

NOTICE OF MEETING

JOINT MEETING

ST. MARY'S COUNTY LEGISLATIVE DELEGATION AND COMMISSIONERS OF ST. MARY'S COUNTY
DECEMBER 11, 2018 AT 6:00 P.M.
41770 BALDRIDGE STREET, LEONARDTOWN, MARYLAND

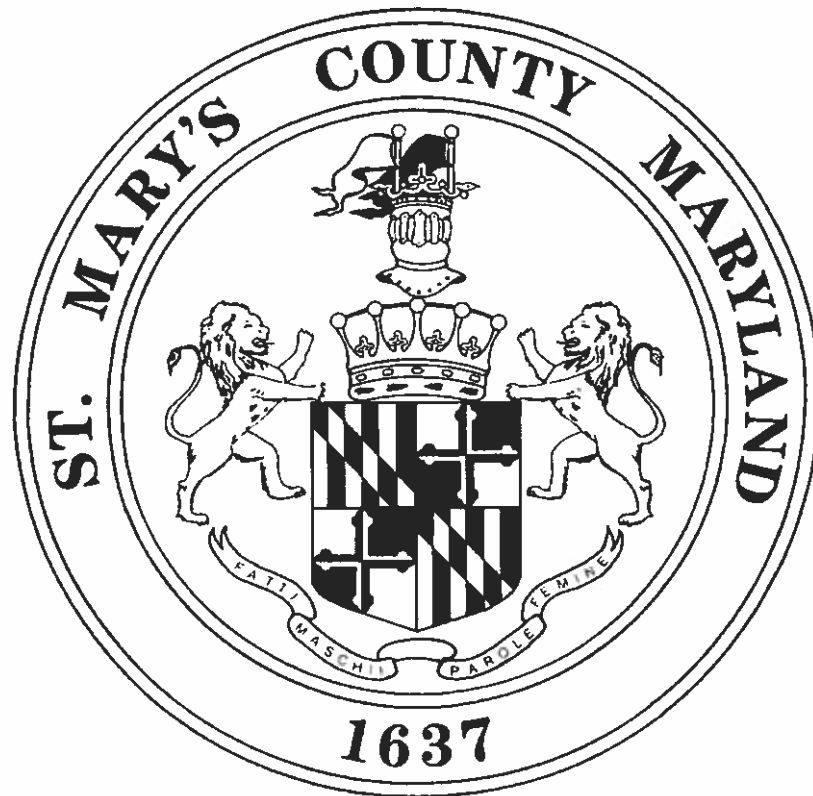
THE PURPOSE OF THIS MEETING IS CONSIDERATION OF
REQUESTS BY THE COMMISSIONERS OF ST. MARY'S COUNTY
AND
PROPOSALS BY ORGANIZATIONS AND MEMBERS OF THE PUBLIC
FOR ENACTMENT OF LEGISLATION DURING
THE 2019 SESSION OF THE GENERAL ASSEMBLY OF MARYLAND

Citizens are encouraged to attend.
Proposals are available in the County Attorney's Office and are posted on the website:
<http://www.co.saint-marys.md.us/publichearings.asp>

Any reasonable accommodation for persons with disabilities should be requested by contacting the
St. Mary's County Communications Director at (301)475-4200 x*1342.

COMMISSIONERS OF ST. MARY'S COUNTY

BY: DAVID A. WEISKOPF, ACTING COUNTY ATTORNEY



2019
LEGISLATIVE PROPOSALS
FOR
ST. MARY'S COUNTY, MARYLAND

2019 LEGISLATIVE PROPOSALS INDEX

#/Requester	Proposal	Summary
1. Department of Finance	To amend the definition of "Public Safety Officer" that is eligible for the Property Tax Credit	To amend the definition of "Public Safety Officer" in § 9-260 of the Tax-Property Article of the Annotated Code of Maryland to include "Volunteer Emergency Medical Services (Advanced Life Support and Rescue Squads)" that is eligible to receive a \$2,500 property tax credit.
2. Department of Finance	To repeal the Building Authority Commission	To request repeal of Chapter 26-18 of Article 19 of the Public Local Laws of St. Mary's County - Building Authority Commission. The Building Authority was created as an instrument to acquire title to property within SMC for construction, renovation or rehabilitation and was used for the St. Mary's Nursing Center and Carter State Office Building. We no longer own either of those properties. Because the Building Authority Commission is a component unit of the County, audit is required and is a current expense.
3. Department of Aging and Human Services	To request a Study with recommendations made on immediate, short-term, long-term and temporary placement options for older adults with a mental disorder.	To designate the Maryland Department of Health (Behavioral Health Administration), in consultation with the Mental Health Association of Maryland (Maryland Coalition on Mental Health and Aging), the Maryland Department of Aging, the Maryland Association of Area Agencies on Aging (M4A), and other interested stakeholders to study and determine the scope of the issue, and require the Department of Health to make certain recommendations regarding increasing the number of immediate, short-term, long-term and temporary placement options for older adults with mental illness and how to fund those options.
4. Department of Economic Development	Startup St. Mary's Tax Incentive	To request enabling authority to grant an income tax reduction to for-profit, privately-held, targeted technology industry startups headquartered in St. Mary's County. A \$1,000 County income tax reduction would be given for each employee every year for up to seven (7) years.
5. Commissioner O'Connor	To amend definition of Public Safety Officer to include a dispatcher	In St. Mary's County to amend the definition of "Public Safety Officer" in § 9-260 of the Tax-Property Article of the Annotated Code of Maryland to include "dispatcher" who would be eligible for a \$2,500 property tax credit.
6. Commissioner O'Connor	To amend definition of Public Safety Officer to include a dispatcher	In St. Mary's County to amend the definition of "Public Safety Officer" in § 8-520 of the Criminal Law Article of the Annotated Code of Maryland to include "dispatcher" who would not be prohibited from participating in a charitable or other fundraising campaign.

7. Alcohol Beverage Board	Corrective language	To remove language in §28-2003(b) of the <i>Alcoholic Beverages Article</i> of the <i>Annotated Code of Maryland</i> prohibiting restaurants from serving beer or wine at a bar or counter on Sunday in order to conform to the intent of the legislation enacted in 1971, removing all prohibitions to Sunday sales in St. Mary's County. <u>Department of Legislative Services has combined this bill with §28-2004 below.</u>
8. Alcohol Beverage Board	Corrective language	To remove language in §28-2004 of the <i>Alcoholic Beverages Article</i> of the <i>Annotated Code of Maryland</i> prohibiting restaurants or clubs from serving beer, wine or liquor at a bar or counter on Sunday in order to conform to the intent of legislation enacted in 1971, removing all prohibitions to Sunday sales in St. Mary's County. <u>Department of Legislative Services has combined this bill with §28-2003(b) above.</u>
9. Alcohol Beverage Board	Class C per diem license	To create language in the Alcoholic Beverages Article of the Annotated Code of Maryland allowing Class C per diem license holders to hold another license of a different class or nature.
10. Albert Babcock Citizen	Child Support (creditors)	To amend Title 8 Maryland to allow back child support owed by the Estate to be claimed as a creditor.

1.

**COMMISSIONERS OF ST. MARY'S COUNTY
2019 LEGISLATIVE PROPOSAL FORM**

JOINT MEETING

**ST. MARY'S COUNTY LEGISLATIVE DELEGATION AND COMMISSIONERS OF ST. MARY'S COUNTY
DECEMBER 11, 2018 AT 6:00 P.M.
41770 BALDRIDGE STREET, LEONARDTOWN, MARYLAND**

**REQUESTOR: JEANNETT CUDMORE, CHIEF FINANCIAL OFFICER
FINANCE DEPARTMENT**

**ADDRESS: 41770 BALDRIDGE STREET
CHESAPEAKE BUILDING, 2ND FLOOR
LEONARDTOWN, MD 20650**

**TELEPHONE: 301-475-4200, EXT. 1202
EMAIL: JEANNETT.CUDMORE@STMARYSMD.COM**

**SUBJECT MATTER: TO AMEND THE DEFINITION OF PUBLIC SAFETY OFFICER TO INCLUDE
VOLUNTEER EMERGENCY MEDICAL SERVICES (ADVANCED LIFE SUPPORT AND RESCUE SQUADS)**

**LEGISLATIVE REFERENCE (IF KNOWN): Annotated Code: Tax – Property Article, § 9-260
Code of St. Mary's County: Chapter _____**

FISCAL IMPACT: YES ___ NO ___ AMOUNT: _____

REQUEST (continue on separate sheet, if necessary):

To amend the definition of the "Public Safety Officer" referenced in HB979 for the Property Tax Credit for Public Safety Officers. This was submitted late in the 2018 Legislative Session and did not move forward for approval.

St. Mary's County had a Focus Group to develop criteria for Property Tax Credit in the FY2019 Budget and deferred decision on credit until Legislation is approved to include "Volunteer Emergency Medical Services (Advanced Life Support and Rescue Squads)".

SUBMIT BY SEPTEMBER 12, 2018 TO:

**COMMISSIONERS OF ST. MARY'S COUNTY
41770 BALDRIDGE STREET
P.O. BOX 653
LEONARDTOWN MARYLAND 20650
csmc@stmarysmd.com**

AND

**DEBORAH C. REY, DELEGATE
DISTRICT 29B, ST. MARY'S COUNTY
323 HOUSE OFFICE BUILDING
6 BLADEN STREET
ANNAPOLIS, MD 21401
deborah.rey@house.state.md.us**

Angela Blondino - FW: Advice letter attached.

From: "Rey, Deborah C. Delegate" <Deborah.Rey@house.state.md.us>
To: Angela Blondino <Angela.Blondino@stmarysmd.com>, Rebecca Bridgett <Rebec...>
Date: 1/17/2018 8:29 AM
Subject: FW: Advice letter attached.
Cc: "Morgan, Matt Delegate" <Matt.Morgan@house.state.md.us>. "Clark, JerryDe...>
Attachments: Rey 01 16 18.pdf

Good morning Commissioners. Upon receiving your letter regarding the passing of House Bill 979 ijn 2017, I asked for an Attorney General's opinion (see attached). They determined that EMS is NOT covered in the law. Thank you for finding this error. I have asked for a bill to be drafted and will submit it this session in order to correct the oversight.

Thank you again.

