May 28, 2021

To the Members of the General Assembly

Ladies and Gentlemen:

On May 28, 2021, the Honorable Lawrence J. Hogan, Jr., Governor, vetoed the following pieces of legislation passed by the General Assembly; the reasons for the vetoes are indicated:

#### SB 9 Senator Kramer

Policy

STATE EMPLOYEES – COLLECTIVE BARGAINING – APPLICABILITY, BARGAINING PROCESSES, AND MEMORANDUMS OF UNDERSTANDING

Requiring the Chancellor of the University System of Maryland to act on behalf of the University System of Maryland and certain system institutions for the purpose of collective bargaining; requiring the Chancellor and the exclusive representative to negotiate the terms of one consolidated memorandum of understanding to apply to all bargaining units for employees of all system institutions represented by the exclusive representative; requiring a certain consolidated memorandum of understanding to include certain terms; etc. EFFECTIVE JUNE 1, 2021

#### **SB 30 Senators Elfreth and Guzzone** Policy STATE FINANCE AND PROCUREMENT - APPROPRIATION REDUCTIONS (BOARD OF PUBLIC WORKS BUDGET **REDUCTION CLARIFICATION ACT**) Limiting the authorization for the Governor, with the approval of the Board of Public Works, to reduce a certain appropriation to not more than a total of 25% of the legislative appropriation as approved by the General Assembly for any eight-digit program in the State operating budget in any fiscal year; and increasing to 7 the number of calendar days the Board must wait before approving a proposed reduction of an appropriation after the Secretary of Budget and Management publishes and provides notice of the proposed reduction.

**EFFECTIVE JULY 1, 2021** 

#### HB 133 **Delegate Korman**

STATE FINANCE AND PROCUREMENT – APPROPRIATION REDUCTIONS (BOARD OF PUBLIC WORKS BUDGET **REDUCTION CLARIFICATION ACT)** 

Limiting the authorization for the Governor, with the approval of the Board of Public Works, to reduce a certain appropriation by not more than 25% of the legislative appropriation as approved by the General Assembly for any eight-digit program in the State operating budget in any fiscal year; and increasing to 7 the number of calendar days the Board must wait before approving a proposed reduction of an appropriation after the Secretary of Budget and Management publishes and provides certain notice of the proposed reduction. **EFFECTIVE JULY 1, 2021** 

**Senator Kramer SB 95** 

> PUBLIC UTILITIES INVESTOR-OWNED UTILITIES \_ PREVAILING WAGE

> Requiring certain investor-owned gas, electric, or combination gas and electric companies to require certain contractors and subcontractors to pay their employees not less than the prevailing wage rate for certain projects involving the construction, reconstruction, installation, demolition, restoration, or alteration of any underground gas or electric infrastructure of the company, and any related traffic control activities. **EFFECTIVE OCTOBER 1, 2021**

Policy

Policy

# HB 174 Delegate Brooks Policy PUBLIC UTILITIES – INVESTOR-OWNED UTILITIES – PREVAILING WAGE Requiring certain investor-owned gas, electric, or combination gas and electric companies to require certain contractors and subcontractors to pay their employees not less than the prevailing

wage rate for certain projects involving the construction, reconstruction, installation, demolition, restoration, or alteration of any underground gas or electric infrastructure of the company, and any related traffic control activities.

**EFFECTIVE OCTOBER 1, 2021** 

#### SB 97 Senator Rosapepe

#### Policy PURPLE LINE MARKETING ACT

Requiring the Maryland Transit Administration, in cooperation with certain stakeholders, to develop and implement a Purple Line marketing plan designed to generate early interest in and promote use of the Purple Line; requiring the Governor to include in the annual budget bill \$500,000 from the Transportation Trust Fund for the marketing plan in a certain fiscal year; requiring the Administration, by October 1, 2023, at the latest, to submit a certain report to certain standing committees of the General Assembly; etc. EFFECTIVE JULY 1, 2021

#### SB 133 Senator Rosapepe

Policy

#### LOCAL TAX RELIEF FOR WORKING FAMILIES ACT OF 2021

Increasing to 2.25% the minimum rate a county shall impose on an individual's Maryland taxable income; requiring a county that imposes the county income tax on an income basis to set, by ordinance or resolution, certain income brackets; altering the calculation of a certain grant to certain counties under certain circumstances; prohibiting a county that imposes the county income tax on an income tax bracket basis from setting a minimum income tax rate less than 2.25%; etc.

