection [(d)] (C) of this section, this section does not apply to a regulation adopted under § 10–111(b) of this subtitle.

(b) At least 15 days before the date a proposed regulation is submitted to the Maryland Register for publication under § 10–112 of this subtitle, the promulgating unit shall submit to the State Children’s Environmental Health and Protection Advisory Council established under § 13–1503 of the Health – General Article for review any proposed regulations identified by the promulgating unit as having an impact on environmental hazards affecting the health of children.

[(c) At least 15 days before the date a proposed regulation is submitted to the Maryland Register for publication under § 10–112 of this subtitle, the promulgating unit shall submit to the Advisory Council on the Impact of Regulations on Small Businesses established under § 3–502 of the Economic Development Article for review each proposed regulation and the estimated impact of the proposed regulation on small businesses identified by the promulgating unit.]

[(d)] (C) (1) At least 15 days before the date a proposed regulation is submitted to the Maryland Register for publication under § 10–112 of this subtitle, the promulgating unit shall submit the proposed regulation to the Committee and the Department of Legislative Services.

(2) (i) If the proposed regulation, either in whole or in part, submitted to the Committee and the Department of Legislative Services in accordance with paragraph (1) of this subsection includes an increase or decrease in a fee for a license to practice any business activity, business or health occupation, or business or health profession licensed or otherwise regulated under State law, the promulgating unit shall include clearly written explanatory reasons that justify the increase or decrease in the fee.

(ii) If a regulation submitted under subparagraph (i) of this paragraph proposes an increase in a fee for a license, the written justification also shall include information about:

1. the amount of money needed by the promulgating unit to operate effectively or to eliminate an imbalance between the revenues and expenditures of the unit;

2. the most recent year in which the promulgating unit had last increased its fees;

3. the structure of the promulgating unit as to whether it is one that retains the license fees it receives or passes them through to a national organization or association that creates and administers a uniform licensing examination that is taken by anyone in the United States who is seeking a license to practice a particular occupation or profession or business activity issued by the promulgating unit;

4. measures taken by the promulgating unit to avoid or mitigate the necessity of a fee increase and the results of those measures;

5. special circumstances about the activities and responsibilities of the promulgating unit, including investigations of individuals licensed by the unit, that have had an adverse impact on the unit's operating expenses;

6. consideration given by the promulgating unit to the hardship a license fee increase may have on individuals and trainees licensed or regulated by the unit; and

7. actions taken by the promulgating unit to elicit the opinions of the individuals who are licensed by the promulgating unit and the members of the public as to the effectiveness and performance of the promulgating unit.

(3) If the promulgating unit estimates that the proposed regulation will have a significant small business impact, the unit shall:

[(i) identify each provision in the proposed regulation that will have a significant small business impact;

(ii) quantify or describe the range of potential costs of the proposed regulation on small businesses in the State;

(iii) identify how many small businesses may be impacted by the proposed regulation;

(iv) identify any alternative provisions the unit considered that may have a less significant impact on small businesses in the State and the reason the alternative was not proposed;

(v) identify the beneficial impacts of the regulation, including to public health, safety, and welfare, or to the environment;]

[(vi) (I) establish an electronic registry that allows any small business or other interested party to register to receive an electronic notification when the proposed regulation or the scope of the proposed regulation is posted on the unit's website in accordance with item [(vii) (II) of this paragraph;

[(vii) (II) post the proposed regulation or the scope of the proposed regulation on the unit's website at least 15 days before the date the proposed regulation is submitted to the Committee and the Department of Legislative Services in accordance with this section and provide an opportunity for comments on the unit's proposal;

[(viii) (III) on posting a proposed regulation or the scope of the proposed regulation on the unit's website in accordance with item [(vii) (II) of this

paragraph, notify the parties registered in the electronic registry established under item [(vi)] (I) of this paragraph that the proposed regulation or the scope of the proposed regulation has been posted; AND

[(ix)] (IV) prepare a compliance guide written in clear, plain English to assist small businesses in complying with the proposed regulation, update the guide as needed until the regulation is final, and post the guide on the unit’s website[; and

(x) coordinate with the Advisory Council not later than the date the proposed regulation is submitted to the Committee, the Department of Legislative Services, and the Advisory Council in accordance with this section].

[(e)] (D) (1) The Committee is not required to take any action with respect to a proposed regulation submitted to it pursuant to subsection [(d)] (C) of this section.

(2) Failure by the Committee to approve or disapprove the proposed regulation during the period of preliminary review provided by subsection [(d)] (C) of this section may not be construed to mean that the Committee approves or disapproves the proposed regulation.

(3) During the preliminary review period, the Committee may take any action relating to the proposed regulation that the Committee is authorized to take under §§ 10–111.1 and 10–112 of this subtitle.

[(4) (i) If the Advisory Council submits to the Committee and the Department of Legislative Services a written statement of its findings that a proposed regulation will have a significant small business impact as required by § 3–505 of the Economic Development Article, the Committee and the Department of Legislative Services shall review the findings.

(ii) After notification that a proposed regulation will have a significant small business impact, any member of the Committee may request a hearing on the proposed regulation.

(iii) If a member requests a hearing, the Committee:

1. shall hold a hearing; and

2. may request that the promulgating unit delay adoption of the regulation.]

[(f)] (E) Prior to the date specified in subsection [(d)] (C) of this section, the promulgating unit is encouraged to[:

(1) submit the proposed regulation to the Committee and to consult with the Committee concerning the form and content of that regulation[; and

(2) submit the proposed regulation to the Advisory Council and to consult with the Advisory Council concerning the estimated small business impact of the regulation and ways to reduce the small business impact].”;

strike beginning with “this” in line 24 down through “2019” in line 25 and substitute “Section(s) 3–501 through 3–508 and the subtitle “Subtitle 5. Advisory Council on the Impact of Regulations on Small Businesses” of Article – Economic Development of the Annotated Code of Maryland be repealed”; and after line 25, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That Sections 2 and 3 of this Act shall take effect October 1, 2021.

SECTION 5. AND BE IT FURTHER ENACTED, That, except as provided in Section 4 of this Act, this Act shall take effect July 1, 2019.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1266 – Delegates Washington, B. Barnes, Charles, D.E. Davis, Fennell, W. Fisher, Gaines, Healey, Ivey, Jackson, Jones, Korman, Proctor, ~~and Turner~~ Turner, and Valentino-Smith

AN ACT concerning

National Capital Strategic Economic Development Program – Established

HB1266/924031/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1266

(Third Reading File Bill)

On page 4, in line 23, strike the second “AND”; and in line 24, after “**(9)**” insert “CAREER AND TECHNICAL EDUCATION AND APPRENTICESHIP PROGRAMS; AND

(10)”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB1266/593224/1

BY: Senator Patterson

AMENDMENTS TO HOUSE BILL 1266, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

On page 4 of the bill, in line 23, after “PROGRAMS” insert “, WHEN ASSOCIATED WITH OTHER PROJECTS LISTED UNDER THIS SUBSECTION”.

AMENDMENT NO. 2

In line 2 of the Education, Health, and Environmental Affairs Committee Amendment (HB1266/924031/1), after “PROGRAMS” insert “, WHEN ASSOCIATED WITH OTHER PROJECTS LISTED UNDER THIS SUBSECTION”.

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

HB1266/593022/1

BY: Senator Zucker

AMENDMENT TO HOUSE BILL 1266

(Third Reading File Bill)

On page 3, in line 14, after “**(1)**” insert “**(I)**”; in line 16, strike “**(2)**” and substitute “**(II)**”; and in line 18, after “**COUNTY**” insert “**; OR**”

(2) AN ENTERPRISE ZONE, AS DEFINED IN § 5-701 OF THE ECONOMIC DEVELOPMENT ARTICLE, IN MONTGOMERY COUNTY OR PRINCE GEORGE’S COUNTY”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1279 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Maryland–National Capital Park and Planning Commission – Procurement – Source Selection

MC/PG 112-19

HB1279/834536/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1279

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, strike “under certain circumstances” and substitute “if the Commission makes a certain determination”; and strike beginning with “requiring” in line 12 down through “Act” in line 15 and substitute “requiring the Commission, in consultation with a certain certification agency, to complete a study to evaluate whether there is a compelling interest to implement certain remedial measures to assist minorities and women in participating in Commission procurement contracts; requiring a certain certification agency to consult with the Commission to identify information necessary to”

make a certain determination; requiring the Commission to obtain and provide certain information to the certification agency; requiring the Commission to make certain evaluations; requiring the Commission to report the findings of a certain study to certain persons on or before a certain date”.

On page 3, strike in their entirety lines 4 through 9, inclusive, and substitute:

“WHEREAS, The General Assembly desires for the Commission to assess whether there is a basis for the Commission to implement remedial measures for minority– and women–owned businesses; and

WHEREAS, Subject to the Commission’s determination that there is a basis for the Commission to implement remedial measures for minority– and women–owned firms that seek to do business with the Commission, the General Assembly desires to authorize”.

AMENDMENT NO. 2

On page 4, strike in their entirety lines 10 through 12, inclusive; strike in their entirety lines 20 through 24, inclusive, and substitute “PROGRAM IF THE COMMISSION DETERMINES THAT THERE IS A COMPELLING INTEREST TO IMPLEMENT REMEDIAL MEASURES TO ASSIST MINORITY– AND WOMEN–OWNED BUSINESSES WHO WISH TO PARTICIPATE IN COMMISSION PROCUREMENT CONTRACTS.”; and strike in their entirety lines 31 and 32.

On page 5, strike in their entirety lines 1 and 2 and substitute:

“(2) TO THE EXTENT AUTHORIZED BY STATE AND FEDERAL LAW BASED ON THE FINDINGS OF AN APPROPRIATE STUDY OR ANALYSIS, PROVISIONS TO EXTEND REASONABLE COMPETITIVE PREFERENCES FOR CERTIFIED MINORITY BUSINESS ENTERPRISES OR GOALS FOR UTILIZATION OF CERTIFIED MINORITY BUSINESS ENTERPRISES IN PARTICULAR PROCUREMENT ACTIVITIES UNDER APPROPRIATE CIRCUMSTANCES; AND”.

On page 6, strike in their entirety lines 23 through 27, inclusive.

On page 7, strike beginning with the comma in line 3 down through “construction” in line 7 and substitute “that there is a compelling interest to implement remedial measures to assist minority– and women–owned businesses who wish to participate in Commission

procurement contracts”; strike in their entirety lines 13 through 15, inclusive, and substitute:

“(2) to the extent permitted by State and federal law based on the findings of an appropriate study or analysis, provisions to extend reasonable competitive preferences for certified minority business enterprises or goals for utilization of certified minority business enterprises in particular procurement activities under appropriate circumstances; and”.

On page 8, strike in their entirety lines 9 through 15, inclusive, and substitute:

“SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) The Commission, in consultation with the certification agency designated by the Board of Public Works under § 14–303(b) of the State Finance and Procurement Article and the Office of the Attorney General, shall complete a study, which may include an analysis of the disparity study as set forth in subsection (b) of this section, to evaluate whether there is a compelling interest to implement remedial measures, including a program comparable to the State Minority Business Enterprise Program under Title 14, Subtitle 3 of the State Finance and Procurement Article, to assist minorities and women in participating in Commission procurement contracts.

(b) (1) The certification agency shall consult with the Commission to identify the information necessary to determine whether the disparity study entitled “Business Disparities in the Maryland Market Area”, published on February 8, 2017, applies to the types of goods and services procured by the Commission.

(2) The Commission shall obtain and provide information to the certification agency that the certification agency requires to make the determination under paragraph (1) of this subsection.

(c) In performing the study required under subsection (a) of this section, the Commission shall evaluate race–neutral programs or other methods that may be used to address the needs of minority– and women–owned businesses seeking to participate in Commission procurement contracts.

(d) On or before January 1, 2020, the Commission shall report to the Montgomery County and Prince George’s County delegations to the General Assembly and the

Legislative Policy Committee, in accordance with § 2–1246 of the State Government Article, on the findings of the study required under subsection (a) of this section.”;

in line 19, after “whether” insert “there is discrimination against”; and in the same line, after the second “or” insert “whether”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 65 CONSENT NO. 25**

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

BILL NO.	REPORT	SPONSOR	CONTENT
<u>FAVORABLE</u>			
HB 326	FAV	Montgomery County Delegation and Prince George’s County Delegation	Washington Suburban Sanitary Commission – Office of the Inspector General – Technical Changes MC/PG 104–19
HB 662	FAV	Montgomery County Delegation and Prince George’s County Delegation	Maryland–National Capital Park and Planning Commission – Glenn Dale Hospital Property MC/PG 110–19
HB 678	FAV	Montgomery County Delegation and Prince George’s County Delegation	M–NCPPC – Prince George’s Co Recreation Programs – Youth Sports Program and Div MC/PG 115–19

Favorable report adopted on all of the preceding bills.

The preceding bills were read the second time and ordered prepared for Third Reading.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 66**

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

Senate Bill 754 – Senators Peters, Griffith, King, Rosapepe, and Zucker

AN ACT concerning

National Capital Strategic Economic Development Program – Established

SB0754/204834/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 754
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike “housing authorities” and substitute “government agencies, including housing authorities”; in line 21, after “annual” insert “operating or”; and in the same line, strike “bill”.

AMENDMENT NO. 2

On page 3, strike beginning with “**THE**” in line 6 down through the second “**COUNTY**” in line 7 and substitute “**THE AREAS OF THE STATE LOCATED WITHIN:**”

(1) THE BOUNDARY CREATED BY INTERSTATE 495 IN THE STATE AND THE DISTRICT OF COLUMBIA; AND

(2) ANY QUALIFIED OPPORTUNITY ZONE DESIGNATED UNDER § 1400Z-1 OF THE INTERNAL REVENUE CODE IN MONTGOMERY COUNTY OR PRINCE GEORGE’S COUNTY”.

On page 4, in line 12, strike the second “AND”; in line 13, after “(9)” insert “CAREER AND TECHNICAL EDUCATION AND APPRENTICESHIP PROGRAMS; AND

(10)”;

in line 19, strike “HOUSING AUTHORITY LOCATED” and substitute “GOVERNMENT AGENCY, INCLUDING A HOUSING AUTHORITY, WITH JURISDICTION”; and in line 21, after “AUTHORITY” insert “THAT OPERATES”.

On pages 4 and 5, strike beginning with “OR” in line 29 on page 4 down through “COUNTY” in line 1 on page 5.

On page 5, in line 16, strike “HOUSING AUTHORITY LOCATED” and substitute “GOVERNMENT AGENCY, INCLUDING A HOUSING AUTHORITY, WITH JURISDICTION”; and in line 18, after “AUTHORITY” insert “THAT OPERATES”.

On page 12, in line 11, after the first “THE” insert “ANNUAL OPERATING OR”; and in the same line, strike “BILL”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0754/103124/1

BY: Senator Patterson

AMENDMENTS TO SENATE BILL 754, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 4 of the bill, in line 12, after “PROGRAMS” insert “, WHEN ASSOCIATED WITH OTHER PROJECTS LISTED UNDER THIS SUBSECTION”.

AMENDMENT NO. 2

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments (SB0754/204834/1), in line 9 of Amendment No. 2, after “PROGRAMS” insert “, WHEN ASSOCIATED WITH OTHER PROJECTS LISTED UNDER THIS SUBSECTION”.

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

SB0754/333629/1

BY: Senator Zucker

AMENDMENT TO SENATE BILL 754, AS AMENDED

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments (SB0754/204834/1), in line 3 of Amendment No. 2, after “**(1)**” insert “**(I)**”; in line 5, strike “**(2)**” and substitute “**(II)**”; and in line 7, after “COUNTY” insert “**; OR**”

(2) AN ENTERPRISE ZONE, AS DEFINED UNDER § 5-701 OF THE ECONOMIC DEVELOPMENT ARTICLE, LOCATED IN MONTGOMERY COUNTY OR PRINCE GEORGE’S COUNTY”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

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

Senate Bill 766 – Senator Smith

AN ACT concerning

Public Schools – Student Discipline – Restorative Approaches

SB0766/624431/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 766

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 3 down through “expelled;” in line 7 and substitute “requiring the State Board of Education to provide technical assistance and training to county boards of education regarding the use of restorative approaches under certain circumstances;”; in line 7, strike “conferences” and substitute “regulations”; strike beginning with “requiring” in line 8 down through “plan;” in line 11; in line 12, after “actions;” insert “requiring the State Department of Education to submit a certain annual report to the Governor and the General Assembly on or before a certain date; requiring a certain report to be disaggregated in a certain manner;”; in the same line, strike “certain terms” and substitute “a certain term”; and in line 16, strike “7–305 and”.

AMENDMENT NO. 2

On pages 1 through 5, strike in their entirety the lines beginning with line 22 on page 1 through line 18 on page 5, inclusive.

On page 5, in line 22, strike “**PRIMARILY**” and substitute “**PREVENTIVE AND**”; in the same line, strike “**AND PREVENTIVE**”; in line 28, strike “**EXAMINES**” and substitute “**FOCUSES ON**”; and in line 33, strike “**INCLUDES**” and substitute “**MAY INCLUDE**”.

On page 6, in line 7, strike “**AND**”; in line 8, strike “**OR**”; in line 9, strike “**REHABILITATION**” and substitute “**; **AND**”**

(IX) REHABILITATION;

in line 15, strike the second “and”; after line 15, insert:

“(2) ON REQUEST, PROVIDE TECHNICAL ASSISTANCE AND TRAINING TO COUNTY BOARDS REGARDING THE USE OF RESTORATIVE APPROACHES; AND”;

and in line 16, strike “(2)” and substitute “**(3)**”.

On page 7, strike in their entirety lines 1 through 17, inclusive; in line 18, strike “**(F)**” and substitute “**(E)**”; in the same line, after “(1)” insert “**ON OR BEFORE OCTOBER 1 EACH YEAR, THE DEPARTMENT SHALL SUBMIT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY, A STUDENT DISCIPLINE DATA REPORT THAT INCLUDES A DESCRIPTION OF THE USES OF RESTORATIVE APPROACHES IN THE STATE AND A REVIEW OF DISCIPLINARY PRACTICES AND POLICIES IN THE STATE.**”

(2)”;

in line 21, strike “and”; in the same line, after “proficiency” insert “, AND TYPE OF DISCIPLINE”; in line 25, strike “(2)” and substitute “(3)”; in lines 25 and 26, strike “paragraph (1) of”; and in line 27, strike “(G)” and substitute “(F)”.

The preceding 2 amendments were read only.

Senator Lam moved to make the Bill and Amendments a Special Order for April 5, 2019.

The motion was adopted.

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

Senate Bill 917 – Senators Lam and Young

AN ACT concerning

Land Use – Comprehensive Plans – Housing Element

SB0917/904639/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 917

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 5 down through “issues;” in line 6 and substitute “providing for the contents of the housing element in certain comprehensive plans; providing for the application of this Act; providing for a delayed effective date; defining certain terms;”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 12 through 15, inclusive, and substitute:

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

(2) “AREA MEDIAN INCOME” HAS THE MEANING STATED IN § 4-1801 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE.

(3) “LOW-INCOME HOUSING” MEANS HOUSING THAT IS AFFORDABLE FOR A HOUSEHOLD WITH AN AGGREGATE ANNUAL INCOME THAT IS BELOW 60% OF THE AREA MEDIAN INCOME.

(4) “WORKFORCE HOUSING” HAS THE MEANING STATED IN § 4-1801 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE.

(B) A HOUSING ELEMENT MAY INCLUDE GOALS, OBJECTIVES, POLICIES, PLANS, AND STANDARDS.

(C) A HOUSING ELEMENT SHALL ADDRESS THE NEED FOR AFFORDABLE HOUSING WITHIN THE COUNTY, INCLUDING:

(1) WORKFORCE HOUSING; AND

(2) LOW-INCOME HOUSING.”.

On page 3, strike in their entirety lines 22 through 25, inclusive, and substitute:

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

(2) “AREA MEDIAN INCOME” HAS THE MEANING STATED IN § 4-1801 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE.

(3) “LOW-INCOME HOUSING” MEANS HOUSING THAT IS AFFORDABLE FOR A HOUSEHOLD WITH AN AGGREGATE ANNUAL INCOME THAT IS BELOW 60% OF THE AREA MEDIAN INCOME.

(4) “WORKFORCE HOUSING” HAS THE MEANING STATED IN § 4-1801 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE.

(B) A HOUSING ELEMENT MAY INCLUDE GOALS, OBJECTIVES, POLICIES, PLANS, AND STANDARDS.

(C) A HOUSING ELEMENT SHALL ADDRESS THE NEED FOR AFFORDABLE HOUSING WITHIN THE LOCAL JURISDICTION, INCLUDING:

(1) WORKFORCE HOUSING; AND

(2) LOW-INCOME HOUSING.

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 comprehensive or general plan adopted or enacted before the effective date of this Act.”;

in line 26, strike “2.” and substitute “3.”; and strike line 27 in its entirety and substitute “June 1, 2020.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

BUDGET AND TAXATION COMMITTEE REPORT NO. 36

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

House Bill 175 – Chair, Ways and Means Committee (By Request – Departmental – Commerce)

AN ACT concerning

Maryland Research and Development Tax Credit – Sunset Extension

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 183 – Prince George’s County Delegation

AN ACT concerning

Prince George's County – Property Tax Credit for Security Camera Systems

PG 413–19

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 465 – Chair, Ways and Means Committee (By Request – Departmental – Assessments and Taxation)

AN ACT concerning

State Department of Assessments and Taxation – Distribution of Recordation and Transfer Tax Revenues

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 809 – Delegates Palakovich Carr, Barve, Buckel, Cassilly, Gilchrist, Hornberger, Luedtke, Reilly, Rose, Shoemaker, ~~and Smith~~ Smith, Ivey, and Mosby

EMERGENCY BILL

AN ACT concerning

Sales and Use Tax – Taxable Services – Telephone Answering Service

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 67**

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

House Bill 549 – Delegates Miller, Lisanti, Healey, Krebs, R. Lewis, and Miller,
and Mautz

AN ACT concerning

Alcoholic Beverages – Class 1 Distillery License – On-Site Consumption Permit

HB0549/284534/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 549

(Third Reading File Bill)

On page 1, in line 4, after “and” insert “certain”; and strike beginning with “allowing” in line 6 down through “holder;” in line 9.

On page 3, in lines 6 and 25, in each instance, after “**OTHER**” insert “NONALCOHOLIC”.

On pages 3 and 4, strike in their entirety the lines beginning with line 26 on page 3 through line 2 on page 4, inclusive.

On page 4, in line 3, strike “**(IV)**” and substitute “**(II)**”.

The preceding amendment was read only.

Senator Kramer moved to make the Bill and Amendment a Special Order for April 5, 2019.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 1170)

ADJOURNMENT

At 12:48 P.M. on motion of Senator Guzzone the Senate adjourned until 11:00 A.M. on Legislative Day March 30, 2019, Calendar Day, Friday, April 5, 2019.

Annapolis, Maryland
Legislative Day: March 30, 2019
Calendar Day: Friday, April 5, 2019
11:00 A.M. Session

The Senate met at 11:11 A.M.

Prayer by Reverend Mansfield Kasey Kaseman, Office of Community Partnership, guest of Senator Kagan.

(See Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 1173)

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

The Journal of April 4, 2019 was read and approved.

CONFERENCE COMMITTEE REPORT

BILL NO.: SB 830 SPONSOR: Senator Elfreth

SUBJECT: Natural Resources – Fishery Management Plans – Oysters

THIRD READING CALENDAR HOUSE NO. 20 SENATE NO. 43

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the attached Environment and Transportation Committee Amendments (SB0830/440419/1) be adopted.

(2) That the attached Conference Committee Amendments (SB0830/373321/1) be adopted.

SB0830/440419/1

BY: Environment and Transportation Committee

AMENDMENTS TO SENATE BILL 830

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “prohibiting” in line 18 down through “purpose;” in line 19; and in line 20, after “purpose” insert “under certain circumstances”.

AMENDMENT NO. 2

On page 3, in line 21, strike “ONLY INCLUDE” and substitute “INCLUDE ONLY”; in lines 26 and 28, in each instance, strike the first “ASSOCIATION” and substitute “ASSOCIATION,”; in lines 30 and 32, in each instance, strike “INDUSTRY” and substitute “INDUSTRY,”; in line 29, after “4.” insert “A REPRESENTATIVE FROM THE BLACKS OF THE CHESAPEAKE FOUNDATION, DESIGNATED BY THE FOUNDATION;”

5.;

and in line 31, strike “5.” and substitute “6.”.

AMENDMENT NO. 3

On page 4, in lines 1, 3, 5, 7, 9, 11, 13, 15, 17, and 19, strike “6.”, “7.”, “8.”, “9.”, “10.”, “11.”, “12.”, “13.”, “14.”, and “15.”, respectively, and substitute “7.”, “8.”, “9.”, “10.”, “11.”, “12.”, “13.”, “14.”, “16.”, and “17.”, respectively; in line 2, strike “MARYLAND” and substitute “MARYLAND,”; in line 4, strike the first “FOUNDATION” and substitute “FOUNDATION,”; in line 6, strike the first “CONSERVANCY” and substitute “CONSERVANCY,”; in line 8, strike the first “ASSOCIATION” and substitute “ASSOCIATION,”; in line 10, strike the first “FEDERATION” and substitute “FEDERATION,”; in line 14, strike the first “COMMISSION” and substitute “COMMISSION,”; in line 16, strike the first “ENVIRONMENTAL” and substitute “ENVIRONMENTAL,”; in line 18, strike the first “AQUARIUM” and substitute “AQUARIUM,”; in line 20, strike “SCIENCE” and substitute “SCIENCE,”; after line 16, insert:

“15. A REPRESENTATIVE FROM THE CHESAPEAKE BAYSAVERS, DESIGNATED BY THE CHESAPEAKE BAYSAVERS;”;

in line 18, strike “AND”; and in line 20, after the second “CENTER” insert “;AND”

18. A REPRESENTATIVE FROM THE PATUXENT ENVIRONMENTAL AND AQUATIC RESEARCH LABORATORY, MORGAN STATE UNIVERSITY, DESIGNATED BY THE RESEARCH LABORATORY”.

AMENDMENT NO. 4

On page 5, strike in their entirety lines 27 through 29, inclusive.