Sincerely
Deb

From: Desautels, Kelly [kdesautels@oag.state.md.us]
Sent: Tuesday, January 16, 2018 1:54 PM
To: Rey, Deborah C. Delegate <Deborah.Rey@house.state.md.us>
Subject: Advice letter attached

Kelly Keyser Desautels
kdesautels@oag.state.md.us
Office Manager
Office of the Attorney General
90 State Circle, Room 104
Annapolis, Maryland 21401
[410-946-5600](tel:410-946-5600)

BRIAN E. FROSH
ATTORNEY GENERAL

ELIZABETH F. HARRIS
CHIEF DEPUTY ATTORNEY GENERAL

CAROLYN A. QUATTROCKI
DEPUTY ATTORNEY GENERAL



SANDRA BENSON BRANTLEY
COUNSEL TO THE GENERAL ASSEMBLY

KATHRYN M. ROWE
DEPUTY COUNSEL

JEREMY M. MCCOY
ASSISTANT ATTORNEY GENERAL

DAVID W. STAMPER
ASSISTANT ATTORNEY GENERAL

THE ATTORNEY GENERAL OF MARYLAND
OFFICE OF COUNSEL TO THE GENERAL ASSEMBLY

January 16, 2018

The Honorable Deborah C. Rey
Maryland House of Delegates
323 House Office Building
Annapolis, Maryland 21401

Dear Delegate Rey:

You have inquired about whether Chapter 686 of the Laws of Maryland 2017 (House Bill 979), which, in pertinent part, authorizes a local government in the State to grant a property tax credit for a dwelling owned and occupied by a volunteer firefighter for a public safety agency in the local jurisdiction, would apply to a volunteer emergency medical services provider as well. Under the plain language of the statute, the authorized property tax credit would not apply to a volunteer emergency medical services provider, unless such an individual also qualifies as a volunteer firefighter in the jurisdiction. Additionally, the legislative history of the enactment does not demonstrate an intent by the General Assembly to apply the tax credit to a volunteer emergency medical services provider.

Under Tax-Property Article ("TP"), § 9-260, added in Chapter 686, a governing body of a county or municipal corporation may grant a property tax credit on a dwelling in the local jurisdiction that is owned by a "public safety officer" who is otherwise eligible for the State homestead tax credit under TP § 9-105. "Public safety officer" is defined as "(i) a firefighter, an emergency medical technician, a correctional officer, a police officer, or a deputy sheriff employed full time by a public safety agency in the county or municipal corporation where the individual resides;" or "(ii) a volunteer *firefighter* for a public safety agency in the county or municipal corporation where the individual resides." TP § 9-260(a)(3) (emphasis added).

The interpretive question is whether the General Assembly intended to include a volunteer emergency medical services provider within the definition of "public safety officer" under the enactment. To ascertain the intent of the legislature, courts will examine "the normal, plain meaning of the statute. If the language of the statute is unambiguous and clearly consistent with the statute's apparent purpose, [the court's] inquiry as to the legislative intent ends ordinarily and [will] apply the statute as written without resort to other rules of construction." *State v. Weems*, 429 Md. 329, 337 (2012).

In this instance, there is no apparent ambiguity in the term "volunteer firefighter" under the enactment, and no reasonable reading of that term to include a volunteer emergency medical

The Honorable Deborah C. Rey
January 16, 2018
Page 2

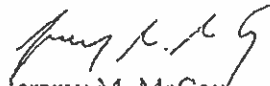
services provider. Neither term is defined in the enactment or elsewhere in the Tax-Property Article, but there are numerous references in the Code to volunteer firefighters that are separate from references to emergency medical services providers. (See e.g., Education Article, § 13-516(a)(7); Public Safety Article ("PS"), § 8-302; Transportation Article, § 16-102(a)(12)). Although volunteers in fire companies or rescue companies are often included together for the purpose of various benefits under the Code (see e.g., Insurance Article § 15-305(g); and PS Title 7, Subtitle 2), it is clear that if the General Assembly intended to include volunteer emergency medical services providers within the definition of "public safety officer," it knew how to do so.

Even if the term "firefighter" is ambiguous in this context, the General Assembly's inclusion of full-time paid "emergency medical technician[s]" ("EMT") as well as full time paid "firefighter[s]" in the definition of "public safety officer," while including only "firefighter[s]" in the class of eligible volunteers under the definitions, suggests that volunteer emergency medical services providers were not intended by the General Assembly to be included within the definition of "public safety officers" eligible for the tax credit. See *Walzer v Osborne*, 395 Md. 563, 579 (2006) (an auxiliary rule of statutory construction, *expressio unius est exclusio alterius*, means that the expression of one thing implies the exclusion of another thing not mentioned).

The legislative history of the enactment supports this interpretation as well, as the Fiscal and Policy Note for IIB 979 accurately represented the eligible public safety officers under the bill to "include firefighters (paid and volunteer), emergency medical technicians, and correctional officers[.]" Of course, if the General Assembly desires to include volunteer emergency medical services providers within the definition of "public safety officers" eligible for the tax credit, it is always free to expand the definition of eligible "public safety officers" to include such volunteers through legislation.

I hope that this is responsive to your question. If you have any questions or need any additional information, please feel free to contact me.

Sincerely,


Jeremy M. McCoy
Assistant Attorney General

ST. MARY'S COUNTY GOVERNMENT
COMMISSIONERS OF
ST. MARY'S COUNTY



James R. Guy, President
Michael L. Hewitt, Commissioner
Tom Jarboe, Commissioner
Todd B. Morgan, Commissioner
John E. O'Connor, Commissioner

January 9, 2018

The Honorable Stephen Waugh
Miller Senate Office Building, 2 West Wing
11 Bladen St.
Annapolis, MD 21401

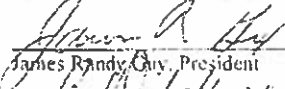
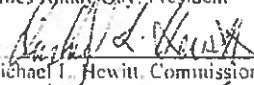
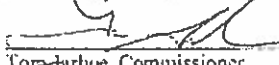
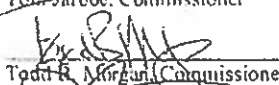

Dear Senator Waugh:

The Commissioners were pleased to see the passing of House Bill 979 in the 2017 Laws of Maryland, Property Tax Credit – Public Safety Officers. As St. Mary's County works through the possible implementation of this tax credit, we are seeking clarification and possible amendment to the Act.

In the Tax Property Article of the Annotated Code of Maryland, Section 9-259 (A)(3)(II) the definition of Public Safety Officer is A VOLUNTEER FIREFIGHTER FOR A PUBLIC SAFETY AGENCY IN THE COUNTY OR MUNICIPAL CORPORATION WHERE THE INDIVIDUAL RESIDES. What the definition does not encompass are those volunteer individuals that work Emergency Medical Services (Advance Life Support and Rescue Squads). We would respectfully request an amendment to include our volunteer EMS.

The Commissioners of St. Mary's County respectfully request your support via amendment to House Bill 979.

Sincerely,
COMMISSIONERS OF ST. MARY'S COUNTY


James Randy Guy, President

Michael L. Hewitt, Commissioner

Tom Jarboe, Commissioner

Todd B. Morgan, Commissioner

John E. O'Connor, Commissioner

CSMC/ps/sf
T:/ALL/Consent/2018/002

Cc: Dr. Rebecca Bridgett, County Administrator
Jeannette Cudmore, CFO

ST. MARY'S COUNTY GOVERNMENT
COMMISSIONERS OF
ST. MARY'S COUNTY



James R. Guy, President
Michael L. Hewitt, Commissioner
Tom Jarboe, Commissioner
Todd B. Morgan, Commissioner
John E. O'Connor, Commissioner

January 9, 2018

The Honorable Deborah Rey
House Office Building, Room 323
6 Bladen St.
Annapolis, MD 21401

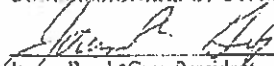
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Sincerely,
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James Randy Guy, President


Michael L. Hewitt, Commissioner


Tom Jarboe, Commissioner


Todd B. Morgan, Commissioner


John E. O'Connor, Commissioner

CSMC/ps/sf
T:/ALL/Consent/2018/002

Cc: Dr. Rebecca Bridgett, County Administrator
Jeannette Cadmore, CFO

ST. MARY'S COUNTY GOVERNMENT
COMMISSIONERS OF
ST. MARY'S COUNTY



James R. Guy, President
Michael L. Hewitt, Commissioner
Tom Jarboe, Commissioner
Todd B. Morgan, Commissioner
John E. O'Connor, Commissioner

January 9, 2018

The Honorable Matthew Morgan
House Office Building, Room 317
6 Bladen St.
Annapolis, MD 21401

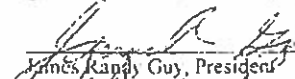
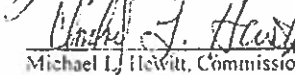



Dear Delegate Morgan:

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The Commissioners of St. Mary's County respectfully request your support via amendment to House Bill 979.

Sincerely,
COMMISSIONERS OF ST. MARY'S COUNTY


James Randy Guy, President

Michael L. Hewitt, Commissioner

Tom Jarboe, Commissioner

Todd B. Morgan, Commissioner

John E. O'Connor, Commissioner

CSMC/ps/sf
T:ALL/Consent/2018/002

Cc: Dr. Rebecca Bridgett, County Administrator
Jeannette Cudmore, CFO

P.O. BOX 653 • CHESAPEAKE BUILDING • 41770 BALDRIDGE ST., LEONARDTOWN, MD 20650
PHONE: 301.475.4200 • 1350 • FAX 301.475.4935 • www.stmarysmd.com • CSMC@STMARYSMD.COM

ST. MARY'S COUNTY GOVERNMENT
COMMISSIONERS OF
ST. MARY'S COUNTY



James R. Guy, President
Michael L. Hewitt, Commissioner
Tom Jarboe, Commissioner
Todd B. Morgan, Commissioner
John E. O'Connor, Commissioner

January 9, 2018

The Honorable Gerald Clark
House Office Building, Room 303
6 Bladen St.
Annapolis, MD 21401

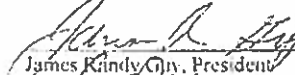

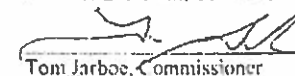
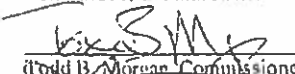

Dear Delegate Clark:

The Commissioners were pleased to see the passing of House Bill 979 in the 2017 Laws of Maryland, Property Tax Credit – Public Safety Officers. As St. Mary's County works through the possible implementation of this tax credit, we are seeking clarification and possible amendment to the Act.

