



Deposition of:
Talbot County Council Meeting

February 25, 2020

In the Matter of:
Talbot County Council Meeting

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COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND

Council Meeting

February 25, 2020; 6:00 p.m.

Council Chambers, Easton, Maryland

COUNCIL MEMBERS:

Corey W. Pack

Chuck F. Callahan - Via Telephone

Frank Divilio

Pete Leshner

Laura E. Price

Reported by

Diane Houlihan

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<p>1 TRANSCRIPT OF PROCEEDINGS</p> <p>2</p> <p>3 MR. PACK: Okay. Ladies and gentlemen,</p> <p>4 thank you for joining us. We're going to get</p> <p>5 started. If you wouldn't mind standing with us</p> <p>6 for the opening prayer followed by the Pledge</p> <p>7 of Allegiance.</p> <p>8 (Prayer and Pledge of Allegiance)</p> <p>9 MR. PACK: Thank you. We had a chance to</p> <p>10 look at the agenda. You will notice that we</p> <p>11 have a rather packed agenda this evening.</p> <p>12 We'll get to those items momentarily.</p> <p>13 Council right now has the agenda before</p> <p>14 us. The chair would ask if there's any</p> <p>15 additions, deletions, or corrections to the</p> <p>16 agenda at this time?</p> <p>17 MR. DIVILIO: I would like to make an</p> <p>18 amendment to the agenda at this time.</p> <p>19 MR. PACK: Okay. How so?</p> <p>20 MR. DIVILIO: I would like to add three</p> <p>21 bills for consideration.</p>	<p>1 SECRETARY: Ms. Price.</p> <p>2 MS. PRICE: Aye.</p> <p>3 SECRETARY: Mr. Leshner.</p> <p>4 MR. LESHER: Aye.</p> <p>5 MR. PACK: Okay. So Madam Secretary, I</p> <p>6 guess we'll put those items as double F.</p> <p>7 MS. PRICE: Since Delegate Mautz is here,</p> <p>8 do you want --</p> <p>9 MR. PACK: Ms. Price, let me --</p> <p>10 MS. PRICE: You're asking where to put</p> <p>11 them. Do you want to put them at the beginning</p> <p>12 so he can speak on all of his bills at once?</p> <p>13 MR. PACK: Are these Delegate Mautz's</p> <p>14 bills?</p> <p>15 MR. DIVILIO: Yes. Why don't we do that?</p> <p>16 MR. PACK: Huh?</p> <p>17 MR. DIVILIO: Why don't we do that?</p> <p>18 MR. PACK: Ninety-five, starting with 95?</p> <p>19 SECRETARY: Delegate Mautz also has AA and</p> <p>20 BB.</p> <p>21 MR. LESHER: So you could add this after</p>
<p>Page 3</p> <p>1 MR. PACK: Okay.</p> <p>2 MR. DIVILIO: They are -- I just deleted</p> <p>3 that e-mail. They are HB 4, HB 1257, HB 636.</p> <p>4 MR. PACK: Okay. Mr. Divilio is asking</p> <p>5 that the agenda be amended to include the</p> <p>6 following bills: HB 4, HB 1257, and HB 636.</p> <p>7 Is there a second to his motion?</p> <p>8 MS. PRICE: I would like to add another</p> <p>9 bill --</p> <p>10 MR. PACK: Let me go with his motion</p> <p>11 first, please.</p> <p>12 Is there a second to his motion?</p> <p>13 MS. PRICE: Second.</p> <p>14 MR. PACK: Seconded by Ms. Price. Any</p> <p>15 further discussion on the motion?</p> <p>16 Hearing none, Madam Secretary, please call</p> <p>17 the roll.</p> <p>18 SECRETARY: Mr. Pack.</p> <p>19 MR. PACK: Aye.</p> <p>20 SECRETARY: Mr. Divilio.</p> <p>21 MR. DIVILIO: Aye.</p>	<p>Page 5</p> <p>1 double B, put them all together.</p> <p>2 MR. PACK: Thank you. Let's go with. . .</p> <p>3 MR. LESHER: You don't expect him to be on</p> <p>4 time, do you?</p> <p>5 MS. PRICE: He's here.</p> <p>6 MR. PACK: He's actually here.</p> <p>7 MS. PRICE: He's here. I would actually</p> <p>8 allow him to go first on all of those bills.</p> <p>9 MR. PACK: Why don't we go BB -- wait a</p> <p>10 minute. I thought he had. . .</p> <p>11 MR. DIVILIO: Yeah, he has CC also. CC 1,</p> <p>12 2, and 3.</p> <p>13 MR. PACK: Okay. Then we can do that.</p> <p>14 Yeah, put him after BB and CC. I guess we'll</p> <p>15 do it that way. We'll keep them all together.</p> <p>16 Put HB 4 I guess as BB 1, and then we can go</p> <p>17 1256 as CC 1.</p> <p>18 MR. DIVILIO: Seven.</p> <p>19 MR. PACK: I'm sorry. 1257 as CC 1 and</p> <p>20 then 636 as CC 2.</p> <p>21 MR. DIVILIO: Correct.</p>

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<p>1 MR. LESHHER: Sorry about that, Delegate 2 Mautz. 3 MR. PACK: So these are requests for 4 Delegate Mautz when we get to those in a 5 second. Okay. So that change has been motion 6 and second. 7 Any additional changes or deletions or 8 corrections to the agenda? 9 MS. PRICE: Yes. I do think that we need 10 to add the Kirwan Bill, SB 1000, HB 1300, for 11 at least some discussion. After they've had 12 the hearing, there are going to be additional 13 hearings and they're asking for amendments, if 14 any, to be submitted as soon as possible. 15 MR. PACK: Could we do those at a later 16 date rather than -- 17 MS. PRICE: No. 18 MR. PACK: Being so full today. 19 MS. PRICE: I think we just need to have 20 discussion, get some general direction what 21 Talbot County wants to do about this bill</p>	<p>1 something to the agenda. Tonight is bill 2 night. 3 MR. PACK: Give me your motion, we'll see 4 if it carries. 5 MS. PRICE: So my motion is to at least 6 have a discussion on Kirwan to see what 7 direction we want -- 8 MR. PACK: Give me the House bill. 9 MS. PRICE: House Bill 1300. 10 MR. PACK: 1300. 11 MS. PRICE: SB 1000. 12 MR. PACK: SB 1000. Again, I have not had 13 a chance to read the full bill. I know it's 14 like 175 pages to that bill. 15 MS. PRICE: Well, considering the hearing 16 was over a week ago, I think that everybody 17 should have read it at this point. 18 MR. PACK: Well, I have not had a chance, 19 Ms. Price. We have a number of bills in front 20 of us. 21 So is there a second to the motion?</p>
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<p>1 because it has major repercussions and our next 2 meeting is not until the 10th. The ship will 3 have sailed. So I just think we need to have 4 at least some discussion and talk through 5 whether we want to submit some testimony to 6 them. I mean it's too important not to. 7 MR. PACK: Go ahead. 8 MR. DIVILIO: So last year when we met 9 with the or when we had the meeting out to the 10 high school, there was a teacher that came up 11 and said if we're yelling at the wrong group, 12 we need to yell at the right group, tell us 13 when and where. 14 I would like the opportunity for the 15 educators, the teachers association, and the 16 administrators to write out to us what they 17 would like out of Kirwan, what they don't like, 18 and what funding mechanisms they don't like -- 19 MS. PRICE: Two completely different 20 perspectives. 21 And as a Councilperson, anybody can add</p>	<p>1 Hearing none, the motion fails. 2 MR. LESHHER: I'm not prepared. 3 MR. PACK: Hearing none, the motion fails. 4 Now, going down to the minutes from 5 January -- 6 MS. PRICE: Wow. I'm sorry. That is just 7 the biggest bill in Maryland State history and 8 you all won't discuss it. 9 I have discussed it up here -- 10 MR. PACK: Ms. Price. 11 MS. PRICE: Excuse me one second. I have 12 discussed it up here on numerous occasions. 13 And if this Council is not prepared to discuss 14 it, I am truly horrified at that. 15 MR. PACK: Ms. Price, call to order. We 16 are going to move on with the agenda at this 17 time. 18 With the minutes of January 28th, is there 19 a motion to accept the minutes? Any additions, 20 deletions, or corrections? 21 MR. LESHHER: So moved.</p>