AMENDMENT NO. 5

On page 6, in line 24, after “OYSTERS” insert “,INCLUDING THE PUBLIC FISHERY”.

AMENDMENT NO. 6

On page 8, in line 20, after “ARTICLE,” insert “AND WITH THE CONSENT OF A 75% MAJORITY OF ITS MEMBERS,”.

AMENDMENT NO. 7

On page 9, in line 16, after “Department” insert “of Natural Resources”.

SB0830/373321/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 830

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 18, after “actions;” insert “prohibiting the Department from using certain funds for a certain purpose;”.

AMENDMENT NO. 2

On page 5, after line 26, insert:

“(5) THE DEPARTMENT MAY NOT USE FUNDS ALLOCATED TO A COUNTY OYSTER COMMITTEE FOR THE COMMISSION ESTABLISHED UNDER THIS SUBSECTION.”

Senate Members:

House Members:

Chair, **Paul G. Pinsky**

Chair, **Dana Stein**

Ronald N. Young

Kumar P. Barve

Bryan W. Simonaire

Sara Love

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

() Chief Clerk
(X) Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 34 Negative – 12 (See Roll Call No. 1174)

The Bill was then sent to the House of Delegates.

**MESSAGE FROM THE HOUSE
SENATE BILLS AMENDED IN THE HOUSE NO. 23**

AMENDED IN THE HOUSE

Senate Bill 328 – Senators Smith, Augustine, Carter, Elfreth, Ellis, Ferguson, Griffith, Hayes, Hester, Kramer, Lam, Lee, McCray, Rosapepe, and Waldstreicher

AN ACT concerning

Labor and Employment – Noncompete and Conflict of Interest Clauses

Senator Kelley moved that the Senate concur in the House amendment.

SB0328/933590/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 328

(Third Reading File Bill)

On page 1, in line 5, after “application” insert “and construction”; and in line 18, after “THAN” insert “:”.

On page 2, strike in their entirety lines 1 and 2; after line 2, insert:

“1. \$15 PER HOUR; OR

2. \$31,200 ANNUALLY; AND”;

after line 16, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be construed to affect a determination by a court in an action involving a noncompete or conflict of interest provision that is not subject to Section 1 of this Act.”;

and in line 17, strike “2.” and substitute “3.”.

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 – 45 Negative – 0 (See Roll Call No. 1175)

INTRODUCTION OF THE BALTIMORE ORIOLES

MESSAGE FROM THE HOUSE SENATE BILLS AMENDED IN THE HOUSE NO. 23

AMENDED IN THE HOUSE

Senate Bill 406 – Senators Ferguson, Benson, Carter, Elfreth, Ellis, Feldman, Guzzone, Hayes, Klausmeier, Lee, McCray, Nathan–Pulliam, Patterson, Rosapepe, ~~and Washington~~ Washington, Beidle, and Kelley

AN ACT concerning

~~**Prenatal and Infant Care Coordination – Grant Funding and Task Force on Maryland Maternal and Child Health**~~

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

SB0406/546688/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 406
(Third Reading File Bill)AMENDMENT NO. 1

On page 1, strike beginning with “Task” in line 2 down through “Health” in line 3 and substitute “Prenatal and Infant Care Coordination – Grant Funding and Task Force”; in line 6, before “establishing” insert “requiring the Governor to include a certain amount of funding for the Maryland Prenatal and Infant Care Coordination Services Grant Program Fund in the annual budget beginning in a certain fiscal year;”; in line 12, after “date;” insert “providing for the effective dates of this Act;”; in line 13, after “termination” insert “of certain provisions”; and strike beginning with “the” in line 14 down through “Health” in line 15 and substitute “prenatal and infant care coordination services”.

On page 2, after line 4, insert:

“BY repealing and reenacting, without amendments,

Article – Health – General

Section 24–1502(a)

Annotated Code of Maryland

(2015 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 24–1502(f)

Annotated Code of Maryland

(2015 Replacement Volume and 2018 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

That the Laws of Maryland read as follows:

Article – Health – General

24–1502.

(a) There is a Maryland Prenatal and Infant Care Coordination Services Grant Program Fund.

(f) **(1)** [Beginning in] IN fiscal year 2020 [and in each fiscal year thereafter], the Governor shall include in the annual budget \$50,000 for the Fund.

(2) FOR FISCAL YEAR 2021 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET \$100,000 FOR THE FUND.”;

in line 5, strike “1.” and substitute “2. AND”; in the same line, after “IT” insert “FURTHER”; and in the same line, strike “BY THE GENERAL ASSEMBLY OF MARYLAND”.

AMENDMENT NO. 2

On page 3, in line 10, strike “and”; in line 12, after “Pediatrics” insert “;”

(viii) one representative of the Maryland Association for the Treatment of Opioid Dependence;

(ix) one physician specializing in neonatology, maternal fetal medicine, or pediatric cardiology from a hospital other than the Johns Hopkins Children’s Center or the University of Maryland Children’s Hospital;

(x) one representative of the Maryland Patient Safety Center; and

(xi) one representative of the Maryland Section of the American College of Obstetricians and Gynecologists”;

in line 22, strike “Health Services Cost Review Commission” and substitute “Maryland Department of Health”; in line 24, strike the second “and”; in line 25, after “how” insert “State policies and”; in line 27, strike “use the global budgets revenue system” and substitute “encourage partnerships under the all-payer model”; and in line 30, after “improvements” insert “; and”

(3) programs that the Maryland Medical Assistance Program should implement”.

On page 4, after line 3, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect October 1, 2019.”;

in line 6, strike “2.” and substitute “4.”; in line 7, before “this” insert “, except as provided in Section 3 of this Act.”; in the same line, strike “It” and substitute “Section 2 of this Act”; and in line 8, before “this” insert “Section 2 of”.

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 – 46 Negative – 0 (See Roll Call No. 1176)

AMENDED IN THE HOUSE

Senate Bill 634 – ~~Senator~~ Senators Eckardt and Hershey

AN ACT concerning

Electric Cooperatives – Powers – Conducting or Communications Facilities

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

SB0634/433892/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 634

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “purpose;” insert “requiring an electric cooperative to give certain notice to certain property owners at least a certain amount of time before constructing certain facilities in a certain electric easement or making capacity available for certain services in the electric easement; providing for the contents of a certain notice; providing for the application of this Act; defining a certain term;”; and after line 13, insert:

“BY adding to

Article – Corporations and Associations

Section 5–641.1

Annotated Code of Maryland

(2014 Replacement Volume and 2018 Supplement)”.

AMENDMENT NO. 2

On page 4, after line 13, insert:

“5–641.1.

(A) IN THIS SECTION, “ELECTRIC EASEMENT” MEANS AN EASEMENT HELD BY A COOPERATIVE FOR THE SITING OF ELECTRIC FACILITIES, REGARDLESS OF WHETHER THE EASEMENT IS FOR THE EXCLUSIVE BENEFIT OF THE COOPERATIVE OR FOR USE BY OTHER UTILITY COMPANIES.

(B) THIS SECTION APPLIES ONLY TO A COOPERATIVE IN THE EXERCISE OF ITS AUTHORITY UNDER § 5-607(A)(12) OF THIS SUBTITLE TO CONSTRUCT, MAINTAIN, OR OPERATE CONDUCTING OR COMMUNICATIONS FACILITIES WITHIN AN ELECTRIC EASEMENT THAT DOES NOT EXPRESSLY PROVIDE FOR THE CONSTRUCTION, MAINTENANCE, OR OPERATION OF CONDUCTING OR COMMUNICATIONS FACILITIES WITHIN THE EASEMENT.

(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, A COOPERATIVE SHALL GIVE NOTICE TO EACH OWNER OF PROPERTY SUBJECT TO AN ELECTRIC EASEMENT AT LEAST 60 DAYS BEFORE THE COOPERATIVE:

(I) CONSTRUCTS CONDUCTING OR COMMUNICATIONS FACILITIES WITHIN THE EASEMENT; OR

(II) MAKES CAPACITY AVAILABLE FOR TELECOMMUNICATIONS, BROADBAND INTERNET ACCESS, OR RELATED SERVICES WITHIN THE ELECTRIC EASEMENT.

(2) THE COOPERATIVE SHALL GIVE THE NOTICE REQUIRED UNDER THIS SUBSECTION BY:

(I) POSTING NOTICE ON THE COOPERATIVE’S WEBSITE; AND

(II) INCLUDING THE NOTICE WITH BILLING INFORMATION SUCH AS A BILL INSERT OR BILL MESSAGE.

(3) THE COOPERATIVE SHALL GIVE THE NOTICE REQUIRED UNDER THIS SECTION AT THE NEXT FOLLOWING ANNUAL MEMBER MEETING OF THE COOPERATIVE AFTER THE NOTICE HAS BEEN GIVEN UNDER PARAGRAPH (2) OF THIS SUBSECTION.

(4) THE NOTICE SHALL CONTAIN:

(I) A STATEMENT INDICATING THE COOPERATIVE’S INTENT TO USE THE ELECTRIC EASEMENT BY:

1. CONSTRUCTING NEW CONDUCTING OR COMMUNICATIONS FACILITIES; OR

2. MAKING CAPACITY AVAILABLE FOR TELECOMMUNICATIONS, BROADBAND INTERNET ACCESS, OR RELATED SERVICES THROUGH EXISTING FACILITIES; AND

(II) A WRITTEN PLAN FOR MAKING BROADBAND INTERNET SERVICE AVAILABLE WITHIN THE COOPERATIVE’S SERVICE TERRITORY.”.

AMENDMENT NO. 3

On page 4, after line 13, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply retroactively and shall be applied to and interpreted to affect all real property, rights-of-way, and easements held by an electric cooperative on and after the effective date of this Act.”;

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

The preceding 3 amendments were read and concurred in.

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1177)

AMENDED IN THE HOUSE

Senate Bill 796 – Senators Hayes and Lam

AN ACT concerning

State Commission on Kidney Disease – Membership – Revisions

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

SB0796/836681/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 796

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “repealing a certain provision of law that prohibits” and substitute “prohibiting”; in line 4, strike “any”; and in the same line, after “ownership” insert “of more than a certain percent, rather than any.”.

AMENDMENT NO. 2

On page 2, in line 5, strike the bracket; in line 6, strike the bracket; in the same line, strike “ARE”; in line 7, strike the bracket; in line 8, strike “any”; in the same line, after “ownership” insert “OF MORE THAN 30%”; and in line 9, strike the bracket.

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 – 46 Negative – 0 (See Roll Call No. 1178)

AMENDED IN THE HOUSE

Senate Bill 802 – Senators Feldman, Beidle, Carter, Elfreth, Guzzone, Hayes, Kelley, Lam, Lee, Rosapepe, ~~and Zucker~~ Zucker, Smith, Ellis, Griffith, Kramer, Peters, and Pinsky

AN ACT concerning

**Maryland Health Insurance Option
(Protect Maryland Health Care Act of 2019)**

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

SB0802/376981/2

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 802

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Maryland” in line 2 down through “2019” in line 3 and substitute “Maryland Easy Enrollment Health Insurance Program”; in lines 4 and 12, in each instance, strike “Health Insurance Option” and substitute “Easy Enrollment Health Insurance Program”; and in lines 5 and 11, in each instance, strike “Option” and substitute “Program”.

On page 2, in lines 5 and 8, in each instance, strike “check-off” and substitute “checkoff”.

On page 3, in line 14, strike “Health Insurance Option” and substitute “Easy Enrollment Health Insurance Program”.

AMENDMENT NO. 2

On page 9, in line 4, strike “**HEALTH INSURANCE OPTION**” and substitute “**EASY ENROLLMENT HEALTH INSURANCE PROGRAM**”; in lines 8 and 9, strike “**HEALTH INSURANCE OPTION**” and substitute “**EASY ENROLLMENT HEALTH INSURANCE PROGRAM**”; strike in their entirety lines 25 and 26; and in line 27, strike “**(H)**” and substitute “**(G)**”.

On page 10, in lines 1 and 3, strike “**(I)**” and “**(J)**”, respectively, and substitute “**(H)**” and “**(I)**”, respectively; and after line 16, insert:

“(J) “PROGRAM” MEANS THE MARYLAND EASY ENROLLMENT HEALTH INSURANCE PROGRAM ESTABLISHED UNDER § 31-202 OF THIS SUBTITLE.”

On page 11, in line 2, strike “**HEALTH INSURANCE OPTION**” and substitute “**EASY ENROLLMENT HEALTH INSURANCE PROGRAM**”; and in lines 3 and 27, in each instance, strike “**OPTION**” and substitute “**PROGRAM**”.

On page 12 in lines 5, 14, and 18 and on page 13 in line 10, in each instance, strike “**OPTION**” and substitute “**PROGRAM**”.

On page 12, in lines 16 and 17, strike “**HEALTH INSURANCE OPTION**” and substitute “**EASY ENROLLMENT HEALTH INSURANCE PROGRAM**”.

On page 15, in line 12, strike “**CHECK-OFF**” and substitute “**CHECKOFF**”.

On page 16, in line 5, strike “**(D)**” and substitute “**(C)**”.

On page 20, in lines 21 and 24, in each instance, strike “**OPTION**” and substitute “**PROGRAM**”.

AMENDMENT NO. 3

On page 22, strike in their entirety lines 3 and 4; in line 5, strike “**(9)**” and substitute “**(8)**”; after line 6, insert:

“**(9) “PROGRAM” MEANS THE MARYLAND EASY ENROLLMENT HEALTH INSURANCE PROGRAM ESTABLISHED UNDER § 31-202 OF THE INSURANCE ARTICLE.**”;

in line 10, strike “**THIS TITLE**” and substitute “**THE INSURANCE ARTICLE**”; and in lines 29 and 32, in each instance, strike “**CHECK-OFF**” and substitute “**CHECKOFF**”.

On page 23, in lines 8 and 30, in each instance, strike “**CHECK-OFF**” and substitute “**CHECKOFF**”; and in line 27, strike “**CHECK-OFF**” and substitute “**CHECKOFF**”.

On page 24, in lines 7, 16, and 22, in each instance, strike “**CHECK-OFF**” and substitute “**CHECKOFF**”.

AMENDMENT NO. 4

On page 39, in lines 11 and 12, strike “**Health Insurance Option**” and substitute “**Easy Enrollment Health Insurance Program**”; and in line 19, strike “**Health Insurance Option**” and substitute “**Easy Enrollment Health Insurance Program**”.

The preceding 4 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 – 46 Negative – 0 (See Roll Call No. 1179)

**MESSAGE FROM THE HOUSE
SENATE BILLS AMENDED IN THE HOUSE NO. 24**

AMENDED IN THE HOUSE

Senate Bill 258 – Carroll County Senators

EMERGENCY BILL

AN ACT concerning

Carroll County – Gaming Events – Repeal of Sunday Prohibition

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

SB0258/285363/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 258

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, strike “EMERGENCY BILL”; and in line 5, strike “making this Act an emergency measure;”.

AMENDMENT NO. 2

On page 3, strike beginning with “is” in line 5 down through “enacted” in line 9 and substitute “shall take effect June 1, 2019”.

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 – 46 Negative – 0 (See Roll Call No. 1180)

AMENDED IN THE HOUSE

Senate Bill 870 – Senators King, Augustine, Beidle, Benson, Carter, Elfreth, Ellis, Feldman, Ferguson, Griffith, Guzzone, Hayes, Hester, Kagan, Kelley, Klausmeier, Kramer, Lam, Lee, Miller, Nathan–Pulliam, Patterson, Peters,

Pinsky, Rosapepe, Smith, Waldstreicher, Washington, Young, Zirkin, and Zucker

AN ACT concerning

Income Tax – Child and Dependent Care Tax Credit – Alterations

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

SB0870/655767/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 870

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 10, after “JOINT” insert “INCOME TAX”; and in line 18, after “section” insert “AND EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION”.

On page 3, in line 23, strike “individual filing a separate return” and substitute “COUPLE FILING A JOINT INCOME TAX RETURN”.

AMENDMENT NO. 2

On page 2, in line 15, strike “\$110,000” and substitute “\$92,000”; in line 16, strike “\$141,000” and substitute “\$143,000”; in lines 18 and 20, in each instance, strike the bracket; in line 18, strike “THE”; and in line 20, strike “32.5%” and substitute “32%”.

On pages 2 and 3, strike in their entirety the lines beginning with line 21 on page 2 through line 17 on page 3, inclusive.

On page 3, in lines 19 and 26, in each instance, strike the bracket; in lines 20 and 22, in each instance, strike “\$41,000” and substitute “\$30,000”; in lines 20 and 25, in each instance, strike “10%” and substitute “1%”; in line 21, in each instance, strike “\$1,000” and substitute “\$2,000”; in lines 24 and 26, in each instance, strike “\$20,500” and substitute “\$50,000”; and in lines 25 and 26, in each instance, strike “\$500” and substitute “\$3,000”.

On page 3, in line 27, strike “(D)” and substitute “(E)”.

On page 4, in lines 3, 4, 5, and 22, strike “(E)”, “(C)(1)(I)”, “(D)”, and “(F)”, respectively, and substitute “(F)”, “(B)”, “(E)”, and “(G)”, respectively; in line 3, strike “(I)”; and strike in their entirety lines 9 through 12, inclusive.

The preceding 2 amendments were read and concurred in.

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

Affirmative – 46 Negative – 0 (See Roll Call No. 1181)

AMENDED IN THE HOUSE

Senate Bill 911 – Senators Beidle, Carter, Elfreth, Kagan, Lee, Klausmeier, and ~~Washington~~ Washington, and Ferguson

AN ACT concerning

**Gender Diversity in the Boardroom – Annual Report ~~or Nonprofit Sales and Use~~
~~Tax Exemption Application~~**

Senator King moved that the Senate concur in the House amendments.

SB0911/185765/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 911 (Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, after “year;” insert “providing for the termination of this Act;”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 18 through 20, inclusive, and substitute:

“WHEREAS, Of the 70 publicly traded companies headquartered in the State in 2018, 27 have no women in executive positions, 15 have no women on their boards of directors, and 6 have no women on their boards of directors or in their executive suites; and”.

AMENDMENT NO. 3

On page 6, in line 21, after the period insert “It shall remain effective for a period of 10 years and, at the end of September 30, 2029, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.”.

The preceding 3 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 40 Negative – 6 (See Roll Call No. 1182)

**MESSAGE FROM THE HOUSE
SENATE BILLS AMENDED IN THE HOUSE NO. 25**

AMENDED IN THE HOUSE

Senate Bill 728 – Senator Guzzone

AN ACT concerning

Sales and Use Tax – Collection by Marketplace Facilitators

Senator King moved that the Senate concur in the House amendments.

SB0728/465665/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 728

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in its entirety line 2 and substitute “Taxation of Online Sales – Marketplace Facilitators and Sellers of Other Tobacco Products”; in line 21, after “license;” insert “requiring certain out-of-state sellers to pay the tobacco tax on pipe tobacco or certain premium cigars under certain circumstances;”; in line 24, after “interest;” insert “making the provisions of this Act severable;”; and in line 25, after “tax” insert “and payment of the tobacco tax”.

On page 2, in line 8, strike “and 11–502.1” and substitute “11–502.1, and 12–302(e)”; and in line 14, before “and” insert “12–101,”.

AMENDMENT NO. 2

On page 2, in line 26, before “REVENUES” insert “TO THE BLUEPRINT FOR MARYLAND’S FUTURE FUND ESTABLISHED UNDER § 5-219 OF THE EDUCATION ARTICLE,”; in line 27, strike “BY A MARKETPLACE FACILITATOR OR” and substitute “BY:

(I) A MARKETPLACE FACILITATOR; OR

(II)”;

in line 28, after “AND” insert “WHO”; and strike beginning with “UNDER” in line 29 down through “ARTICLE” in line 32 and substitute “AS SPECIFIED IN COMAR 03.06.01.33B(5)”.

On page 3, in line 1, after “PAY” insert “INTO THE GENERAL FUND OF THE STATE”; in lines 2 and 3, strike “BY A MARKETPLACE FACILITATOR OR” and substitute “BY:

(1) A MARKETPLACE FACILITATOR; OR

(2)”;

in line 4, after the first “AND” insert “WHO”; and strike beginning with “UNDER” in line 4 down through “STATE” in line 6 and substitute “AS SPECIFIED IN COMAR 03.06.01.33B(5)”.

AMENDMENT NO. 3

On page 11, after line 4, insert:

“12-101.

(a) In this title the following words have the meanings indicated.

(b) “Cigarette” means any size or shaped roll for smoking that is made of tobacco or tobacco mixed with another ingredient and wrapped in paper or in any other material except tobacco.

(c) “Manufacturer” means a person who acts as a manufacturer as defined in § 16–201 of the Business Regulation Article or as an other tobacco products manufacturer as defined in § 16.5–101 of the Business Regulation Article.

(d) “Other tobacco product” means:

(1) any cigar or roll for smoking, other than a cigarette, made in whole or in part of tobacco; or

(2) any other tobacco or product made primarily from tobacco, other than a cigarette, that is intended for consumption by smoking or chewing or as snuff.

(e) “Other tobacco products retailer” means a person authorized under § 16.5–205(b) of the Business Regulation Article to purchase other tobacco products on which the tobacco tax has not been paid.

(F) “OUT-OF-STATE SELLER” MEANS A PERSON LOCATED OUTSIDE THE STATE THAT SELLS, HOLDS FOR SALE, SHIPS, OR DELIVERS PREMIUM CIGARS OR PIPE TOBACCO TO CONSUMERS IN THE STATE IF, DURING THE PREVIOUS CALENDAR YEAR OR THE CURRENT CALENDAR YEAR:

(1) THE PERSON’S GROSS REVENUE FROM THE SALE OF PREMIUM CIGARS OR PIPE TOBACCO IN THE STATE EXCEEDS \$100,000; OR

(2) THE PERSON SOLD PREMIUM CIGARS OR PIPE TOBACCO INTO THE STATE IN 200 OR MORE SEPARATE TRANSACTIONS.

(G) “PIPE TOBACCO” HAS THE MEANING STATED IN § 16.5–101 OF THE BUSINESS REGULATION ARTICLE.

(H) “PREMIUM CIGARS” HAS THE MEANING STATED IN § 16.5–101 OF THE BUSINESS REGULATION ARTICLE.

[(f)] (I) “Sell” means to exchange or transfer, or to make an agreement to exchange or transfer, title or possession of property, in any manner or by any means, for consideration.

[(g)] (J) “Tax stamp” means a device in the design and denomination that the Comptroller authorizes by regulation for the purpose of being affixed to a package of cigarettes as evidence that the tobacco tax is paid.

[(h)] (K) “Tobacconist” means a person authorized under § 16.5–205(e) of the Business Regulation Article to purchase other tobacco products on which the tobacco tax has not been paid.

[(i)] (L) “Unstamped cigarettes” means a package of cigarettes to which tax stamps are not affixed in the amount and manner required in § 12–304 of this title.

[(j)] (M) “Wholesale price” means the price for which a wholesaler buys other tobacco products, exclusive of any discount, trade allowance, rebate, or other reduction.

[(k)] (N) “Wholesaler” means, unless the context requires otherwise, a person who acts as a wholesaler as defined in § 16–201 of the Business Regulation Article or as an other tobacco products wholesaler as defined in § 16.5–101 of the Business Regulation Article.

12–302.

(E) AN OUT-OF-STATE SELLER SHALL PAY THE TOBACCO TAX ON PIPE TOBACCO OR PREMIUM CIGARS ON WHICH THE TOBACCO TAX HAS NOT BEEN PAID.”.

On page 12, after line 2, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That, if any provision of this Act or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Act that can be given effect without the invalid provision or application, and for this purpose the provisions of this Act are declared severable.”;

and in line 3, strike “4.” and substitute “5.”.

The preceding 3 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 43 Negative – 3 (See Roll Call No. 1183)

MESSAGE TO THE SENATE

BILL: **SB0839**
SPONSOR: Senator Carter
SUBJECT: Labor and Employment – Criminal Record Screening Practices
 (Ban the Box)

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 Augustine, Chairman
Senator Hayes
Senator Benson.

The House appoints:

Delegate Wilson, Chair
Delegate Crosby
Delegate C. Watson

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB0253**
SPONSOR: Senator Hayes, et al
SUBJECT: Major Information Technology Development Project Fund –
 Exemption and Use of Fund

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 Young, Chairman
Senator Patterson
Senator Nathan–Pulliam.

The House appoints:

Delegate Carr, Chair
Delegate Szeliga
Delegate Rosenberg

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: SB0346
SPONSOR: Senator Ferguson, et al
SUBJECT: Public Safety – Regulated Firearms – Sell, Rent, Transfer, or Loan

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Hough, Chairman
Senator Carter
Senator Waldstreicher.

The House appoints:

Delegate Clippinger, Chair
Delegate Atterbary
Delegate Sydnor

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **SB0546**
SPONSOR: Senator Pinsky, et al
SUBJECT: Agriculture – Nutrient Management – Monitoring and
Enforcement

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Pinsky, Chairman
Senator Young
Senator Kagan.

The House appoints:

Delegate Lafferty, Chair
Delegate Stein
Delegate Lehman

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: **HB1246**
SPONSOR: Delegate Fraser–Hidalgo, et al
SUBJECT: Clean Cars Act of 2019

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Fraser–Hidalgo, Chair
Delegate Barve
Delegate Stein

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **HB1246**
SPONSOR: Delegate Fraser–Hidalgo, et al
SUBJECT: Clean Cars Act of 2019

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Fraser–Hidalgo, Chairman

Delegate Barve
Delegate Stein.

The Senate appoints:

Senator Feldman, Chair
Senator Beidle
Senator Hershey

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: **HB0994**
SPONSOR: Delegate Mosby, et al
SUBJECT: Labor and Employment – Criminal Record Screening Practices
(Ban the Box)

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Wilson, Chair
Delegate Crosby
Delegate C. Watson

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **HB0994**
SPONSOR: Delegate Mosby, et al
SUBJECT: Labor and Employment – Criminal Record Screening Practices
 (Ban the Box)

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Wilson, Chairman
Delegate Crosby
Delegate C. Watson.

The Senate appoints:

Senator Augustine, Chair
Senator Hayes
Senator Benson

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.
Secretary

Read and adopted.