EFFECTIVE JUNE 1, 2021

#### HB 319 Delegate Palakovich Carr

Policy

#### LOCAL TAX RELIEF FOR WORKING FAMILIES ACT OF 2021

Altering the calculation of a certain grant to certain counties under certain circumstances; increasing to 2.25% the minimum rate a county shall impose on an individual's Maryland taxable income; requiring a county, with regard to any increase to its county income tax rate that is effective on or after January 1, 2022, to impose the increase on an income bracket basis; authorizing a county to request information from the Comptroller to assist in determining income brackets and income tax rates that are revenue-neutral; etc. EFFECTIVE JUNE 1, 2021

#### SB 183 Senators Young and Rosapepe

Duplicative AUDIOLOGY AND SPEECH–LANGUAGE PATHOLOGY INTERSTATE COMPACT

> Entering into the Audiology and Speech–Language Pathology Interstate Compact; stating the purpose of the Compact; requiring a state to meet certain requirements to participate in the Compact; requiring certain audiologists and speech–language pathologists to meet certain eligibility requirements to exercise the privilege to practice; requiring member states to recognize the right of an audiologist or a speech–language pathologist to practice via telehealth under certain circumstances; etc.

CONTINGENT – EFFECTIVE OCTOBER 1, 2021

#### SB 199 Senators McCray and Zucker

Policy

#### TRANSPORTATION – MARYLAND TRANSIT ADMINISTRATION FUNDING AND MARC RAIL EXTENSION STUDY (TRANSIT SAFETY AND INVESTMENT ACT)

Establishing the Purple Line Construction Zone Grant Program to provide funds to qualified small businesses to assist in offsetting business revenue lost due to the construction of the Purple Line light rail project; requiring in each of fiscal years 2023 and 2024 the Department of Commerce to provide \$1,000,000 in general funds to the Program; requiring the Department and the Maryland Transportation Administration to consult with small businesses in developing certain regulations; limiting grants awarded to \$50,000 or less; etc.

EFFECTIVE JUNE 1, 2021

#### HB 114 Delegate Lierman, et al

Policy TRANSPORTATION – MARYLAND TRANSIT ADMINISTRATION FUNDING AND MARC RAIL EXTENSION STUDY (TRANSIT SAFETY AND INVESTMENT ACT)

> Establishing the Purple Line Construction Zone Grant Program to provide funds to qualified small businesses to assist in offsetting business revenue lost as a result of the construction of the Purple Line light rail project; requiring in each of fiscal years 2023 and 2024 the Department of Commerce to provide \$1,000,000 in general funds to the Program; requiring the Department of Transportation to conduct a study on extending Maryland Area Regional Commuter (MARC) rail service to western Maryland; etc. EFFECTIVE JUNE 1, 2021

#### SB 417 Senator Pinsky

Policy

POWER PLANT RESEARCH PROGRAM – REVIEW OF APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY – ALTERATIONS

Altering the circumstances under which the Public Service Commission must notify the Department of Natural Resources and the Department of the Environment about an application for a certificate of public convenience and necessity associated with power plant construction; requiring the Department of Natural Resources to complete an independent environmental and socioeconomic project assessment report within 6 months after the Commission determines the application to be complete; etc. EFFECTIVE OCTOBER 1, 2021

# HB 777<br/>PolicyDelegate BrooksPower<br/>POWER PLANT RESEARCH PROGRAM – REVIEW OF<br/>APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE<br/>AND NECESSITY – ALTERATIONSAltering the circumstances under which the Public Service<br/>Commission must notify the Department of Natural Resources and<br/>the Department of the Environment about an application for a<br/>certificate of public convenience and necessity associated with power<br/>plant construction; requiring the Department of Natural Resources<br/>to complete an independent environmental and socioeconomic project<br/>assessment report within 6 months after the Commission determines<br/>the application to be complete; etc.