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<p>1 MR. PACK: Moved by Mr. Lesher.</p> <p>2 MR. DIVILIO: Second.</p> <p>3 MR. PACK: Seconded by Mr. Divilio.</p> <p>4 Disbursements of February the 18th and</p> <p>5 February 25th. If there's no changes or</p> <p>6 deletions or corrections to those</p> <p>7 disbursements, the chair will move that they be</p> <p>8 accepted with unanimous consent. Hearing none,</p> <p>9 they are accepted.</p> <p>10 Moving on now to agenda item number five.</p> <p>11 This is a Certificate of Recognition for the</p> <p>12 100th anniversary for the Blake Blackston</p> <p>13 American Legion Post 77. We have some of those</p> <p>14 fine gentlemen with us this evening.</p> <p>15 So why don't you gentlemen please make</p> <p>16 your way up to the table. Right there is fine.</p> <p>17 Whoever is going to be the spokesman, they can</p> <p>18 have a seat. And I guess the other guys can</p> <p>19 file in behind them.</p> <p>20 First of all, we want to say thank you,</p> <p>21 all, for your service to this nation. And we</p>	<p>1 So what is happening with your 100th year</p> <p>2 celebration?</p> <p>3 You can pull that closer. It will move.</p> <p>4 COMMANDER WALLER: Well, March the 21st we</p> <p>5 got a big celebration down at the Post.</p> <p>6 MR. PACK: You might want to slide back</p> <p>7 just a bit. There you go. It's really</p> <p>8 sensitive.</p> <p>9 March the?</p> <p>10 COMMANDER WALLER: Twenty-first.</p> <p>11 MR. PACK: Twenty-first, okay.</p> <p>12 COMMANDER WALLER: At two p.m., starting</p> <p>13 at two p.m. From two to three, we got a social</p> <p>14 hour. And then at four, we got the program,</p> <p>15 very nice program, real nice. And then at</p> <p>16 five, we eat. And then from five to six, we</p> <p>17 eat. And then after that, we have a</p> <p>18 get-together and have a little social hour</p> <p>19 get-together.</p> <p>20 We got a book coming out. We got a book</p> <p>21 about the American Legion Post 77.</p>
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<p>1 also want to say congratulations for 100 years</p> <p>2 of leadership, 100 years of operations here in</p> <p>3 Talbot County under the banner of the Blake</p> <p>4 Blackston Post 77.</p> <p>5 If you would, identify yourself. You want</p> <p>6 to identify the other members who are here with</p> <p>7 us, I would appreciate that.</p> <p>8 COMMANDER WALLER: My name is Michael</p> <p>9 Waller. I'm the commander of the Post. This</p> <p>10 is Victor Middleton, he's the chaplain.</p> <p>11 MR. NEWMAN: Jerry Newman, the service</p> <p>12 officer.</p> <p>13 MR. FERGUSON: Lorenzo Ferguson, assistant</p> <p>14 adjutant.</p> <p>15 MR. PACK: Thank you.</p> <p>16 MR. GOULD: Wallace Gould, house</p> <p>17 chairman.</p> <p>18 MR. BLACK: Walter Black, judge advocate.</p> <p>19 MR. SCOTT: Willis Scott, finance officer.</p> <p>20 MR. PACK: And thank you and welcome to</p> <p>21 all of you.</p>	<p>1 And you know about the renovation we got</p> <p>2 going.</p> <p>3 MR. PACK: Yes. I want to hear a little</p> <p>4 bit more about that as well when you get a</p> <p>5 chance. Yes.</p> <p>6 COMMANDER WALLER: Well, Walter Black,</p> <p>7 he'll tell you about the renovation.</p> <p>8 MR. PACK: We'll bring him up shortly</p> <p>9 then.</p> <p>10 COMMANDER WALLER: But let me see. We</p> <p>11 got -- we're doing so much for the community</p> <p>12 and we're doing a lot of things. Helping the</p> <p>13 youth, helping the veterans.</p> <p>14 And by expansion of our Post, there's</p> <p>15 going to be a big thing. We can do more</p> <p>16 activities for the community and for the Post.</p> <p>17 And like I said, we just want to thank the</p> <p>18 Talbot County Council for what y'all are doing</p> <p>19 for us, the big help y'all are doing. We</p> <p>20 really appreciate it.</p> <p>21 I don't know if anybody else got any words</p>

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1 or not. Probably Mr. Black most likely.

2 MR. PACK: We'll bring Mr. Black up and

3 let us know about the capital campaign.

4 I think you all had come to us last year,

5 if I remember, Walter, when you first started

6 this capital campaign. How is it going and

7 what can we do to help, if you need anything

8 additional?

9 MR. BLACK: Well, first of all, good

10 evening, Mr. Chairman and members of the

11 Council and staff. We appreciate being here.

12 Yes. We are continually moving toward our

13 renovation, which will be renovating and

14 expanding and making it more modern. And we're

15 doing this because it will help us to further

16 carry out the mission of the American Legion,

17 which is to help veterans, their families, the

18 youth, and the community.

19 Right now, we're in the process of still

20 raising money. We've been fortunate to receive

21 a couple of grants. We're going back and

Page 15

1 asking for more in terms of grant money.

2 And our renovation will go in two phases.

3 One is phase one, which will be the bigger part

4 of our building to include our kitchen. And

5 after that will be phase two, which will be the

6 smaller side of the building.