In the Tax Property Article of the Annotated Code of Maryland, Section 9-259 (A)(3)(ii) the definition of Public Safety Officer is A VOLUNTEER FIREFIGHTER FOR A PUBLIC SAFETY AGENCY IN THE COUNTY OR MUNICIPAL CORPORATION WHERE THE INDIVIDUAL RESIDES. What the definition does not encompass are those volunteer individuals that work Emergency Medical Services (Advance Life Support and Rescue Squads). We would respectfully request an amendment to include our volunteer EMS.

The Commissioners of St. Mary's County respectfully request your support via amendment to House Bill 979

Sincerely,
COMMISSIONERS OF ST. MARY'S COUNTY


James R. Guy, President

Michael L. Hewitt, Commissioner

Tom Jarboe, Commissioner

Todd B. Morgan, Commissioner

John E. O'Connor, Commissioner

CSMC/ps/sf
T:/A.L./Consent/2018/002

Cc: Dr. Rebecca Bridgett, County Administrator
Jeannette Cudmore, CFO

P.O. BOX 653 • CHESAPEAKE BUILDING • 41770 BALDRIDGE ST., LEONARDTOWN, MD 20650
PHONE 301.475.4200 • 1350 • FAX 301.475.4935 • www.stmarysmd.com • CSMC@STMARYSMD.COM

Chapter 686

(House Bill 979)

AN ACT concerning

Property Tax Credit – Public Safety Officers

FOR the purpose of authorizing the governing body of a county or municipal corporation to grant, by law, a certain property tax credit against the county or municipal corporation property tax imposed on a certain dwelling that is owned by a certain public safety officer under certain circumstances; providing that the credit may not exceed a certain amount per dwelling and the amount of property tax imposed on the dwelling; requiring the State Department of Assessments and Taxation to be responsible for certain administrative duties relating to the credit; requiring a county or municipal corporation to reimburse the Department for certain administrative costs; authorizing the governing body of a county or municipal corporation to provide, by law, for certain matters relating to the tax credit; defining certain terms; providing for the application of this Act; and generally relating to a property tax credit for certain public safety officers.

BY adding to

Article – Tax – Property

Section 9–259

Annotated Code of Maryland

(2012 Replacement Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Tax – Property

9–259.

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

(2) “DWELLING” HAS THE MEANING STATED IN § 9–105 OF THIS TITLE.

(3) “PUBLIC SAFETY OFFICER” MEANS:

(I) A FIREFIGHTER, AN EMERGENCY MEDICAL TECHNICIAN, A CORRECTIONAL OFFICER, A POLICE OFFICER, OR A DEPUTY SHERIFF EMPLOYED FULL TIME BY A PUBLIC SAFETY AGENCY IN THE COUNTY OR MUNICIPAL CORPORATION WHERE THE INDIVIDUAL RESIDES; OR

(II) A VOLUNTEER FIREFIGHTER FOR A PUBLIC SAFETY AGENCY IN THE COUNTY OR MUNICIPAL CORPORATION WHERE THE INDIVIDUAL RESIDES.

(B) THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION MAY GRANT, BY LAW, A PROPERTY TAX CREDIT UNDER THIS SECTION AGAINST THE COUNTY OR MUNICIPAL CORPORATION PROPERTY TAX IMPOSED ON A DWELLING LOCATED IN THE COUNTY OR MUNICIPAL CORPORATION THAT IS OWNED BY A PUBLIC SAFETY OFFICER IF THE PUBLIC SAFETY OFFICER IS OTHERWISE ELIGIBLE FOR THE CREDIT AUTHORIZED UNDER § 9-105 OF THIS TITLE.

(C) IN ANY TAXABLE YEAR, THE CREDIT UNDER THIS SECTION MAY NOT EXCEED:

- (1) \$2,500 PER DWELLING; AND
- (2) THE AMOUNT OF PROPERTY TAX IMPOSED ON THE DWELLING.

(D) (1) THE DEPARTMENT SHALL BE RESPONSIBLE FOR THE ADMINISTRATIVE DUTIES THAT RELATE TO THE APPLICATION AND DETERMINATION OF ELIGIBILITY FOR THE PROPERTY TAX CREDIT UNDER THIS SECTION.

(2) A COUNTY OR MUNICIPAL CORPORATION SHALL REIMBURSE THE DEPARTMENT FOR THE REASONABLE COST OF ADMINISTERING THE CREDIT UNDER THIS SECTION.

(E) THE GOVERNING BODY OF A COUNTY OR A MUNICIPAL CORPORATION MAY ESTABLISH, BY LAW:

- (1) SUBJECT TO SUBSECTION (C) OF THIS SECTION, THE AMOUNT OF THE CREDIT UNDER THIS SECTION;
- (2) THE DURATION OF THE CREDIT; AND
- (3) ADDITIONAL ELIGIBILITY REQUIREMENTS FOR PUBLIC SAFETY OFFICERS TO QUALIFY FOR THE CREDIT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2017, and shall be applicable to all taxable years beginning after June 30, 2017.

Approved by the Governor, May 25, 2017.

2

**COMMISSIONERS OF ST. MARY'S COUNTY
2019 LEGISLATIVE PROPOSAL FORM**

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DECEMBER 11, 2018 AT 6:00 P.M.**

41770 BALDRIDGE STREET, LEONARDTOWN, MARYLAND

**REQUESTOR: JEANNETT CUDMORE, CHIEF FINANCIAL OFFICER
FINANCE DEPARTMENT**

**ADDRESS: 41770 BALDRIDGE STREET
CHESAPEAKE BUILDING, 2ND FLOOR
LEONARDTOWN, MD 20650**

**TELEPHONE: 301-475-4200, EXT. 1202
EMAIL: JEANNETT.CUDMORE@STMARYSMD.COM**

SUBJECT MATTER: REMOVE THE BUILDING AUTHORITY

LEGISLATIVE REFERENCE (IF KNOWN): Annotated Code: _____ Article § _____
Code of St. Mary's County: Chapter 26-18

FISCAL IMPACT: YES ___ NO ___ AMOUNT: _____

REQUEST (continue on separate sheet, if necessary):

The Building Authority was created as an instrument of the County to acquire title to property within St. Mary's County for construction, renovation, or rehabilitation. This was used for the St. Mary's Nursing Center, Inc. and the Carter State Office Building. Until June 2010, they owned and leased property to the Nursing Center and until June 2013 they also owned and leased property to the State of Maryland – Carter State Office Building. Carter State Office Building was transferred to the State of Maryland in March, 2017. Current expense is only its share of the annual audit required because the Building Authority is a component unit of the County and audit is required.

SUBMIT BY SEPTEMBER 12, 2018 TO:

**COMMISSIONERS OF ST. MARY'S COUNTY
41770 BALDRIDGE STREET
P.O. BOX 653
LEONARDTOWN MARYLAND 20650
csmc@stmarysmd.com**

AND

**DEBORAH C. REY, DELEGATE
DISTRICT 29B, ST. MARY'S COUNTY
323 HOUSE OFFICE BUILDING
6 BLADEN STREET
ANNAPOLIS, MD 21401
deborah.rey@house.state.md.us**

3

**COMMISSIONERS OF ST. MARY'S COUNTY
2019 LEGISLATIVE PROPOSAL FORM**

JOINT MEETING

**ST.MARY'S COUNTY LEGISLATIVE DELEGATION AND COMMISSIONERS OF ST.MARY'S COUNTY
DECEMBER 11, 2018 AT 6:00 P.M.
41770 BALDRIDGE STREET, LEONARDTOWN, MARYLAND**

REQUESTOR: Lori Jennings-Harris

ADDRESS: P.O. Box 653. Leonardtown, MD 20650

TELEPHONE: 301-475-4200, ext. *1070

EMAIL: lori.harris@stmarysmd.com

SUBJECT MATTER: Immediate long-term placement options for older adults with mental illness (on Medical Assistance or Medicare).

LEGISLATIVE REFERENCE (IF KNOWN): Annotated Code: _____ Article § _____
Code of St. Mary's County: Chapter _____

FISCAL IMPACT: YES NO **AMOUNT:** TBD

REQUEST (continue on separate sheet, if necessary):

Considering the growing number of older adults and, according to the Maryland Coalition on Mental Health and Aging, nearly "20% of people over the age of 55 experience mental disorders that are not part of "normal aging", there is a need for appropriate long-term placement options for older adults with a mental disorder needing a higher level of care. St. Mary's County (and other jurisdictions across Maryland) has little to no placement options for seniors diagnosed with a mental disorder, especially those on Medical Assistance or Medicare. The request is to designate the Maryland Department of Health (Behavioral Health Administration), in consultation with the Mental Health Association of Maryland (Maryland Coalition on Mental Health and Aging), the Maryland Department of Aging, the Maryland Association of Area Agencies on Aging (M4A), and other interested stakeholders to study and determine the scope of the issue, and require the Department of Health to make certain recommendations regarding increasing the number of immediate, short-term, long-term and temporary placement options for older adults with mental illness and how to fund those options.

(NOTE: The agencies identified above have been contacted for their input on the proposal. The majority of M4A (Maryland Association of Area Agencies on Aging) members support the proposal; however, responses are pending from the Maryland Department of Health, the Mental Health Association of Maryland and the Maryland Department of Aging.)

SUBMIT BY SEPTEMBER 12, 2018 TO:

COMMISSIONERS OF ST.MARY'S COUNTY
41770 BALDRIDGE STREET
P.O. BOX 653
LEONARDTOWN MARYLAND 20650
csmc@stmarysmd.com

AND

DEBORAH C. REY, DELEGATE
DISTRICT 29B, ST.MARY'S COUNTY
323 HOUSE OFFICE BUILDING
6 BLADEN STREET
ANNAPOLIS, MD 21401
deborah.rey@house.state.md.us

December 5, 2018

Commissioners of St. Mary's County
P.O. Box 653
Leonardtown, MD 20650

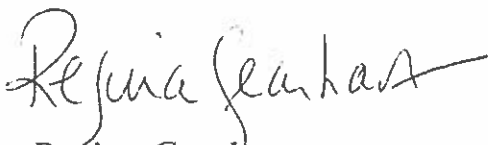
Dear Commissioners of St. Mary's County:

With the growing number of older adults in the State of Maryland and nationally, the likelihood of older adults who have a mental illness or challenge, along with physical limitations or health concerns will likely also increase. According to the Maryland Coalition on Mental Health and Aging, nearly "20% of people over the age of 55 experience mental disorders that are not part of "normal aging", and there is a need for appropriate long-term placement options for older adults with a mental disorder needing a higher level of care.