**EFFECTIVE OCTOBER 1, 2021** 

#### SB 460 Senator Feldman

Policy

ECONOMIC DEVELOPMENT – ADVANCED CLEAN ENERGY AND CLEAN ENERGY INNOVATION INVESTMENTS AND INITIATIVES

Altering references to the term "clean energy" to be "advanced clean energy" for purposes of certain provisions of law concerning the Maryland Clean Energy Center and the Maryland Energy Innovation Institute; altering certain findings of the General Assembly, the purposes of certain provisions of law concerning the development of clean energy industries in the State, and the purposes, powers, and duties of the Center and Institute to include certain actions supporting clean energy innovation; etc. EFFECTIVE JULY 1, 2021

#### HB 419 Delegate Qi

Policy

ECONOMIC DEVELOPMENT – ADVANCED CLEAN ENERGY AND CLEAN ENERGY INNOVATION INVESTMENTS AND INITIATIVES

Altering references to the term "clean energy" to be "advanced clean energy" for purposes of certain provisions of law concerning the Maryland Clean Energy Center and the Maryland Energy Innovation Institute; altering certain findings of the General Assembly, the purposes of certain provisions of law concerning the development of clean energy industries in the State, and the purposes, powers, and duties of the Center and Institute to include certain actions supporting clean energy innovation; etc. EFFECTIVE JULY 1, 2021

#### SB 500 Senators Lam and Hettleman

#### Duplicative PSYCHOLOGY INTERJURISDICTIONAL COMPACT

Entering into the Psychology Interjurisdictional Compact; stating that the purpose of the Compact is to regulate the practice of telepsychology across state boundaries; establishing certain criteria and duties for compact states; requiring certain psychologists to hold a certain license from a home state and meet certain eligibility requirements to exercise certain authority to practice interjurisdictional telepsychology and certain temporary authority to practice in-person, face-to-face psychology in certain compact states; etc.

EMERGENCY BILL

SB 526 Senator McCray, et al

<sup>ve</sup> LEGAL EDUCATION SUCCESS COLLABORATIVE – ESTABLISHED

Establishing a Legal Education Success Collaborative for the purpose of developing methods of increasing diversity in the legal field; requiring institutions to develop and administer programs and cooperatives related to the Collaborative; beginning in fiscal year 2023, requiring the Governor to include in the annual budget bill an appropriation of \$125,000 to certain institutions and programs; requiring certain institutions to provide certain matching funds; etc. EFFECTIVE JULY 1, 2021

Duplicative

#### SB 717 Senator Zucker

Policy

Policy

#### STATE PERSONNEL – COLLECTIVE BARGAINING – EXCLUSIVE REPRESENTATIVE ACCESS TO NEW EMPLOYEES

Altering the type of access and the circumstances under which certain access to new employees by exclusive representatives is required to be permitted by the State, a system institution, Morgan State University, St. Mary's College of Maryland, and Baltimore City Community College; altering, from 20 minutes to 30 minutes, the period of time for which an exclusive representative is required to be permitted to address certain new employees under certain circumstances; etc.

EFFECTIVE JULY 1, 2021

#### HB 904 Delegate Bridges

STATE PERSONNEL – COLLECTIVE BARGAINING – EXCLUSIVE REPRESENTATIVE ACCESS TO NEW EMPLOYEES

Altering the type of access and the circumstances under which certain access to new employees by exclusive representatives is required to be permitted by the State, a system institution, Morgan State University, St. Mary's College of Maryland, and Baltimore City Community College; requiring that an exclusive representative have at least 30 minutes to meet with a new employee; authorizing an exclusive representative to meet with a new employee by video or similar technology if public health concerns necessitate the meeting be held remotely; etc.

**EFFECTIVE JULY 1, 2021** 

SB 741 Senator Rosapepe, et al

Policy

COVID–19 TESTING, CONTACT TRACING, AND VACCINATION ACT OF 2021

Requiring, on or before June 1, 2021, the Maryland Department of Health, in collaboration with local health departments of the State and the Maryland State Department of Education, to adopt and implement a 2-year plan to respond to the outbreak of COVID-19; requiring the plan to address the disproportionate impact of the pandemic on underserved and minority communities in the State; establishing the Maryland Public Health Modernization Workgroup to assess the current public health infrastructure and resources in the State; etc.