BUDGET AND TAXATION COMMITTEE REPORT NO. 37

Senator King, Chair, for the Committee on Budget and Taxation reported favorably:

Senate Bill 477 – Senator Kramer

AN ACT concerning

**Income Tax – Subtraction Modification – Maryland Transportation Authority
Police**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

BUDGET AND TAXATION COMMITTEE REPORT NO. 38

Senator King, Chair, for the Committee on Budget and Taxation reported favorably:

**House Bill 48 – Delegates Grammer and ~~Luedtke~~, Luedtke, Hornberger, Ivey,
Palakovich Carr, Reilly, and Rose**

AN ACT concerning

eSports Act

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator King, Chair, for the Committee on Budget and Taxation reported favorably:

**House Bill 387 – Delegates Hornberger, Buckel, Cassilly, Cox, Kittleman,
McComas, Metzgar, Miller, and Shoemaker**

AN ACT concerning

**Income Tax – Subtraction Modification – Maryland Transportation Authority
Police**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator King, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

**House Bill 428 – Delegates C. Watson, Atterbeary, Bagnall, Cain, Chang,
Corderman, Ebersole, Feldmark, Fennell, Hill, Jackson, Kelly, Kittleman,
Korman, Lafferty, R. Lewis, Miller, Patterson, Pendergrass, ~~and Terrasa~~
Terrasa, Acevero, Anderton, Boyce, Bridges, Gaines, Ghrist, Gilchrist,
Harrison, Haynes, Healey, Hettleman, Holmes, Jones, Krimm, Lehman,
Lierman, Love, ~~Mangione~~, McKay, Proctor, Solomon, Stein,
Valentino-Smith, Wells, and P. Young**

AN ACT concerning

**Comprehensive Flood Management Grant Program – Awards for Flood Damage
and Mandatory Funding**

HB0428/859436/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 428
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, strike “each” and substitute “certain”; and in the same line, strike “submission” and substitute “submissions”.

AMENDMENT NO. 2

On page 6, strike beginning with “**FOR**” in line 8 down through the first “**THE**” in line 9 and substitute “**THE**”; in line 10, strike “**OF AT LEAST \$5,000,000**”; and in line 11, after “**PROGRAM**” insert “**OF AT LEAST:**”

- 1. FOR FISCAL YEAR 2021, \$3,000,000;**
- 2. FOR FISCAL YEAR 2022, \$3,000,000; AND**
- 3. FOR FISCAL YEAR 2023, \$2,000,000”.**

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator King, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 454 – Delegate Kipke

AN ACT concerning

**Sales and Use Tax – List of Tangible Personal Property and Services –
Publication**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator King, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 482 – Delegates Mosby, Branch, ~~and Walker~~ Walker, Kaiser, D. Barnes, Boteler, Cain, Ebersole, Feldmark, Guyton, Hornberger, Ivey, Long, Luedtke, Palakovich Carr, Patterson, Rose, Shoemaker, Smith, Turner, Washington, and Wilkins

AN ACT concerning

Income Tax Credit – Endowments of Maryland Historically Black Colleges and Universities

HB0482/119231/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 482

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 2 and 3 and substitute “Income Tax Credits – Endowments of Maryland Historically Black Colleges and Universities and Film Production Activity – Establishment and Alterations”; after line 17, insert “altering a certain definition to include certain entities incorporated in Maryland for at least a certain time period to be eligible for the film production activity tax credit”; in line 18, strike “providing for the application and termination of this Act” and substitute “providing for the application of this Act; providing for the termination of certain provisions of this Act”; in line 19, strike “a”; in the same line, strike “credit” and substitute “credits”; and in line 20, after “funds” insert “and film production activity”.

On page 2, in line 2, strike the first “and” and substitute a comma; in the same line, after “(d)(6)” insert “, and 10-730(b)(1)”; and in line 7, after “10-204(l)” insert “and 10-730(a)(4)”.

AMENDMENT NO. 2

On page 4, after line 25, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Tax – General

10–730.

(a) (4) “Maryland small or independent film entity” means a qualified film production entity that:

(i) has been incorporated in Maryland for at least [1 year] 3 MONTHS;

(ii) is independently owned and operated;

(iii) is not a subsidiary of another entity;

(iv) is not dominant in its field of operation;

(v) employs 25 or fewer full–time employees; and

(vi) employs Maryland residents as at least 40% of its workforce in the film production activity.

(b) (1) A qualified film production entity may claim a credit against the State income tax for film production activities in the State in an amount equal to the amount stated in the final tax credit certificate approved by the Secretary for film production activities.”;

in line 26, strike “2.” and substitute “3.”; strike beginning with “but” in line 27 down through “It” in line 28 and substitute “. Section 1 of this Act”; and in line 29, after “2023,” insert “Section 1 of”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator King, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 564 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Gaming – Bingo Games

MC 1–19

HB0564/579234/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 564

(Third Reading File Bill)

On page 1, in line 18, strike “**21**” and substitute “**55**”.

On page 2, in line 7, after “**INDIVIDUAL**” insert “**OR AN ORGANIZATION**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator King, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 801 – Delegate Glenn (By Request – Baltimore City Administration)

AN ACT concerning

Maryland Stadium Authority – Baltimore Convention Facility – Renovation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator King, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 1120 – Delegates Carey, Attar, Bhandari, Bridges, Bromwell, Busch, Cardin, Crosby, Hettleman, Jones, Kipke, Lafferty, McIntosh, Pendergrass, Rosenberg, Stein, Szeliga, and C. Watson

EMERGENCY BILL

AN ACT concerning

State Prescription Drug Benefits – Retiree Benefits – Revisions

HB1120/759335/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1120

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, strike beginning with “requiring” in line 11 down through “website” in line 14 and substitute “requiring the Department to ensure Medicare-eligible retirees have access to certain services; requiring the Department to develop a certain plan for communicating to Medicare-eligible retirees the availability of certain programs and services; requiring the Department to submit a report on the plan by a certain date; requiring the report to include certain information”.

AMENDMENT NO. 2

On page 10, in line 27, strike “MAY 31” and substitute “DECEMBER 31”.

On page 11, in lines 26 and 27, strike “JUNE 1, 2019” and substitute “JANUARY 1, 2020”.

On page 14, in line 13, strike “RECOMMENDED OR”; and strike beginning with “THE” in line 21 down through “OF” in line 22 and substitute “ANY ADDITIONAL RESOURCES MADE AVAILABLE BY THE DEPARTMENT IN ACCORDANCE WITH”.

On pages 14 and 15, strike beginning with “PROVIDE” in line 23 on page 14 down through “PERSON” in line 28 on page 15 and substitute “ENSURE MEDICARE-ELIGIBLE RETIREES HAVE ACCESS TO ONE-ON-ONE COUNSELING SERVICES TO ASSIST RETIREES IN SELECTING A MEDICARE PRESCRIPTION DRUG BENEFIT PLAN.”

(2) THE DEPARTMENT SHALL DEVELOP A PLAN TO COMMUNICATE TO MEDICARE-ELIGIBLE RETIREES THE AVAILABILITY OF:

(I) THE PROGRAMS UNDER SUBSECTIONS (D), (E), AND (F) OF THIS SECTION; AND

(II) SERVICES AND INFORMATION REGARDING PRESCRIPTION DRUG BENEFIT PLANS UNDER MEDICARE.

(3) ON OR BEFORE DECEMBER 31, 2019, THE DEPARTMENT SHALL SUBMIT A REPORT TO THE SENATE BUDGET AND TAXATION COMMITTEE AND THE HOUSE APPROPRIATIONS COMMITTEE, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, ON THE PLAN DEVELOPED UNDER PARAGRAPH (2) OF THIS SUBSECTION.

(4) THE REPORT REQUIRED UNDER PARAGRAPH (3) OF THIS SUBSECTION SHALL INCLUDE:

(I) OPTIONS FOR PROVIDING ONE-ON-ONE COUNSELING, INCLUDING:

1. IN-PERSON, OVER-THE-PHONE, OR WEB-BASED COUNSELING;

2. THE TIMES AT WHICH ONE-ON-ONE COUNSELING WILL BE AVAILABLE;

3. A PLAN TO ENSURE EQUITABLE GEOGRAPHIC ACCESS TO ONE-ON-ONE COUNSELING; AND

4. ENTERING INTO A STATEWIDE CONTRACT WITH AN EMPLOYEE BENEFITS ADMINISTRATOR OR SIMILAR ENTITY TO PROVIDE ONE-ON-ONE COUNSELING SERVICES;

(II) PLANS FOR HOLDING SEMINARS IN EVERY COUNTY OF THE STATE TO PROVIDE INFORMATION REGARDING ELIGIBILITY FOR AND AVAILABLE

BENEFITS UNDER THE PROGRAMS ESTABLISHED UNDER SUBSECTIONS (D), (E), AND (F) OF THIS SECTION;

(III) PLANS FOR PROVIDING ACCESS TO A WEB-BASED OVERVIEW AND INTERACTIVE WEBSITE THAT PROVIDE INFORMATION ON:

1. MEDICARE PRESCRIPTION DRUG BENEFIT PLANS;
AND

2. SUBSIDY AND FINANCIAL ASSISTANCE PROGRAMS FOR LOW-INCOME INDIVIDUALS; AND

(IV) PLANS FOR PROVIDING A TOLL-FREE HOTLINE FOR REPORTING ISSUES AND CONCERNS REGARDING THE SERVICES PROVIDED IN ACCORDANCE WITH THIS PARAGRAPH".

On page 16, in line 17, strike "STATUS OF PROCURING A CONTRACT TO PROVIDE THE" and substitute "AVAILABILITY OF"; and in line 18, strike "IN" and substitute "UNDER".

On page 18, in line 3, strike "May" and substitute "September"; and in line 10, strike "May" and substitute "December".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator King, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 1135 – Delegates Shoemaker and Rose

AN ACT concerning

Carroll County – Gaming – Home Games – Bingo

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator King, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 1209 – ~~Delegate Kaiser~~ Delegates Kaiser, Ebersole, Washington, Walker, Mosby, Ivey, Palakovich Carr, Feldmark, Wilkins, and Patterson

AN ACT concerning

Property Tax – Collection of Unpaid Taxes and Tax Sales

HB1209/349530/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1209

(Third Reading File Bill)

AMENDMENT NO. 1

On pages 1 and 2, strike beginning with “requiring” in line 8 on page 1 through “court;” in line 21 on page 2 and substitute “authorizing the governing body of a county or a municipal corporation to withhold from tax sale a dwelling owned by a homeowner who meets certain criteria; requiring certain notices sent to property owners whose properties are subject to tax sale to include a certain summary of the tax sale process and certain information concerning the State Tax Sale Ombudsman.”.

On page 2, strike beginning with “authorizing” in line 27 down through “rules;” in line 28; strike beginning with “providing” in line 28 down through the first “date;” in line 30; strike beginning with “14–873” in line 34 down through “Reports” in line 36 and substitute “and 14–873 and 14–874 to be under the new part “Part V. Tax Sale Reports””; and in line 41, strike “14–603(a) and 14–811(a)” and substitute “14–812”.

On page 3, in line 2, strike “14–801(d)” and substitute “14–817.1”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 16 and 17 and substitute:

“(2) “HOMEOWNER” HAS THE MEANING STATED IN § 9–105 OF THIS ARTICLE.”;

and in line 27, strike “ELIGIBLE”.

On page 4, in lines 1, 3, 5, 6, 14, 16, and 24, in each instance, strike “ELIGIBLE”; in line 15, after “SITUATION;” insert “AND”; and strike beginning with semicolon in line 18 down through “BASIS” in line 21.

AMENDMENT NO. 3

On pages 4 through 12, strike in their entirety the lines beginning with line 26 on page 4 through line 13 on page 12, inclusive, and substitute:

“14-811.

(E) (1) IN THIS SUBSECTION, “DWELLING” AND “HOMEOWNER” HAVE THE MEANINGS STATED IN § 9-105 OF THIS ARTICLE.

(2) THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION MAY WITHHOLD FROM SALE A DWELLING OWNED BY A HOMEOWNER WHO IS LOW-INCOME, AT LEAST 65 YEARS OLD, OR DISABLED IF THE HOMEOWNER MEETS ELIGIBILITY CRITERIA ESTABLISHED BY THE COUNTY OR MUNICIPAL CORPORATION.

14-812.

(a) (1) At least 30 days before any property is first advertised for sale under this subtitle, the collector shall have mailed to the person who last appears as owner of the property on the collector’s tax roll, at the last address shown on the tax roll, a statement giving the name of the person, and the amounts of taxes due.

(2) On the statement required under paragraph (1) of this subsection there shall also appear the following notice:

“Date”

.....

“This Is a Final Bill and Legal Notice to the Person Whose Name Appears on This Notice.”

“According to the collector’s tax roll you are the owner of the property appearing on this notice. Some of the taxes listed are in arrears. Notice is given you that unless all taxes in arrears are paid on or before 30 days from the above date, the collector will proceed to

sell the above property to satisfy your entire indebtedness. Interest and penalties must be added to the total at the time of payment.”

(b) The mailing required under subsection (a) of this section shall include a separate insert that includes the following:

(1) A CLEAR, CONCISE, AND EASILY UNDERSTANDABLE SUMMARY OF THE TAX SALE PROCESS NOT EXCEEDING ONE PAGE IN LENGTH THAT INCLUDES A SIMPLE EXPLANATION OF THE STEPS THAT A PROPERTY OWNER IS REQUIRED TO TAKE TO RETAIN THE PROPERTY AT EACH STAGE IN THE PROCESS;

[(1)] (2) the statement “If this property is your principal residence and you are having difficulty paying the taxes on the property, there are programs that may help you.”;

(3) A STATEMENT THAT THE STATE TAX SALE OMBUDSMAN ESTABLISHED UNDER § 2-112 OF THIS ARTICLE OR THE COUNTY TAX SALE OMBUDSMAN, IF APPLICABLE, IS AVAILABLE TO:

(I) ANSWER QUESTIONS ABOUT THE TAX SALE PROCESS; AND

(II) ASSIST HOMEOWNERS WITH APPLYING FOR TAX CREDITS AND OTHER BENEFITS THAT MAY HELP HOMEOWNERS TO PAY DELINQUENT TAXES AND RETAIN THEIR HOMES;

(4) THE TOLL-FREE TELEPHONE NUMBER AND WEBSITE ADDRESS OF THE STATE TAX SALE OMBUDSMAN OR THE COUNTY TAX SALE OMBUDSMAN, IF APPLICABLE;

[(2)] (5) a statement that free counseling is available to help homeowners make plans to pay their bills and keep their homes by calling the telephone number of:

(i) the Homeowner’s HOPE Hotline; or

(ii) another similar local housing counseling service chosen by the collector;

[(3)] (6) the following information concerning the homeowners' property tax credit under § 9–104 of this article:

(i) the statement “The homeowners' property tax credit may significantly reduce the property taxes you owe if you have limited income and assets. You may be eligible for the credit at any age, but if you are 70 years old or older, you may be eligible for a special benefit that may reduce the taxes you owe for the past 3 years.”; and

(ii) the website address and telephone number of the State [Department of Assessments and Taxation] TAX SALE OMBUDSMAN where more information is available about the homeowners' property tax credit and how to apply;

[(4)] (7) if the collector uses the tax sale process to enforce a lien for unpaid charges for water or sewer service and a water or sewer utility serving the collector's jurisdiction offers a program for discounted water or sewer rates for low-income customers:

(i) a brief description of the program for discounted water or sewer rates for low-income customers; and

(ii) information on how to apply for the program, including, if applicable, a website address and telephone number where more information and applications are available; and

[(5)] (8) any other information that may assist low-income homeowners in avoiding tax sale costs or foreclosure that the collector considers appropriate.

(c) For any individual who last appears as an owner of the property on the collector's tax roll who has been listed as an owner of the property on the collector's tax roll for at least the last 25 years, the collector shall provide, at least 30 days before the property is first advertised, a list that includes the individual's name and address and notice to the area agency, as defined in § 10–101 of the Human Services Article.

(d) Failure of the collector to mail the statement and notice to the last address of the person last assessed for the property, as it appears on the collector's tax roll, to mail, if applicable, a list including the name and address of an individual receiving the statement who has been listed as an owner of the property on the collector's tax roll for at least the last 25 years and notice to the area agency, or to include any taxes in the statement and notice, does not invalidate or otherwise affect any tax, except a tax that is required to be but has not been certified as provided in § 14–810 of this subtitle, or any sale made under

this subtitle to enforce payment of taxes, nor prevent nor stay any proceedings under this subtitle, nor affect the title of any purchaser.

14-817.1.

(a) Within 60 days after a property is sold at a tax sale, the collector shall send to the person who last appears as owner of the property on the collector's tax roll, at the last address shown on the tax roll, a notice that includes:

(1) a statement that the property has been sold to satisfy unpaid taxes;

(2) the date of the tax sale;

(3) the amount of the highest bid;

(4) the lien amount on the property at the time of sale;

(5) a statement that the owner has the right to redeem the property until a court forecloses that right;

(6) a statement that the purchaser of the property may institute an action to foreclose the property:

(i) as early as 6 months from the date of the sale; or

(ii) if a government agency certifies that the property requires, or shall require, substantial repair to comply with applicable building codes, as early as 60 days from the date of the sale;

(7) a statement that if the property is redeemed before an action to foreclose the right of redemption is filed, the amount that shall be paid to redeem the property is:

(i) the total lien amount on the property at the time of sale, with interest;

(ii) any taxes, interest, and penalties paid by the holder of the certificate of sale; and

(iii) any taxes, interest, and penalties accruing after the date of the tax sale;

(8) a statement that, if the property is redeemed more than 4 months after the date of the tax sale, and before an action to foreclose the right of redemption is filed, the holder of the certificate of sale may be reimbursed for:

(i) attorney's fees for recording the certificate of sale;

(ii) a title search fee, not to exceed \$250; and

(iii) reasonable attorney's fees, not to exceed \$500;

(9) a statement that, if the property is redeemed after an action to foreclose the right of redemption has been filed, the amount that shall be paid to redeem the property is the sum of:

(i) the total lien amount on the property at the time of sale, with interest;

(ii) any taxes, interest, and penalties paid by the holder of the certificate of sale;

(iii) any taxes, interest, and penalties accruing after the date of the tax sale; and

(iv) attorney's fees and expenses to which the holder of the certificate of sale may be entitled under § 14-843(a)(4) and (5) of this subtitle; and

(10) the provisions of § 14-843(a) of this subtitle, reproduced as they appear in the Code.

(b) The notice required under subsection (a) of this section shall be sent by first-class mail.

(c) The mailing required under this section shall include a separate insert that includes all of the information required under § 14-812(b) of this subtitle.

14-871. RESERVED.

14-872. RESERVED.

PART V. TAX SALE REPORTS.

14-873.”.

AMENDMENT NO. 4

On page 12, in line 16, strike “**OR PART V**”; and strike beginning with “**AN**” in line 23 down through “**SUBTITLE**” in line 24 and substitute “**A HOMEOWNER AS DEFINED IN § 9-105 OF THIS ARTICLE**”.

On page 13, strike in their entirety lines 8 through 26, inclusive, and substitute:

“(C) THE DEPARTMENT SHALL OBTAIN:

(1) THE NUMBER OF COUNTIES AND MUNICIPAL CORPORATIONS THAT HAVE WITHHELD FROM SALE UNDER § 14-811(E) OF THIS SUBTITLE A DWELLING OWNED BY A HOMEOWNER WHO IS LOW-INCOME, AT LEAST 65 YEARS OLD, OR DISABLED;

(2) THE ELIGIBILITY CRITERIA USED BY EACH COUNTY AND MUNICIPAL CORPORATION TO WITHHOLD A DWELLING FROM SALE UNDER § 14-811(E) OF THIS SUBTITLE; AND

(3) THE NUMBER OF DWELLINGS WITHHELD FROM SALE BY EACH COUNTY AND MUNICIPAL CORPORATION UNDER § 14-811(E) OF THIS SUBTITLE.

14-874.”;

and in line 28, strike “**14-881**” and substitute “**14-873**”.

On page 14, strike in their entirety lines 5 through 8, inclusive; in line 9, strike “6.” and substitute “2.”; and strike beginning with “That,” in line 9 down through “Act,” in line 10 and substitute “That”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator King, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 1281 – Delegate Lierman

AN ACT concerning

Transportation – Bikeways Network Program – Funding

HB1281/159335/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1281

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “– Funding” and substitute “and Central Maryland Regional Transit Plan”; in line 7, after “purpose;” insert “specifying that the Maryland Transit Administration must regularly consult with certain entities regarding the compilation and submission of the Central Maryland Regional Transit Plan; requiring the Maryland Transit Administration to submit a draft Central Maryland Regional Transit Plan to certain entities at least a certain period of time before the finalization of the Plan; altering the contents and elements of the Plan; altering the time frame within which the Plan must be reviewed, revised, and updated; altering the time frame that the Plan must address;”; in line 8, after “Program” insert “and the Central Maryland Regional Transit Plan”; and in line 11, after “2–608” insert “and 7–301.1”.

AMENDMENT NO. 2

On page 2, after line 20, insert:

“7–301.1.

(a) In this section, “core service area” means:

(1) An area in Anne Arundel County, Baltimore City, Baltimore County, Harford County, and Howard County that is served by light rail, metro, or fixed bus route service; and

(2) As determined by the Department, any other area in which the population commutes to an area described in item (1) of this subsection in order to use light rail, metro, or fixed bus route service.

(b) In addition to the requirements of §§ 7–301 and 7–302 of this subtitle, on or before October 1, 2020, the Administration shall[, in]:

(1) IN REGULAR consultation with the Central Maryland Regional Transit Plan Commission and the Baltimore Metropolitan Council, prepare a Central Maryland Regional Transit Plan to meet the transit needs of the core service area; AND

(2) SUBMIT A DRAFT PLAN TO THE CENTRAL MARYLAND REGIONAL TRANSIT PLAN COMMISSION AND THE BALTIMORE METROPOLITAN COUNCIL FOR REVIEW AND COMMENT AT LEAST 45 DAYS BEFORE THE DRAFT PLAN IS FINALIZED.

(c) The Central Maryland Regional Transit Plan shall INCLUDE AT LEAST THE FOLLOWING ELEMENTS:

(1) [Define goals] GOALS for outcomes to be achieved through the provision of public transportation, INCLUDING PROVIDING RELIABLE AND SAFE PUBLIC TRANSPORTATION SERVICE TO ENABLE RESIDENTS OF THE CORE SERVICE AREA TO ACCESS JOB OPPORTUNITIES THROUGHOUT THE AREA;

[(2) In order to best achieve the goals defined in item (1) of this subsection, identify options for:

(i) Improvements to existing transportation assets;

(ii) Improvements to leverage non–Administration transportation options available to public transportation; and

(iii) Corridors for new public transportation assets;

(3) Prioritize corridors for planning of new public transportation assets;

(4) Evaluate the Plan's consistency with local land use and transportation plans and the Maryland Transportation Plan and identify opportunities for achieving greater consistency;

(5) Be reviewed, revised, and updated at least every 5 years; and

(6) Address a 25-year time frame.]

(2) SPECIFIC IMPROVEMENTS TO PUBLIC TRANSPORTATION SERVICES AND ASSETS;

(3) AN ANALYSIS OF OPPORTUNITIES TO LEVERAGE NON-ADMINISTRATION TRANSPORTATION OPTIONS AVAILABLE FOR PUBLIC TRANSPORTATION; AND

(4) CORRIDORS FOR ESTABLISHING NEW PUBLIC TRANSPORTATION SERVICES AND ASSETS.

(D) IN ORDER TO BEST ADDRESS THE ELEMENTS SPECIFIED IN SUBSECTION (C) OF THIS SECTION, THE PLAN SHALL INCLUDE:

(1) CORRIDORS THROUGHOUT THE CORE SERVICE AREA WITH SPECIFIC GEOGRAPHIC BOUNDARIES, PRIORITIZED ACCORDING TO EACH CORRIDOR'S POTENTIAL TO ACHIEVE THE GOALS;

(2) THROUGHOUT THE CORE SERVICE AREA, SPECIFIC IMPROVEMENTS TO PUBLIC TRANSPORTATION SERVICES AND ASSETS;

(3) A LISTING OF THE SPECIFIC IMPROVEMENTS IDENTIFIED UNDER ITEM (2) OF THIS SUBSECTION IN THE ORDER OF THE PLANNED IMPLEMENTATION OF THE IMPROVEMENTS AND A METHODOLOGY FOR DETERMINING THE ORDER;

(4) AN ANALYSIS OF THE FUNDING AVAILABLE FOR THE IMPLEMENTATION OF THE SPECIFIC IMPROVEMENTS IDENTIFIED UNDER ITEM (2) OF THIS SUBSECTION AND POTENTIAL SOURCES OF ADDITIONAL FUNDING;

(5) ONE OR MORE MAPS THAT INCLUDE EXISTING SERVICES AND PROPOSED CORRIDORS AND IMPROVEMENTS; AND

(6) AN ANALYSIS OF THE PLAN’S CONSISTENCY WITH COUNTY AND MUNICIPAL LAND USE AND TRANSPORTATION PLANS AND THE MARYLAND TRANSPORTATION PLAN AND THE IDENTIFICATION OF OPPORTUNITIES FOR ACHIEVING GREATER CONSISTENCY.

(E) THE CENTRAL MARYLAND REGIONAL TRANSIT PLAN SHALL:

(1) BE REVIEWED, REVISED, AND UPDATED AT LEAST EVERY 6 YEARS;
AND

(2) ADDRESS A 25-YEAR PERIOD FROM THE YEAR THE REVIEW IS UNDERTAKEN.

[(d)] (F) (1) There is a Central Maryland Regional Transit Plan Commission.