Garrett County (and other jurisdictions across Maryland) has little to no placement options for seniors diagnosed with a mental disorder, especially those on Medical Assistance or Medicare. As the director of the Garrett County Area Agency on Aging, I am in full support of the proposed legislation to designate the Maryland Department of Health (Behavioral Health Administration), in consultation with the Mental Health Association of Maryland (Maryland Coalition on Mental Health and Aging), the Maryland Department of Aging, the Maryland Association of Area Agencies on Aging (M4A), and other interested stakeholders to study and determine the scope of the issue, and require the Department of Health to make certain recommendations regarding increasing the number of immediate, short-term, long-term and temporary placement options for older adults with mental illness and how to fund those options.

Thank you for your consideration.

Sincerely,



Regina Gearhart

Director

Garrett County Area Agency on Aging
Garrett County Community Action Committee Inc.
104 E. Center St.
Oakland, MD 21550
rgearhart@garrettcac.org



DEPARTMENT OF HEALTH AND HUMAN SERVICES

Marc Elrich
County Executive

Victoria Buckland
Acting Director

December 6, 2018

Commissioners of St. Mary's County
P.O. Box 653
Leonardtown, MD 20650

Dear Commissioners of St. Mary's County:

With the growing number of older adults in the State of Maryland and nationally, the likelihood of older adults who have a mental illness or challenge, along with physical limitations or health concerns will likely also increase. According to the Maryland Coalition on Mental Health and Aging, nearly "20% of people over the age of 55 experience mental disorders that are not part of "normal aging", and there is a need for appropriate long-term placement options for older adults with a mental disorder needing a higher level of care.

Montgomery County (and other jurisdictions across Maryland) has little to no placement options for seniors diagnosed with a mental disorder, especially those on Medical Assistance or Medicare. As the manager of Mental Health Services for Seniors, and Persons with Disabilities, I am in full support of the proposed legislation to designate the Maryland Department of Health (Behavioral Health Administration), in consultation with the Mental Health Association of Maryland (Maryland Coalition on Mental Health and Aging), the Maryland Department of Aging, the Maryland Association of Area Agencies on Aging (M4A), and other interested stakeholders to study and determine the scope of the issue, and require the Department of Health to make certain recommendations regarding increasing the number of immediate, short-term, long-term and temporary placement options for older adults with mental illness and how to fund those options.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Sybil Greenhut".

Sybil Greenhut, APRN-BC

Program Manager

Mental Health Services for Seniors and Persons with Disabilities

Department of Health and Human Services

Local Behavioral health Authority

Phone: 240 777-3962

Email: Sybil.greenhut@montgomerycountymd.gov

Behavioral Health Planning and Management – Local Behavioral Health Authority

401 Hungerford Drive – Rockville, Maryland 20850
240-777-1400 – 240-777-1145 FAX – Maryland Relay 711
www.montgomerycountymd.gov/hhs



100 Schaubert Road
Chestertown, Maryland 21620

(410) 778-6000
FAX No. (410) 778-3562

December 5, 2018

Commissioners of St. Mary's County
P.O. Box 653
Leonardtown, MD 20650

Dear Commissioners of St. Mary's County:

With the growing number of older adults in the State of Maryland and nationally, the likelihood of older adults who have a mental illness or challenge, along with physical limitations or health concerns will likely also increase. According to the Maryland Coalition on Mental Health and Aging, nearly "20% of people over the age of 55 experience mental disorders that are not part of "normal aging", and there is a need for appropriate long-term placement options for older adults with a mental disorder needing a higher level of care.

Kent, Caroline and Talbot Counties (and other jurisdictions across Maryland) have little to no placement options for seniors diagnosed with a mental disorder, especially those on Medical Assistance or Medicare. As the director of Upper Shore Aging Inc., I am in full support of the proposed legislation to designate the Maryland Department of Health (Behavioral Health Administration), in consultation with the Mental Health Association of Maryland (Maryland Coalition on Mental Health and Aging), the Maryland Department of Aging, the Maryland Association of Area Agencies on Aging (M4A), and other interested stakeholders to study and determine the scope of the issue, and require the Department of Health to make certain recommendations regarding increasing the number of immediate, short-term, long-term and temporary placement options for older adults with mental illness and how to fund those options.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Gary R. Gunther". The signature is written in a cursive style with a large initial "G".

Gary R. Gunther
Executive Director

Dorchester • Somerset
Counties

MAC
Maintaining Active Citizens
Your Area Agency on Aging

Wicomico • Worcester
Counties

December 5, 2018

Commissioners of St. Mary's County
P.O. Box 653
Leonardtown, MD 20650


Dear Commissioners of St. Mary's County:

With the growing number of older adults in the State of Maryland and nationally, the likelihood of older adults who have a mental illness or challenge, along with physical limitations or health concerns will likely also increase. According to the Maryland Coalition on Mental Health and Aging, nearly "20% of people over the age of 55 experience mental disorders that are not part of "normal aging", and there is a need for appropriate long-term placement options for older adults with a mental disorder needing a higher level of care.

Dorchester, Somerset, Wicomico & Worcester Counties (and other jurisdictions across Maryland) has little to no placement options for seniors diagnosed with a mental disorder, especially those on Medical Assistance or Medicare. As the director of MAC, Incorporated, the Area Agency on Aging for the four lower eastern shore counties, I am in full support of the proposed legislation to designate the Maryland Department of Health (Behavioral Health Administration), in consultation with the Mental Health Association of Maryland (Maryland Coalition on Mental Health and Aging), the Maryland Department of Aging, the Maryland Association of Area Agencies on Aging (M4A), and other interested stakeholders to study and determine the scope of the issue, and require the Department of Health to make certain recommendations regarding increasing the number of immediate, short-term, long-term and temporary placement options for older adults with mental illness and how to fund those options.

Thank you for your consideration.

Sincerely,



Pattie A. Tingle
Executive Director



DON MOHLER
County Executive

JOANNE E. WILLIAMS, *Director*
Department of Aging

November 30, 2018

Commissioners of St. Mary's County
P.O. Box 653
Leonardtown, MD 20650

Dear Commissioners of St. Mary's County:

With the growing number of older adults in the State of Maryland and nationally, the likelihood of older adults who have a mental illness or challenge, along with physical limitations or health concerns will likely also increase. According to the Maryland Coalition on Mental Health and Aging, nearly "20% of people over the age of 55 experience mental disorders that are not part of "normal aging", and there is a need for appropriate long-term placement options for older adults with a mental disorder needing a higher level of care.

Baltimore County and other jurisdictions across Maryland have little to no placement options for seniors diagnosed with a mental disorder, especially those on Medical Assistance or Medicare. As the director of the Baltimore County Department of Aging, I am in full support of the proposed legislation to designate the Maryland Department of Health (Behavioral Health Administration), in consultation with the Mental Health Association of Maryland (Maryland Coalition on Mental Health and Aging), the Maryland Department of Aging, the Maryland Association of Area Agencies on Aging (M4A), and other interested stakeholders to study and determine the scope of the issue, and require the Department of Health to make certain recommendations regarding increasing the number of immediate, short-term, long-term and temporary placement options for older adults with mental illness and how to fund those options.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Joanne E. Williams". The signature is written in a cursive style.

Joanne E. Williams, Director
Baltimore County Department of Aging

December 5, 2018

Commissioners of St. Mary's County
P.O. Box 653
Leonardtown, MD 20650


Dear Commissioners of St. Mary's County:

With the growing number of older adults in the State of Maryland and nationally, the likelihood of older adults who have a mental illness or challenge, along with physical limitations or health concerns will likely also increase. According to the Maryland Coalition on Mental Health and Aging, nearly "20% of people over the age of 55 experience mental disorders that are not part of "normal aging", and there is a need for appropriate long-term placement options for older adults with a mental disorder needing a higher level of care.

Jurisdictions across Maryland have little to no placement options for seniors diagnosed with a mental disorder, especially those on Medical Assistance or Medicare. Fenwick Landing Senior Care Community is in full support of the proposed legislation to designate the Maryland Department of Health (Behavioral Health Administration), the Maryland Department of Aging, the Maryland Association of Area Agencies on Aging (M4A), and other interested stakeholders to study and determine the scope of the issue, and require the Department of Health to make certain recommendations regarding increasing the number of immediate, short-term, long-term and temporary placement options for older adults with mental illness and how to fund those options.

Thank you for your consideration.

Sincerely,



Karim Lakin, CDP, CADDCT
Director of Operations
Fenwick Landing Senior Care Community

4

**COMMISSIONERS OF ST. MARY'S COUNTY
2019 LEGISLATIVE PROPOSAL FORM**

JOINT MEETING

**ST. MARY'S COUNTY LEGISLATIVE DELEGATION AND COMMISSIONERS OF ST. MARY'S COUNTY
DECEMBER 11, 2018 AT 6:00 P.M.
41770 BALDRIDGE STREET, LEONARDTOWN, MARYLAND**

REQUESTOR: CHRIS KASELEMIS, DIRECTOR, DEPARTMENT OF ECONOMIC DEVELOPMENT

ADDRESS: 23115 LEONARD HALL DRIVE, LEONARDTOWN, MD 20650

TELEPHONE: 301-475-4200 x *1405

EMAIL: CHRIS.KASELEMIS@STMARYSMD.COM

SUBJECT MATTER: STARTUP ST. MARY'S TAX INCENTIVE

LEGISLATIVE REFERENCE (IF KNOWN): Annotated Code: Tax – General Article § 10-700
Code of St. Mary's County: Chapter _____

FISCAL IMPACT: YES ___ NO X AMOUNT: _____

REQUEST (continue on separate sheet, if necessary):

Startup St. Mary's Tax Incentive

St. Mary's County seeks to attract and retain innovative startups in targeted technology industries that can leverage and enhance Southern Maryland's tech-based economy. For-profit, privately-held startups headquartered in St. Mary's County, the CEO's and up to nine of their employees will receive a \$1,000 personal income tax credit for a seven-year period.