EMERGENCY BILL

#### HB 836 Delegate Pena–Melnyk

Policy

## COVID–19 TESTING, CONTACT TRACING, AND VACCINATION ACT OF 2021

Requiring, on or before June 1, 2021, the Maryland Department of Health, in collaboration with local health departments of the State and the Maryland State Department of Education, to adopt and implement a 2-year plan to respond to the outbreak of COVID-19; requiring the plan to address the disproportionate impact of the pandemic on underserved and minority communities in the State; establishing the Maryland Public Health Modernization Workgroup to assess the current public health infrastructure and resources in the State; etc.

EMERGENCY BILL

#### SB 746 Senator Guzzone, et al

Policy

# EDUCATION – COMMUNITY COLLEGES – COLLECTIVE BARGAINING

Establishing collective bargaining rights for certain community college employees; establishing procedures for the selection and certification of an exclusive bargaining representative; establishing a cap of four on the number of bargaining units in each community college; requiring certain contracts and agreements entered into before September 1, 2022, to remain in effect until the agreement or contract expires; requiring the Governor to include certain amounts in the annual budget bill for Baltimore City Community College; etc. EFFECTIVE SEPTEMBER 1, 2022

#### HB 894 Delegate Haynes

Policy

EDUCATION – COMMUNITY COLLEGES – COLLECTIVE BARGAINING

Establishing collective bargaining rights for certain community college employees; establishing procedures for the selection and certification of an exclusive bargaining representative; establishing a cap of four on the number of bargaining units in each community college; requiring certain contracts and agreements entered into before September 1, 2022, to remain in effect until the agreement or contract expires; requiring the Governor to include certain amounts in the annual budget bill for Baltimore City Community College; etc. EFFECTIVE SEPTEMBER 1, 2022

#### SB 780 Senator Pinsky

Policy

#### STATES OF EMERGENCY – EMERGENCY PROCUREMENT AND BUDGET AMENDMENTS – NOTICE AND AUTHORIZATION

Requiring the Governor or the head of a certain unit to provide certain notice to the Legislative Policy Committee within 72 hours after the earlier of the execution of the contract or the expenditure of the funds when authorizing a certain emergency procurement during a state of emergency under certain circumstances; requiring the Governor or the head of a certain unit to provide a copy of a certain procurement contract to the Committee under certain circumstances; authorizing the Committee to request a certain audit; etc. EFFECTIVE JULY 1, 2021

#### HB 1003 Delegate Lierman

Policy

# STATES OF EMERGENCY – EMERGENCY PROCUREMENT AND BUDGET AMENDMENTS – NOTICE AND AUTHORIZATION

Requiring the Governor or the head of a certain unit to provide written notice to the Legislative Policy Committee within 72 hours after the earlier of the execution of the contract or the expenditure of funds when authorizing an emergency procurement during a state of emergency under certain circumstances; requiring the Governor or the head of a certain unit to provide a copy of a certain procurement contract to the Legislative Policy Committee; authorizing the Legislative Policy Committee to request a certain audit; etc. EFFECTIVE JULY 1, 2021

#### SB 829 Senator Lam

Policy

#### STATE PROCUREMENT – EMERGENCY AND EXPEDITED PROCUREMENTS – REVISIONS AND REPORTING

Requiring the Special Secretary of the Office of Small, Minority, and Women Business Affairs, in consultation with the Secretary of Transportation and the Attorney General, to establish guidelines for each unit to consider when determining the appropriate minority business enterprise participation percentage goal and outreach for an emergency procurement contract; requiring a unit's procurement officer to obtain a certain approval before making an emergency procurement; specifying when a unit is required to publish a certain notice; etc.

VARIOUS EFFECTIVE DATES

#### HB 1091 Delegate Reznik

Policy

STATE PROCUREMENT – EMERGENCY AND EXPEDITED PROCUREMENTS – REVISIONS AND REPORTING

Requiring the Special Secretary of the Office of Small, Minority, and Women Business Affairs, in consultation with the Secretary of Transportation and the Attorney General, to establish guidelines for each unit to consider when determining the appropriate minority business enterprise participation percentage goal and outreach for an emergency procurement contract; requiring a unit's procurement officer to obtain a certain approval before making an emergency procurement; specifying when a unit is required to publish a certain notice; etc.