(2) The Commission consists of the following members:

(i) The County Executive of Anne Arundel County, or the County Executive’s designee;

(ii) The Mayor of Baltimore City, or the Mayor’s designee;

(iii) The County Executive of Baltimore County, or the County Executive’s designee;

(iv) The County Executive of Harford County, or the County Executive’s designee;

(v) The County Executive of Howard County, or the County Executive’s designee;

(vi) One representative from a Central Maryland business or transportation organization, appointed by the President of the Senate;

(vii) One representative from a Central Maryland business or transportation organization, appointed by the Speaker of the House; and

(viii) The following individuals appointed by the Governor:

1. One representative from a Central Maryland business organization;

2. One representative from the Citizen Advisory Council;

3. One representative from a disabled riders group; and

4. One representative from the MARC Riders Advisory Council.

(3) The Commission shall participate in the development of:

(i) A strategy for meaningful public involvement in the Central Maryland Regional Transit Plan; and

(ii) The goals for outcomes of the Central Maryland Regional Transit Plan.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator King, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 1350 – Delegates Clark, Barve, Healey, Luedtke, and Stein

AN ACT concerning

Property Tax Assessments – Conservation Property – Alteration of Definition

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator King, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 1366 – Delegates Cain, Bagnall, Bartlett, Chang, Charkoudian, Feldmark, Guyton, Kerr, Lehman, Lierman, Palakovich Carr, ~~Pena–Melnyk, Smith, Solomon, and C. Watson~~ C. Watson, and Lafferty

AN ACT concerning

**Maryland Association of Environmental and Outdoor Education Grant
(Maryland Green Schools Act of 2019)**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator King, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 1404 – Delegates McIntosh, Anderson, Boyce, Bridges, Conaway, Glenn, Haynes, Hettleman, Jalisi, Jones, Lafferty, R. Lewis, Lierman, Mosby, Rosenberg, Smith, ~~and Wells~~ Wells, and Solomon

AN ACT concerning

**Economic Development – Baltimore Symphony Orchestra – Funding and
Workgroup**

HB1404/789232/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 1404

(Third Reading File Bill)

On page 1, after line 3, insert:

“(The John C. Merrill Act)”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**MESSAGE FROM THE HOUSE OF DELEGATES NO. 11
SENATE BILLS PASSED BY YEAS AND NAYS**

BILL NO.	SPONSOR	CONTENT
SB 10	Chair, Education, Health, and Environmental Affairs Committee	Natural Resources – Oysters, Clams, and Clamming – Licenses and Regulations
SB 22	Chair, Finance Committee	Insurance Regulation – Third Party Administrators – Life Insurance
SB 25	Chair, Judicial Proceedings Committee	Real Property – Conservation Easements, Covenants, Restrictions, and Conditions – Recording Notice
SB 28	Chair, Finance Committee	Health Insurance – Coverage Requirements for Behavioral Health Disorders – Short–Term Limited Duration Insurance
SB 30	Chair, Finance Committee	Insurance – Breach of Security of a Computer System – Notification Requirement
SB 41	Sen. McCray	Office of Legislative Audits – Audits of the Baltimore Police Department
SB 47	Chair, Finance Committee	Health Insurance – Technical Correction and Required Conformity With Federal Law
SB 48	Chair, Finance Committee	Health Insurance – Referral to Specialists – Definition of Provider Panel
SB 49	Chair, Finance Committee	Task Force to Study Cooperative Purchasing for Health Insurance – Membership and Staffing
SB 50	Chair, Finance Committee	Health Insurance – Form Filings – Review and Waiting Period Extensions
SB 52	Chair, Finance Committee	State Government – Strategic Energy Investment Program – Reporting

BILL NO.	SPONSOR	CONTENT
SB 55	Chair, Education, Health, and Environmental Affairs Committee	Department of Planning – Central Depository
SB 57	Chair, Education, Health, and Environmental Affairs Committee	Agriculture – County Agricultural Land Preservation Programs
SB 60	Chair, Judicial Proceedings Committee	Vehicle Laws – Driver’s Licenses – Expiration and Renewal
SB 64	Chair, Finance Committee	Maryland School for the Deaf – Employees – Annual and Personal Leave
SB 70	Chair, Judicial Proceedings Committee	Vehicle Laws – HOV Lanes – Hybrid Vehicles
SB 73	Chair, Finance Committee	Insurance – Life Insurance and Annuities – Record Retention
SB 74	Chair, Education, Health, and Environmental Affairs Committee	Higher Education – Charles W. Riley Firefighter and Ambulance and Rescue Squad Member Scholarship – Alterations
SB 81	Sen. McCray	Baltimore City – Police Department – Reports on Funds
SB 84	Chair, Judicial Proceedings Committee	Vehicle Laws – Certificate of Title Application – Signature Requirement

BILL NO.	SPONSOR	CONTENT
SB 85	Sen. Kagan	Capital Debt Affordability Committee – Annual Estimate
SB 96	Sen. Washington	Baltimore City – Tax Sales of Real Property – Water Liens (Water Taxpayer Protection Act of 2019)
SB 120	Sen. Griffith	State Retirement and Pension System – Designation of Beneficiary
SB 127	Sen. Simonaire	Education – Public School Attendance – Homeless Children
SB 153	Sen. Griffith	Alternate Contributory Pension Selection – Return to Employment
SB 158	Sen. Guzzone	Maryland Department of Health – Community Dental Clinics Grant Program
SB 164	The President	Maryland Department of Health – Capital and Grant Programs – State Grants
SB 179	Sen. Griffith	Optional Retirement Program – Regulations
SB 186	Sen. Griffith	State Retirement and Pension System – Designated Beneficiary Change – Rescission
SB 218	Sen. McCray	Human Services – Food Supplements (Summer SNAP for Children Act)
SB 292	Sen. Bailey	Property Tax Credit – Public Safety Officer – Definition
SB 299	Sen. Benson	Tanning Devices – Use by Minors
SB 303	Sen. Kagan	State Acupuncture Board – Practice of Acupuncture – Definition and Education Requirements
SB 305	Sen. Beidle	Real Property – Homeowners Associations – Number of Declarant Votes

BILL NO.	SPONSOR	CONTENT
SB 306	Sen. Griffith	State Retirement and Pension System – Maryland Pension Administration System – Member Contributions
SB 319	Sen. Augustine	Maryland Transit Administration – State Employees – Free Ridership (Transit Benefit for State Employees)
SB 344	Sen. Zucker	State Agricultural Land Transfer Tax – Alteration of Nonagricultural Use Reduction and Exemptions
SB 376	Carroll County Senators	Carroll County – Public Facilities Bonds
SB 405	Sen. Hayes	Health Insurance – Prescription Drugs – Formulary Changes
SB 466	Sen. King	Hotel Rental Tax – Limitation of Municipal Authority to Tax Small Hotels – Repeal
SB 532	Sen. Klausmeier	Insurance – Formation of Domestic Insurers – Number of Directors
SB 554	Sen. Pinsky	State Board of Massage Therapy Examiners – Massage Therapists – Authority to Regulate
SB 590	Washington County Senators	Washington County – Code of Public Local Laws – Legalization
SB 596	Sen. McCray	Alcoholic Beverages – Mead – Definition and Tax Rate
SB 597	Sen. Kelley	Maryland Health Care Commission – State Health Plan and Certificate of Need for Hospital Capital Expenditures
SB 607	Sen. Hester	Homeowner's Insurance – Discrimination in Underwriting and Rating – Status as Surviving Spouse

BILL NO.	SPONSOR	CONTENT
SB 777	Sen. Waldstreicher	Property Tax – Exemption for Dwelling House Owned by Disabled Active Duty Service Member
SB 810	Sen. Peters	Housing – Local Housing Grant Program for Homeless Veterans and Survivors of Domestic Violence
SB 842	Sen. Carter	Criminal Law – Gaming – Civil Offense
SB 852	Sen. Griffith	Department of Labor, Licensing, and Regulation – Veterans and Military Service Members and Spouses – Occupational Licenses
SB 896	Sen. Ferguson	Arts Education in Maryland Schools Alliance Grant
SB 908	Calvert County Senators	Calvert County – State’s Attorney – Annual Salary
SB 1014	Sen. Patterson	Assembly Areas – State–Funded Construction or Renovation – Assisted Listening System Requirement
SB 1031	Sen. Peters	Env – Md Oil Dsstr Cntnmnt, Clean–Up & Cntngncy Fnd & Oil Cntmntd Site Envmtl Clnup Fnd – Fndg, Reallocation, & Rmbrsmnts

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 NO. 12
SENATE BILLS PASSED BY YEAS AND NAYS**

BILL NO.	SPONSOR	CONTENT
SB 132	Cecil County Senators	Horse Racing at Fair Hill – Union Hospital Allocation – Repeal

BILL NO.	SPONSOR	CONTENT
SB 139 (Emerg)	Sen. Lee	Criminal Law – Threat of Mass Violence
SB 214	Sen. Edwards	Allegany County – Property Tax Credit – Cumberland Economic Development Corporation
SB 216	Sen. Edwards	Garrett County – Hotel Rental Tax – Rate and Distribution of Revenue
SB 283 (Emerg)	Sen. Kramer	Sales and Use Tax – Cleaning of Commercial or Industrial Buildings – Community Property Exemption
SB 399	Sen. Pinsky	Consumer Protection – Private Career Schools and For-Profit Institutions of Higher Education – Disclosures
SB 422	Sen. Benson	State Department of Education – Employment Categories and Practices
SB 483	Sen. Guzzone	Maryland Farms and Families Fund – Purpose, Use, Funding, and Grant Qualifications – Alterations
SB 484	Sen. Ferguson	Tax Liens – Expiration
SB 486	Sen. Griffith	State Retirement and Pension System – Workers’ Compensation Offset
SB 496	Sen. Hayes	Payroll Recovery Act – Sunset Repeal
SB 511	Cecil County Senators	Cecil County – Correctional Deputy Sheriffs – Collective Bargaining
SB 515	Sen. Ferguson	Community Colleges – Workforce Readiness Grant Program – Established
SB 569	Sen. Elfreth	Public Safety – Rape Kit Testing Grant Fund – Established
SB 636	Sen. Hershey	Correctional Officers’ Retirement System – Queen Anne’s County

BILL NO.	SPONSOR	CONTENT
SB 640	Sen. Zucker	State Government – Office of Program Evaluation and Government Accountability and Maryland Program Evaluation Act
SB 739	Sen. Lee	Child Advocacy Centers – Expansion
SB 752	Sen. Lam	Food Supplement Program – Restaurant Meals Program
SB 798	Sen. Hayes	Higher Education – Policy on Student Concerns About Athletic Programs and Activities
SB 827	Sen. Griffith	State Police Retirement System – Employment of Retirees – Clarifications
SB 828	Sen. Griffith	Employees’, Teachers’, and Correctional Officers’ Systems – Active Members – Death Benefits
SB 829	Sen. Griffith	State Retirement and Pension System – Service Credit for Unused Sick Leave
SB 868	Sen. Feldman	Health Insurance – Consumer Protections and Maryland Health Insurance Coverage Protection Commission
SB 877	Chair, Education, Health, and Environmental Affairs Committee	Waterway Improvement Fund – Public Boating Construction Projects – Financing Limits
SB 901	Sen. Hayes	Maryland Trauma Fund – State Primary Adult Resource Center – Reimbursement of On-Call and Standby Costs
SB 913	Sen. Beidle	State Retirement and Pension System – Administration – Retiree Information for Direct Mailings

BILL NO.	SPONSOR	CONTENT
SB 940	Sen. Klausmeier	Health Care Facilities – Certificate of Need – Modifications
SB 970	Sen. Peters	Maryland Department of Health – Special Supplemental Nutrition Program for Women, Infants, and Children – Reports

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 NO. 13
SENATE BILLS PASSED BY YEAS AND NAYS**

BILL NO.	SPONSOR	CONTENT
SB 44	Chair, Finance Committee	Insurance – Corporate Governance Annual Disclosure Act
SB 67	Chair, Finance Committee	Financial Institutions – Disclosure of Information From Investigations
SB 68	Chair, Finance Committee	Commercial Law – Credit Services Businesses – Information Statements
SB 79	Chair, Education, Health, and Environmental Affairs Committee	Public Ethics – Lobbyist Registration and Reporting – Mandatory Electronic Filing
SB 111	Sen. Eckardt	Dorchester County – Alcoholic Beverages – Class A Licenses
SB 136	Sen. Waldstreicher	Corporations – Corporate Records and Electronic Transmission

BILL NO.	SPONSOR	CONTENT
SB 204	Sen. Young	Frederick County – Alcoholic Beverages – Volunteer Fire Company or Volunteer Ambulance Company License
SB 210	Sen. Lee	Law Enforcement – Federal Military Surplus Program – Equipment Acquisition
SB 224	Sen. Young	Frederick County – Alcoholic Beverages License Applications – Repeal of Petition of Support – Notice
SB 256	Carroll County Senators	Carroll County – Alcoholic Beverages – Class D Beer and Wine Licenses
SB 273	Sen. Young	Frederick County – Alcoholic Beverages – Cinema/Theater License
SB 274	Sen. Young	Frederick County – Alcoholic Beverages Licenses – Sunday Sales
SB 275	Sen. Young	Frederick County – Alcoholic Beverages – Promoter’s Permit
SB 276	Sen. Young	Frederick County – Alcoholic Beverages – Multiple Licenses Allowed
SB 290	Sen. Smith	Public Health – Cottage Food Products – Definition and Sale
SB 297	Carroll County Senators	Carroll County – Alcoholic Beverages – Class BC Beer, Wine, and Liquor License
SB 298	Carroll County Senators	Carroll County – Alcoholic Beverages – Required Information on Application
SB 301	Sen. Benson	Hospitals – Patient’s Bill of Rights
SB 325	Sen. Young	Frederick County – Alcoholic Beverages – Basket of Cheer
SB 331	Sen. Kramer	Business Regulation – Trader’s Licenses – License Fees

BILL NO.	SPONSOR	CONTENT
SB 513	Sen. Ellis	State Board of Public Accountancy – Firm Permits – Attest Services
SB 517	Sen. Feldman	Public Utilities – Electricity and Natural Gas Suppliers – Information
SB 520	Sen. Kramer	Electricity – Community Solar Energy Generating Systems Pilot Program – Extension
SB 521	Sen. Smith	Veteran Suicide Prevention – Comprehensive Action Plan
SB 523	Sen. Beidle	Insurance – Investments of Insurers Other Than Life Insurers – Real Estate
SB 524	Sen. Eckardt	Maryland Medical Assistance Program – Telemedicine – Psychiatric Nurse Practitioners and Psychiatrists
SB 543	Sen. Lam	Health – Vital Records – Health Information Exchange Data Access and Security Protocols and Protections
SB 547	Sen. Edwards	Garrett County – Alcoholic Beverages – Revisions
SB 646	Sen. Klausmeier	Workers’ Compensation – Medical Presumptions for Diseases and Cancer – Eligibility (Firefighter Jesse McCullough’s Cancer Protection Law)
SB 667	Sen. Edwards	Allegany County – Alcoholic Beverages – Licenses
SB 689	Sen. Lee	Criminal Law – Labor Trafficking (Anti-Exploitation Act of 2019)
SB 821	Sen. Washington	Correctional Services – Prerelease Study and Report
SB 952	Sen. Young	Frederick County – Alcoholic Beverages – Theater Licenses – Seating Capacity

BILL NO.	SPONSOR	CONTENT
SB 1000 (Emerg)	Sen. Beidle	Public Safety – Handgun Permit Review Board – Repeal

By Order,
William B. C. Addison, Jr., Secretary

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

**MESSAGE FROM THE HOUSE
INTRODUCTORY HOUSE BILLS NO. 33**

House Bill 667 – Delegates Atterbearly, D.E. Davis, Jackson, Shetty, Sydnor, Wilkins, and Wilson

AN ACT concerning

Stalking – Violation of Conditions of Release ~~and Disqualifying Crime~~

FOR the purpose of including the crime of stalking in the list of charges to which a certain prohibition against violating a certain condition of pretrial or posttrial release is applicable; ~~altering a certain definition of “convicted of a disqualifying crime” to include a case in which a person received probation before judgment for a certain crime of stalking;~~ and generally relating to the crime of stalking.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 5–213.1
Annotated Code of Maryland
(2018 Replacement Volume)

~~BY repealing and reenacting, with amendments,
Article – Public Safety
Section 5–101(b–1)
Annotated Code of Maryland
(2018 Replacement Volume)~~

Read the first time and referred to the Committee on Rules.

House Bill 881 – Delegate Cullison

AN ACT concerning

**Natalie M. LaPrade Medical Cannabis Commission – Academic Research –
Medical Uses and Properties of Cannabis**

FOR the purpose of authorizing an institution of higher education or a ~~related medical facility~~ certain facility or firm to file with the Natalie M. LaPrade Medical Cannabis Commission a registration to purchase medical cannabis for the purpose of conducting a certain research project; requiring that a certain registration include certain information; providing that a certain registration is valid until ~~the Commission receives certain notification~~ there is a change in a certain project or there is a withdrawal of the registration; authorizing an academic research representative to purchase medical cannabis from a licensed dispensary for a certain purpose; providing that an academic research representative may not be penalized or arrested under State law for certain actions under certain circumstances; authorizing the ~~Maryland Department of Health~~ Commission to adopt certain regulations; adding academic research representatives to the individuals toward whom a dispensary, dispensary agent, processor, or processor agent may take certain actions related to the use of cannabis and certain products, supplies, and materials by certain individuals and not be penalized or arrested under State law; adding academic research representatives to the persons that may not be subject to arrest, prosecution, or certain penalties or be denied any right or privilege for the medical use of or possession of medical cannabis; adding academic research representatives to the persons from whom a person may not distribute, possess, manufacture, or use cannabis that has been diverted; making conforming changes; defining a certain term; and generally relating to dispensing and purchasing medical cannabis for academic research.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 13–3301, 13–3306(b) and (c), 13–3307, 13–3309(e), and 13–3313

Annotated Code of Maryland

(2015 Replacement Volume and 2018 Supplement)

BY adding to

Article – Health – General

Section 13–3304.1

Annotated Code of Maryland

(2015 Replacement Volume and 2018 Supplement)

Read the first time and referred to the Committee on Rules.

House Bill 1301 – Delegate Walker

AN ACT concerning

~~Sales and Use Tax – Collection by Marketplace Facilitators~~
Taxation of Online Sales – Marketplace Facilitators and Sellers of Other Tobacco Products

FOR the purpose of altering the distribution of certain sales and use tax revenue; altering the definition of “vendor”, under the sales and use tax, to include certain marketplace facilitators and marketplace sellers; requiring a marketplace facilitator, under certain circumstances, to collect the sales and use tax on certain sales by a marketplace seller to a buyer in this State; authorizing a refund of the sales and use tax paid by a buyer under certain circumstances; requiring a marketplace facilitator to report the sales and use tax collected in a certain manner; prohibiting a class action from being brought against a marketplace facilitator in a court of this State under certain circumstances; providing that a marketplace facilitator is not liable for a failure to collect certain sales and use taxes except under certain circumstances; authorizing the Comptroller, under certain circumstances, to waive the requirement that certain marketplace facilitators collect the sales and use tax on certain transactions; requiring a marketplace facilitator to complete and file with the Comptroller a certain sales and use tax return within a certain period of time; specifying the contents of the return; authorizing a marketplace facilitator to file a certain consolidated return under certain circumstances; requiring a person to be licensed by the Comptroller before the person may engage in the business of a marketplace facilitator; prohibiting a person from engaging in the business of a marketplace facilitator without a certain license; requiring certain out-of-state sellers to pay the tobacco tax on pipe tobacco or certain premium cigars under certain circumstances; defining certain terms; making certain conforming changes; providing for the construction and application of this Act; prohibiting the Comptroller, under certain circumstances, from imposing certain penalties and interest; making the provisions of this Act severable; and generally relating to the collection of the sales and use tax and payment of the tobacco tax.

BY repealing and reenacting, without amendments,
 Article – Tax – General
 Section 11–101(a), 11–701(a), and 13–901(a)
 Annotated Code of Maryland
 (2016 Replacement Volume and 2018 Supplement)

BY adding to
 Article – Tax – General
 Section 11–101(c–2) and (c–3), 11–403.1, ~~and 11–502.1~~ 11–502.1, and 12–302(e)
 Annotated Code of Maryland
 (2016 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
 Article – Tax – General
 Section 2–1303, 11–101(o), 11–501(a), 11–502(a), 11–701(d), 11–702, 11–703,
 11–705, 11–712, 12–101, and 13–901(g)
 Annotated Code of Maryland

(2016 Replacement Volume and 2018 Supplement)

Read the first time and referred to the Committee on Rules.

House Bill 1405 – Chair, Howard County Delegation

AN ACT concerning

Howard County – Transfer Tax – Collection by Director of Finance

Ho. Co. 30–19

FOR the purpose of requiring the Director of Finance of Howard County, instead of the Clerk of the Circuit Court of Howard County, to collect the county tax on the recordation of an instrument of writing that conveys title to real property; repealing a requirement that the Clerk of the Circuit Court pay to the Director of Finance the proceeds of the transfer tax in a certain manner; making clarifying and conforming changes; and generally relating to the collection of the transfer tax in Howard County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Howard County
Section 20.301 and 20.304
Article 14 – Public Local Laws of Maryland
(1977 Edition and August 2008 Supplement, as amended)

Read the first time and referred to the Committee on Rules.

House Bill 1409 – Howard County Delegation

AN ACT concerning

Howard County – School Facilities Surcharge – Rates

Ho. Co. 03–19

FOR the purpose of altering the amount of the school facilities surcharge in Howard County for certain types of residential new construction; prohibiting the County Council of Howard County from imposing a school facilities surcharge on a certain type of residential new construction; authorizing the County Council to enact a local law providing for an annual adjustment of the amount of the school facilities surcharge in a certain manner; prohibiting the County Council from imposing a school facilities surcharge on certain types of residential new construction of less than a certain amount; requiring the County Council to consider certain issues before enacting a certain local law; requiring the County Executive of Howard County to submit a certain report to certain persons each year including certain information under

certain circumstances; and generally relating to the school facilities surcharge in Howard County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Howard County
Section 20.142
Article 14 – Public Local Laws of Maryland
(1977 Edition and August 2008 Supplement, as amended)

Read the first time and referred to the Committee on Rules.

House Bill 1420 – Chair, Health and Government Operations Committee (By Request – Departmental – Health)

AN ACT concerning

Maryland Department of Health – Services for Individuals With Developmental Disabilities – Fee-for-Service Payment Pilot Program

FOR the purpose of requiring the Maryland Department of Health to establish a fee-for-service payment pilot program; authorizing certain providers to participate in the pilot program; requiring the Department to determine, establish, and publish certain rates for certain services in a certain manner; requiring certain providers to submit a claim for payment for certain services to the Department in a certain manner; establishing certain limitations on payments for certain claims; prohibiting certain providers from knowingly submitting certain false information; requiring certain providers to complete and submit to the Department each year certain financial statements; requiring certain providers to comply with certain provisions of law and certain regulations; requiring certain providers to submit certain information relating to wages and benefits for certain individuals to the Department in a certain manner; authorizing the Department to require certain providers to submit ~~additional reports and~~ certain information on the provision of certain services; authorizing the Department to conduct a certain audit of certain records and to recover overpayments from a provider; ~~requiring the Department to adopt certain regulations;~~ defining certain terms; repealing a certain defined term; and generally relating to a fee-for-service payment pilot program for services for individuals with developmental disabilities.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 7-101
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY adding to
Article – Health – General
Section 7-308

Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

Read the first time and referred to the Committee on Rules.

**MESSAGE FROM THE HOUSE
INTRODUCTORY HOUSE BILLS NO. 34**

House Bill 962 – Delegates Wilkins, Hill, Johnson, and Queen

AN ACT concerning

Maryland Medical Assistance Program – Coverage – Hepatitis C Drugs

FOR the purpose of requiring the Maryland Medical Assistance Program, subject to a certain limitation, to provide coverage for certain drugs for the treatment of hepatitis C, regardless of the fibrosis score; and generally relating to the Maryland Medical Assistance Program and coverage for hepatitis C drugs.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 15–103(a)(1) and (b)(1), (2)(i), and (5)(i)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–103(a)(2)(xii) and (xiii)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY adding to
Article – Health – General
Section 15–103(a)(2)(xiv)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

Read the first time and referred to the Committee on Rules.

House Bill 1110 – Delegate Parrott

AN ACT concerning

Washington County – Archery Hunting – Safety Zone

FOR the purpose of altering the size of the safety zone for archery hunters in Washington County within which archery hunting may not take place except under certain circumstances; requiring that an archery hunter in Washington County be in a certain position when hunting any wild bird or mammal within a certain distance of certain buildings; and generally relating to the archery hunting safety zone in Washington County.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–410(g)
Annotated Code of Maryland
(2012 Replacement Volume and 2018 Supplement)

Read the first time and referred to the Committee on Rules.

House Bill 1282 – Delegate Healey

AN ACT concerning

Board of Public Works – Land Acquisition – Requirements

FOR the purpose of prohibiting the Board of Public Works from approving the ~~expenditure of State funds or the disposal of State property for the purpose of acquiring~~ acquisition of certain real property except under certain circumstances; prohibiting the Board, under certain circumstances, from approving the acquisition of certain real property from the federal government until a certain study has been completed; providing that certain requirements related to the acquisition of real property do not apply to certain property; making a conforming change; and generally relating to the authority of the Board of Public Works regarding land acquisition.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 10–305
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

Read the first time and referred to the Committee on Rules.

House Bill 1343 – Delegates Atterbeary and Rosenberg

EMERGENCY BILL

AN ACT concerning

Public Safety – Handgun Permit Review Board – Repeal

FOR the purpose of altering the process by which a person who is denied a certain handgun permit or renewal of a permit or whose permit is revoked or limited by the Secretary of State Police or the Secretary's designee may appeal the decision; repealing provisions of law relating to the Handgun Permit Review Board; providing that appeals from a certain decision by the Secretary or the Secretary's designee may be made to the Office of Administrative Hearings in a certain manner; providing that a person whose application for a certain permit or renewal of a permit is not acted on by the Secretary within a certain period of time may request a certain hearing before the Office of Administrative Hearings; requiring the Office of Administrative Hearings to make a certain annual report to the Governor and the General Assembly; making conforming changes; requiring the Department of Public Safety and Correctional Services, within a certain period of time, to provide certain notice to certain individuals; authorizing certain individuals to file a certain request for a hearing before the Office of Administrative Hearings under certain circumstances; requiring the Office of Administrative Hearings to schedule a certain hearing within a certain period of time under certain circumstances; making this Act an emergency measure; and generally relating to handgun permits.