SUBMIT BY SEPTEMBER 12, 2018 TO:

**COMMISSIONERS OF ST. MARY'S COUNTY
41770 BALDRIDGE STREET
P.O. BOX 653
LEONARDTOWN MARYLAND 20650
csmc@stmarysmd.com**

AND

**DEBORAH C. REY, DELEGATE
DISTRICT 29B, ST. MARY'S COUNTY
323 HOUSE OFFICE BUILDING
6 BLADEN STREET
ANNAPOLIS, MD 21401
deborah.rey@house.state.md.us**

DED Proposed Incentive

Startup St. Mary's Tax Incentive:

- Description: St. Mary's County seeks to attract and retain innovative startups in targeted technology industries that can leverage and enhance Southern Maryland's tech-based economy.
- What companies are qualifying startups?
 - o For-profit, privately-held company
 - o Headquartered in St. Mary's County
 - o Less than 10 years old
 - o Has the opportunity to grow and expand over time
- What industries are targeted? Industries to be targeted by St. Mary's County. The County currently targets the following industries in its Economic Development Strategic Plan:
 - o Aviation
 - o Unmanned Autonomous Systems
 - o Agriculture and aquaculture
 - o Commercialization of defense technologies
 - o Advanced manufacturing
- What is the benefit to qualifying companies?
 - o A \$1,000 reduction of St. Mary's County personal income tax per employee waived for seven (7) years
 - o Up to nine (9) employees per company will be granted this County personal income tax reduction

5

**COMMISSIONERS OF ST. MARY'S COUNTY
2019 LEGISLATIVE PROPOSAL FORM**

JOINT MEETING

**ST. MARY'S COUNTY LEGISLATIVE DELEGATION AND COMMISSIONERS OF ST. MARY'S COUNTY
DECEMBER 11, 2018 AT 6:00 P.M.
41770 BALDRIDGE STREET, LEONARDTOWN, MARYLAND**

REQUESTOR: COMMISSIONER JOHN O'CONNOR

**ADDRESS: 41770 BALDRIDGE STREET
CHESAPEAKE BUILDING, 2ND FLOOR
LEONARDTOWN, MD 20650**

TELEPHONE: 301-475-4200

EMAIL: JOHN.OCONNOR@STMARYSMD.COM

**SUBJECT MATTER: IN ST. MARY'S COUNTY TO AMEND THE DEFINITION OF PUBLIC SAFETY OFFICER
TO INCLUDE A DISPATCHER**

**LEGISLATIVE REFERENCE (IF KNOWN): Annotated Code: Tax-Property Article, § 9-260
Code of St. Mary's County: Chapter _____**

FISCAL IMPACT: YES ___ NO ___ AMOUNT: _____

REQUEST (continue on separate sheet, if necessary):

In St. Mary's County to amend the definition of "Public Safety Officer" to include a dispatcher who would be eligible for a \$2,500 property tax credit under § 9-260 of the *Tax-Property Article* of the *Annotated Code of Maryland*.

**COMMISSIONERS OF ST. MARY'S COUNTY
41770 BALDRIDGE STREET
P.O. BOX 653
LEONARDTOWN MARYLAND 20650
csmc@stmarysmd.com**

AND

**DEBORAH C. REY, DELEGATE
DISTRICT 29B, ST. MARY'S COUNTY
323 HOUSE OFFICE BUILDING
6 BLADEN STREET
ANNAPOLIS, MD 21401
deborah.rey@house.state.md.us**

Md. TAX-PROPERTY Code Ann. § 9-260

Current through 2018 Regular Session.

Annotated Code of Maryland > TAX - PROPERTY > TITLE 9. PROPERTY TAX CREDITS AND PROPERTY TAX RELIEF > SUBTITLE 2. STATEWIDE OPTIONAL

§ 9-260. Public safety officers.

(a) Definitions. --

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

(2) "Dwelling" has the meaning stated in § 9-105 of this title.

(3) "Public safety officer" means:

(i) a firefighter, an emergency medical technician, a correctional officer, a police officer, or a deputy sheriff employed full time by a public safety agency in the county or municipal corporation where the individual resides; or

(ii) a volunteer firefighter for a public safety agency in the county or municipal corporation where the individual resides.

(b) In general. --The governing body of a county or municipal corporation may grant, by law, a property tax credit under this section against the county or municipal corporation property tax imposed on a dwelling located in the county or municipal corporation that is owned by a public safety officer if the public safety officer is otherwise eligible for the credit authorized under § 9-105 of this title.

(c) Limitation on credit. --In any taxable year, the credit under this section may not exceed the lesser of:

(1) \$ 2,500 per dwelling; or

(2) the amount of property tax imposed on the dwelling.

(d) Amount; duration; requirements. --The governing body of a county or a municipal corporation may establish, by law:

(1) subject to subsection (c) of this section, the amount of the credit under this section;

(2) the duration of the credit;

(3) additional eligibility requirements for public safety officers to qualify for the credit;

(4) procedures for the application and uniform processing of requests for the credit; and

(5) any other provisions necessary to carry out this section.

History

2017, ch. 686; 2018, ch. 654.

Annotations

Notes

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**COMMISSIONERS OF ST. MARY'S COUNTY
2019 LEGISLATIVE PROPOSAL FORM**

JOINT MEETING

**ST. MARY'S COUNTY LEGISLATIVE DELEGATION AND COMMISSIONERS OF ST. MARY'S COUNTY
DECEMBER 11, 2018 AT 6:00 P.M.
41770 BALDRIDGE STREET, LEONARDTOWN, MARYLAND**

REQUESTOR: COMMISSIONER JOHN O'CONNOR

**ADDRESS: 41770 BALDRIDGE STREET
CHESAPEAKE BUILDING, 2ND FLOOR
LEONARDTOWN, MD 20650**

TELEPHONE: 301-475-4200

EMAIL: JOHN.OCONNOR@STMARYSMD.COM

**SUBJECT MATTER: IN ST. MARY'S COUNTY TO AMEND THE DEFINITION OF PUBLIC SAFETY OFFICER
TO INCLUDE A DISPATCHER**

**LEGISLATIVE REFERENCE (IF KNOWN): Annotated Code: Criminal Law Article, § 8-520
Code of St. Mary's County: Chapter _____**

FISCAL IMPACT: YES ___ NO ___ AMOUNT: _____

REQUEST (continue on separate sheet, if necessary):

In St. Mary's County to amend the definition of "Public Safety Officer" to include a dispatcher who would not be prohibited from participating in a charitable or other fundraising campaign under § 8-520 of the *Criminal Law Article* of the *Annotated Code of Maryland*.

**COMMISSIONERS OF ST. MARY'S COUNTY
41770 BALDRIDGE STREET
P.O. BOX 653
LEONARDTOWN MARYLAND 20650
csmc@stmarysmd.com**

AND

**DEBORAH C. REY, DELEGATE
DISTRICT 29B, ST. MARY'S COUNTY
323 HOUSE OFFICE BUILDING
6 BLADEN STREET
ANNAPOLIS, MD 21401
deborah.rey@house.state.md.us**

Md. CRIMINAL LAW Code Ann. § 8-520

Current through 2018 Regular Session.

Annotated Code of Maryland > CRIMINAL LAW > TITLE 8. FRAUD AND RELATED CRIMES > SUBTITLE 5. PUBLIC FRAUD > PART III. OTHER PUBLIC FRAUD

§ 8-520. Fundraising

(a) **"Public safety officer" defined.** --In this section, "public safety officer" means:

- (1) a police officer;
- (2) a paid or volunteer fire fighter;
- (3) an emergency medical technician;
- (4) a rescue squad member;
- (5) the State Fire Marshal; or
- (6) a sworn officer of the State Fire Marshal.

(b) **Scope of section.** --This section does not prohibit, limit, or interfere with the right of an off-duty public safety officer who is not in uniform from participating in a charitable or other fundraising campaign.

(c) **Prohibited.** --A person may not encourage, solicit, or receive contributions of money or any thing of value for, or offer any thing for sale in, a charitable or other fundraising campaign by representing to the public that the charitable or other fundraising campaign is approved by:

- (1) a police or fire department in the State without the prior written consent of the chief administrative officer of the police or fire department or from the chief administrative officer's designee; or
- (2) a public safety officer or member of the family of a public safety officer without the prior written consent of the public safety officer or a family member of the public safety officer.

(d) **Penalty.** --A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 60 days or a fine not exceeding \$ 1,000 or both for each violation.

History

An. Code 1957, art. 27, § 233A; 2002, ch. 26, § 2.

Annotations

Notes

REVISOR'S NOTE

This Revisor's note comprises information related to the revision by Acts 2002, ch. 26.

This section is new language derived without substantive change from former Art. 27, § 233A.

7

Bill No.: _____

Requested: _____

Committee: _____

Drafted by: Kozinn

Typed by: Fran

Stored – 09/26/18

Proofread by _____

Checked by _____

By: **St. Mary’s County Delegation**

A BILL ENTITLED

1 AN ACT concerning

2 **St. Mary’s County – Alcoholic Beverages – Sunday Sales at a Bar or Counter**

3 FOR the purpose of repealing the prohibition against holders of certain alcoholic beverages
4 licenses in St. Mary’s County from selling certain alcoholic beverages at a bar or
5 counter on Sunday; and generally relating to the sale of alcoholic beverages in St.
6 Mary’s County.

7 BY repealing and reenacting, without amendments,

8 Article – Alcoholic Beverages

9 Section 28–102

10 Annotated Code of Maryland

11 (2016 Volume and 2018 Supplement)

12 BY repealing and reenacting, with amendments,

13 Article – Alcoholic Beverages

14 Section 28–2003 and 28–2004

15 Annotated Code of Maryland

16 (2016 Volume and 2018 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

18 That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **Article – Alcoholic Beverages**

2 28–102.

3 This title applies only in St. Mary’s County.

4 28–2003.

5 (a) A holder of a Class A beer and wine license may sell beer and wine on Monday
6 through Sunday, from 6 a.m. to 2 a.m. the following day.

7 (b) [(1) Except as provided in paragraph (2) of this subsection, a] A holder of a
8 Class B beer and wine license may sell beer and wine on Monday through Sunday, from 6
9 a.m. to 2 a.m. the following day.

10 [(2) The license holder may not sell beer or wine at a bar or counter on
11 Sunday.]