7 And when it's completed, we believe that

8 we will -- in fact, we know that we will be

9 better able to serve the community in terms of

10 a place for veterans to come. We plan to be

11 able to host banquets, birthday parties,

12 weddings, and also programs for the youth.

13 And again, as the commander said, we are

14 very appreciative for the support of this

15 Council as well as everyone else in the

16 community is supporting us.

17 MR. PACK: And we certainly are here to

18 assist you in any way we can.

19 The Post has given away literally I would

20 say hundreds of thousands of dollars over the

21 years. I mean I can't put a number, but I'm

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1 sure maybe your treasurer can.

2 And even today, people may not realize the

3 giving of the Post. I know you give very

4 liberally to Neighborhood Service Center, you

5 provide glasses for veterans who may need

6 glasses and prescription. So the Post plays a

7 vital role in shoring up some of those gaps in

8 services that veterans may run up against. I

9 don't think people quite understand the role

10 that you play with that.

11 MR. BLACK: Well, you're right,

12 Mr. Chairman. We are very fortunate and we are

13 very privileged to be able to support the

14 community in that capacity.

15 We get many different types of requests

16 for many different types of situations and

17 emergencies that come up. As you mentioned,

18 we've been real fortunate to be able to give to

19 the Neighborhood Service Center.

20 But we also give to such organizations

21 throughout the county. Hospital Foundation,

Page 17

1 Board of Education Foundation, hospice,

2 scholarships.

3 MR. PACK: You do the Scholarship

4 Foundation, too, right.

5 MR. BLACK: Frederick Douglass Honor

6 Society.

7 And the income, some folks might be

8 curious as to, well, where does the income.

9 Well, we're fortunate through the act of the

10 Maryland legislature to have slot machines.

11 Y'all come on down. And by law, and the slot

12 machine legislation permits five, up to five

13 machines in certain nonprofit organizations

14 such as the Elks, American Legion, VFW, and so

15 forth.

16 But one stipulation is that we must give

17 50 percent of that to the community. And that

18 is what we do. We have a very stringy

19 treasurer here, and he makes certain that we

20 follow the law. And we've been able to give in

21 excess of \$100,000 in several years, and we

Page 18

1 look forward to continue doing that.

2 Now, the amount that we're able to give

3 depends on the amount of money that's played in

4 the slot machines.

5 MR. PACK: Well, we certainly thank you

6 for that giving.

7 Other than this March 21st event, is there

8 going to be a year-long celebration as this is

9 your centennial or is this the only event that

10 you will be holding during the calendar year?

11 COMMANDER WALLER: All right. This event

12 is the main event.

13 MR. PACK: It's the main event.

14 COMMANDER WALLER: Yes, that's the main

15 event.

16 MR. PACK: Okay. Is the 21st the

17 founding?

18 COMMANDER WALLER: No. The founding is

19 February the 23rd -- 19th. February the 19th.

20 MR. PACK: February 19th.

21 COMMANDER WALLER: 1920, February 19,

Page 19

1 1920, that's when the Blake Blackston Post 77

2 was established, 100 years.

3 MR. BLACK: And the name Blake Blackston

4 was in honor of two soldiers who were missing

5 in action in World War I. And I don't think

6 their bodies were ever recovered.

7 MR. PACK: We're going to read the

8 proclamation, which retells that, because

9 you're right. I don't think many people do

10 realize that, that's it's actually two people.

11 It's not Blake Blackston, one name. It's

12 actually two individuals that the Post is named

13 after.

14 And people should know the history. This

15 is, after all, African American History Month,

16 and we should take time out to reflect upon our

17 history and build upon that.

18 So again, to Post 77, to all of you for

19 what you've done leading up to today, we thank

20 you for what you're going to do in the future.

21 Because I know that you have a big generous

Page 20

1 heart. And as long as that slot machine keeps

2 on rolling, you'll keep on giving.

3 COMMANDER WALLER: Yes.

4 MR. PACK: So before we read the

5 proclamation, I'll turn it over to my fellow

6 Council members for comment.

7 MR. LESHER: I enjoyed joining you for

8 your last installation of officers and look

9 forward to be able to join you again.

10 Congratulations on this big milestone.

11 COMMANDER WALLER: Thank you.

12 MS. PRICE: Congratulations. Thank you.

13 COMMANDER WALLER: Thank you.

14 MR. PACK: Madam Secretary, we do have a

15 proclamation. If you wouldn't mind reading it.

16 SECRETARY: Proclamation, Blake Blackston

17 American Legion Post Number 77, Easton,

18 Maryland.

19 Whereas, the foundation of the American

20 Legion began in February 1919 when 20 officers

21 of the American Expeditionary Force, the AEF,

Page 21

1 who had served in France during World War I,

2 were asked by the AEF headquarters to suggest

3 ideas to improve the morale of soldiers.

4 And whereas, in March 1919, the first

5 organizational meeting took place in Paris,

6 France, where approximately 1,000 officers and

7 enlisted men attended what was known as the

8 Paris Caucus.

9 And whereas, the Caucus adopted a

10 temporary constitution, the name American

11 Legion, and elected an executive committee to

12 complete the organization's work and to

13 organize veterans back home in the United

14 States.

15 And whereas, 15 African American men who

16 had served in the US Armed Forces between

17 April 16, 1917, and November 11, 1918,

18 organized an American Legion Post in Easton,

19 Maryland, and were granted a temporary charter

20 on February 26, 1920, with Mr. Harry N. Dodson

21 serving as the Post's first commander.