BY repealing and reenacting, with amendments,

Article – Public Safety
Section 5–301 and 5–312
Annotated Code of Maryland
(2018 Replacement Volume)

BY repealing

Article – Public Safety
Section 5–302
Annotated Code of Maryland
(2018 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Public Safety
Section 5–311
Annotated Code of Maryland
(2018 Replacement Volume)

Read the first time and referred to the Committee on Rules.

House Bill 1427 – Delegate Stein

AN ACT concerning

Sea Level Rise Inundation and Coastal Flooding – Construction, Adaptation, and Mitigation

FOR the purpose of altering the application of certain design and siting criteria established by the Coast Smart Council, in consultation with the Department of Natural

Resources and the Department of Transportation, to apply only to certain State and local capital projects; altering the date beginning on which certain projects are required to comply with certain design and siting criteria; requiring the Department of Planning, in consultation with the Department of Natural Resources and the Department of the Environment, on or before a certain date, to develop and publish guidelines to assist local jurisdictions in the collection of data to establish certain nuisance flooding baselines; extending the date by which a certain local jurisdiction must develop a plan to address certain nuisance flooding; declaring the intent of the General Assembly; requiring the Department of Budget and Management, the Department of General Services, and the Department of Natural Resources to review and incorporate certain criteria established by the Council into certain instructions and policies; and generally relating to sea level rise inundation and coastal flooding.

BY repealing and reenacting, without amendments,

Article – Natural Resources
Section 3–1001(a) and (c)
Annotated Code of Maryland
(2018 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Natural Resources
Section 3–1006(a), 3–1009, and 3–1018
Annotated Code of Maryland
(2018 Replacement Volume)

Read the first time and referred to the Committee on Rules.

FINANCE COMMITTEE REPORT NO. 52

Senator Kelley, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 969 – Senator Peters

AN ACT concerning

Family Investment Program – Transitional Assistance for Education Pilot Program

SB0969/797475/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 969
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike “Transitional Assistance for Education Pilot Program” and substitute “Work Activity Requirement – Authorized Activities and Report”; strike beginning with “establishing” in line 4 down through “Program” in line 20 and substitute “requiring the Department of Human Services to allow a certain applicant for or recipient of assistance under the Family Investment Program to meet a certain work activity requirement by participating in certain vocational education or education programs in a certain manner for a certain maximum time period; authorizing the Department to suspend the application of certain provisions of law under certain circumstances; requiring the Department to report certain information to the General Assembly on or before a certain date each year; defining certain terms; providing for a delayed effective date; and generally relating to work activity requirements under the Family Investment Program”; in line 23, strike “(g) and 5–312(f)(1)” and substitute “(h)”; and in line 28, strike “5–312(f)(2)” and substitute “5–308(a)”.

On page 2, in line 4, strike “5–312.1” and substitute “5–322”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 16 and 17 and substitute:

“(h) “Work activity” means:

- (1) job search activity;
- (2) subsidized employment in either the public or private sector;
- (3) work experience;
- (4) on-the-job training;
- (5) community service;
- (6) training directly related to employment; or
- (7) education directly related to employment.

5–308.

(a) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(II) “TARGET WORK RATE” MEANS THE RATE ESTABLISHED FOR THE STATE BY THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES BASED ON THE STATE’S CASELOAD REDUCTION CREDIT UNDER THE FEDERAL TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM, 42 U.S.C. 22-601 ET SEQ.

(III) “WORK PARTICIPATION RATE” MEANS THE FEDERAL WORK PARTICIPATION RATE ESTABLISHED BY THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES UNDER THE FEDERAL TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM, 42 U.S.C. 22-601 ET SEQ.

(2) A family may be eligible for assistance under this subtitle only if the family includes:

(i) a minor child who resides with a custodial parent or other adult caretaker who is a relative of the child; or

(ii) a pregnant individual.

[(2)] (3) Assistance shall be provided to an applicant or recipient under this subtitle only if the applicant or recipient:

(i) resides in the State at the time of application for assistance;

(ii) if applicable:

1. has applied for child support services with the appropriate local child support enforcement office at the time of application for assistance; and

2. complies with the requirements of the local child support enforcement office;

(iii) has engaged in job search activities as requested by the Department;

(iv) participates in work activity under this subtitle; and

(v) meets all other FIP requirements that the Secretary establishes by regulation.

(4) SUBJECT TO PARAGRAPH (5) OF THIS SUBSECTION, THE DEPARTMENT SHALL ALLOW AN APPLICANT OR A RECIPIENT TO MEET THE WORK ACTIVITY REQUIREMENT FOR A MAXIMUM OF 24 MONTHS BY ENGAGING IN:

(I) A MINIMUM OF 20 HOURS PER WEEK OF VOCATIONAL EDUCATION THAT LEADS TO AN ASSOCIATE DEGREE, A DIPLOMA, OR A CERTIFICATE; OR

(II) AN AVERAGE OF AT LEAST 20 HOURS PER WEEK OF EDUCATION DIRECTLY RELATED TO EMPLOYMENT, WHICH MAY INCLUDE:

1. AN ADULT BASIC EDUCATION PROGRAM;
2. AN ENGLISH AS A SECOND LANGUAGE PROGRAM; OR
3. A GED PROGRAM.

(5) IF THE WORK PARTICIPATION RATE DOES NOT EXCEED THE TARGET WORK RATE BY 10% IN ANY MONTH, THE DEPARTMENT, AFTER PROVIDING AT LEAST 30 DAYS PRIOR NOTICE TO THE SENATE FINANCE COMMITTEE AND THE HOUSE APPROPRIATIONS COMMITTEE, MAY SUSPEND THE APPLICATION OF PARAGRAPH (4) OF THIS SUBSECTION TO NEW APPLICANTS UNTIL THE WORK PARTICIPATION RATE EXCEEDS THE TARGET WORK RATE BY 10% FOR 3 CONSECUTIVE MONTHS.

5-322.

(A) ON OR BEFORE OCTOBER 1 EACH YEAR, THE DEPARTMENT SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE FOLLOWING INFORMATION FOR THE PRECEDING YEAR:

(1) THE NUMBER OF RECIPIENTS WHO ENGAGED IN VOCATIONAL EDUCATION OR EDUCATION DIRECTLY RELATED TO EMPLOYMENT;

(2) THE NUMBER OF RECIPIENTS WHO COMPLETED VOCATIONAL EDUCATION OR EDUCATION DIRECTLY RELATED TO EMPLOYMENT;

(3) THE NUMBER OF RECIPIENTS WHO OBTAINED OR MAINTAINED EMPLOYMENT FOR 6 MONTHS, 12 MONTHS, 18 MONTHS, AND 24 MONTHS AFTER COMPLETING VOCATIONAL EDUCATION OR EDUCATION DIRECTLY RELATED TO EMPLOYMENT; AND

(4) THE AVERAGE EARNINGS OF RECIPIENTS WHO OBTAINED OR MAINTAINED EMPLOYMENT FOR 6 MONTHS, 12 MONTHS, 18 MONTHS, AND 24 MONTHS AFTER COMPLETING VOCATIONAL EDUCATION OR EDUCATION DIRECTLY RELATED TO EMPLOYMENT.

(B) THE INFORMATION IN THE REPORT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION SHALL BE BROKEN DOWN BY THE TYPES OF VOCATIONAL EDUCATION OR EDUCATION PROGRAMS IN WHICH THE RECIPIENTS ENGAGED, INCLUDING:

(1) ASSOCIATE DEGREE PROGRAMS;

(2) VOCATIONAL EDUCATION PROGRAMS THAT DO NOT LEAD TO AN ASSOCIATE DEGREE;

(3) POSTSECONDARY EDUCATION PROGRAMS THAT ARE NOT INCLUDED IN ITEMS (1) OR (2) OF THIS SUBSECTION;

(4) ADULT BASIC EDUCATION PROGRAMS;

(5) ENGLISH AS A SECOND LANGUAGE PROGRAMS; AND

(6) GED PROGRAMS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2020.”.

On pages 2 through 4, strike in their entirety the lines beginning with line 18 on page 2 through line 22 on page 4, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

FINANCE COMMITTEE REPORT NO. 53

Senator Kelley, Chair, for the Committee on Finance reported favorably:

House Bill 543 – Delegates Jones, Bartlett, Barve, Brooks, Cardin, Chang, Dumais, Gaines, Healey, Hettleman, Hornberger, Lierman, Pena–Melnyk, Pendergrass, Solomon, Stein, and Sydnor

AN ACT concerning

Maryland Technology Development Corporation – Investments and Operations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably:

House Bill 790 – Delegates Queen, Charkoudian, Dumais, Fennell, Glenn, Hettleman, Kelly, Korman, Krimm, Lopez, Luedtke, Moon, Palakovich Carr, Patterson, Pena–Melnyk, Proctor, Qi, Shetty, Stewart, Valderrama, C. Watson, Wilkins, and K. Young

AN ACT concerning

**Equal Pay for Equal Work – Enforcement – Civil Penalties
(Equal Pay Remedies and Enforcement Act)**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 814 – Delegates Pena–Melnik, Acevero, Atterbeary, Bagnall, B. Barnes, D. Barnes, Barron, Bartlett, Barve, Boyce, Bridges, Brooks, Cain, Carr, Chang, Charkoudian, Conaway, Crutchfield, D.M. Davis, Dumais, Ebersole, Feldmark, Fennell, W. Fisher, Gilchrist, Glenn, Harrison, Haynes, Healey, Hettleman, Holmes, Ivey, Jackson, Jalisi, Jones, Kelly, Kerr, Korman, Krimm, Lehman, J. Lewis, R. Lewis, Lierman, Lisanti, Lopez, Love, Luedtke, McIntosh, Moon, Mosby, Palakovich Carr, Patterson, Proctor, Qi, Reznik, Rogers, Rosenberg, Sample–Hughes, Smith, Solomon, Stein, Stewart, Sydnor, Terrasa, Turner, Valderrama, Valentino–Smith, Washington, R. Watson, ~~and P. Young~~ P. Young, Pendergrass, Charles, Cullison, Hill, Johnson, and K. Young

AN ACT concerning

**Maryland Health Insurance Option
(Protect Maryland Health Care Act of 2019)**

HB0814/877971/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 814

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Maryland” in line 2 down through “2019” in line 3 and substitute “Maryland Easy Enrollment Health Insurance Program”; in lines 4 and 12, in each instance, strike “Health Insurance Option” and substitute “Easy Enrollment Health Insurance Program”; and in lines 5 and 11, in each instance, strike “Option” and substitute “Program”.

On page 2, in lines 13 and 16, in each instance, strike “check–off” and substitute “checkoff”.

On page 3, in line 22, strike “Health Insurance Option” and substitute “Easy Enrollment Health Insurance Program”.

AMENDMENT NO. 2

On page 9, in line 9, strike “**HEALTH INSURANCE OPTION**” and substitute “**EASY ENROLLMENT HEALTH INSURANCE PROGRAM**”; and in lines 13 and 14, strike

“**HEALTH INSURANCE OPTION**” and substitute “**EASY ENROLLMENT HEALTH INSURANCE PROGRAM**”.

On page 10, strike in their entirety lines 3 and 4; in line 5, strike “**(H)**” and substitute “**(G)**”; in lines 7 and 9, strike “**(I)**” and “**(J)**”, respectively, and substitute “**(H)**” and “**(I)**”, respectively; and after line 22, insert:

“**(J) “PROGRAM” MEANS THE MARYLAND EASY ENROLLMENT HEALTH INSURANCE PROGRAM ESTABLISHED UNDER § 31-202 OF THIS SUBTITLE.**”.

On page 11, in line 9, strike “**HEALTH INSURANCE OPTION**” and substitute “**EASY ENROLLMENT HEALTH INSURANCE PROGRAM**”; and in line 10, strike “**OPTION**” and substitute “**PROGRAM**”.

On page 12 in lines 2, 11, 20, and 24 and on page 13 in line 15, in each instance, strike “**OPTION**” and substitute “**PROGRAM**”.

On page 12, in lines 22 and 23, strike “**HEALTH INSURANCE OPTION**” and substitute “**EASY ENROLLMENT HEALTH INSURANCE PROGRAM**”.

On page 15, in line 20, strike “**CHECK-OFF**” and substitute “**CHECKOFF**”.

On page 16, in line 13, strike “**(D)**” and substitute “**(C)**”.

On page 20, in lines 30 and 33, in each instance, strike “**OPTION**” and substitute “**PROGRAM**”.

AMENDMENT NO. 3

On page 22, strike in their entirety lines 9 and 10; in line 11, strike “**(9)**” and substitute “**(8)**”; after line 12, insert:

“**(9) “PROGRAM” MEANS THE MARYLAND EASY ENROLLMENT HEALTH INSURANCE PROGRAM ESTABLISHED UNDER § 31-202 OF THE INSURANCE ARTICLE.**”;

and in line 16, strike “**THIS TITLE**” and substitute “**THE INSURANCE ARTICLE**”.

On page 23, in lines 3, 6, and 16, in each instance, strike “~~CHECK-OFF~~” and substitute “CHECKOFF”.

On page 24, in line 1, strike “~~CHECK-OFF~~” and substitute “CHECKOFF”; and in lines 4, 15, 24, and 29, in each instance, strike “~~CHECK-OFF~~” and substitute “CHECKOFF”.

AMENDMENT NO. 4

On page 39, in lines 20 and 21, strike “Health Insurance Option” and substitute “Easy Enrollment Health Insurance Program”; and in line 28, strike “Health Insurance Option” and substitute “Easy Enrollment Health Insurance Program”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably with amendments:

House Bill 1003 – Delegates Valderrama, D.E. Davis, and Lisanti

AN ACT concerning

Vehicle Laws – Rental Vehicles – Security

HB1003/667274/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1003

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 24, strike “providing for the application of this Act;”; and in line 25, after “terms;” insert “providing for a delayed effective date; providing for the application of this Act;”.

AMENDMENT NO. 2

On page 4, in line 1, strike “**(4)**” and substitute “**(5)**”; after line 14, insert:

“(3) (4) If an owner of a replacement vehicle provides coverage as provided under paragraph [(2)] (3) of this subsection, the agreement for the replacement vehicle to be signed by the renter or the individual to whom the vehicle is loaned shall contain a provision on the face of the agreement, in at least 10 point bold type, that informs the individual that the coverage on the vehicle being serviced or repaired is primary coverage for the replacement vehicle and the coverage maintained by the owner on the replacement vehicle is secondary.”;

and in line 15, strike “(4)” and substitute “(5)”.

On page 8, in line 36, strike “§ 17-104(E)(4)” and substitute “§ 17-104(E)(5)”.

On page 9, after line 4, insert:

“(iii) (IV) If an owner of a replacement vehicle provides coverage as provided under subparagraph [(ii)] (III) of this paragraph, the agreement for the replacement vehicle to be signed by the renter or the individual to whom the vehicle is loaned shall contain a provision on the face of the agreement, in at least 10 point bold type, that informs the individual that the coverage on the vehicle being serviced or repaired is primary coverage for the replacement vehicle and the coverage maintained by the owner on the replacement vehicle is secondary.”.

On page 12, in line 15, strike “October 1, 2019” and substitute “January 1, 2020, and shall apply to all claims arising in the State on or after January 1, 2020”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably:

House Bill 1160 – Delegate Lierman

AN ACT concerning

Public Health – Breathe Easy East Baltimore Pilot Program

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably:

House Bill 1388 – Delegates Crutchfield, Carr, Charles, Kelly, Kerr, and Sample–Hughes

AN ACT concerning

Long–Term Care Insurance – Annual Notice

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably:

House Bill 1421 – Chair, Health and Government Operations Committee (By Request – Departmental – Health)

AN ACT concerning

Maryland Health Benefit Exchange – Functions and Outreach

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kelley, Chair, for the Committee on Finance reported favorably:

House Bill 1426 – Chair, Health and Government Operations Committee (By Request – Departmental – Health)

AN ACT concerning

Health Services Cost Review Commission – Duties and Reports – Revisions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 1184)

SENATE THIRD READING CALENDAR NO. 71 (GENERAL SENATE BILLS)

Senate Bill 175 – The President (By Request – Administration)

AN ACT concerning

Economic Development – Maryland Technology Infrastructure Program

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1185)

The Bill was then sent to the House of Delegates.

Senate Bill 436 – Senators Klausmeier, Beidle, Feldman, and Hershey

AN ACT concerning

Vehicle Laws – Rental Vehicles – Security

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 1 (See Roll Call No. 1186)

The Bill was then sent to the House of Delegates.

Senate Bill 754 – Senators Peters, Griffith, King, Rosapepe, and Zucker

SECOND PRINTING

AN ACT concerning

National Capital Strategic Economic Development Program – Established

Senator Pinsky moved to reconsider the vote by which **Senate Bill 754** was ordered printed for third reading and to place the bill back on second reading for the purpose of adding an amendment.

The motion was adopted.

STATUS OF BILL: BILL ON SECOND READING AND OPEN TO AMENDMENT.

FLOOR AMENDMENT

SB0754/263326/1

BY: Senator Pinsky

AMENDMENT TO SENATE BILL 754

(Bill as Printed for Third Reading)

On page 3, in line 12, strike “**(I)**”; in line 14, strike “**(II)**” and substitute “**(2) (I)**”; and in line 17, strike “**(2)**” and substitute “**(II)**”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 759 – Senators Klausmeier and Lam

AN ACT concerning

Health – Prescription Drug Affordability Board

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1187)

The Bill was then sent to the House of Delegates.

Senate Bill 917 – Senators Lam and Young

AN ACT concerning

Land Use – Comprehensive Plans – Housing Element

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 1188)

The Bill was then sent to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 40 (GENERAL HOUSE BILLS)

House Bill 175 – Chair, Ways and Means Committee (By Request – Departmental – Commerce)

AN ACT concerning

Maryland Research and Development Tax Credit – Sunset Extension

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 1 (See Roll Call No. 1189)

The Bill was then returned to the House of Delegates.

House Bill 183 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Property Tax Credit for Security Camera Systems

PG 413–19

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1190)

The Bill was then returned to the House of Delegates.

House Bill 185 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Alcoholic Beverages – Class BLX License for Movie Theaters

PG 302–19

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1191)

The Bill was then returned to the House of Delegates.

House Bill 199 – Wicomico County Delegation

AN ACT concerning

Wicomico County – Deer Hunting – Sundays

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 1 (See Roll Call No. 1192)

The Bill was then returned to the House of Delegates.

House Bill 242 – Cecil County Delegation

AN ACT concerning

Cecil County – Natural Resources – Hunting

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1193)

The Bill was then returned to the House of Delegates.

House Bill 262 – Delegates Luedtke, Acevero, Anderson, Atterbeary, B. Barnes, D. Barnes, Barve, Boyce, Brooks, Chang, Charkoudian, Conaway, Crutchfield, Cullison, Ebersole, Feldmark, Fennell, W. Fisher, Fraser-Hidalgo, Gaines, Gilchrist, Haynes, Hettleman, Hill, Holmes, Ivey, Kaiser, Kelly, Korman, Krimm, J. Lewis, R. Lewis, Lierman, Lisanti, Lopez, Love, McIntosh, Moon, Mosby, Palakovich Carr, Patterson, Pena-Melnyk, Proctor, Qi, Queen, Reznik, Rosenberg, Shetty, Smith, Solomon, Stein, Stewart, Sydnor, Turner, Valderrama, Valentino-Smith, Washington, R. Watson, Wilkins, K. Young, and P. Young

AN ACT concerning

Higher Education – Tuition Rates – Exemptions

Read the third time and passed by yeas and nays as follows:

Affirmative – 30 Negative – 16 (See Roll Call No. 1194)

The Bill was then returned to the House of Delegates.

House Bill 311 – Dorchester County Delegation

AN ACT concerning

Dorchester County – Alcoholic Beverages – Class A Licenses

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1195)

The Bill was then returned to the House of Delegates.

House Bill 326 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Office of the Inspector General – Technical Changes

MC/PG 104-19

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1196)

The Bill was then returned to the House of Delegates.

House Bill 354 – Washington County Delegation

AN ACT concerning

Washington County – Alcoholic Beverages – Wineries – Special Event Permits

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1197)

The Bill was then returned to the House of Delegates.

House Bill 465 – Chair, Ways and Means Committee (By Request – Departmental – Assessments and Taxation)

AN ACT concerning

State Department of Assessments and Taxation – Distribution of Recordation and Transfer Tax Revenues

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1198)

The Bill was then returned to the House of Delegates.

House Bill 533 – Delegates B. Barnes, Dumais, Hettleman, Korman, Lehman, Pena-Melnyk, and Solomon ~~and Solomon~~ Solomon, Haynes, Jackson, Jones, and Lierman

AN ACT concerning

University System of Maryland – Board of Regents – Transparency and Oversight

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 1199)

The Bill was then returned to the House of Delegates.

House Bill 662 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Maryland–National Capital Park and Planning Commission – Glenn Dale Hospital Property

MC/PG 110–19

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1200)

The Bill was then returned to the House of Delegates.

SENATE THIRD READING CALENDAR NO. 41 (GENERAL HOUSE BILLS)

House Bill 678 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Maryland–National Capital Park and Planning Commission – Prince George’s County Recreation ~~Program~~ Programs – Youth Sports Program and Division

MC/PG 115–19

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1201)

The Bill was then returned to the House of Delegates.

House Bill 680 – Delegates Cullison, Barron, Bromwell, Carey, Carr, Charkoudian, Glenn, Johnson, Kelly, Lafferty, R. Lewis, Pena–Melnik, Reznik, Sample–Hughes, and P. Young

AN ACT concerning

~~Responsible Workforce Development Percentage Price Preference Act~~
State Procurement – State Funded Construction Projects – Payment of
Employee Health Care Expenses

Read the third time and passed by yeas and nays as follows:

Affirmative – 31 Negative – 15 (See Roll Call No. 1202)

The Bill was then returned to the House of Delegates.

House Bill 768 – Delegates Pena–Melnik, D. Barnes, Acevero, Anderson, Atterbeary, Bagnall, B. Barnes, Barron, Bartlett, Barve, Boyce, Bridges, Brooks, Cain, Cardin, Carey, Carr, Cassilly, Chang, Charkoudian, Charles, Ciliberti, Clippinger, Conaway, Corderman, Crosby, Crutchfield, D.M. Davis, D.E. Davis, Dumais, Ebersole, Feldmark, Fennell, W. Fisher, Fraser–Hidalgo, Gaines, Ghrist, Gilchrist, Glenn, Guyton, Harrison, Haynes, Healey, Hettleman, Hill, Holmes, Impallaria, Ivey, Jackson, Jalisi, Johnson, Jones, Kaiser, Kelly, Kerr, Korman, Krimm, Lafferty, Lehman, J. Lewis, R. Lewis, Lierman, Lisanti, Lopez, Love, Luedtke, McIntosh, Metzgar, Moon, Mosby, Palakovich Carr, Patterson, Proctor, Qi, Queen, Reilly, Reznik, Rogers, Rosenberg, Sample–Hughes, Shetty, Smith, Solomon, Stein, Stewart, Sydnor, Terrasa, Turner, Valderrama, Valentino–Smith, Walker, Washington, C. Watson, R. Watson, Wilkins, Wilson, K. Young, ~~and P. Young~~ P. Young, Pendergrass, Bhandari, and Cullison

AN ACT concerning

Health – Prescription Drug Affordability Board

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1203)

The Bill was then returned to the House of Delegates.

House Bill 796 – Delegates Wilkins, Bagnall, Hill, Kerr, R. Lewis, Lisanti, Patterson, and Shetty

AN ACT concerning

Public Health – Maternal Mortality Review Program – Establishment of Local Teams

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1204)

The Bill was then returned to the House of Delegates.

House Bill 809 – Delegates Palakovich Carr, Barve, Buckel, Cassilly, Gilchrist, Hornberger, Luedtke, Reilly, Rose, Shoemaker, ~~and Smith~~ Smith, Ivey, and Mosby

EMERGENCY BILL

AN ACT concerning

Sales and Use Tax – Taxable Services – Telephone Answering Service

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1205)

The Bill was then returned to the House of Delegates.

House Bill 841 – Delegates Clark and Morgan

AN ACT concerning

Aquaculture – Submerged Aquatic Vegetation – Placement of Shellfish, Bags, Nets, and Structures

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1206)

The Bill was then returned to the House of Delegates.

House Bill 934 – Delegate D.E. Davis

AN ACT concerning

Consumer Protection – Resale of Tickets – Disclosures and Refunds

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1207)

The Bill was then returned to the House of Delegates.

House Bill 959 – Delegates Mosby, Conaway, Glenn, Haynes, Smith, and Wells

AN ACT concerning

Baltimore City – Alcoholic Beverages – License Renewals and Adult Entertainment

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 2 (See Roll Call No. 1208)

The Bill was then returned to the House of Delegates.

House Bill 1098 – Delegate Kipke

AN ACT concerning

Health Insurance – Maryland Health Benefit Exchange – Small Business Tax Credit Subsidy

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1209)

The Bill was then returned to the House of Delegates.

House Bill 1124 – Delegates Brooks, D. Barnes, Branch, Bromwell, D.E. Davis, Dumais, Fennell, Gaines, Glenn, Hettleman, Jones, R. Lewis, Luedtke, Mosby, Patterson, Proctor, Qi, Queen, Sample-Hughes, Stein, Valderrama, Walker, C. Watson, R. Watson, ~~and P. Young~~ P. Young, Bagnall, Barron, Carr, Charles, Chisholm, Cullison, Hill, Johnson, Kelly, Kerr, Kipke, Krebs, Metzgar, Morgan, Pena-Melnyk, Pendergrass, Rosenberg, Saab, Szeliga, and K. Young

AN ACT concerning

State Government – Regulations Impacting Small Businesses – Economic Impact Analyses

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1210)

The Bill was then returned to the House of Delegates.

House Bill 1266 – Delegates Washington, B. Barnes, Charles, D.E. Davis, Fennell, W. Fisher, Gaines, Healey, Ivey, Jackson, Jones, Korman, Proctor, ~~and Turner~~ Turner, and Valentino-Smith

AN ACT concerning

National Capital Strategic Economic Development Program – Established

FLOOR AMENDMENT

HB1266/183422/1

BY: Senator Pinsky

AMENDMENTS TO HOUSE BILL 1266, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

Strike Senator Zucker’s Amendment (HB1266/593022/1) in its entirety.