VARIOUS EFFECTIVE DATES

#### SB 922 Senator Lam (Chair, Joint Audit and Evaluation Committee)

Duplicative OFFICE OF LEGISLATIVE AUDITS – ACCEPTANCE AND INVESTIGATION OF ALLEGATIONS OF FRAUD, WASTE, AND ABUSE

> Providing that, except under certain circumstances, certain information obtained by an employee or authorized representative of the Office of Legislative Audits during an examination or in relation to an act or allegation of fraud, waste, or abuse is confidential and may not be disclosed; requiring the Office to maintain a fraud hotline for reporting of certain allegations in the obligation, expenditure, receipt, or use of State resources; requiring each unit of State government to post a notice on reporting fraud, waste, and abuse; etc. EFFECTIVE OCTOBER 1, 2021

#### HB 2 Delegate Korman

Duplicative

# MARYLAND ENVIRONMENTAL SERVICE REFORM ACT OF 2021

Altering from voting to nonvoting the type of membership position the Executive Director of the Maryland Environmental Service holds on the Board of Directors of the Service; removing the Deputy Director of the Service from the Board; requiring the Director to present certain expense information at each regular meeting of the Board; requiring the Board, by December 31, 2021, and every 5 years thereafter to obtain a certain assessment of the Board's operations by an independent consultant or accountant; etc. EFFECTIVE JULY 1, 2021

#### **HB 97** Delegate Lierman, et al

Duplicative OF DEPARTMENT HOUSING AND COMMUNITY DEVELOPMENT - OFFICE OF STATEWIDE BROADBAND -ESTABLISHED (DIGITAL CONNECTIVITY ACT OF 2021)

> Establishing the Office of Statewide Broadband in the Department of Housing and Community Development to ensure that every resident of the State is supported by high-quality broadband Internet service at an affordable price and has the tools necessary to use and take advantage of the Internet; requiring the Office to develop, by July 1, 2022, a statewide plan to ensure all State residents can connect to reliable broadband Internet by December 31, 2026; establishing the Digital Inclusion Fund to support capacity building in the State; etc. **EMERGENCY BILL**

#### HB 125 **Delegate Lierman**

#### Duplicative PUBLIC INSTITUTIONS OF HIGHER EDUCATION – STUDENT ATHLETES (JORDAN MCNAIR SAFE AND FAIR PLAY ACT)

Declaring certain findings of the General Assembly regarding the educational needs and the health and safety of student athletes; prohibiting a public institution of higher education or certain organizations from preventing a student athlete from earning compensation from the use of the athlete's name, image, or likeness; prohibiting a public institution of higher education from providing a prospective student athlete with certain compensation or preventing the athlete from obtaining certain legal representation; etc. VARIOUS EFFECTIVE DATES

HB 278 Delegate Feldmark, et al

Policy

#### ECONOMIC DEVELOPMENT – JOB CREATION TAX CREDIT –

#### **QUALIFIED POSITION AND REVITALIZATION AREA**

Altering the definition of "qualified position" for purposes of eligibility under the job creation tax credit program; altering the definition of "revitalization area" to include a certain Tier I county for purposes of the program; applying the Act to job creation tax credits certified after December 31, 2020; etc.

**EFFECTIVE JULY 1, 2021** 

### HB 464Montgomery County Delegation and Prince George's CountyPolicyDelegation

MARYLAND–NATIONAL CAPITAL PARK AND PLANNING COMMISSION – MANDATORY REFERRAL REVIEW MC/PG 101–21

Establishing that a referral to the Maryland–National Capital Park and Planning Commission is deemed approved under certain circumstances only if there is a complete submission or an explanatory narrative accompanied by architectural drawings that can be adequately reviewed by the Commission; requiring the Commission to notify a certain submitting entity within 3 business days regarding whether a certain submission or amendment to a submission is complete and accepted or rejected as incomplete; etc. EFFECTIVE OCTOBER 1, 2021