12 (c) Reserved.

13 (d) Reserved.

14 28–2004.

15 (a) A holder of a Class A beer, wine, and liquor license may sell beer, wine, and
16 liquor on Monday through Sunday, from 6 a.m. to 2 a.m. the following day.

17 (b) [(1) Except as provided in paragraph (2) of this subsection, a] A holder of a
18 Class B beer, wine, and liquor license may sell beer, wine, and liquor on Monday through
19 Sunday, from 6 a.m. to 2 a.m. the following day.

20 [(2) The license holder may not sell beer, wine, or liquor at a bar or counter
21 on Sunday.]

22 (c) [(1) Except as provided in paragraph (2) of this subsection, a] A holder of a
23 Class C beer, wine, and liquor license may sell beer, wine, and liquor on Monday through
24 Sunday, from 6 a.m. to 2 a.m. the following day.

9lr0440

1 [(2) The license holder may not sell beer, wine, or liquor at a bar or counter
2 on Sunday.]

3 (d) A holder of a Class D beer, wine, and liquor license may sell beer, wine, and
4 liquor on Monday through Sunday, from 6 a.m. to 2 a.m. the following day.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
6 1, 2019.

COMMISSIONERS OF ST. MARY'S COUNTY
2019 LEGISLATIVE PROPOSAL FORM

JOINT MEETING
ST. MARY'S COUNTY LEGISLATIVE DELEGATION AND COMMISSIONERS OF ST. MARY'S COUNTY
DECEMBER 11, 2018 AT 6:00 P.M.
41770 BALDRIDGE STREET, LEONARDTOWN, MARYLAND

REQUESTOR: ALCOHOL BEVERAGE BOARD OF ST. MARY'S COUNTY – TAMARA HILDEBRAND,
ADMINISTRATOR

ADDRESS: 41650 TUDOR HALL RD., LEONARDTOWN, MD 20650

TELEPHONE: 301-475-4200 EXT. *1600

EMAIL: TAMARA.HILDEBRAND@STMARYSMD.COM

SUBJECT MATTER: CORRECTIVE LEGISLATION

LEGISLATIVE REFERENCE (IF KNOWN): Annotated Code: Alcoholic Beverages Article § 28-2003(b)
Code of St. Mary's County: Chapter _____

FISCAL IMPACT: YES ___ NO X AMOUNT: _____

REQUEST (continue on separate sheet, if necessary): Proposal to remove language in the Alcoholic Beverages Article prohibiting restaurants from serving beer or wine at a bar or counter on Sunday in order to conform to the intent of legislation enacted in 1971, removing all prohibitions to Sunday sales in St. Mary's County. During the revision of Article 2B, the statewide code was merged with the local county code, thereby reinstating the prohibition on restaurants. The Alcohol Beverage Board of St. Mary's County approved submission of the proposed correction on August 9, 2018. Language to be removed in ~~strikethrough~~:

ALCOHOLIC BEVERAGES

DIVISION II. PROVISIONS AFFECTING INDIVIDUAL JURISDICTIONS

TITLE 28. ST. MARY'S COUNTY

SUBTITLE 20. HOURS AND DAYS FOR CONSUMPTION AND SALE

§ 28-2003. Beer and wine licenses

(a) **Class A beer and wine license.** – A holder of a Class A beer and wine license may sell beer and wine on Monday through Sunday, from 6 a.m. to 2 a.m. the following day.

(b) **Class B beer and wine license.** –

(1) ~~Except as provided in paragraph (2) of this subsection,~~ a holder of a Class B beer and wine license may sell beer and wine on Monday through Sunday, from 6 a.m. to 2 a.m. the following day.

(2) ~~The license holder may not sell beer or wine at a bar or counter on Sunday.~~

SUBMIT BY SEPTEMBER 12, 2018 TO:

COMMISSIONERS OF ST. MARY'S COUNTY
41770 BALDRIDGE STREET
P.O. BOX 653
LEONARDTOWN MARYLAND 20650
csmc@stmarysmd.com

AND

DEBORAH C. REY, DELEGATE
DISTRICT 29B, ST. MARY'S COUNTY
323 HOUSE OFFICE BUILDING
6 BLADEN STREET
ANNAPOLIS, MD 21401
deborah.rev@house.state.md.us

Changes in ***Bold Italics***

ALCOHOLIC BEVERAGES
DIVISION II. PROVISIONS AFFECTING INDIVIDUAL
JURISDICTIONS
TITLE 28. ST. MARY'S COUNTY
SUBTITLE 20. HOURS AND DAYS FOR CONSUMPTION AND
SALE

§ 28-2003. Beer and wine licenses

(b) Class B beer and wine license. -

~~(2) The license holder may not sell beer or wine at a bar
or counter on Sunday.~~

§ 28-2004. Beer, wine, and liquor licenses

(b) Class B beer, wine, and liquor license. -

~~(2) The license holder may not sell beer, wine, or liquor
at a bar or counter on Sunday.~~

(c) Class C beer, wine, and liquor license. -

~~(2) The license holder may not sell beer, wine, or liquor
at a bar or counter on Sunday.~~

Approved
 Disapproved

APPROVED BY THE ALCOHOL BEVERAGE BOARD	
OF ST. MARY'S COUNTY	
DATE:	<u>9/9/2018</u>
SIGNATURE:	<u>[Signature]</u>
TITLE:	<u>CLERK</u>

The Alcohol Beverage Board of St. Mary's County

Board Members
Kevin M. Hall - Chair
Linda C. Palchinsky - Vice-Chair
Betty W. Currie - Member
Leonard L. Kohl, Jr. - Member
vacant - Member

P.O. Box 653
41650 Tudor Hall Road
Leonardtown, MD 20650
(301) 475-4200 Ext *1600- Fax (301) 475-3364
E-Mail: tamara.hildebrand@stmarysmd.com

James Tanavage - Attorney
Tamara E. Hildebrand - Board Administrator
Garland C. Thompson - Inspector
vacant - Alcohol Enforcement Coordinator

August 16, 2018

The Honorable Deborah C. Rey, Delegate
District 29B, St. Mary's County
323 House Office Building
6 Bladen Street
Annapolis, MD 21401

Dear Delegate Rey:

The purpose of this letter is to provide the St. Mary's County Delegation with background on the proposed legislative action for the upcoming 2019 Session of the General Assembly of Maryland. On August 9, 2018, the Alcohol Beverage Board of St. Mary's County approved three proposals and tabled one, which will be revisited at their September 13, 2018 meeting.

The first two proposals are solely to correct errors discovered in Title 28 §28-2003 and §28-2004 of the Alcoholic Beverages Article of the Annotated Code of Maryland. During the revision of Article 2B into the current Alcoholic Beverages Article, the revisers attempted to organize the article in a more comprehensive way. In doing so, some sections merged both state and county specific laws. For the majority of the revision this did not have an adverse effect, however in this case it did. The merging negated the intent of legislation passed in 1971 removing Sunday sale restrictions on all license classes. Failure to correct this error would mean that restaurants with bar or counter service have been in non-compliance for the past 47 years and would need to cease and desist any bar or counter service on Sundays. This is an obvious error but, considering the organization of the pre-revised article and the constraints the Code Revision Board were under, an understandable one. We hope we have your support in correcting this oversight.

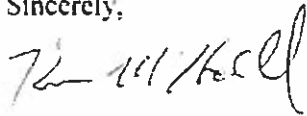
The third proposal benefits those organizations which qualify for per diem licenses: bona fide religious, fraternal, civic, veterans', hospital or charitable organizations. Currently the state law prohibits a license holder from holding multiple licenses, without any cited exceptions to non-retail entities. Organizations such as these are often hard pressed to find volunteers to sit on their boards. Thankfully we have many business owners who are only too willing to give their time and energy serving on the boards or as volunteers in these organizations. Unfortunately, if they already hold an alcoholic beverages license, this can preclude them from sitting on those boards. The Board Administrator has discussed this with the local licensed retailers and other county licensing boards to address any concerns they may have, as multi-licensing is a contentious topic. None were concerned as long as it was strictly limited to organizations that qualify for per diem licenses. The language followed similar language for other temporary licensing and we believe will avoid any unintended consequences that would have a negative impact on the industry.

These three proposals were discussed and unanimously approved for submission by this Board. The fourth proposal was to further restrict the number of Class A (liquor/package store) licenses in the eighth election district. After much discussion, the Board felt that more information, as well as an opportunity for the community and business owners in that district to comment was needed, so the proposal was tabled to the Board's next meeting on September 13th. Commissioner Morgan was also notified, as this proposal was specific to his district. It has come to our attention that the deadline for submission falls before our next meeting, so unless an exception can be made, we understand that if the Board finds support to submit this proposal, it may have to wait until next year.

We appreciate your support and welcome any suggestions you may have. Should you or the other members of the Delegation have questions, please feel free to contact the Board Administrator, Tamara Hildebrand at the number listed above.

Thank you for your time and consideration.

Sincerely,

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Kevin M. Hall,
Chair

cc: Commissioners of St. Mary's County

8

Bill No.: _____
Requested: _____
Committee: _____

Drafted by: Kozinn
Typed by: Fran
Stored – 09/26/18
Proofread by _____
Checked by _____

By: **St. Mary’s County Delegation**

A BILL ENTITLED

1 AN ACT concerning

2 **St. Mary’s County – Alcoholic Beverages – Sunday Sales at a Bar or Counter**

3 FOR the purpose of repealing the prohibition against holders of certain alcoholic beverages
4 licenses in St. Mary’s County from selling certain alcoholic beverages at a bar or
5 counter on Sunday; and generally relating to the sale of alcoholic beverages in St.
6 Mary’s County.

7 BY repealing and reenacting, without amendments,

8 Article – Alcoholic Beverages

9 Section 28–102

10 Annotated Code of Maryland

11 (2016 Volume and 2018 Supplement)

12 BY repealing and reenacting, with amendments,

13 Article – Alcoholic Beverages

14 Section 28–2003 and 28–2004

15 Annotated Code of Maryland

16 (2016 Volume and 2018 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

18 That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **Article – Alcoholic Beverages**

2 28–102.

3 This title applies only in St. Mary’s County.

4 28–2003.

5 (a) A holder of a Class A beer and wine license may sell beer and wine on Monday
6 through Sunday, from 6 a.m. to 2 a.m. the following day.