AMENDMENT NO. 2

On page 3 of the bill, in line 16, after “**(2)**” insert “**(1)**”; and in line 18, after “COUNTY” insert “; **OR**”

(II) AN ENTERPRISE ZONE, AS DEFINED IN § 5-701 OF THE ECONOMIC DEVELOPMENT ARTICLE, IN MONTGOMERY COUNTY OR PRINCE GEORGE’S COUNTY”.

The preceding 2 amendments were read and adopted.

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1211)

The Bill was then returned to the House of Delegates.

House Bill 1279 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

**Maryland–National Capital Park and Planning Commission – Procurement –
Source Selection**

MC/PG 112–19

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1212)

The Bill was then returned to the House of Delegates.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 68 CONSENT NO. 26**

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

BILL NO.	REPORT	SPONSOR	CONTENT
<u>FAVORABLE</u>			
HB 186	FAV	Prince George’s County Delegation	Prince George’s County – Alcoholic Beverages – Family Entertainment Permit PG 301–19
HB 189	FAV	Prince George’s County Delegation	Prince George’s County – Alcoholic Beverages – Class BLX Licenses PG 304–19
HB 297	FAV	Montgomery County Delegation	Montgomery County – Alcoholic Beverages – Sale of Chilled Beer and Chilled Wine MC 4–19
HB 334	FAV	Montgomery County Delegation	Montgomery County – Alcoholic Beverages – Community Performing Arts Facility Special Event Permit MC 30–19
HB 335	FAV	Montgomery County Delegation	Montgomery County – Alcoholic Beverages Licenses – Fee Refunds MC 28–19

BILL NO.	REPORT	SPONSOR	CONTENT
HB 345	FAV	Montgomery County Delegation	Montgomery County – Damascus – Alcoholic Beverages Licenses MC 9–19
HB 445	FAV	Prince George’s County Delegation	Prince George’s County – Alcoholic Beverages – Class B–ECF/DS Beer, Wine, and Liquor License PG 306–19
HB 459	FAV	Anne Arundel County Delegation	Anne Arundel County – Alcohol Awareness

Favorable report adopted on all of the preceding bills.

The preceding bills were read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 616 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Department of Liquor Control – Renaming

MC 2–19

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 69 CONSENT NO. 27**

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

BILL NO.	REPORT	SPONSOR	CONTENT
<u>FAVORABLE</u>			

BILL NO.	REPORT	SPONSOR	CONTENT
HB 197	FAV	Wicomico County Delegation	Wicomico County – Alcoholic Beverages – Bed and Breakfast License
HB 198	FAV	Wicomico County Delegation	Wicomico County – Alcoholic Beverages – Basket of Cheer Permit
HB 287	FAV	Frederick County Delegation	Frederick County – Alcoholic Beverages – Promoter’s Permit
HB 288	FAV	Frederick County Delegation	Frederick County – Alcoholic Beverages Licenses – Sunday Sales
HB 289	FAV	Frederick County Delegation	Frederick County – Alcoholic Beverages – Cinema/Theater License
HB 290	FAV	Del. Otto	Somerset County – Alcoholic Beverages – Board of License Commissioners – Salaries
HB 291	FAV	Del. Otto	Somerset County – Alcoholic Beverages – Liquor Control Board Reserve Fund
HB 292	FAV	Del. Otto	Somerset County – Alcoholic Beverages Licenses – Proximity to Places of Worship, Schools, Public Libraries, or Youth Centers
HB 293	FAV	Frederick County Delegation	Frederick County – Alcoholic Beverages – Volunteer Fire Company or Volunteer Ambulance Company License
HB 312	FAV	Frederick County Delegation	Frederick County – Alcoholic Beverages – Multiple Licenses Allowed

BILL NO.	REPORT	SPONSOR	CONTENT
HB 314	FAV	Frederick County Delegation	Frederick County – Alcoholic Beverages License Applications – Repeal of Petition of Support – Notice
HB 353	FAV	Frederick County Delegation	Frederick County – Alcoholic Beverages – Theater Licenses – Seating Capacity
HB 374	FAV	Anne Arundel County Delegation	Anne Arundel County – Alcoholic Beverages – Racetrack and Racetrack Concessionaire Licenses
HB 447	FAV	Frederick County Delegation	Frederick County – Alcoholic Beverages – Basket of Cheer
HB 475	FAV	Queen Anne’s County Delegation	Queen Anne’s County – Alcohol Awareness Program
HB 476	FAV	Queen Anne’s County Delegation	Queen Anne’s County – Alcoholic Beverages – Beauty Salon and Barbershop License
HB 572	FAV	Carroll County Delegation	Carroll County – Alcoholic Beverages – Class BC Beer, Wine, and Liquor License
HB 576	FAV	Carroll County Delegation	Carroll County – Alcoholic Beverages – Required Information on Application
HB 613	FAV	Carroll County Delegation	Carroll County – Alcoholic Beverages – Class D Beer and Wine Licenses
HB 723	FAV	Del. Beitzel	Garrett County – Alcoholic Beverages – Revisions

BILL NO.	REPORT	SPONSOR	CONTENT
HB 866	FAV	Allegany County Delegation	Allegany County – Alcoholic Beverages – Licenses
HB 1077	FAV	Talbot County Delegation	Talbot County – Alcoholic Beverages – Election Days
HB 1095	FAV	Talbot County Delegation	Talbot County – Alcoholic Beverages – Substitute Member for Board of License Commissioners

Favorable report adopted on all of the preceding bills.

The preceding bills were read the second time and ordered prepared for Third Reading.

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE
REPORT NO. 70**

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 277 – Delegates Korman, Bagnall, Bartlett, Bhandari, Brooks, Charkoudian, Crutchfield, Dumais, Ebersole, Gaines, Haynes, Healey, Hettleman, Ivey, Jones, Kerr, R. Lewis, Lierman, Love, Luedtke, Palakovich Carr, Reznik, Shetty, Smith, Solomon, Stein, Stewart, Valderrama, K. Young, and P. Young

AN ACT concerning

**Regional Initiative to Limit or Reduce Greenhouse Gas Emissions in
Transportation Sector – Authorization
(Regional Transportation and Climate Protection Act of 2019)**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 515 – Delegates Hornberger, Beitzel, Cassilly, Chisholm, Jacobs, Jalisi, Krebs, Reilly, Rose, Saab, and Shoemaker

AN ACT concerning

Municipalities – Municipal Infraction Proceedings – Designation of a Building Inspector or an Enforcement Officer to Testify

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 808 – Delegates Ghrist, Adams, Anderton, Arentz, Beitzel, Clark, Jacobs, Lafferty, Mautz, McKay, Otto, Sample–Hughes, and Stein

AN ACT concerning

Weed Control – Noxious Weeds – Regulations and Penalties

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1045 – ~~Delegate Lierman~~ Delegates Lierman, Boyce, Holmes, Lafferty, Lehman, Love, Stewart, and Wells

AN ACT concerning

Land Use – Comprehensive Plans – Housing Element

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Pinsky, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1255 – Delegates Fraser–Hidalgo, Barve, Korman, Shetty, ~~and Wilkins~~ Wilkins, Love, Wells, Attar, Stein, Healey, Bridges, Boyce, Harrison, Lehman, and Stewart

AN ACT concerning

**School Bus Purchasing Transition – Zero-Emission Vehicle Requirement
Vehicles – Grant Program and Fund**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 41

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 192 – Senators Kelley, Augustine, Beidle, Carter, Eckardt, Ellis, Feldman, Ferguson, Griffith, Hayes, Jennings, Lam, Lee, McCray, Nathan-Pulliam, Patterson, Peters, Pinsky, Reilly, Rosapepe, Smith, Waldstreicher, Washington, Young, and Zucker

AN ACT concerning

Estates and Trusts – Elective Share of Surviving Spouse

SB0192/558979/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 192

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 22, after “Act;” insert “providing for a delayed effective date;”.

AMENDMENT NO. 2

On page 21, in line 26, strike the second “AND”; and in line 28, after the semicolon insert “AND”

(VIII) THE RELATIONSHIP OF THE BENEFICIARY OF THE TRANSFER OR ARRANGEMENT TO ANY PREVIOUS OWNER OF THE PROPERTY SUBJECT TO THE TRANSFER OR ARRANGEMENT;

On page 52, in line 17, strike “2019” and substitute “2020”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 737 – Senators Lee, Beidle, Elfreth, Feldman, Guzzone, Kramer, Patterson, and Peters

AN ACT concerning

Public Safety – Rifles and Shotguns – Transactions

SB0737/748674/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 737

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Transactions” and substitute “Sales, Rentals, Transfers, and Loans”; in lines 4, 5, 7, 8, 10, 14, and 15, in each instance, strike “transfer” and substitute “sale”; in line 4, strike “in a certain role”; in lines 5, 8, 10, and 11, in each instance, strike “transferor” and substitute “seller”; in line 6, strike “transferee” and substitute “purchaser”; in line 16, strike “transfers” and substitute “sales”; and in the same line, after “Act;” insert “providing that a certain licensee or other person may not sell, rent, transfer, or loan a rifle or shotgun to a certain person under certain circumstances;”.

On pages 1 and 2, strike beginning with “prohibiting” in line 16 on page 1 down through “penalties;” in line 12 on page 2.

On page 2, in line 21, strike “through 5–204.4, 5–207, and 5–208” and substitute “and 5–207”.

AMENDMENT NO. 2

On page 2, strike beginning with “~~STATE-REGULATED~~” in line 29 down through “~~LICENSE~~” in line 30 and substitute “FEDERAL FIREARMS LICENSE”; strike in their entirety lines 31 through 34, inclusive; in line 35, strike “~~(D)~~” and substitute “(C)”; and in

line 36, strike “(E)” and substitute “(D) “NICS INDEX” HAS THE MEANING STATED IN § 5-133.2 OF THIS TITLE.

(E)”.

On page 3, strike line 1 in its entirety; in lines 2, 4, and 6, strike “(G)”, “(H)”, and “(I)”, respectively, and substitute “(F)”, “(G)”, and “(H)”, respectively; strike in their entirety lines 8 through 15, inclusive; strike beginning with “TRANSFER” in line 17 down through “INVOLVING” in line 18 and substitute “SALE BY”; in line 18, after “LICENSEE” insert a period; and strike beginning with “OR” in line 18 down through the semicolon in line 19.

On pages 3 and 4, strike in their entirety the lines beginning with line 20 on page 3 through line 31 on page 4, inclusive.

On page 5, in line 1, strike “(C)” and substitute “(B)”; in lines 1, 3, 4, 17, and 24, in each instance, strike “TRANSFER” and substitute “SALE”; in lines 1, 16, and 20, in each instance, strike “TRANSFEROR” and substitute “SELLER”; in lines 2, 17, 18, and 20, in each instance, strike “TRANSFeree” and substitute “PURCHASER”; in line 1, before “IS” insert “OF A RIFLE OR SHOTGUN”; in line 4, strike “(I)”; strike beginning with “PROCESS” in line 5 down through “TRANSFeree” in line 7 and substitute “CONDUCT A BACKGROUND CHECK ON THE PURCHASER THROUGH THE NICS INDEX”; strike in their entirety lines 8 through 15, inclusive; in lines 16, 23, and 25, strike “(E)”, “(F)”, and “(G)”, respectively, and substitute “(C)”, “(D)”, and “(E)”, respectively; in line 16, strike “LICENSEE OR THE”; and after line 32, insert:

“5-207.

(A) THIS SECTION SUPERSEDES ANY RESTRICTION THAT A LOCAL JURISDICTION IN THE STATE IMPOSES ON THE TRANSFER BY A PRIVATE PARTY OF A RIFLE OR SHOTGUN, AND THE STATE PREEMPTS THE RIGHT OF ANY LOCAL JURISDICTION TO REGULATE THE TRANSFER OF A RIFLE OR SHOTGUN.

(B) IN THIS SECTION, “LOAN” INCLUDES A TEMPORARY GRATUITOUS EXCHANGE OF A RIFLE OR SHOTGUN.

(C) A LICENSEE OR ANY OTHER PERSON MAY NOT SELL, RENT, TRANSFER, OR LOAN A RIFLE OR SHOTGUN TO A PURCHASER, LESSEE, TRANSFEREE, OR RECIPIENT WHO THE LICENSEE OR OTHER PERSON KNOWS OR HAS REASONABLE CAUSE TO BELIEVE:

- (1) HAS BEEN CONVICTED OF A DISQUALIFYING CRIME;
- (2) HAS BEEN CONVICTED OF A CONSPIRACY TO COMMIT A FELONY;
- (3) HAS BEEN CONVICTED OF A VIOLATION CLASSIFIED AS A COMMON LAW CRIME AND RECEIVED A TERM OF IMPRISONMENT OF MORE THAN 2 YEARS;
- (4) IS A FUGITIVE FROM JUSTICE;
- (5) IS A HABITUAL DRUNKARD AS DEFINED IN § 5-101 OF THIS TITLE;
- (6) IS ADDICTED TO A CONTROLLED DANGEROUS SUBSTANCE OR IS A HABITUAL USER AS DEFINED IN § 5-101 OF THIS TITLE;
- (7) SUFFERS FROM A MENTAL DISORDER AS DEFINED IN § 10-101(I)(2) OF THE HEALTH – GENERAL ARTICLE, AND HAS A HISTORY OF VIOLENT BEHAVIOR AGAINST THE PURCHASER, LESSEE, TRANSFEREE, RECIPIENT, OR ANOTHER, UNLESS THE PURCHASER, LESSEE, TRANSFEREE, OR RECIPIENT POSSESSES A PHYSICIAN’S CERTIFICATE THAT THE PURCHASER, LESSEE, TRANSFEREE, OR RECIPIENT IS CAPABLE OF POSSESSING A REGULATED FIREARM WITHOUT UNDUE DANGER TO THE PURCHASER, LESSEE, TRANSFEREE, OR RECIPIENT OR TO ANOTHER;
- (8) HAS BEEN CONFINED FOR MORE THAN 30 CONSECUTIVE DAYS TO A FACILITY AS DEFINED IN § 10-101 OF THE HEALTH – GENERAL ARTICLE, UNLESS THE PURCHASER, LESSEE, TRANSFEREE, OR RECIPIENT POSSESSES A PHYSICIAN’S CERTIFICATE THAT THE PURCHASER, LESSEE, TRANSFEREE, OR RECIPIENT IS CAPABLE OF POSSESSING A REGULATED FIREARM WITHOUT UNDUE DANGER TO THE PURCHASER, LESSEE, TRANSFEREE, OR RECIPIENT OR TO ANOTHER;

(9) IS A RESPONDENT AGAINST WHOM A CURRENT NON EX PARTE CIVIL PROTECTIVE ORDER HAS BEEN ENTERED UNDER § 4-506 OF THE FAMILY LAW ARTICLE;

(10) IF UNDER THE AGE OF 30 YEARS AT THE TIME OF THE TRANSACTION, HAS BEEN ADJUDICATED DELINQUENT BY A JUVENILE COURT FOR AN ACT THAT WOULD BE A DISQUALIFYING CRIME IF COMMITTED BY AN ADULT;

(11) IS VISIBLY UNDER THE INFLUENCE OF ALCOHOL OR DRUGS;

(12) IS A PARTICIPANT IN A STRAW PURCHASE; OR

(13) INTENDS TO USE THE RIFLE OR SHOTGUN TO:

(I) COMMIT A CRIME; OR

(II) CAUSE HARM TO THE PURCHASER, LESSEE, TRANSFEREE, OR RECIPIENT OR ANOTHER PERSON.

(D) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 5 YEARS OR A FINE NOT EXCEEDING \$10,000 OR BOTH.”.

On pages 5 through 14, strike in their entirety the lines beginning with line 33 on page 5 through line 25 on page 14, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0737/773526/1

BY: Senator Zirkin

AMENDMENT TO SENATE BILL 737

(First Reading File Bill)

On page 3, in line 17, after “A” insert “:

(1)”;

and in line 18, strike “LICENSEE” and substitute “**LICENSEE; OR**

(2) SALE OF AN ANTIQUE FIREARM, AS DEFINED IN § 4-201 OF THE CRIMINAL LAW ARTICLE.”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

SB0737/593529/1

BY: Senator Bailey

AMENDMENTS TO SENATE BILL 737, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, before “authorizing” insert “**exempting a certain person from a certain background check under certain circumstances;**”.

AMENDMENT NO. 2

On page 5, in line 4, strike “A” and substitute “**EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, A**”; and after line 7, insert:

“(3) (1) A BACKGROUND CHECK THROUGH THE NICS INDEX IS NOT REQUIRED IF THE PURCHASER:

1. HAS A RELIGIOUS BELIEF AGAINST TAKING A PHOTOGRAPH;

2. PRESENTS PROOF OF IDENTITY, LEGAL PRESENCE, RESIDENCY, AND SOCIAL SECURITY NUMBER OR NON-WORK AUTHORIZED STATUS;

3. PRESENTS A SIGNED AND APPROVED IRS FORM 4029 OR AN AFFIDAVIT STATING THAT THE PURCHASER HAS A SINCERELY HELD RELIGIOUS BELIEF AGAINST THE TAKING OF A PORTRAIT PHOTOGRAPH; AND

4. DOES NOT POSSESS A LICENSE OR IDENTIFICATION CARD OF ANY KIND WITH A PHOTOGRAPHIC IDENTIFICATION.

(II) A PURCHASER WHO IS EXEMPT FROM AN NICS INDEX BACKGROUND CHECK UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL:

1. APPLY FOR A BACKGROUND CHECK; AND

2. PRESENT PROOF OF THE COMPLETED BACKGROUND CHECK TO THE LICENSEE.

(III) THE PURCHASER IS RESPONSIBLE FOR ANY COSTS OF THE BACKGROUND CHECK CONDUCTED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH.”

The preceding 2 amendments were withdrawn.

FLOOR AMENDMENT

SB0737/173428/1

BY: Senator Jennings

AMENDMENTS TO SENATE BILL 737

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “altering the definition of “crime of violence”.”.

On page 2, after line 13, insert:

“BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 14–101(a)(14)

Annotated Code of Maryland

(2012 Replacement Volume and 2018 Supplement)".

AMENDMENT NO. 2

On page 2, after line 25, insert:

"Article – Criminal Law

14–101.

(a) In this section, "crime of violence" means:

(14) use of a firearm in the commission of a felony [except possession with intent to distribute a controlled dangerous substance under § 5–602(2) of this article,] or other crime of violence;".

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 15 Negative – 30 (See Roll Call No. 1213)

FLOOR AMENDMENT

SB0737/273520/1

BY: Senator Hershey

AMENDMENTS TO SENATE BILL 737

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after "of" insert "classifying the theft of a firearm as a felony;".

On page 2, after line 13, insert:

"BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 7–104

Annotated Code of Maryland

(2012 Replacement Volume and 2018 Supplement)".

AMENDMENT NO. 2

On page 2, after line 25, insert:

“Article – Criminal Law

7–104.

(a) A person may not willfully or knowingly obtain or exert unauthorized control over property, if the person:

(1) intends to deprive the owner of the property;

(2) willfully or knowingly uses, conceals, or abandons the property in a manner that deprives the owner of the property; or

(3) uses, conceals, or abandons the property knowing the use, concealment, or abandonment probably will deprive the owner of the property.

(b) A person may not obtain control over property by willfully or knowingly using deception, if the person:

(1) intends to deprive the owner of the property;

(2) willfully or knowingly uses, conceals, or abandons the property in a manner that deprives the owner of the property; or

(3) uses, conceals, or abandons the property knowing the use, concealment, or abandonment probably will deprive the owner of the property.

(c) (1) A person may not possess stolen personal property knowing that it has been stolen, or believing that it probably has been stolen, if the person:

(i) intends to deprive the owner of the property;

(ii) willfully or knowingly uses, conceals, or abandons the property in a manner that deprives the owner of the property; or

(iii) uses, conceals, or abandons the property knowing that the use, concealment, or abandonment probably will deprive the owner of the property.

(2) In the case of a person in the business of buying or selling goods, the knowledge required under this subsection may be inferred if:

(i) the person possesses or exerts control over property stolen from more than one person on separate occasions;

(ii) during the year preceding the criminal possession charged, the person has acquired stolen property in a separate transaction; or

(iii) being in the business of buying or selling property of the sort possessed, the person acquired it for a consideration that the person knew was far below a reasonable value.

(3) In a prosecution for theft by possession of stolen property under this subsection, it is not a defense that:

(i) the person who stole the property has not been convicted, apprehended, or identified;

(ii) the defendant stole or participated in the stealing of the property;

(iii) the property was provided by law enforcement as part of an investigation, if the property was described to the defendant as being obtained through the commission of theft; or

(iv) the stealing of the property did not occur in the State.

(4) Unless the person who criminally possesses stolen property participated in the stealing, the person who criminally possesses stolen property and a person who has stolen the property are not accomplices in theft for the purpose of any rule of evidence requiring corroboration of the testimony of an accomplice.

(d) A person may not obtain control over property knowing that the property was lost, mislaid, or was delivered under a mistake as to the identity of the recipient or nature or amount of the property, if the person:

(1) knows or learns the identity of the owner or knows, is aware of, or learns of a reasonable method of identifying the owner;

(2) fails to take reasonable measures to restore the property to the owner;
and

(3) intends to deprive the owner permanently of the use or benefit of the property when the person obtains the property or at a later time.

(e) A person may not obtain the services of another that are available only for compensation:

(1) by deception; or

(2) with knowledge that the services are provided without the consent of the person providing them.

(f) Under this section, an offender's intention or knowledge that a promise would not be performed may not be established by or inferred solely from the fact that the promise was not performed.

(g) (1) **THIS SUBSECTION DOES NOT APPLY TO THEFT OF A FIREARM.**

(2) A person convicted of theft of property or services with a value of:

(i) at least \$1,500 but less than \$25,000 is guilty of a felony and:

1. is subject to imprisonment not exceeding 5 years or a fine not exceeding \$10,000 or both; and

2. shall restore the property taken to the owner or pay the owner the value of the property or services;

(ii) at least \$25,000 but less than \$100,000 is guilty of a felony and:

1. is subject to imprisonment not exceeding 10 years or a fine not exceeding \$15,000 or both; and

2. shall restore the property taken to the owner or pay the owner the value of the property or services; or

(iii) \$100,000 or more is guilty of a felony and:

1. is subject to imprisonment not exceeding 20 years or a fine not exceeding \$25,000 or both; and

2. shall restore the property taken to the owner or pay the owner the value of the property or services.

[(2)] (3) Except as provided in paragraph [(3)] (4) of this subsection, a person convicted of theft of property or services with a value of at least \$100 but less than \$1,500, is guilty of a misdemeanor and:

(i) is subject to:

1. for a first conviction, imprisonment not exceeding 6 months or a fine not exceeding \$500 or both; and

2. for a second or subsequent conviction, imprisonment not exceeding 1 year or a fine not exceeding \$500 or both; and

(ii) shall restore the property taken to the owner or pay the owner the value of the property or services.

[(3)] (4) A person convicted of theft of property or services with a value of less than \$100 is guilty of a misdemeanor and:

(i) is subject to imprisonment not exceeding 90 days or a fine not exceeding \$500 or both; and

(ii) shall restore the property taken to the owner or pay the owner the value of the property or services.

[(4)] (5) Subject to paragraph [(5)] (6) of this subsection, a person who has four or more prior convictions under this subtitle and who is convicted of theft of property or services with a value of less than \$1,500 under paragraph [(2)] (3) of this subsection is guilty of a misdemeanor and:

(i) is subject to imprisonment not exceeding 5 years or a fine not exceeding \$5,000 or both; and

(ii) shall restore the property taken to the owner or pay the owner the value of the property or services.

[(5)] (6) The court may not impose the penalties under paragraph [(4)] (5) of this subsection unless the State’s Attorney serves notice on the defendant or the defendant’s counsel before the acceptance of a plea of guilty or nolo contendere or at least 15 days before trial that:

(i) the State will seek the penalties under paragraph [(4)] (5) of this subsection; and

(ii) lists the alleged prior convictions.

(H) (1) A PERSON CONVICTED OF THEFT OF A FIREARM, INCLUDING AN ANTIQUE FIREARM OR A REPLICA OF AN ANTIQUE FIREARM, IS GUILTY OF A FELONY AND IS SUBJECT TO:

(I) FOR A FIRST CONVICTION, IMPRISONMENT FOR NOT LESS THAN 2 YEARS AND NOT EXCEEDING 5 YEARS OR A FINE NOT EXCEEDING \$1,000 OR BOTH; AND

(II) FOR A SECOND OR SUBSEQUENT CONVICTION, IMPRISONMENT FOR NOT LESS THAN 5 YEARS AND NOT EXCEEDING 10 YEARS OR A FINE NOT EXCEEDING \$2,500 OR BOTH.

(2) NOTWITHSTANDING § 14–102 OF THIS ARTICLE, THE COURT MAY NOT IMPOSE LESS THAN THE MANDATORY MINIMUM SENTENCE OF:

(I) FOR A FIRST CONVICTION, 2 YEARS; AND

(II) FOR A SECOND OR SUBSEQUENT CONVICTION, 5 YEARS.

(3) THE COURT MAY NOT SUSPEND ANY PART OF THE MANDATORY MINIMUM SENTENCE OF:

(I) FOR A FIRST CONVICTION, 2 YEARS; AND

(II) FOR A SECOND OR SUBSEQUENT CONVICTION, 5 YEARS.

(4) A SENTENCE IMPOSED UNDER PARAGRAPH (1) SHALL BE SEPARATE FROM AND CONSECUTIVE TO A SENTENCE FOR ANY OTHER OFFENSE.

[(h)] (I) (1) If a person is convicted of a violation under this section for failure to pay for motor fuel after the motor fuel was dispensed into a vehicle, the court shall:

(i) notify the person that the person's driver's license may be suspended under § 16-206.1 of the Transportation Article; and

(ii) notify the Motor Vehicle Administration of the violation.

(2) The Chief Judge of the District Court and the Administrative Office of the Courts, in conjunction with the Motor Vehicle Administration, shall establish uniform procedures for reporting a violation under this subsection.

[(i)] (J) An action or prosecution for a violation of subsection [(g)(2) or (3)] (G)(3) OR (4) of this section shall be commenced within 2 years after the commission of the crime.