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<p>1 And whereas, the name, Blake Blackston 2 Post Number 77, was selected to honor missing 3 in action soldiers, Mr. Nelson Blake of 4 Unionville and Mr. John Blackston of Trappe, 5 who fought and gave the ultimate sacrifice for 6 their country in World War I. 7 And whereas, Post Number 77 purchased 8 property at its current location, 102 Glenwood 9 Avenue, Easton, in 1958 and received its 10 permanent charter on June 27, 1960. 11 And whereas, through an expansion of the 12 facility in 1987 and another planned expansion 13 in the near future, the members of Blake 14 Blackston American Legion Post Number 77 and 15 its auxiliary continue to serve Talbot County 16 community by sponsoring and financially 17 supporting worthy community projects, offering 18 educational scholarships to students in Talbot 19 County, and participating in Memorial Day and 20 Veterans Day celebrations to honor those who 21 served in the Armed Forces of the United</p>	<p>1 SECRETARY: Mr. Pack. 2 MR. PACK: Aye. 3 SECRETARY: Mr. Divilio. 4 MR. DIVILIO: Aye. 5 SECRETARY: Ms. Price. 6 MS. PRICE: Aye. 7 SECRETARY: Mr. Leshner. 8 MR. LESHER: Aye. 9 MR. PACK: And Council, if you would 10 indulge me, I will present the proclamation. 11 Commander, if you will bring your troops 12 forward. Commander, congratulations. Good 13 seeing you. Congratulations. Commander, why 14 don't you get in the middle. 15 Again, thank you very much for all that 16 you do in the community. We appreciate it. 17 Thank you very much. 18 Okay. Remember, play the slots now. They 19 go to a good cause. Your losses go to a good 20 cause. 21 MR. LESHER: Some may contend their</p>
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<p>1 States. 2 Now, therefore, we, the County Council of 3 Talbot County, Maryland, do hereby congratulate 4 Blake Blackston American Legion Post Number 77 5 on their 100th anniversary, recognize Post 6 Number 77 and its members for their valuable 7 contributions to the Talbot County community 8 for the past 100 years, and wish them well in 9 the future. 10 Given under our hands in the great seal of 11 Talbot County this 25th day of February in the 12 year of our Lord, 2020. 13 MR. PACK: Thank you, Madam Secretary. 14 The chair would entertain a motion. 15 MR. DIVILIO: So moved. 16 MR. PACK: Moved by Mr. Divilio. 17 MR. LESHER: Second. 18 MR. PACK: Seconded by Mr. Leshner. Any 19 further discussion? 20 Hearing none, Madam Secretary, please call 21 your roll.</p>	<p>1 winnings do, too. 2 MR. PACK: Exactly. 3 Steve, are you ready? We have a brief 4 presentation. 5 MR. TOMCZEWSKI: Brief, right? 6 MR. PACK: Brief presentation. 7 MR. TOMCZEWSKI: Hopefully. 8 MR. PACK: Steve Tomczewski, our managing 9 director of environmental operations here for 10 MES. 11 Steve, good to see you again. I think you 12 have a little presentation for us. 13 MR. TOMCZEWSKI: Okay. 14 MR. PACK: You got that? Okay. 15 MR. TOMCZEWSKI: I think I did it once. I 16 don't see the arrow. Wait a minute. 17 MR. PACK: You don't have much there to 18 pick from, so it must be that one. 19 MR. TOMCZEWSKI: I got it. I'm not the 20 technological person. 21 SECRETARY: There it is.</p>

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1 MR. TOMCZEWSKI: I'm sorry.
 2 SECRETARY: Yeah. Just double click.
 3 MR. PACK: Just double click. Maybe the
 4 one that says MES on it, Steve.
 5 MR. TOMCZEWSKI: Yeah. Even I can figure
 6 that out.
 7 MR. HOLLIS: Maybe Susan can run it for
 8 you.
 9 MR. TOMCZEWSKI: There you go. She is the
 10 best. Thank God for Susan.
 11 I'll make this very brief. Everything is
 12 good at the Midshore project. There are no
 13 issues. Things are running really well.
 14 Just for your information, MES has
 15 actually been around 50 years. This is our
 16 50th anniversary.
 17 MR. PACK: I did not know that. So
 18 congratulations to you as well.
 19 MR. TOMCZEWSKI: Only half as good as the
 20 Post, but this is our 50th anniversary.
 21 Independent State agency. We do a lot of

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1 things across the state. We have about 91
 2 employees.
 3 The Midshore agreement is unique. It's an
 4 80-year deal. Started here in Easton, Midshore
 5 One. That shut down in December of 2010 when
 6 we moved to Midshore Two in Caroline, Ridgely.
 7 We still operate the homeowner drop-off
 8 here at the Midshore One landfill over on
 9 Barkers Lane and also a transfer station, which
 10 moves trash up to Midshore Two in Ridgely. We
 11 have seven people who work here.
 12 Just for statistics, in the last six
 13 months, we transferred about 19,000 tons out of
 14 Easton up to Ridgely of solid waste and
 15 1,000 tons roughly of yard waste, 13,000
 16 customers, and sold 1,200 or so -- no. I mean
 17 about 2,000 punch cards for the homeowner
 18 drop-off.
 19 The landfill here in Easton has been
 20 closed since 2007 or so. And we've been taking
 21 gas off the landfill and selling it to Easton

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1 Utilities. We sold, during the first six
 2 months of 2019, over 65 million standard cubic
 3 feet of landfill gas and were paid about
 4 \$25,000. That offsets our landfill closure
 5 cost.
 6 Midshore Two, we took in about 66,000 tons
 7 of trash. The homeowner drop-off took
 8 1,132 tons, brush is 1,400 tons. We're on
 9 track to do about 130,000 tons of trash up at
 10 the Midshore Two, which has been pretty
 11 consistent.
 12 We're still putting waste into cell two.
 13 There's five cells altogether. Three have been
 14 developed. We're just finished cell three, the
 15 third of the cells. And that started last
 16 month. We put the first portion of soft waste
 17 in there. You have to put soft trash in first
 18 so you don't damage the liner. So soft trash
 19 is residential trash. So you don't want
 20 commercial. You don't want to put two-by-fours
 21 through a liner. That would not be good. So

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1 you have to put about eight to ten feet of soft
 2 trash in.
 3 There's a 1,900-acre footprint for that
 4 cell, 1.5 million tons of waste. We believe
 5 that's going to last about seven years through
 6 2027.
 7 And that shows the cell. So it has about
 8 19 acres. We started putting waste in there
 9 last month, and this is how it looked on
 10 January 23rd.
 11 We're also doing wetland mitigation
 12 associated with landfill at the Ackerman Farm,
 13 which is kind of catty-corner off of Holly Road
 14 across from the landfill. We're down to where
 15 we're ready to start putting plants in,
 16 herbaceous and woody wetland plants, which will
 17 be starting in September of this year and
 18 ending in January. This has been a major
 19 project for us, and hopefully things will turn
 20 out and be ready to go, ready to be seen in the
 21 spring.

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1 And that just shows the area. That's
 2 actually a storm pond here. But this is all
 3 the drainage here and a stream runs through
 4 here. It's Chicken Bridge Branch Stream. And
 5 our landfill is up in this direction, and
 6 Ridgely is in that direction as well.
 7 Our recycling program is going well. We
 8 have over 38 sites across the four counties.
 9 We're using our front-end loader trucks to make
 10 all those connections. This shows the Amish
 11 Market here in Easton.
 12 We fund that with the \$5 tip fee off of
 13 our main tip fee, which is about \$67 a ton
 14 currently. And we also put \$2.50 of each ton
 15 of brush into that recycling program fund.
 16 We've also started doing inspections and
 17 cleanups of the Talbot County marina sites for
 18 waste oil. These sites have had a lot of
 19 housekeeping issues. A lot of people were
 20 leaving containers of oil all over the place.
 21 So we've been doing weekly inspections, and

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1 that's been working out real well for us.
 2 Hasn't had any cost to the county. We're using
 3 our transfer station people here in Easton to
 4 make these inspections. So that's been a big
 5 plus.
 6 Also do a lot of community work. We've
 7 been working with the Waterfowl Festival for
 8 eight years now I guess doing the recycling, a
 9 bunch of other things. We're a big supporter
 10 of the Ridgely Lion's Club.
 11 And that's pretty much it. So things are
 12 going well. Any questions?
 13 MR. PACK: Not at this time. Again,
 14 congratulation to you on 50 years of service
 15 here to the Midshore area, and we certainly
 16 appreciate all that you and your staff do for
 17 the citizens here regarding the landfill and
 18 the recycling projects that you do.
 19 MR. TOMCZEWSKI: Thank you very much.
 20 Another 30 years, 80 years, I'll be able to
 21 retire. Thank you very much.