7 (b) [(1) Except as provided in paragraph (2) of this subsection, a] A holder of a
8 Class B beer and wine license may sell beer and wine on Monday through Sunday, from 6
9 a.m. to 2 a.m. the following day.

10 [(2) The license holder may not sell beer or wine at a bar or counter on
11 Sunday.]

12 (c) Reserved.

13 (d) Reserved.

14 28–2004.

15 (a) A holder of a Class A beer, wine, and liquor license may sell beer, wine, and
16 liquor on Monday through Sunday, from 6 a.m. to 2 a.m. the following day.

17 (b) [(1) Except as provided in paragraph (2) of this subsection, a] A holder of a
18 Class B beer, wine, and liquor license may sell beer, wine, and liquor on Monday through
19 Sunday, from 6 a.m. to 2 a.m. the following day.

20 [(2) The license holder may not sell beer, wine, or liquor at a bar or counter
21 on Sunday.]

22 (c) [(1) Except as provided in paragraph (2) of this subsection, a] A holder of a
23 Class C beer, wine, and liquor license may sell beer, wine, and liquor on Monday through
24 Sunday, from 6 a.m. to 2 a.m. the following day.

9lr0440

1 [(2) The license holder may not sell beer, wine, or liquor at a bar or counter
2 on Sunday.]

3 (d) A holder of a Class D beer, wine, and liquor license may sell beer, wine, and
4 liquor on Monday through Sunday, from 6 a.m. to 2 a.m. the following day.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
6 1, 2019.

COMMISSIONERS OF ST. MARY'S COUNTY
2019 LEGISLATIVE PROPOSAL FORM

JOINT MEETING
ST. MARY'S COUNTY LEGISLATIVE DELEGATION AND COMMISSIONERS OF ST. MARY'S COUNTY
DECEMBER 11, 2018 AT 6:00 P.M.
41770 BALDRIDGE STREET, LEONARDTOWN, MARYLAND

REQUESTOR: ALCOHOL BEVERAGE BOARD OF ST. MARY'S COUNTY – TAMARA HILDEBRAND,
ADMINISTRATOR

ADDRESS: 41650 TUDOR HALL RD., LEONARDTOWN, MD 20650

TELEPHONE: 301-475-4200 EXT. *1600

EMAIL: TAMARA.HILDEBRAND@STMARYSMD.COM

SUBJECT MATTER: CORRECTIVE LEGISLATION

LEGISLATIVE REFERENCE (IF KNOWN): Annotated Code: Alcoholic Beverages Article § 28-2004
Code of St. Mary's County: Chapter _____

FISCAL IMPACT: YES ___ NO X AMOUNT: _____

REQUEST (continue on separate sheet, if necessary): Proposal to remove language in the Alcoholic Beverages Article prohibiting restaurants or clubs from serving beer, wine or liquor at a bar or counter on Sunday in order to conform to the intent of legislation enacted in 1971, removing all prohibitions to Sunday sales in St. Mary's County. During the revision of Article 2B, the statewide code was merged with the local county code, thereby reinstating the prohibition on restaurants and clubs. The Alcohol Beverage Board of St. Mary's County approved submission of the proposed correction on August 9, 2018. Language to be removed in ~~strikethrough~~:

ALCOHOLIC BEVERAGES

DIVISION II. PROVISIONS AFFECTING INDIVIDUAL JURISDICTIONS

TITLE 28. ST. MARY'S COUNTY

SUBTITLE 20. HOURS AND DAYS FOR CONSUMPTION AND SALE

§ 28-2004. Beer, wine and liquor licenses

(a) **Class A beer, wine, and liquor license.** – A holder of a Class A beer, wine, and liquor license may sell beer, wine, and liquor on Monday through Sunday, from 6 a.m. to 2 a.m. the following day.

(b) **Class B beer, wine, and liquor license.** –

(1) ~~Except as provided in paragraph (2) of this subsection,~~ a holder of a Class B beer, wine, and liquor license may sell beer, wine, and liquor on Monday through Sunday, from 6 a.m. to 2 a.m. the following day.

~~(2) The license holder may not sell beer, wine, or liquor at a bar or counter on Sunday.~~

(c) **Class C beer, wine, and liquor license.** –

(1) ~~Except as provided in paragraph (2) of this subsection,~~ a holder of a Class C beer, wine, and liquor license may sell beer, wine, and liquor on Monday through Sunday, from 6 a.m. to 2 a.m. the following day.

~~(2) The license holder may not sell beer, wine, or liquor at a bar or counter on Sunday.~~

(d) **Class D beer, wine, and liquor license.** – A holder of a Class D beer, wine, and liquor license may sell beer, wine, and liquor on Monday through Sunday, from 6 a.m. to 2 a.m. the following day.

SUBMIT BY SEPTEMBER 12, 2018 TO:

COMMISSIONERS OF ST. MARY'S COUNTY
41770 BALDRIDGE STREET
P.O. Box 653
LEONARDTOWN MARYLAND 20650
csmc@stmarysmd.com

AND

DEBORAH C. REY, DELEGATE
DISTRICT 29B, ST. MARY'S COUNTY
323 HOUSE OFFICE BUILDING
6 BLADEN STREET
ANNAPOLIS, MD 21401
deborah.rey@house.state.md.us

Changes in ***Bold Italics***

ALCOHOLIC BEVERAGES
DIVISION II. PROVISIONS AFFECTING INDIVIDUAL
JURISDICTIONS
TITLE 28. ST. MARY'S COUNTY
SUBTITLE 20. HOURS AND DAYS FOR CONSUMPTION AND
SALE

§ 28-2003. Beer and wine licenses

(b) Class B beer and wine license. -

~~(2) The license holder may not sell beer or wine at a bar
or counter on Sunday.~~

§ 28-2004. Beer, wine, and liquor licenses

(b) Class B beer, wine, and liquor license. -

~~(2) The license holder may not sell beer, wine, or liquor
at a bar or counter on Sunday.~~

(c) Class C beer, wine, and liquor license. -

~~(2) The license holder may not sell beer, wine, or liquor
at a bar or counter on Sunday.~~

Approved
 Disapproved

APPROVED BY THE ALCOHOL BEVERAGE BOARD	
OF ST. MARY'S COUNTY	
DATE:	<u>9/9/2018</u>
SIGNATURE:	<u>[Handwritten Signature]</u>
TITLE:	<u>CLERK</u>

The Alcohol Beverage Board of St. Mary's County

Board Members
Kevin M Hall - Chair
Linda C Palchinsky - Vice-Chair
Betty W Currie - Member
Leonard I. Kohl, Jr. - Member
va. ant. - Member

P.O. Box 653
41650 Tudor Hall Road
Leonardtown, MD 20650
(301) 475-4200 Ext *1600- Fax (301) 475-3364
E-Mail: tamara.hildebrand@stmarysmd.com

James Tanavage - Attorney
Tamara E Hildebrand - Board Administrator
Garland C Thompson - Inspector
vacant - Alcohol Enforcement Coordinator

August 16, 2018

The Honorable Deborah C. Rey, Delegate
District 29B, St. Mary's County
323 House Office Building
6 Bladen Street
Annapolis, MD 21401

Dear Delegate Rey:

The purpose of this letter is to provide the St. Mary's County Delegation with background on the proposed legislative action for the upcoming 2019 Session of the General Assembly of Maryland. On August 9, 2018, the Alcohol Beverage Board of St. Mary's County approved three proposals and tabled one, which will be revisited at their September 13, 2018 meeting.

The first two proposals are solely to correct errors discovered in Title 28 §28-2003 and §28-2004 of the Alcoholic Beverages Article of the Annotated Code of Maryland. During the revision of Article 2B into the current Alcoholic Beverages Article, the revisers attempted to organize the article in a more comprehensive way. In doing so, some sections merged both state and county specific laws. For the majority of the revision this did not have an adverse effect, however in this case it did. The merging negated the intent of legislation passed in 1971 removing Sunday sale restrictions on all license classes. Failure to correct this error would mean that restaurants with bar or counter service have been in non-compliance for the past 47 years and would need to cease and desist any bar or counter service on Sundays. This is an obvious error but, considering the organization of the pre-revised article and the constraints the Code Revision Board were under, an understandable one. We hope we have your support in correcting this oversight.

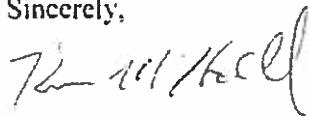
The third proposal benefits those organizations which qualify for per diem licenses: bona fide religious, fraternal, civic, veterans', hospital or charitable organizations. Currently the state law prohibits a license holder from holding multiple licenses, without any cited exceptions to non-retail entities. Organizations such as these are often hard pressed to find volunteers to sit on their boards. Thankfully we have many business owners who are only too willing to give their time and energy serving on the boards or as volunteers in these organizations. Unfortunately, if they already hold an alcoholic beverages license, this can preclude them from sitting on those boards. The Board Administrator has discussed this with the local licensed retailers and other county licensing boards to address any concerns they may have, as multi-licensing is a contentious topic. None were concerned as long as it was strictly limited to organizations that qualify for per diem licenses. The language followed similar language for other temporary licensing and we believe will avoid any unintended consequences that would have a negative impact on the industry.

These three proposals were discussed and unanimously approved for submission by this Board. The fourth proposal was to further restrict the number of Class A (liquor/package store) licenses in the eighth election district. After much discussion, the Board felt that more information, as well as an opportunity for the community and business owners in that district to comment was needed, so the proposal was tabled to the Board's next meeting on September 13th. Commissioner Morgan was also notified, as this proposal was specific to his district. It has come to our attention that the deadline for submission falls before our next meeting, so unless an exception can be made, we understand that if the Board finds support to submit this proposal, it may have to wait until next year.

We appreciate your support and welcome any suggestions you may have. Should you or the other members of the Delegation have questions, please feel free to contact the Board Administrator, Tamara Hildebrand at the number listed above.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin M. Hall". The signature is written in a cursive style with a large initial "K".

Kevin M. Hall,
Chair

cc: Commissioners of St. Mary's County

9

Bill No.: _____
Requested: _____
Committee: _____

Drafted by: McCarthy
Typed by: Fran
Stored – 09/25/18
Proofread by _____
Checked by _____

By: **St. Mary’s County Delegation**

A BILL ENTITLED

1 AN ACT concerning

2 **St. Mary’s County – Alcoholic Beverages – Class C Per Diem Licenses**

3 FOR the purpose of authorizing in St. Mary’s County a Class C per diem license holder to
4 hold another license of a different class or nature; and generally relating to alcoholic
5 beverages licenses in St. Mary’s County.