[(j)] (K) A person who violates this section by use of an interactive computer service may be prosecuted, indicted, tried, and convicted in any county in which the victim resides or the electronic communication originated or terminated."

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 16 Negative – 30 (See Roll Call No. 1214)

Senator Zirkin moved to make the Bill a Special Order for the end of today's business.

The motion was adopted.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 804 – Senators Lee and Smith

AN ACT concerning

Vehicle Laws – Injury or Death of Vulnerable Individual – Penalties

SB0804/428176/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 804

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Injury or Death of Vulnerable Individual – Penalties” and substitute “Reckless Driving Contributing to an Accident – Required Court Appearance”; strike beginning with “prohibiting” in line 3 down through “individual” in line 11 and substitute “requiring a person charged with reckless driving that contributes to an accident to appear in court and prohibiting the person from prepaying the fine; and generally relating to reckless driving that contributes to an accident”; and strike in their entirety lines 12 through 21, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

Article – Transportation

Section 21–901.1

Annotated Code of Maryland

(2012 Replacement Volume and 2018 Supplement)”.

AMENDMENT NO. 2

On pages 1 through 3, strike in their entirety the lines beginning with line 25 on page 1 through line 15 on page 3, inclusive, and substitute:

“21–901.1.

(a) A person is guilty of reckless driving if he drives a motor vehicle:

(1) In wanton or willful disregard for the safety of persons or property; or

(2) In a manner that indicates a wanton or willful disregard for the safety of persons or property.

(b) A person is guilty of negligent driving if he drives a motor vehicle in a careless or imprudent manner that endangers any property or the life or person of any individual.

(c) A PERSON CHARGED WITH A VIOLATION OF SUBSECTION (A) OF THIS SECTION THAT CONTRIBUTES TO AN ACCIDENT:

(1) MUST APPEAR IN COURT; AND

(2) MAY NOT PREPAY THE FINE.

(D) A person convicted of a violation of subsection (a) of this section is subject to a fine not exceeding \$1,000.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 42

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 18 – ~~Delegate Glenn~~ Delegates Glenn, Pendergrass, Pena-Melnyk, Bagnall, Barron, Carr, Cullison, Hill, Johnson, Kelly, Kerr, Kipke, Krebs, R. Lewis, Metzgar, Rosenberg, Sample-Hughes, Szeliga, and K. Young

AN ACT concerning

Natalie M. LaPrade Medical Cannabis Commission – Certifying Providers

HB0018/408176/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 18

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Natalie M. LaPrade”; in the same line, strike “Commission”; in the same line, strike “Certifying Providers” and substitute “Revisions and Effect on Workers’ Compensation and Access to Firearms”; strike beginning with “altering” in line 3 down through “Commission.” in line 8 and substitute “altering the definition of”

“certifying provider” to repeal the requirement that a certifying provider be registered with the Natalie M. LaPrade Medical Cannabis Commission; altering the definition of “written certification” to alter the information that is required to be included and to require that the certification be in the form prescribed by the Commission; repealing the requirement that the Commission register certain individuals as certifying providers; repealing the requirement that a provider submit a certain proposal to the Commission to be registered as a certifying provider; repealing a provision of law that encourages and authorizes the Commission to approve certain applications; authorizing a certifying provider to issue written certifications for certain medical conditions; repealing a provision of law that authorizes a certifying provider to apply for a renewal of a registration on a certain basis; repealing the requirement that the Commission grant or deny a renewal of a registration based on a certifying provider’s performance in complying with certain regulations; repealing a requirement that the Commission include information on certain providers in a certain annual report to the General Assembly; repealing certain provisions of law rendered obsolete by this Act; authorizing an institution of higher education or a certain facility or firm to file with the Commission a registration to purchase medical cannabis for the purpose of conducting a certain research project; requiring that a certain registration include certain information; providing that a certain registration is valid until the Commission receives certain notification; authorizing an academic research representative to purchase medical cannabis from a licensed dispensary for a certain purpose; providing that an academic research representative may not be penalized or arrested under State law for certain actions under certain circumstances; authorizing the Commission to adopt certain regulations; adding academic research representatives to the individuals toward whom a dispensary, dispensary agent, processor, or processor agent may take certain actions related to the use of cannabis and certain products, supplies, and materials by certain individuals and not be penalized or arrested under State law; adding academic research representatives to the persons that may not be subject to arrest, prosecution, or certain penalties or be denied any right or privilege for the medical use of or possession of medical cannabis; adding academic research representatives to the persons from whom a person may not distribute, possess, manufacture, or use cannabis that has been diverted; requiring the Commission to allow certain dispensaries and dispensary agents to acquire, possess, transfer, transport, sell, distribute, or dispense edible cannabis products for use by a qualifying patient or caregiver; requiring the Commission, in consultation with the Maryland Department of Health, to adopt certain regulations; requiring the Commission to allow certain processors and processor agents to acquire, possess, process, package, label, transfer, transport, sell, and distribute to a dispensary edible cannabis products for use by a qualifying patient or caregiver; requiring the Commission to allow certain processors and processor agents to transport edible cannabis products to an independent testing laboratory; prohibiting certain persons from being subject to revocation of mandatory

supervision, parole, or probation for the medical use of or possession of medical cannabis; requiring that certain advertisements for medical cannabis, medical cannabis products, edible cannabis products, or medical cannabis–related services be supported by certain evidence or data and include certain information about side effects or risks associated with the use of cannabis; prohibiting certain advertisements from being false or misleading; prohibiting certain advertisements from containing certain designs, illustrations, pictures, and representations; requiring that all advertising for medical cannabis, edible cannabis products, or medical cannabis products include a certain statement; requiring certain websites to employ a certain neutral age–screening mechanism; requiring that certain advertisements include a certain notification; prohibiting advertisements for medical cannabis, medical cannabis products, edible cannabis products, or medical cannabis–related services from being placed within a certain distance of certain locations; requiring the Commission to adopt certain regulations; providing that a covered employee or a dependent of a covered employee is not entitled to compensation or benefits under the workers’ compensation law if a certain accidental personal injury, compensable hernia, or occupational disease was caused solely by the effect of medical cannabis on the employee and the medical cannabis was not administered or taken with the written certification of a certifying provider or the written instructions of a physician; including medical cannabis in the medicine that an employer or its insurer is required to provide to a covered employee under certain circumstances; providing that a person may not be denied the right to purchase, possess, or carry a firearm solely on the basis that the person is authorized to use medical cannabis; defining certain terms; making technical and conforming changes; and generally relating to medical cannabis.”.

On page 1, in line 9, strike “without” and substitute “with”; in line 11, strike “13–3301(a)” and substitute “13–3301, 13–3304, 13–3305, 13–3306(b) and (c), 13–3307, 13–3309(e), (f), (g), and (h), and 13–3313”; after line 13, insert:

“BY adding to

Article – Health – General

Section 13–3304.1, 13–3309(e) and (i), and 13–3313.1

Annotated Code of Maryland

(2015 Replacement Volume and 2018 Supplement)”;

in line 14, strike “with” and substitute “without”; in line 16, strike “13–3301(c)” and substitute “13–3309(a)”; and strike line 19 in its entirety.

On page 2, strike in their entirety lines 1 through 5, inclusive; and after line 5, insert:

“BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 9–506(a) and 9–660(b)

Annotated Code of Maryland

(2016 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 9–506(b) and 9–660(a)

Annotated Code of Maryland

(2016 Replacement Volume and 2018 Supplement)

BY adding to

Article – Public Safety

Section 5–701 to be under the new subtitle “Subtitle 7. Miscellaneous”

Annotated Code of Maryland

(2018 Replacement Volume)”.

AMENDMENT NO. 2

On page 2, after line 10, insert:

“(B) “ACADEMIC RESEARCH REPRESENTATIVE” MEANS AN EMPLOYEE OR AGENT OF AN INSTITUTION OF HIGHER EDUCATION, A RELATED MEDICAL FACILITY, OR AN AFFILIATED BIOMEDICAL RESEARCH FIRM THAT FILED A REGISTRATION WITH THE COMMISSION UNDER § 13–3304.1 OF THIS SUBTITLE WHO IS AUTHORIZED TO PURCHASE MEDICAL CANNABIS FOR THE INSTITUTION OF HIGHER EDUCATION OR RELATED MEDICAL FACILITY.

[(b)] (C) “Caregiver” means:

(1) A person who has agreed to assist with a qualifying patient’s medical use of cannabis; and

(2) For a qualifying patient under the age of 18 years, a parent or legal guardian.

[(c)] (D) “Certifying provider” means an individual who:

(1) (i) 1. Has an active, unrestricted license to practice medicine that was issued by the State Board of Physicians under Title 14 of the Health Occupations Article; and

2. Is in good standing with the State Board of Physicians;

(ii) 1. Has an active, unrestricted license to practice dentistry that was issued by the State Board of Dental Examiners under Title 4 of the Health Occupations Article; and

2. Is in good standing with the State Board of Dental Examiners;

(iii) 1. Has an active, unrestricted license to practice podiatry that was issued by the State Board of Podiatric Medical Examiners under Title 16 of the Health Occupations Article; and

2. Is in good standing with the State Board of Podiatric Medical Examiners; or

(iv) 1. Has an active, unrestricted license to practice registered nursing and has an active, unrestricted certification to practice as a nurse practitioner or a nurse midwife that were issued by the State Board of Nursing under Title 8 of the Health Occupations Article; and

2. Is in good standing with the State Board of Nursing; AND

(2) Has a State controlled dangerous substances registration]; and

(3) Is registered with the Commission to make cannabis available to patients for medical use in accordance with regulations adopted by the Commission].

[(d)] (E) “Commission” means the Natalie M. LaPrade Medical Cannabis Commission established under this subtitle.

[(e)] (F) “Dispensary” means an entity licensed under this subtitle that acquires, possesses, processes, transfers, transports, sells, distributes, dispenses, or administers cannabis, products containing cannabis, related supplies, related products

containing cannabis including [food] EDIBLE CANNABIS PRODUCTS, tinctures, aerosols, oils, or ointments, or educational materials for use by a qualifying patient or caregiver.

[(f)] (G) “Dispensary agent” means an owner, a member, an employee, a volunteer, an officer, or a director of a dispensary.

(H) (1) “EDIBLE CANNABIS PRODUCT” MEANS A MEDICAL CANNABIS PRODUCT INTENDED FOR HUMAN CONSUMPTION BY ORAL INGESTION, IN WHOLE OR IN PART.

(2) “EDIBLE CANNABIS PRODUCT” INCLUDES MEDICAL CANNABIS PRODUCTS THAT DISSOLVE OR DISINTEGRATE IN THE MOUTH.

(3) “EDIBLE CANNABIS PRODUCT” DOES NOT INCLUDE ANY:

(I) MEDICAL CANNABIS CONCENTRATE; OR

(II) MEDICAL CANNABIS-INFUSED PRODUCT, INCLUDING AN OIL, A WAX, AN OINTMENT, A SALVE, A TINCTURE, A CAPSULE, A SUPPOSITORY, A DERMAL PATCH, A CARTRIDGE, A CHEWABLE OR DISSOLVABLE GELATINOUS CUBE, OR ANY OTHER PRODUCT CONTAINING MEDICAL CANNABIS CONCENTRATE OR USABLE CANNABIS THAT HAS BEEN PROCESSED SO THAT DRIED LEAVES AND FLOWERS ARE INTEGRATED INTO OTHER MATERIAL.

[(g)] (I) “Fund” means the Natalie M. LaPrade Medical Cannabis Commission Fund established under § 13–3303 of this subtitle.

[(h)] (J) “Grower” means an entity licensed under this subtitle that:

(1) Cultivates or packages medical cannabis; and

(2) Is authorized by the Commission to provide cannabis to a processor, dispensary, or independent testing laboratory.

[(i)] (K) “Independent testing laboratory” means a facility, an entity, or a site that offers or performs tests related to the inspection and testing of cannabis and products containing cannabis.

[(i)] (L) “Medical cannabis grower agent” means an owner, an employee, a volunteer, an officer, or a director of a grower.

[(k)] (M) “Processor” means an entity that:

- (1) Transforms medical cannabis into another product or extract; and
- (2) Packages and labels medical cannabis.

[(l)] (N) “Processor agent” means an owner, a member, an employee, a volunteer, an officer, or a director of a processor.

[(m)] (O) “Qualifying patient” means an individual who:

- (1) Has been provided with a written certification by a certifying provider in accordance with a bona fide provider–patient relationship; and
- (2) If under the age of 18 years, has a caregiver.

[(n)] (P) “Written certification” means a certification that:

- (1) Is issued by a certifying provider to a qualifying patient with whom the provider has a bona fide provider–patient relationship; [and]
- (2) Includes a written statement [certifying]:

(I) CERTIFYING that, in the provider’s professional opinion, after having completed an assessment of the patient’s medical history and current medical condition, the patient has a condition[:]

(i) That meets the inclusion criteria and does not meet the exclusion criteria of the certifying provider’s application; and

(ii) For] FOR which the potential benefits of the medical use of cannabis would likely outweigh the health risks for the patient; and

(II) SPECIFYING THE MEDICAL CONDITION LISTED UNDER § 13-3304(A) OF THIS SUBTITLE WITH WHICH THE QUALIFYING PATIENT HAS BEEN DIAGNOSED;

(3) May include a written statement certifying that, in the provider’s professional opinion, a 30–day supply of medical cannabis would be inadequate to meet the medical needs of the qualifying patient; AND

(4) IS IN THE FORM PRESCRIBED BY THE COMMISSION.

13-3304.

[(a) The Commission shall register as a certifying provider an individual who:

(1) Meets the requirements of this subtitle; and

(2) Submits application materials that meet the requirements of this subtitle.

(b) To be registered as a certifying provider, a provider shall submit a proposal to the Commission that includes:

(1) The reasons for including a patient under the care of the provider for the purposes of this subtitle, including the patient’s qualifying medical conditions;

(2) An attestation that a standard patient evaluation will be completed, including a history, a physical examination, a review of symptoms, and other pertinent medical information; and

(3) The provider’s plan for the ongoing assessment and follow–up care of a patient and for collecting and analyzing data.

(c) The Commission may not require an individual to meet requirements in addition to the requirements listed in subsections (a) and (b) of this section to be registered as a certifying provider.]

[(d)] (A) [(1) The Commission] A CERTIFYING PROVIDER [is encouraged to] MAY [approve provider applications] ISSUE WRITTEN CERTIFICATIONS for the following medical conditions:

[(i)] (1) A chronic or debilitating disease or medical condition that results in a patient being admitted into hospice or receiving palliative care; [or]

[(ii)] (2) A chronic or debilitating disease or medical condition or the treatment of a chronic or debilitating disease or medical condition that produces:

[1.] (I) Cachexia, anorexia, or wasting syndrome;

[2.] (II) Severe or chronic pain;

[3.] (III) Severe nausea;

[4.] (IV) Seizures; or

[5.] (V) Severe or persistent muscle spasms[.]; OR

[(2) The Commission may not limit treatment of a particular medical condition to one class of providers.]

[(e)] (3) [The Commission may approve applications that include any] ANY other condition that is severe and for which other medical treatments have been ineffective if the symptoms reasonably can be expected to be relieved by the medical use of cannabis.

[(f)] (B) (1) A certifying provider or the spouse of a certifying provider may not receive any gifts from or have an ownership interest in a medical cannabis grower, a processor, or a dispensary.

(2) A certifying provider may receive compensation from a medical cannabis grower, a processor, or a dispensary if the certifying provider:

(i) Obtains the approval of the Commission before receiving the compensation; and

(ii) Discloses the amount of compensation received from the medical cannabis grower, processor, or dispensary to the Commission.

[(g)] (C) (1) (i) Subject to subparagraph (ii) of this paragraph, a qualifying patient may be a patient of the certifying provider or may be referred to the certifying provider.

(ii) A referral of a patient to a certifying provider under subparagraph (i) of this paragraph may not be made by any person or entity employed, contracted, volunteering, or compensated by any form of remuneration, gift, donation, or bartering to register individuals as qualifying patients, to complete application forms, or to assist individuals in completing application forms to become qualifying patients, or to transport or deliver to the Commission application forms for individuals seeking to become qualifying patients.

(2) A certifying provider shall provide each written certification to the Commission.

(3) On receipt of a written certification provided under paragraph (2) of this subsection, the Commission shall issue an identification card to each qualifying patient or caregiver named in the written certification.

(4) A certifying provider may discuss medical cannabis with a patient.

(5) (i) Except as provided in subparagraph (ii) of this paragraph, a qualifying patient or caregiver may obtain medical cannabis only from a medical cannabis grower licensed by the Commission or a dispensary licensed by the Commission.

(ii) A qualifying patient under the age of 18 years may obtain medical cannabis only through the qualifying patient's caregiver.

(6) (i) A caregiver may serve no more than five qualifying patients at any time.

(ii) A qualifying patient may have no more than two caregivers.

[(h)] (1) A certifying provider may register biennially.

(2) The Commission shall grant or deny a renewal of a registration for approval based on the provider's performance in complying with regulations adopted by the Commission.]

13-3304.1.

(A) (1) AN INSTITUTION OF HIGHER EDUCATION, A RELATED MEDICAL FACILITY, OR AN AFFILIATED BIOMEDICAL RESEARCH FIRM MAY FILE WITH THE COMMISSION A REGISTRATION TO PURCHASE MEDICAL CANNABIS FOR THE PURPOSE OF CONDUCTING A BONA FIDE RESEARCH PROJECT RELATING TO THE MEDICAL USES, PROPERTIES, OR COMPOSITION OF CANNABIS.

(2) A REGISTRATION FILED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE:

(I) THE NAME OF THE PRIMARY RESEARCHER;

(II) THE EXPECTED DURATION OF THE RESEARCH; AND

(III) THE PRIMARY OBJECTIVES OF THE RESEARCH.

(3) A REGISTRATION FILED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL REMAIN VALID UNTIL THE COMMISSION IS NOTIFIED OF A CHANGE IN THE RESEARCH PROJECT OR A WITHDRAWAL OF THE REGISTRATION.

(B) AN ACADEMIC RESEARCH REPRESENTATIVE MAY PURCHASE MEDICAL CANNABIS FROM A LICENSED DISPENSARY.

(C) AN ACADEMIC RESEARCH REPRESENTATIVE MAY NOT BE PENALIZED OR ARRESTED UNDER STATE LAW FOR ACQUIRING, POSSESSING, OR DISPENSING CANNABIS, PRODUCTS CONTAINING CANNABIS, RELATED SUPPLIES, OR EDUCATIONAL MATERIALS FOR USE IN A BONA FIDE RESEARCH PROJECT RELATING TO THE MEDICAL USES, PROPERTIES, OR COMPOSITION OF CANNABIS.

(D) THE COMMISSION MAY ADOPT REGULATIONS TO IMPLEMENT THIS SECTION.

13-3305.

On or before January 1 each year, the Commission shall report to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly on[:

(1) Providers certified under this subtitle; and

(2) The] THE amount sold, by condition treated, and average consumer price for medical cannabis products provided in accordance with this subtitle.

13-3306.

(b) An entity licensed to grow medical cannabis under this section may provide cannabis only to:

(1) Processors licensed by the Commission under this subtitle;

(2) Dispensaries licensed by the Commission under this subtitle;

(3) Qualified patients;

(4) Caregivers; [and]

(5) Independent testing laboratories registered with the Commission under this subtitle; AND

(6) ACADEMIC RESEARCH REPRESENTATIVES PURCHASING MEDICAL CANNABIS UNDER § 13-3304.1 OF THIS SUBTITLE.

(c) (1) An entity licensed to grow cannabis under this section may dispense cannabis from a facility of a grower licensed as a dispensary.

(2) A qualifying patient [or], A caregiver, OR AN ACADEMIC RESEARCH REPRESENTATIVE PURCHASING MEDICAL CANNABIS UNDER § 13-3304.1 OF THIS SUBTITLE may obtain medical cannabis from a facility of a grower licensed as a dispensary.

(3) An entity licensed to grow medical cannabis under this section may grow and process medical cannabis on the same premises.

13-3307.

(a) (1) A dispensary shall be licensed by the Commission.

(2) (i) Subject to subparagraph (ii) of this paragraph, beginning December 1, 2024, the Commission may report to the General Assembly, in accordance with § 2-1246 of the State Government Article, on the number of licenses necessary to meet the demand for medical cannabis by qualifying patients and caregivers issued identification cards under this subtitle in an affordable, accessible, secure, and efficient manner.

(ii) Before the Commission determines to submit the report described under subparagraph (i) of this paragraph, the Commission shall provide the Legislative Policy Committee at least 30 days to submit comments to the Commission.

(b) To be licensed as a dispensary, an applicant shall submit to the Commission:

(1) An application fee in an amount to be determined by the Commission consistent with this subtitle; and

(2) An application that includes:

(i) The legal name and physical address of the proposed dispensary;

(ii) The name, address, and date of birth of each principal officer and each director, none of whom may have served as a principal officer or director for a dispensary that has had its license revoked; and

(iii) Operating procedures that the dispensary will use, consistent with Commission regulations for oversight, including storage of cannabis and products containing cannabis only in enclosed and locked facilities.

(c) (1) The Commission shall:

(i) Establish an application review process for granting dispensary licenses in which applications are reviewed, evaluated, and ranked based on criteria established by the Commission;

(ii) To the extent permitted by federal and State law, actively seek to achieve racial, ethnic, gender, and geographic diversity when licensing dispensaries; and

(iii) Encourage applicants who qualify as a minority business enterprise, as defined in § 14–301 of the State Finance and Procurement Article, or who are small, minority, or women–owned business entities to apply for licensure as dispensaries.

(2) Beginning June 1, 2018, a dispensary licensed under this subtitle shall report annually to the Commission on:

(i) The number of minority and women owners of the dispensary;

(ii) The ownership interest of any minority and women owners of the dispensary; and

(iii) The number of minority and women employees of the dispensary.

(d) (1) A dispensary license is valid for 6 years on initial licensure.

(2) A dispensary license is valid for 4 years on renewal.

(E) THE COMMISSION SHALL ALLOW A DISPENSARY LICENSED UNDER THIS SECTION OR A DISPENSARY AGENT REGISTERED UNDER § 13–3308 OF THIS SUBTITLE TO ACQUIRE, POSSESS, TRANSFER, TRANSPORT, SELL, DISTRIBUTE, OR DISPENSE EDIBLE CANNABIS PRODUCTS FOR USE BY A QUALIFYING PATIENT OR A CAREGIVER.

[(e)] (F) A dispensary licensed under this section or a dispensary agent registered under § 13–3308 of this subtitle may not be penalized or arrested under State law for acquiring, possessing, [processing,] transferring, transporting, selling, distributing, or dispensing MEDICAL cannabis, products containing MEDICAL cannabis, related supplies, or educational materials for use by a qualifying patient [or], a caregiver, OR AN ACADEMIC RESEARCH REPRESENTATIVE PURCHASING MEDICAL CANNABIS UNDER § 13–3304.1 OF THIS SUBTITLE.

[(f)] (G) The Commission shall establish requirements for security and product handling procedures that a dispensary must meet to obtain a license under this section, including a requirement for a product-tracking system.

[(g)] (H) The Commission may inspect a dispensary licensed under this section to ensure compliance with this subtitle.

(I) THE COMMISSION, IN CONSULTATION WITH THE DEPARTMENT, SHALL ADOPT REGULATIONS TO REQUIRE A DISPENSARY TO MEET ANY ADDITIONAL REQUIREMENTS THAT THE COMMISSION DETERMINES IS NECESSARY, INCLUDING REQUIRING A PERMIT, FOR THE DISPENSING OF EDIBLE CANNABIS PRODUCTS.

[(h)] (J) The Commission may impose penalties or rescind the license of a dispensary that does not meet the standards for licensure set by the Commission.

[(i)] (K) (1) Each dispensary licensed under this section shall submit to the Commission a quarterly report.

(2) The quarterly report shall include:

(i) The number of patients served;

(ii) The county of residence of each patient served;

(iii) The medical condition for which medical cannabis was recommended;

(iv) The type and amount of medical cannabis dispensed; and

(v) If available, a summary of clinical outcomes, including adverse events and any cases of suspected diversion.

(3) The quarterly report may not include any personal information that identifies a patient.

13-3309.

(a) A processor shall be licensed by the Commission.

(E) THE COMMISSION SHALL ALLOW A PROCESSOR LICENSED UNDER THIS SECTION OR A PROCESSOR AGENT REGISTERED UNDER § 13–3310 OF THIS SUBTITLE TO:

(1) ACQUIRE, POSSESS, PROCESS, PACKAGE, LABEL, TRANSFER, TRANSPORT, SELL, AND DISTRIBUTE TO A DISPENSARY EDIBLE CANNABIS PRODUCTS FOR USE BY A QUALIFYING PATIENT OR A CAREGIVER; AND

(2) TRANSPORT EDIBLE CANNABIS PRODUCTS TO AN INDEPENDENT TESTING LABORATORY.

[(e)] (F) A processor licensed under this section or a processor agent registered under § 13–3310 of this subtitle may not be penalized or arrested under State law for:

(1) Acquiring, possessing, processing, packaging, labeling, transferring, transporting, selling, or distributing medical cannabis or products containing medical cannabis to a dispensary for use by a qualifying patient [or], a caregiver, OR AN ACADEMIC RESEARCH REPRESENTATIVE PURCHASING MEDICAL CANNABIS UNDER § 13–3304.1 OF THIS SUBTITLE; or

(2) Transporting medical cannabis or products containing medical cannabis to an independent testing laboratory.

[(f)] (G) The Commission shall establish requirements for security and product handling procedures that a processor must meet to obtain a license under this section, including a requirement for a product–tracking system.

[(g)] (H) The Commission may inspect a processor licensed under this section to ensure compliance with this subtitle.

(I) THE COMMISSION, IN CONSULTATION WITH THE DEPARTMENT, SHALL ADOPT REGULATIONS:

(1) INCLUDING BUT NOT LIMITED TO THE PACKAGING, LABELING, MARKETING, AND APPEARANCE OF EDIBLE CANNABIS PRODUCTS, TO ENSURE THE SAFETY OF MINORS; AND

(2) TO REQUIRE A PROCESSOR TO MEET ANY ADDITIONAL REQUIREMENTS THAT THE COMMISSION DETERMINES ARE NECESSARY, INCLUDING REQUIRING A PERMIT, FOR THE PROCESSING OF EDIBLE CANNABIS PRODUCTS.