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1 MR. PACK: Thanks, Steve. Appreciate it.
 2 We have one more matter before we go into
 3 our public hearing. As usual, we're going to
 4 be late with the public hearing, but you're not
 5 surprised to hear that.
 6 We have introduction of administrative
 7 resolution dealing with general obligation
 8 bonds. Ms. Angela Lane, our fiscal officer, is
 9 here with us to go over this with us.
 10 Ms. Lane, the floor is yours.
 11 MS. LANE: Good evening, Council.
 12 MR. PACK: Good evening.
 13 MS. LANE: This is an administrative
 14 resolution to finalize our borrowing with Rural
 15 Development. This is a \$222,000 bond for the
 16 St. Michaels wastewater treatment plant. And
 17 this is the final phase of implementing the
 18 actual borrowing.
 19 We had a resolution with USDA. Initially
 20 we did enabling legislation to borrow the
 21 funds, and now we have to do an administrative

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1 resolution, which sets out some of the general
 2 terms and conditions of the bonds.
 3 So this is more housekeeping than anything
 4 else, but it is required in order for us to go
 5 ahead and actually borrow the funds from USDA
 6 Rural Development.
 7 MR. PACK: Okay. Any questions of
 8 Ms. Lane?
 9 Or Mr. Clarke, anything you want to add on
 10 this?
 11 MR. CLARKE: No.
 12 MR. PACK: Since this is in your shop.
 13 You're good with it.
 14 Any additional questions? The chair would
 15 ask for a show of hands for introduction of the
 16 resolution at this time.
 17 Madam Secretary, please note it's by
 18 Council. If you wouldn't mind -- let me go
 19 back. I apologize. I misstated myself.
 20 Would you mind reading the resolution
 21 first before introduction. Disregard that

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1 vote. Please read the resolution.
 2 SECRETARY: A resolution of Talbot County,
 3 Maryland, the county, authorizing the issuance
 4 and sale of general obligation bonds in a
 5 principal not exceeding \$222,000, pursuant to
 6 the authority of Bill Number 1440, enacted by
 7 the County Council of Talbot County on
 8 January 14, 2020, the public local law, section
 9 10-203 of the Local Government Article of the
 10 Annotated Code of Maryland, 2013 replacement
 11 volume as amended, the enabling act, and
 12 section 623 of the Charter of Talbot County,
 13 Maryland, the Charter. The bonds to be
 14 designated Talbot County St. Michaels
 15 wastewater system consolidated public
 16 improvement bonds, the net proceeds of the sale
 17 thereof to be used and applied for the public
 18 purpose of financing or refinancing
 19 rehabilitation improvements to certain
 20 wastewater facilities located within the
 21 county, as more particularly described herein,

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1 together with financing or refinancing of the
 2 acquisition of all necessary property rights
 3 and equipment and related architectural,
 4 financial, legal, planning, and engineering
 5 expenses. Prescribing the form and tenor of
 6 the bonds and the terms and conditions for the
 7 issuance and sale thereof at private sale to
 8 the United States of America, acting through
 9 rural utilities service United States
 10 Department of Agriculture, USDA, authorizing
 11 the consolidation of separate series of bonds
 12 into one or more bonds, providing for the
 13 prompt payment of the maturing principal and
 14 interest on the bonds, covenanting to levy and
 15 collect all taxes necessary to provide for the
 16 payment of the principal of and interest on
 17 such bonds, subject to the limitations set
 18 forth in section 614 of the county Charter and
 19 generally relating to the issuance, sale, and
 20 delivery of the bonds.
 21 MR. PACK: Thank you very much, Madam

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1 Secretary. Let me rewind myself.
 2 Mr. Clarke, is there anything you want to
 3 add at this time?
 4 MR. CLARKE: No, sir.
 5 MR. PACK: Okay. Thank you very much.
 6 Any Council comment of Ms. Lane?
 7 Now I'll ask for a show of hands for
 8 introduction of the resolution.
 9 Again, Madam Secretary, by Council with
 10 exception of Mr. Callahan, who is not here.
 11 Council, this is an administrative
 12 resolution. It does not need a public hearing.
 13 It can be voted on tonight, and the chair would
 14 entertain a motion to do so at this time.
 15 MR. DIVILIO: So moved.
 16 MR. PACK: Moved by Mr. Divilio.
 17 MR. LESHAR: I'll second.
 18 MR. PACK: Seconded by Mr. Leshar. Any
 19 further discussion on moving forward with this
 20 resolution tonight?
 21 Hearing none, Madam Secretary, will you

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1 please call the roll on administrative
 2 resolution.
 3 SECRETARY: Mr. Pack.
 4 MR. PACK: Aye.
 5 SECRETARY: Mr. Divilio.
 6 MR. DIVILIO: Aye.
 7 SECRETARY: Ms. Price.
 8 MS. PRICE: Aye.
 9 SECRETARY: Mr. Leshar.
 10 MR. LESHAR: Aye.
 11 MR. PACK: Thank you very much.
 12 MS. LANE: Thank you very much.
 13 MR. PACK: Matter passed. Thank you very
 14 much.
 15 Okay. We're just about ten minutes late.
 16 We have one matter for our public hearing.
 17 This was a holdover from our last Council
 18 meeting. This is a public hearing on Bill
 19 1442.
 20 Madam Secretary, if you wouldn't mind
 21 reading the title of the bill.

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1 SECRETARY: Bill Number 1442, a bill to
 2 amend Chapter 11 of the Talbot County Code,
 3 alcoholic beverages, to allow the Board of
 4 Liquor License Commissioners to issue a license
 5 for on-premises consumption of mixed drinks to
 6 class one distilleries.

7 MR. PACK: Madam Secretary, we had two
 8 amendments to this bill that were introduced.
 9 And in case anyone wanted to speak to either of
 10 those two --

11 MR. DIVILIO: Which I would, tonight I
 12 would like to --

13 MR. PACK: You can't pull that out because
 14 Mr. Callahan is also attached to that bill.

15 MR. DIVILIO: Is he available?

16 MR. HOLLIS: We can reach out to him by
 17 telephone.

18 MS. PRICE: Why wouldn't we just go
 19 through the process?

20 MR. PACK: Yeah.

21 MR. DIVILIO: I was under the impression

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1 that he would be available. Okay.

2 MR. PACK: We have two amendments here.
 3 If you wouldn't mind reading the first
 4 amendment, which was introduced by Ms. Price,
 5 in case anyone wish to make comment on that
 6 amendment.