#### HB 466 Delegate Palakovich Carr

Duplicative HIGHER EDUCATION – STUDENT IDENTIFICATION CARDS – REQUIRED INFORMATION

Requiring each institution of higher education to provide the telephone number of Maryland's Helpline, or an on-campus crisis center that operates 24 hours a day and 365 days a year, on student identification cards, if provided by the institution; authorizing an institution of higher education to provide telephone numbers of mental health crisis hotlines on student identification cards, if provided by the institution; and providing requirements for compliance with certain provisions of the Act. EFFECTIVE JULY 1, 2021

#### HB 719 Delegate Moon

Policy

#### 

Providing that a personal liability clause in a commercial lease or associated document is unenforceable if, as the result of certain proclamations relating to the outbreak of COVID–19, a commercial tenant was required to cease operations or close to the public and the commercial tenant's default occurred between March 23, 2020, and September 30, 2020; providing that the period of the declared state of emergency and catastrophic health emergency may not be used to calculate the time limitation on filing a certain action; etc. EMERGENCY BILL

#### HB 813 St. Mary's County Delegation

#### Duplicative ST. MARY'S COUNTY – PUBLIC FACILITIES BOND

Authorizing and empowering the County Commissioners of St. Mary's County to borrow not more than \$30,000,000 in order to finance the construction, improvement, or development of certain public facilities in St. Mary's County, and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds; etc.

**EFFECTIVE JUNE 1, 2021** 

#### HB 933 Delegate Bartlett

Policy

ANNE ARUNDEL COUNTY – TRANSFER TAX – HOUSING TRUST SPECIAL REVENUE FUND

Authorizing the governing body of Anne Arundel County to increase the rate of the transfer tax imposed on certain written instruments conveying title to property or a leasehold interest in real property, subject to a certain exception; requiring any revenue derived from a higher transfer tax rate to be distributed to a certain special fund; establishing a Housing Trust Special Revenue Fund and requiring that certain revenue attributable to certain transfer and recordation tax rates be paid into the fund; etc. EFFECTIVE JULY 1, 2021

#### HB 1131 Carroll County Delegation

#### Duplicative CARROLL COUNTY – PUBLIC FACILITIES BOND

Authorizing and empowering the County Commissioners of Carroll County to borrow not more than \$48,450,000 in order to finance the construction, improvement, or development of certain public facilities in Carroll County, and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds; etc. EFFECTIVE JUNE 1, 2021

#### HB 1209 Delegate Luedtke

Policy

Duplicative

SALES AND USE TAX – PEER–TO–PEER CAR SHARING – ALTERATIONS

Repealing the termination of certain provisions of law making sales and charges related to peer-to-peer car sharing subject to a certain sales and use tax rate; altering the definition of "marketplace facilitator" to include certain peer-to-peer car sharing programs for purposes of a requirement to collect certain sales and use taxes; altering, under certain circumstances, the sales and use tax rate imposed on shared motor vehicles used for peer-to-peer car sharing; etc.

VARIOUS EFFECTIVE DATES

#### HB 1315 Delegate Fraser-Hidalgo

MOTOR VEHICLES – INSPECTION CERTIFICATES – EXCEPTION

Exempting the transfer of a used vehicle from a business entity to a majority owner of the business entity from the requirement to obtain a motor vehicle safety inspection certificate if the vehicle is primarily driven by the majority owner of the business entity and the business entity has been dissolved or is in the process of dissolution. EFFECTIVE OCTOBER 1, 2021

#### HB 1322 Delegate Washington

Policy PRIMARY AND SECONDARY EDUCATION – SCHOOL PERSONNEL NOT RETURNING TO IN–PERSON INSTRUCTION AND WORK – ACCOMMODATIONS AND DISCIPLINE

> Requiring the State Board of Education and county boards of education to allow certain school personnel to instruct and work remotely, to the extent practicable, during the 2020–2021 school year under certain circumstances; authorizing certain school personnel to submit to the county board an application to instruct or work remotely if certain requirements are met; requiring the county board to respond to the application within 5 days of the date of receipt; prohibiting certain actions against certain school personnel; etc. EMERGENCY BILL

> > Sincerely,

Victoria L. Gruber Executive Director