[(h)] (J) The Commission may impose penalties or rescind the license of a processor that does not meet the standards for licensure set by the Commission.

13-3313.

(a) Any of the following persons acting in accordance with the provisions of this subtitle may not be subject to arrest, prosecution, REVOCATION OF MANDATORY SUPERVISION, PAROLE, OR PROBATION, or any civil or administrative penalty, including a civil penalty or disciplinary action by a professional licensing board, or be denied any right or privilege, for the medical use of or possession of medical cannabis:

(1) A qualifying patient:

(i) In possession of an amount of medical cannabis determined by the Commission to constitute a 30-day supply; or

(ii) In possession of an amount of medical cannabis that is greater than a 30-day supply if the qualifying patient's certifying provider stated in the written certification that a 30-day supply would be inadequate to meet the medical needs of the qualifying patient;

(2) A grower licensed under § 13-3306 of this subtitle or a grower agent registered under § 13-3306 of this subtitle;

(3) A certifying provider;

(4) A caregiver;

(5) AN ACADEMIC RESEARCH REPRESENTATIVE PURCHASING MEDICAL CANNABIS UNDER § 13-3304.1 OF THIS SUBTITLE;

[(5)] (6) A dispensary licensed under § 13-3307 of this subtitle or a dispensary agent registered under § 13-3308 of this subtitle;

[(6)] (7) A processor licensed under § 13–3309 of this subtitle or a processor agent registered under § 13–3310 of this subtitle;

[(7)] (8) A hospital, medical facility, or hospice program where a qualifying patient is receiving treatment; or

[(8)] (9) A third-party vendor authorized by the Commission to test, transport, or dispose of medical cannabis, medical cannabis products, or medical cannabis waste under the provisions of this subtitle.

(b) (1) A person may not distribute, possess, manufacture, or use cannabis that has been diverted from a qualifying patient, a caregiver, AN ACADEMIC RESEARCH REPRESENTATIVE, a licensed grower, or a licensed dispensary.

(2) A person who violates this subsection is guilty of a felony and on conviction is subject to imprisonment not exceeding 5 years or a fine not exceeding \$10,000 or both.

(3) The penalty under this subsection is in addition to any penalties that a person may be subject to for manufacture, possession, or distribution of marijuana under the Criminal Law Article.

13–3313.1.

(A) ALL ADVERTISEMENTS FOR MEDICAL CANNABIS, MEDICAL CANNABIS PRODUCTS, EDIBLE CANNABIS PRODUCTS, OR MEDICAL CANNABIS-RELATED SERVICES THAT MAKE THERAPEUTIC OR MEDICAL CLAIMS SHALL:

(1) BE SUPPORTED BY SUBSTANTIAL CLINICAL EVIDENCE OR SUBSTANTIAL CLINICAL DATA; AND

(2) INCLUDE INFORMATION ON THE MOST SIGNIFICANT SIDE EFFECTS OR RISKS ASSOCIATED WITH THE USE OF CANNABIS.

(B) AN ADVERTISEMENT FOR A GROWER, A PROCESSOR, A DISPENSARY, AN INDEPENDENT TESTING LABORATORY, A CERTIFYING PROVIDER, OR A THIRD-PARTY VENDOR MAY NOT:

(1) MAKE ANY STATEMENT THAT IS FALSE OR MISLEADING IN ANY MATERIAL WAY OR IS OTHERWISE A VIOLATION OF §§ 13-301 THROUGH 13-320 OF THE COMMERCIAL LAW ARTICLE; OR

(2) CONTAIN A DESIGN, AN ILLUSTRATION, A PICTURE, OR A REPRESENTATION THAT:

(I) ENCOURAGES OR REPRESENTS THE RECREATIONAL USE OF CANNABIS;

(II) TARGETS OR IS ATTRACTIVE TO MINORS, INCLUDING A CARTOON CHARACTER, A MASCOT, OR ANY OTHER DEPICTION THAT IS COMMONLY USED TO MARKET PRODUCTS TO MINORS;

(III) DISPLAYS THE USE OF CANNABIS, INCLUDING THE CONSUMPTION, SMOKING, OR VAPING OF CANNABIS;

(IV) ENCOURAGES OR PROMOTES CANNABIS FOR USE AS AN INTOXICANT; OR

(V) IS OBSCENE OR INDECENT.

(C) ALL ADVERTISING FOR MEDICAL CANNABIS, EDIBLE CANNABIS PRODUCTS, OR MEDICAL CANNABIS PRODUCTS SHALL INCLUDE A STATEMENT THAT THE PRODUCT IS FOR USE ONLY BY A QUALIFYING PATIENT.

(D) (1) ANY WEBSITE OWNED, MANAGED, OR OPERATED BY A CERTIFYING PROVIDER, DISPENSARY, GROWER, OR PROCESSOR SHALL EMPLOY A NEUTRAL AGE-SCREENING MECHANISM THAT VERIFIES THE USER IS AT LEAST 18 YEARS OLD, INCLUDING AN AGE GATE, AGE SCREEN, OR AGE VERIFICATION MECHANISM.

(2) AN ADVERTISEMENT PLACED ON SOCIAL MEDIA OR A MOBILE APPLICATION SHALL INCLUDE A NOTIFICATION THAT:

(I) A PERSON MUST BE AT LEAST 18 YEARS OLD TO VIEW THE CONTENT; AND

(II) MEDICAL CANNABIS IS FOR USE BY CERTIFIED PATIENTS ONLY.

(E) ANY ADVERTISEMENT FOR MEDICAL CANNABIS, MEDICAL CANNABIS PRODUCTS, EDIBLE CANNABIS PRODUCTS, OR MEDICAL CANNABIS-RELATED SERVICES MAY NOT BE PLACED WITHIN 500 FEET OF:

(1) A SUBSTANCE ABUSE OR TREATMENT FACILITY;

(2) A PRIMARY OR SECONDARY SCHOOL IN THE STATE OR A CHILD CARE CENTER LICENSED OR A FAMILY CHILD CARE HOME REGISTERED UNDER TITLE 9.5 OF THE EDUCATION ARTICLE; OR

(3) A PLAYGROUND, RECREATION CENTER, LIBRARY, OR PUBLIC PARK.

(F) THE COMMISSION SHALL ADOPT REGULATIONS TO ESTABLISH:

(1) PROCEDURES FOR THE ENFORCEMENT OF THE SECTION; AND

(2) A PROCESS FOR AN INDIVIDUAL TO VOLUNTARILY SUBMIT AN ADVERTISEMENT TO THE COMMISSION FOR AN ADVISORY OPINION ON WHETHER THE ADVERTISEMENT COMPLIES WITH THE RESTRICTIONS ON ADVERTISEMENTS FOR MEDICAL CANNABIS, MEDICAL CANNABIS PRODUCTS, EDIBLE CANNABIS PRODUCTS, AND MEDICAL CANNABIS-RELATED SERVICES.

Article – Labor and Employment

9-506.

(a) A covered employee or a dependent of a covered employee is not entitled to compensation or benefits under this title as a result of:

(1) an intentional, self-inflicted accidental personal injury, compensable hernia, or occupational disease; or

(2) an attempt to injure or kill another.

(b) A covered employee or a dependent of a covered employee is not entitled to compensation or benefits under this title as a result of an accidental personal injury, compensable hernia, or occupational disease if:

(1) the accidental personal injury, compensable hernia, or occupational disease was caused solely by the effect on the covered employee of:

(i) a depressant, hallucinogenic, hypnotic, narcotic, or stimulant drug; or

(ii) another drug that makes the covered employee incapable of satisfactory job performance; and

(2) the drug was not administered or taken in accordance with:

(I) the prescription of a physician; OR

(II) FOR MEDICAL CANNABIS, THE WRITTEN CERTIFICATION OF A CERTIFYING PROVIDER OR THE WRITTEN INSTRUCTIONS OF A PHYSICIAN.

9-660.

(a) In addition to the compensation provided under this subtitle, if a covered employee has suffered an accidental personal injury, compensable hernia, or occupational disease the employer or its insurer promptly shall provide to the covered employee, as the Commission may require:

(1) medical, surgical, or other attendance or treatment;

(2) hospital and nursing services;

(3) medicine, INCLUDING MEDICAL CANNABIS;

(4) crutches and other apparatus; and

(5) artificial arms, feet, hands, and legs and other prosthetic appliances.

(b) The employer or its insurer shall provide the medical services and treatment required under subsection (a) of this section for the period required by the nature of the accidental personal injury, compensable hernia, or occupational disease.

Article – Public Safety

SUBTITLE 7. MISCELLANEOUS.

5-701.

A PERSON MAY NOT BE DENIED THE RIGHT TO PURCHASE, POSSESS, OR CARRY A FIREARM UNDER THIS TITLE SOLELY ON THE BASIS THAT THE PERSON IS AUTHORIZED TO USE MEDICAL CANNABIS UNDER TITLE 13, SUBTITLE 33 OF THE HEALTH – GENERAL ARTICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That §§ 9-506(b)(2)(ii) and 9-660(a)(3) of the Labor and Employment Article, as enacted by Section 1 of this Act, shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any claim arising from events occurring before the effective date of this Act.”.

AMENDMENT NO. 3

On pages 2 through 4, strike in their entirety the lines beginning with line 11 on page 2 through line 24 on page 4, inclusive.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 99 – Delegate Dumais

AN ACT concerning

Estates and Trusts – Elective Share of Surviving Spouse

HB0099/758573/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 99

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 25, after “Act;” insert “providing for a delated effective date:”.

AMENDMENT NO. 2

On page 52, in line 20, strike “2019” and substitute “2020”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 307 – Delegates Pena–Melnyk, Rosenberg, Acevero, Anderson, Atterbeary, Bagnall, B. Barnes, D. Barnes, Barron, Bartlett, Boyce, Bridges, Brooks, Carey, Chang, Charkoudian, Charles, Conaway, D.E. Davis, Fennell, W. Fisher, Gaines, Glenn, Harrison, Haynes, Hettleman, Hill, Holmes, Howard, Ivey, Jackson, Kipke, Lehman, J. Lewis, R. Lewis, Lierman, Love, Malone, McIntosh, Moon, Mosby, Patterson, Proctor, Queen, Rogers, Saab, Sample–Hughes, Shetty, Smith, Stein, Sydnor, Turner, Valentino–Smith, Walker, Washington, R. Watson, Wells, ~~and Wilkins~~ Wilkins, Cox, Cardin, Lopez, Crutchfield, McComas, and Arikan

AN ACT concerning

Maryland Lynching Truth and Reconciliation Commission

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:

House Bill 786 – Delegates Atterbeary, Acevero, B. Barnes, Bartlett, Barve, Branch, Bridges, Cain, Carr, Chang, Charkoudian, Charles, Crutchfield, Cullison, D.M. Davis, D.E. Davis, Dumais, Ebersole, Feldmark, Fennell, W. Fisher, Fraser–Hidalgo, Gilchrist, Glenn, Healey, Hettleman, Hill, Ivey, Jalisi, Jones, Kaiser, Kelly, Korman, Krimm, Lafferty, J. Lewis, R. Lewis, Lierman, Lopez, Love, McIntosh, Moon, Mosby, Palakovich Carr, Patterson, Pendergrass, Proctor, Qi, Reznik, Rogers, Sample–Hughes, Shetty, Smith, Solomon, Sydnor, Terrasa, Turner, Valentino–Smith, C. Watson, R. Watson, K. Young, and P. Young

AN ACT concerning

Public Safety – Rifles and Shotguns – Secondary Transactions

HB0786/708570/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 786

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Secondary Transactions” and substitute “Sales, Rentals, Transfers, and Loans”; in lines 4, 5, 7, 8, 10, 14, and 15, in each instance, strike “transfer” and substitute “sale”; in line 4, strike “in a certain role”; in lines 5, 10, and 11, in each instance, strike “transferor” and substitute “seller”; in line 6, strike “transferee” and substitute “purchaser”; in line 9, before “prohibiting” insert “authorizing a certain seller to remove a certain rifle or shotgun from certain premises under certain circumstances;”; in line 16, strike “transfers” and substitute “sales”; and in the same line, after “Act;” insert “providing that a certain licensee or other person may not sell, rent, transfer, or loan a rifle or shotgun to a certain person under certain circumstances;”.

On page 2, in line 34, after “5–204.1” insert “and 5–207”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 3 through 6, inclusive; in lines 7, 8, 9, 12, 14, and 16, strike “(D)”, “(E)”, “(F)”, “(G)”, “(H)”, and “(I)”, respectively, and substitute “(C)”, “(D)”, “(E)”, “(F)”, “(G)”, and “(H)”, respectively; strike in their entirety lines 18 through 25, inclusive; strike beginning with “TRANSFER” in line 27 down through “INVOLVING” in line 28 and substitute “SALE BY”; in line 28, after “LICENSEE” insert a period; and strike beginning with “OR” in line 28 down through the semicolon in line 29.

On pages 4 and 5, strike in their entirety the lines beginning with line 1 on page 4 through line 8 on page 5, inclusive.

On page 5, in line 9, strike “(C)” and substitute “(B)”; in lines 9, 11, 12, 26, and 33, in each instance, strike “TRANSFER” and substitute “SALE”; in lines 9, 25, and 29, in each instance, strike “TRANSFEROR” and substitute “SELLER”; in lines 10, 26, 27, and 29, in each instance, strike “TRANSFeree” and substitute “PURCHASER”; in line 9, before “IS” insert “OF A RIFLE OR SHOTGUN”; in line 12, strike “(I)”; strike beginning with “PROCESS” in line 13 down through “TRANSFeree” in line 15 and substitute “CONDUCT A BACKGROUND CHECK ON THE PURCHASER THROUGH THE NICS INDEX”; strike in their entirety lines 16 through 19, inclusive; in line 20, strike “(D)”; in line 25, before “(1)” insert “(C)”; in the same line, strike “LICENSEE OR THE”; and in line 32, strike “(E)” and substitute “(D)”.

On page 6, in line 1, strike “(F)” and substitute “(E)”; and after line 8, insert:

5-207.

(A) THIS SECTION SUPERSEDES ANY RESTRICTION THAT A LOCAL JURISDICTION IN THE STATE IMPOSES ON THE TRANSFER BY A PRIVATE PARTY OF A RIFLE OR SHOTGUN, AND THE STATE PREEMPTS THE RIGHT OF ANY LOCAL JURISDICTION TO REGULATE THE TRANSFER OF A RIFLE OR SHOTGUN.

(B) IN THIS SECTION, “LOAN” INCLUDES A TEMPORARY GRATUITOUS EXCHANGE OF A RIFLE OR SHOTGUN.

(C) A LICENSEE OR ANY OTHER PERSON MAY NOT SELL, RENT, TRANSFER, OR LOAN A RIFLE OR SHOTGUN TO A PURCHASER, LESSEE, TRANSFeree, OR RECIPIENT WHO THE LICENSEE OR OTHER PERSON KNOWS OR HAS REASONABLE CAUSE TO BELIEVE:

(1) HAS BEEN CONVICTED OF A DISQUALIFYING CRIME;

(2) HAS BEEN CONVICTED OF A CONSPIRACY TO COMMIT A FELONY;

(3) HAS BEEN CONVICTED OF A VIOLATION CLASSIFIED AS A COMMON LAW CRIME AND RECEIVED A TERM OF IMPRISONMENT OF MORE THAN 2 YEARS;

(4) IS A FUGITIVE FROM JUSTICE;

(5) IS A HABITUAL DRUNKARD AS DEFINED IN § 5–101 OF THIS TITLE;

(6) IS ADDICTED TO A CONTROLLED DANGEROUS SUBSTANCE OR IS A HABITUAL USER AS DEFINED IN § 5–101 OF THIS TITLE;

(7) SUFFERS FROM A MENTAL DISORDER AS DEFINED IN § 10–101(I)(2) OF THE HEALTH – GENERAL ARTICLE, AND HAS A HISTORY OF VIOLENT BEHAVIOR AGAINST THE PURCHASER, LESSEE, TRANSFEREE, RECIPIENT, OR ANOTHER, UNLESS THE PURCHASER, LESSEE, TRANSFEREE, OR RECIPIENT POSSESSES A PHYSICIAN’S CERTIFICATE THAT THE PURCHASER, LESSEE, TRANSFEREE, OR RECIPIENT IS CAPABLE OF POSSESSING A REGULATED FIREARM WITHOUT UNDUE DANGER TO THE PURCHASER, LESSEE, TRANSFEREE, OR RECIPIENT OR TO ANOTHER;

(8) HAS BEEN CONFINED FOR MORE THAN 30 CONSECUTIVE DAYS TO A FACILITY AS DEFINED IN § 10–101 OF THE HEALTH – GENERAL ARTICLE, UNLESS THE PURCHASER, LESSEE, TRANSFEREE, OR RECIPIENT POSSESSES A PHYSICIAN’S CERTIFICATE THAT THE PURCHASER, LESSEE, TRANSFEREE, OR RECIPIENT IS CAPABLE OF POSSESSING A REGULATED FIREARM WITHOUT UNDUE DANGER TO THE PURCHASER, LESSEE, TRANSFEREE, OR RECIPIENT OR TO ANOTHER;

(9) IS A RESPONDENT AGAINST WHOM A CURRENT NON EX PARTE CIVIL PROTECTIVE ORDER HAS BEEN ENTERED UNDER § 4–506 OF THE FAMILY LAW ARTICLE;

(10) IF UNDER THE AGE OF 30 YEARS AT THE TIME OF THE TRANSACTION, HAS BEEN ADJUDICATED DELINQUENT BY A JUVENILE COURT FOR AN ACT THAT WOULD BE A DISQUALIFYING CRIME IF COMMITTED BY AN ADULT;

(11) IS VISIBLY UNDER THE INFLUENCE OF ALCOHOL OR DRUGS;

(12) IS A PARTICIPANT IN A STRAW PURCHASE; OR

(13) INTENDS TO USE THE RIFLE OR SHOTGUN TO:

(I) COMMIT A CRIME; OR

(II) CAUSE HARM TO THE PURCHASER, LESSEE, TRANSFEREE, OR RECIPIENT OR ANOTHER PERSON.

(D) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 5 YEARS OR A FINE NOT EXCEEDING \$10,000 OR BOTH.”.

The preceding 2 amendments were read only.

Senator Zirkin moved to make the Bill and Amendments a Special Order for the end of today’s business.

The motion was adopted.

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 1147 – Delegate Atterbeary

AN ACT concerning

**Family Law – Minors – Emancipation
(Emancipation of Minors Act)**

HB1147/748773/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1147
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Minors – Emancipation” and substitute “Marriage – Age Requirements and Rights of Adulthood”; and strike line 3 in its entirety.

On pages 1 and 2, strike beginning with “extending” in line 4 on page 1 down through “minor.” in line 2 on page 2 and substitute “authorizing certain individuals under the age of majority to marry if the court finds, after an evidentiary hearing, that it is in the best interest of the individual to marry; repealing a certain provision allowing certain individuals under the age of majority to marry under certain circumstances; requiring the clerk to obtain and include as part of the clerk’s record a copy of a certain court order; requiring the clerk, when issuing an individual under the age of majority a marriage license, to also issue the individual a certain order that confers on the petitioner all of the rights and responsibilities of legal adulthood; making conforming changes; and generally relating to marriage.”.

On page 2, in line 5, strike “1–201(b),”; in the same line, strike “2–402(e),”; after line 7, insert:

“BY repealing and reenacting, without amendments,

Article – Family Law

Section 2–402(e)

Annotated Code of Maryland

(2012 Replacement Volume and 2018 Supplement)”;

and strike beginning with “5–2A–01” in line 10 down through “Minor” in line 11 and substitute “2–405.1”.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 22 on page 2 through line 8 on page 3, inclusive.

On page 3, in line 10, strike the brackets; in line 11, strike the bracket; strike beginning with the bracket in line 12 down through the bracket in line 14; in line 14, strike the comma and substitute “:

(I)”;

in line 18, after “child” insert “;OR

(II) A CIRCUIT COURT JUDGE, AFTER AN EVIDENTIARY HEARING, GRANTS A PETITION FOR A MARRIAGE LICENSE FILED BY AN INDIVIDUAL TO BE MARRIED”;

strike beginning with the bracket in line 18 down through “CLERK.” in line 22; in line 29, strike “17” and substitute “16”; and after line 29, insert:

“(C) IN MAKING A DETERMINATION ON A PETITION FOR A MARRIAGE LICENSE UNDER SUBSECTION (A)(2)(II) OF THIS SECTION, THE JUDGE SHALL CONSIDER WHETHER IT IS IN THE BEST INTEREST OF THE INDIVIDUAL TO MARRY.”

On page 4, in lines 2, 3, 5, 6, 8, 10, 16, 18, and 21, in each instance, strike the bracket; in line 6, strike the second “or”; in lines 6 and 7, strike “A CERTIFIED COPY OF AN ORDER OF EMANCIPATION” and substitute “, OR AN ORDER OF COURT GRANTING A PETITION FOR A MARRIAGE LICENSE”; in line 8, strike “or” and substitute a comma; in lines 8 and 9, strike “REVIEW THE CERTIFIED COPY OF THE ORDER OF EMANCIPATION” and substitute “, OR A COPY OF THE ORDER OF THE COURT”; in line 12, strike “or”; in line 14, after “person” insert “; OR”

3. A COPY OF THE ORDER OF COURT GRANTING A PETITION FOR A MARRIAGE LICENSE UNDER § 2-301 OF THIS TITLE;

strike beginning with “A” in line 16 down through “TITLE” in line 17; and after line 21, insert:

“2-405.1.

(A) IF THE CLERK ISSUES A LICENSE UNDER THIS SUBTITLE TO A PARTY OF AN AGE WHERE PARENTAL CONSENT AND OATH, A LICENSED PHYSICIAN’S CERTIFICATE, OR ORDER OF THE COURT, REQUIRED BY § 2-301 OF THIS TITLE, IS REQUIRED, THE CLERK SHALL ISSUE THE INDIVIDUAL A CERTIFIED ORDER THAT SHALL CONFER ON THE INDIVIDUAL ALL OF THE RIGHTS AND RESPONSIBILITIES OF LEGAL ADULTHOOD, INCLUDING THE RIGHT TO:

(1) ENTER INTO ENFORCEABLE CONTRACTUAL RELATIONSHIPS INCLUDING LEASE AGREEMENTS, REAL ESTATE TRANSACTIONS, AND AGREEMENTS FOR THE PROVISION OF UTILITIES;

(2) SUE AND BE SUED IN THE PETITIONER’S OWN NAME;

(3) EARN A LIVING AND RETAIN THE EARNINGS FREE OF CONTROL BY A PARENT OR LEGAL GUARDIAN;

(4) ESTABLISH A DOMICILE OR RESIDENCE SEPARATE FROM A PARENT OR LEGAL GUARDIAN;

(5) ACT AUTONOMOUSLY AND WITH THE RIGHTS AND RESPONSIBILITIES OF AN ADULT IN BUSINESS RELATIONSHIPS;

(6) AUTHORIZE HEALTH CARE INCLUDING PREVENTIVE CARE, DENTAL CARE, AND MENTAL HEALTH CARE, WITHOUT THE KNOWLEDGE OR LIABILITY OF A PARENT OR LEGAL GUARDIAN;

(7) FILE AN INDIVIDUAL STATE INCOME TAX RETURN;

(8) REGISTER FOR SCHOOL;

(9) APPLY FOR A DRIVER'S LICENSE OR OTHER STATE IDENTIFICATION FOR WHICH THE PETITIONER IS ELIGIBLE;

(10) APPLY FOR PUBLIC ASSISTANCE AND BENEFITS ADMINISTERED BY THE STATE AND VARIOUS COUNTIES;

(11) EXECUTE A WILL OR CODICIL; AND

(12) MARRY.

(B) THE ORDER UNDER THIS SECTION DOES NOT HAVE THE SAME EFFECT AS THE PETITIONER REACHING THE AGE OF MAJORITY FOR THE PURPOSES OF:

(1) VOTING;

(2) THE PURCHASE, POSSESSION, OR CONSUMPTION OF ALCOHOLIC BEVERAGES;

(3) THE PURCHASE, POSSESSION, OR CONSUMPTION OF TOBACCO PRODUCTS OR ELECTRONIC NICOTINE DELIVERY SYSTEMS;

(4) COMPULSORY SCHOOL ATTENDANCE;

(5) HEALTH AND SAFETY REGULATIONS INCLUDING WORKPLACE REGULATIONS DESIGNED TO PROTECT THOSE UNDER THE AGE OF 18 YEARS; OR

(6) THE PROVISIONS OF TITLE 3, SUBTITLE 8A OF THE COURTS ARTICLE OR § 4-202, § 4-202.1, OR § 4-202.2 OF THE CRIMINAL PROCEDURE ARTICLE.

(C) A LICENSE ISSUED TO AN INDIVIDUAL UNDER THIS SECTION SHALL BECOME EFFECTIVE ON THE DATE OF THE INDIVIDUAL'S MARRIAGE CEREMONY UNDER § 2-406 OF THIS TITLE."

On pages 4 through 8, strike in their entirety the lines beginning with line 22 on page 4 through line 12 on page 8, inclusive.

On page 8, in lines 16 and 17, strike "TITLE 5, SUBTITLE 2A" and substitute "**§ 2-405.1**".

The preceding 2 amendments were read and adopted.

Senator Ready moved to make the Bill and Report a Special Order for April 8, 2019.

The motion was adopted.

JUDICIAL PROCEEDINGS COMMITTEE REPORT NO. 43

Senator Zirkin, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 1198 – Delegate Cox

AN ACT concerning

Human Trafficking – Required ~~Reporters~~ Posting

HB1198/548972/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1198

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 13 down through “locations:” in line 16.

On page 2, strike in their entirety lines 15 through 19, inclusive.

AMENDMENT NO. 2

On pages 4 and 5, strike in their entirety the lines beginning with line 25 on page 4 through line 7 on page 5, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

RECESS

At 2:07 P.M. on motion of Senator Guzzone the Senate recessed until 4:00 P.M. on Legislative Day, March 30, 2019, Calendar Day, Friday, April 5, 2019.