7 SECRETARY: You want me to read the
 8 amendment?

9 MR. PACK: If you could read the section
 10 that goes over the changes of the amendment. I
 11 think that's under A1.

12 SECRETARY: It will be a, distillery
 13 on-premises license class K, adding language.
 14 General provisions, a class K distillery
 15 on-premises license shall be issued only to a
 16 distillery as defined in this chapter and shall
 17 authorize the holder thereof to sell at retail
 18 mixed drinks made from liquor that the holder
 19 has produced that is mixed with other
 20 non-alcoholic ingredients for consumption on
 21 the premises of the distillery only.

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1 However, the holder shall only be entitled
 2 to serve each individual a total of not more
 3 than six ounces of liquor the holder has
 4 produced, inclusive of any sampling allowed,
 5 pursuant to the code of Maryland, per visit.

6 MR. PACK: Thank you very much.

7 MR. HOLLIS: Mr. President, I'm sorry to
 8 interrupt. Ms. O'Donnell has a text message
 9 from Councilman Callahan that he would like to
 10 participate by telephone.

11 MR. PACK: Okay. If you can get a hold of
 12 him as we're moving along through this.

13 We have a second amendment. If you
 14 wouldn't mind reading that amendment to Bill
 15 1442.

16 SECRETARY: Okay. The language in this
 17 section, 11-5.1, liquor license section A,
 18 distillery on-premises license class K. One,
 19 general provisions, a class K distillery
 20 on-premises license shall be issued only to a
 21 distillery as defined in this chapter and shall

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1 authorize the holder thereof to sell at retail
 2 mixed drinks made from liquor that the holder
 3 has produced that is mixed with other
 4 non-alcoholic ingredients for consumption on
 5 the premises of the distillery only.

6 However, the holder shall only be entitled
 7 to serve each individual a total of not more
 8 than six ounces of liquor the holder has
 9 produced exclusive of any sampling allowed,
 10 pursuant to the code of Maryland, per visit.

11 MR. PACK: Thank you very much, Madam
 12 Secretary.

13 So we have the reading of Bill 1442 as
 14 well as both amendments.

15 Let me go over the ground rules for you.
 16 We'll start on the left side of the room, then
 17 move across to the right. When you come to the
 18 table, please give us your name and your
 19 address. If you're speaking for yourself,
 20 we'll give you three minutes. Mr. Divilio will
 21 keep time for me. If you're speaking for a

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1 group or for a body, please give us that group
 2 or body that you're speaking for, and then
 3 we'll give you five minutes on the clock for
 4 that purpose. So those are the ground rules.
 5 This is on Bill 1442 as well as both
 6 amendments that you just heard read to you.
 7 We'll start on my left, your right.
 8 Anyone on the first bench on 1442 or the
 9 amendments?
 10 Could you take that down?
 11 MR. HOLLIS: Turn it off?
 12 MR. PACK: Yes. Anyone in the second row?
 13 First row. Yes, sir, come up.
 14 MR. HOLLIS: Mr. President, while they're
 15 coming up, Ms. O'Donnell said that we should,
 16 for the record, identify that Mr. Callahan has
 17 now joined the meeting on the telephone.
 18 MR. PACK: Thank you very much,
 19 Mr. Hollis. Mr. Callahan is now on the phone
 20 from his vacation.
 21 MS. PRICE: I have a question.

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1 (Inaudible) going to duplicate the testimony?
 2 If they already spoke on this.
 3 MR. PACK: But not the amendments.
 4 MS. PRICE: Right. If they're just
 5 testifying on the bill, do they speak again or
 6 are they. . .
 7 MR. CALLAHAN: I can't quite hear.
 8 MS. PRICE: Well, we're just having a
 9 little bar side here.
 10 MR. CALLAHAN: Okay.
 11 MS. PRICE: I mean we wouldn't want to go
 12 through the whole duplicative process. So if
 13 they already spoke two weeks ago, if they're
 14 not adding anything new to their testimony?
 15 MR. PACK: If they're speaking to the
 16 amendment, then --
 17 MS. PRICE: That's different. Does that
 18 make sense?
 19 I'm saying if you spoke two weeks ago on
 20 the bill and you don't have anything different
 21 to add, that's already on the record. So I

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1 guess it's only if you're making different
 2 testimony today or speaking on the amendments.
 3 MR. PACK: If that's what the Council
 4 prefers. I mean I'm not going to put
 5 stipulations. But if someone wants to come up
 6 who spoke before --
 7 MS. PRICE: They're already on the record.
 8 So if you're just going to come up and say the
 9 same exact thing you said two weeks ago, I
 10 think we already have that on the record.
 11 SECRETARY: Mr. Pack.
 12 MR. PACK: Yes, ma'am.
 13 SECRETARY: We didn't actually have the
 14 public hearing.
 15 MR. PACK: Correct.
 16 SECRETARY: Last time.
 17 MR. PACK: You're right. We had public
 18 comment.
 19 SECRETARY: We had public comment. We
 20 postponed the public hearing until today.
 21 MR. PACK: You're absolutely right. I

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1 thank you for correcting me. I know we had
 2 public comment but not a public hearing.
 3 So all are welcome.
 4 MS. PRICE: Okay.
 5 MR. PACK: Say what you please.
 6 MS. PRICE: Got you.
 7 MR. PACK: Sir, your name and your address
 8 for the record.
 9 MR. ATTICKS: Mr. Chair, members of the
 10 Council, my name is Kevin Atticks, and the
 11 address is 1950 Far Out Lane, Sparks, Maryland
 12 21152. I'm here representing the Maryland
 13 Distillers Guild.
 14 Here really for any questions and answer
 15 any questions about how the legislation last
 16 year that you are now attempting to adopt in
 17 the county is being implemented in other
 18 jurisdictions. Or if you have any questions
 19 about how it has impacted the distilleries
 20 themselves, but really just here to thank you
 21 for moving forward to address this issue.