6 BY repealing and reenacting, without amendments,
7 Article – Alcoholic Beverages
8 Section 28–102
9 Annotated Code of Maryland
10 (2016 Volume and 2018 Supplement)

11 BY repealing and reenacting, with amendments,
12 Article – Alcoholic Beverages
13 Section 28–1309
14 Annotated Code of Maryland
15 (2016 Volume and 2018 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
17 That the Laws of Maryland read as follows:

18 **Article – Alcoholic Beverages**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 28-102.

2 This title applies only in St. Mary's County.

3 28-1309.

4 (a) There is:

5 (1) a Class C per diem beer license;

6 (2) a Class C per diem beer and wine license; and

7 (3) a Class C per diem beer, wine, and liquor license.

8 (b) The Board may:

9 (1) issue a license to a:

10 (i) religious, fraternal, civic, veterans', or charitable organization,
11 association, club, or society; or

12 (ii) hospital supporting organization; and

13 (2) impose conditions on the license.

14 (c) The period for which a license under this section may be issued is:

15 (1) for a Class C per diem beer license, not longer than 10 days;

16 (2) for a Class C per diem beer and wine license, 1 day; and

17 (3) for a Class C per diem beer, wine, and liquor license, 1 day.

18 (d) A license holder may purchase the alcoholic beverages to be sold under the
19 license from a retail dealer.

9lr0442

1 **(E) THE LICENSE HOLDER MAY HOLD ANOTHER LICENSE OF A DIFFERENT**
2 **CLASS OR NATURE.**

3 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July**
4 **1, 2019.**

COMMISSIONERS OF ST. MARY'S COUNTY
2019 LEGISLATIVE PROPOSAL FORM

JOINT MEETING
ST. MARY'S COUNTY LEGISLATIVE DELEGATION AND COMMISSIONERS OF ST. MARY'S COUNTY
DECEMBER 11, 2018 AT 6:00 P.M.
41770 BALDRIDGE STREET, LEONARDTOWN, MARYLAND

REQUESTOR: ALCOHOL BEVERAGE BOARD OF ST. MARY'S COUNTY – TAMARA HILDEBRAND,
ADMINISTRATOR

ADDRESS: 41650 TUDOR HALL RD., LEONARDTOWN, MD 20650

TELEPHONE: 301-475-4200 EXT. *1600

EMAIL: TAMARA.HILDEBRAND@STMARYSMD.COM

SUBJECT MATTER: NEW LEGISLATION

LEGISLATIVE REFERENCE (IF KNOWN): Annotated Code: Alcoholic Beverages Article § 28-1309
Code of St. Mary's County: Chapter _____

FISCAL IMPACT: YES ___ NO X AMOUNT: _____

REQUEST (continue on separate sheet, if necessary): Proposal to create language in the Alcoholic Beverages Article allowing Class C per diem license holders to hold another license of a different class or nature. The Alcohol Beverage Board of St. Mary's County approved submission of the proposed action on August 9, 2018. Language to be added in *bold italics*:

ALCOHOLIC BEVERAGES
DIVISION II. PROVISIONS AFFECTING INDIVIDUAL JURISDICTIONS
TITLE 28. ST. MARY'S COUNTY
SUBTITLE 13. TEMPORARY LICENSES
PART III. PER DIEM, MULTIPLE DAY, AND MULTIPLE EVENT LICENSES

§ 28-1309. Class C per diem licenses

(e) Holding another license allowed. -- The license holder may hold another license of a different class or nature

SUBMIT BY SEPTEMBER 12, 2018 TO:

COMMISSIONERS OF ST. MARY'S COUNTY
41770 BALDRIDGE STREET
P.O. BOX 653
LEONARDTOWN MARYLAND 20650
csmc@stmarysmd.com

AND

DEBORAH C. REY, DELEGATE
DISTRICT 29B, ST. MARY'S COUNTY
323 HOUSE OFFICE BUILDING
6 BLADEN STREET
ANNAPOLIS, MD 21401
deborah.rey@house.state.md.us

Changes in ***Bold Italics***

Corrective Legislation to be submitted for the 2019 Legislative Session:

ALCOHOLIC BEVERAGES
DIVISION II. PROVISIONS AFFECTING INDIVIDUAL
JURISDICTIONS
TITLE 28. ST. MARY'S COUNTY
SUBTITLE 16. LICENSING CONDITIONS; MULTIPLE
LICENSING PLANS
PART I. LICENSING CONDITIONS

§ 28-1601. Quota for Class A licenses

(a) In general. -- The Board may not:

(1)

(i) except as provided in subparagraph (ii) of this paragraph, issue more than one Class A license for every 1,350 individuals in an election district in the county

(ii) issue more than one Class A license for every 2,700 residents in the eighth election district

TABLED

Approved

Disapproved

ALCOHOLIC BEVERAGES
DIVISION II. PROVISIONS AFFECTING INDIVIDUAL
JURISDICTIONS
TITLE 28. ST. MARY'S COUNTY
SUBTITLE 13. TEMPORARY LICENSES
PART III. PER DIEM, MULTIPLE DAY, AND MULTIPLE EVENT
LICENSES

§ 28-1309. Class C per diem licenses

(e) Holding another license allowed. -- The license holder may hold another license of a different class or nature

Approved

Disapproved

The Alcohol Beverage Board of St. Mary's County

Board Members
Kevin M. Hall - Chair
Linda C. Palchinsky - Vice-Chair
Betty W. Currie - Member
Leonard L. Kohl, Jr. - Member
vacant - Member

P.O. Box 653
41650 Tudor Hall Road
Leonardtown, MD 20650
(301) 475-4200 Ext *1600- Fax (301) 475-3364
E-Mail: tamara.hildebrand@stmarysmd.com

James Tanavage - Attorney
Tamara E. Hildebrand - Board Administrator
Garland C. Thompson - Inspector
vacant - Alcohol Enforcement Coordinator

August 16, 2018

The Honorable Deborah C. Rey, Delegate
District 29B, St. Mary's County
323 House Office Building
6 Bladen Street
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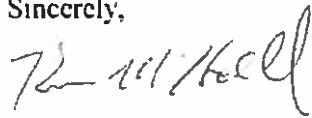
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Thank you for your time and consideration.

Sincerely,

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Kevin M. Hall,
Chair

cc: Commissioners of St. Mary's County

10

**COMMISSIONERS OF ST. MARY'S COUNTY
2019 LEGISLATIVE PROPOSAL FORM**

JOINT MEETING

**ST. MARY'S COUNTY LEGISLATIVE DELEGATION AND COMMISSIONERS OF ST. MARY'S COUNTY
DECEMBER 11, 2018 AT 6:00 P.M.
41770 BALDRIDGE STREET, LEONARDTOWN, MARYLAND**

REQUESTOR: ALBERT BABCOCK

ADDRESS: 45280 ELMBROOK DRIVE, CALIFORNIA, MD 20619

TELEPHONE: (301)481-1865

EMAIL: ALLIE7026@AOL.COM

SUBJECT MATTER: CHILD SUPPORT (CREDITORS)

LEGISLATIVE REFERENCE (IF KNOWN): Annotated Code: Title 8 MD Article §
Code of St. Mary's County: Chapter

FISCAL IMPACT: YES NO AMOUNT:

REQUEST (continue on separate sheet, if necessary):

Allow back child support owed by the Estate to be claimed as a creditor.

SUBMIT BY SEPTEMBER 12, 2018 TO:

**COMMISSIONERS OF ST. MARY'S COUNTY
41770 BALDRIDGE STREET
P.O. BOX 653
LEONARDTOWN MARYLAND 20650
csmc@stmarysmd.com**

AND

**DEBORAH C. REY, DELEGATE
DISTRICT 29B, ST. MARY'S COUNTY
323 HOUSE OFFICE BUILDING
6 BLADEN STREET
ANNAPOLIS, MD 21401
deborah.rey@house.state.md.us**

NOTE

The validity of such agreements often depends on the law of contracts and specifically the limitation that past consideration or the satisfaction of a moral duty may not be adequate consideration. See *Reece*, 239 Md. at 661, 212 A.2d at 475.

3. [§ 6.48] Alimony and Support Payments

One difference between technical alimony and amounts due under a settlement agreement is that alimony terminates at death whereas the settlement agreement may, by its own terms, continue after death. *Bellofatto v. Bellofatto*, 245 Md. 379, 226 A.2d 313 (1967); *La Chance v. La Chance*, 28 Md. App. 571, 346 A.2d 676 (1975). Alimony in arrears may be claimed against the estate. *Brown (Dorothy) v. Brown (Harold)*, 278 Md. 672, 366 A.2d 18 (1976). See also FAM. LAW § 11-108. There is no duty upon a deceased parent to support a child or upon a deceased spouse to support the surviving spouse. Prior to the enactment of art. 46 of the Maryland Declaration of Rights (ERA) and the decision in *Condore v. Prince George's County*, 289 Md. 516, 425 A.2d 1011 (1981), bills outstanding on the date of death for "necessaries" furnished to decedent's wife or children were payable by the estate. It would appear that, even under present law, if the breadwinner dies, all household bills incurred prior to death may be paid by the estate, on the basis of contract law.

4. [§ 6.49] Personal Representative's or Attorney's Claims
Against the Estate for Services Rendered Prior
to Death (MD. RULE 6-414)

There is no statutory bar preventing a personal representative from filing a claim against the estate for monies owed to him or her, including fees for services rendered prior to death. See generally *Talbert v. Reeves*, 211 Md. 275, 127 A.2d 533 (1956).

COMMENT RE FILING CLAIM FOR PERSONAL REPRESENTATIVE: A careful reading of the case law would support a conclusion that a personal representative who has a claim against the estate must file the claim in the estate and cannot rely on his or her own actual knowledge of his or her own claim. See *Campbell v. Welsh*, 54 Md. App. 614, 460 A.2d 76, cert. denied, 297 Md. 108 (1983). See also *Lampton v. LaHood*, 94 Md. App. 461, 617 A.2d 1142 (1993). While some have suggested that the effect of MD. RULE 6-414 is to eliminate a formal presentment requirement, caution dictates that a claim be filed.