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1 It will be very supportive for the
 2 distiller in Talbot County but also sets a good
 3 precedent going forward.
 4 And happy to take any questions.
 5 MR. LESHER: Mr. Atticks, I understand
 6 that the language that's proposed in this bill
 7 is similar to what is enacted in at least some
 8 other jurisdictions.
 9 Can you give us a sense of how that varies
 10 across the state?
 11 MR. ATTICKS: Sure. Thank you for the
 12 question. Most jurisdictions have taken up the
 13 language that was passed in House Bill 549 last
 14 year verbatim and have not -- actually all of
 15 them have taken it up verbatim. There have not
 16 been any amendments to the technical nature of
 17 sales or service pertaining to distilleries
 18 with the on-premise consumption permit.
 19 From what I just heard, these two
 20 amendments would be the first to create
 21 additional limitations on top of limitations

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1 that are already in the bill. So that would be
 2 unique to Talbot.
 3 MR. LESHER: So other jurisdictions that
 4 have implemented this are uniform?
 5 MR. ATTICKS: They are uniform in that
 6 they are -- basically they throw to the State
 7 law. So in terms of what a distillery is
 8 allowed to do under the off-premise consumption
 9 permit, it's exactly what the State law said
 10 verbatim last year, which is they may sell and
 11 serve, basically the draft of the bill, the
 12 language that was stated sans the amendments.
 13 MR. LESHER: Thank you.
 14 MS. PRICE: But it was in the State bill,
 15 each distillery or whatever would have to go to
 16 their individual jurisdictions. So they said
 17 you can do this but you have to then go through
 18 the second step of getting permission from your
 19 local jurisdictions.
 20 I would say that what's unique about
 21 Talbot County is basically we're the only ones

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1 that write our own liquor laws, hence some of
 2 the amendments that we're talking about because
 3 Talbot County has done our own liquor codes.
 4 And so that's why we're a little bit different.
 5 But that is the case. The State didn't
 6 just say you can blanketly do this.
 7 MR. ATTICKS: Correct.
 8 MS. PRICE: You had a second step that you
 9 had to go to each individual jurisdiction to
 10 get permission. Is that correct?
 11 MR. ATTICKS: There are actually two
 12 additional steps.
 13 So the State said, the State law basically
 14 granted local jurisdictions, the Liquor Board
 15 specifically, the authority to create this
 16 license, create a fee, and then grant it. So
 17 that was the additional steps that the bill
 18 kind of prescribed.
 19 Talbot is different in that you do have
 20 the ability to draft your own alcohol code,
 21 which is unique to the State of Maryland. But

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1 even as such, other jurisdictions did have
 2 discussions about limitations and chose to go
 3 straight with the law as implemented.
 4 MS. PRICE: Right.
 5 MR. PACK: Okay. Well, Mr. Atticks, we
 6 have no further questions. But don't go far.
 7 I'm --
 8 MR. ATTICKS: I'll be sitting in the front
 9 row.
 10 MR. PACK: I'm sure as we go through here,
 11 something may come up that we need you for.
 12 MR. ATTICKS: Happy to be a resource.
 13 Thank you.
 14 MR. PACK: Thank you, sir.
 15 On row number two, moving to row number
 16 three, number four, and the back corner there.
 17 Ms. Judy, good seeing you.
 18 Going back up here to my front here, front
 19 row on Bill 1442 or the amendments. Second row
 20 with amendments. Come up. Hello.
 21 MS. JESSIE WINDON: Hello and good

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<p>1 evening.</p> <p>2 MR. PACK: Good evening.</p> <p>3 MS. JESSIE WINDON: My name is Jessie</p> <p>4 Windon. I live at 704 South Talbot Street in</p> <p>5 St. Michaels. I am also the salesman manager</p> <p>6 for Lyon Distilling Company.</p> <p>7 As you know already through many e-mails</p> <p>8 and statements from local residents and</p> <p>9 business owners of our community, the growth of</p> <p>10 this company has created more than a dozen</p> <p>11 full-time jobs as well as numerous partnerships</p> <p>12 across Talbot County that has helped stimulate</p> <p>13 growth for our local economy since 2013.</p> <p>14 I am simply asking for your support in</p> <p>15 Bill 1442 as it stands.</p> <p>16 Every single one of our employees at Lyon</p> <p>17 Distilling is TIPS certified, which is a</p> <p>18 Training for Intervention Procedures that is</p> <p>19 globally recognized training for responsible</p> <p>20 servers of alcohol.</p> <p>21 We are not asking to open a bar. I have</p>	<p>1 Steigerwalt. I'm the head distiller at Lyon</p> <p>2 Distilling Company, and I live at 116</p> <p>3 Goldsborough Street, apartment three, in</p> <p>4 Easton, Maryland.</p> <p>5 Mr. Chairman, ladies and gentlemen of the</p> <p>6 Council, Talbot Bill 1442 would allow us the</p> <p>7 privilege of showcasing our products in a</p> <p>8 variety of mixed drinks and to allow the public</p> <p>9 to experience these in our tasting room. These</p> <p>10 responsibly-served small samples will inspire</p> <p>11 them to share the story of their visit and to</p> <p>12 make these at home with friends and family.</p> <p>13 More importantly, it will allow them to</p> <p>14 request with confidence these same drinks when</p> <p>15 out at restaurants in St. Michaels, Easton, or</p> <p>16 other locales in the county.</p> <p>17 This benefits everyone connected to our</p> <p>18 industry. Restaurants, liquor stores, grocery</p> <p>19 stores, markets, and hotels with restaurants.</p> <p>20 Please support this bill. It will allow</p> <p>21 us, Lyon Distilling, to best showcase our</p>
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<p>1 nearly 20 years' experience running bars and</p> <p>2 restaurants up and down the east coast, and I</p> <p>3 can honestly say that owning a bar or</p> <p>4 restaurant would be much simpler than a</p> <p>5 federally-licensed alcohol production facility.</p> <p>6 We are looking to progress our business,</p> <p>7 as our colleagues are doing the same across the</p> <p>8 State. The federal government has entrusted us</p> <p>9 by licensing us to produce alcohol for the past</p> <p>10 seven years. We are merely asking that our</p> <p>11 county permits us to responsibly serve that</p> <p>12 alcohol to our customers.</p> <p>13 Lyon Distilling is a leader among</p> <p>14 distilleries in the State of Maryland, please</p> <p>15 don't let us fall behind and please don't let</p> <p>16 Talbot County fall behind in the progressing</p> <p>17 the growth of local businesses.</p> <p>18 Thank you.</p> <p>19 MR. PACK: Thank you. Anyone else on that</p> <p>20 row? Good evening.</p> <p>21 MR. STIGERWALT: Hi. My name is Brent</p>	<p>1 spirits, help our industry grow, support fellow</p> <p>2 industry partners and to increase tourism and</p> <p>3 economic development.</p> <p>4 Thank you.</p> <p>5 MR. PACK: Thank you, sir. Anyone else on</p> <p>6 that row? Good evening.</p> <p>7 MS. WINDON: Good evening. My name is</p> <p>8 Jaime Windon. I am the owner and founder of</p> <p>9 Lyon Distilling Company in St. Michaels. I</p> <p>10 also live at 704 South Talbot Street in</p> <p>11 St Michaels.</p> <p>12 I'm here before you, I did speak at the</p> <p>13 public comment section, but simply to thank you</p> <p>14 for introducing this legislation, for hearing</p> <p>15 it, and for the discussion.</p> <p>16 And I believe that it's -- I hope that</p> <p>17 it's become apparent that Lyon Distilling has</p> <p>18 been a truly responsibly leader in the alcohol</p> <p>19 arena for the last seven years.</p> <p>20 In addition to running our distillery, I'm</p> <p>21 the president of the Maryland Distillers Guild.</p>

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1 So I've helped craft this legislation on a
 2 State level and watched as we've made big
 3 strides over the last few years.
 4 When we opened our distillery, we couldn't
 5 even sample at events or pour off site. And we
 6 passed legislation for farmers markets and for
 7 events. And we've kind of chipped away at
 8 these outdated laws that were, in fact,
 9 stifling growth of craft distilling,
 10 particularly in Maryland.
 11 The distilling landscape has changed very
 12 quickly in the last ten years, but it's been a
 13 long time coming. So when we opened, there
 14 were less than 100 distilleries in the country,
 15 and there was only one other in Maryland. And
 16 they weren't producing in the way we did. So
 17 we've been a true leader.
 18 Fast forward ten years. And there's over
 19 2,000 in the country and 35 in Maryland. And
 20 so we've really -- I've tried to pay attention
 21 to everything that works and doesn't work. My

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1 entire life has been in hospitality and alcohol
 2 service, much like my sister, who it's hard to
 3 believe that she's been doing this for almost
 4 20 years, I too have been doing this for 25
 5 years.
 6 So I understand that we look at
 7 legislation like this as an expansion of
 8 alcohol service, but that's not how we see it.
 9 We see the ability to do our job and meet the
 10 consumer's needs in a more creative and
 11 friendly way.
 12 I spoke at the last meeting saying that I
 13 absolutely respect and understand your concerns
 14 about how much alcohol goes into the bodies of
 15 our customers. However, amendments that
 16 arbitrarily restrict that amount based on
 17 volumetric controls are just that, they're
 18 completely arbitrary.
 19 Whether we're distilling a spirit that's
 20 100 proof or 20 proof, we know what we're
 21 making and we know what we're serving. We have

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1 absolutely no incentive to over-serve anyone
 2 that walks through our doors. And just because
 3 we can currently serve a set amount doesn't
 4 mean people even ever get that.
 5 Our job is to showcase what we do, to
 6 highlight our brand, and to be responsible
 7 stewards of our community and our industry. If
 8 I thought this would jeopardize that in any
 9 way, I wouldn't be sitting here tonight.
 10 I need this legislation in its entirety to
 11 give me the flexibility to do what we do best,
 12 produce and serve and sell alcohol. We have a
 13 flawless record. I don't plan on tainting that
 14 in any way.
 15 And I understand, I understand that in
 16 some alcohol service environments they give
 17 incentives for that extra drink or that extra
 18 sale, but that's not what we're about. We're
 19 about selling bottles. And we are all
 20 certified and trained.
 21 And I just ask you to trust that we will

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1 implement this legislation responsibly.
 2 And if there's any other questions, I'm
 3 here.
 4 MR. PACK: Thank you very much.
 5 MS. PRICE: I have a question, Ms. Windon.
 6 MS. WINDON: Yes.
 7 MS. PRICE: We sat together and basically
 8 drafted an amendment that you said you were
 9 agreeable to. I understand that your
 10 preference would not to have any limitations.
 11 Who wouldn't want to have that. But you were
 12 totally agreeable in the amendment that we
 13 drafted.
 14 So I would like you to speak to that.
 15 MS. WINDON: Sure, okay.
 16 MS. PRICE: And I sat there with Mary, and
 17 you said that you were able to showcase what
 18 you needed to showcase with that amendment that
 19 we talked about.
 20 Now, I know two have been introduced. One
 21 is inclusive and one that's exclusive. Not

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1 really asking you to get into that. But --

2 MS. WINDON: Well, I think that is

3 important. So we did sit and we talked and I

4 recognized your concern, and I knew that there

5 wasn't much I could tell you to trust that I

6 wasn't going to over-serve. So we talked about

7 capping it on a reasonable amount of alcohol

8 going into someone's body.

9 MS. PRICE: Right. And I didn't say which

10 alcohol it would be --

11 MS. WINDON: Yeah, yeah.

12 MS. PRICE: We didn't get into proofs

13 or --

14 MS. WINDON: Exactly.

15 MS. PRICE: -- six to eight ounces.

16 MS. WINDON: Right. And so what we

17 settled on was six and the two. So eight.

18 And then at the meeting, you pulled back a

19 little bit to six total. So it could be either

20 six or four and two.

21 So that just got me thinking why are we

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1 stuck on the volume. Again, because when we

2 talk about what a drink is and what a serving

3 of alcohol is, it's 1.5 ounces of hard alcohol.

4 It's also the equivalent of five ounces of

5 wine, right, or 12 ounces of beer.

6 So the volumetric control, just like you

7 slept on it and thought that's a lot and it was

8 more than you were comfortable with, I thought

9 it might be less than I'm comfortable with

10 because while, again, my goal isn't to just ply

11 people with too much alcohol, there's -- it's

12 illegal for me to over-serve people. That's

13 one of the main things I cannot do.

14 When you're serving alcohol, that's

15 breaking the law as much as any other permit or

16 license I have.

17 MS. PRICE: My point was -- I mean that's

18 not what I'm asking you.

19 MS. WINDON: Okay.

20 MS. PRICE: You agreed with a limitation

21 and amendment and you said you could do and

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1 serve your cocktails the way you wanted with

2 that amendment. Yes, there's a second

3 amendment that's a little more strict. But you

4 were okay with that.

5 Are you changing that testimony today?

6 MS. WINDON: I stand by the exact thing I

7 said last time, which was that I maintain the

8 passage of that bill as written is ideal for

9 both myself and Talbot County. But respecting

10 your concerns, I am definitely willing to

11 compromise.

12 And that evening, which wasn't an official

13 public hearing but it started the conversation,

14 I said that night that the proposed amendment

15 by Councilman Divilio and Callahan would be

16 acceptable to me because it allowed no more

17 than six ounces per person in a mixed drink

18 service as well as two ounces.

19 So I'm still willing to work with the

20 Council. However, after two weeks of not

21 hearing any concern of opposition based on -- I

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1 think I expected to hear more from those

2 opposed to this.

3 And so if the bill passes as written,

4 that's ideal. If we want to talk about a

5 non-arbitrary but a purposeful restriction to

6 ensure responsible service, I'm all for that.

7 MS. PRICE: We didn't do arbitrary. We

8 spent almost two hours together talking through

9 what would work for your business to showcase

10 what you wanted to do.

11 But if we go unlimited. . .

12 MS. WINDON: With all due respect, I

13 wasn't saying that our conversation was

14 arbitrary. I'm saying the volumetric control

15 is arbitrary and there's no such thing as

16 unlimited alcohol service in any establishment.

17 We are not running a Cancun booze crews.

18 We will always be limited. It's just a matter

19 of per individual and per situation and per

20 alcohol. Because again, six ounces of one type

21 of alcohol is very different than six ounces of

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1 another.

2 MS. PRICE: We weren't putting any

3 limitations. If you had wanted to do six to

4 eight ounces of 100 proof, we didn't put that

5 limitation on there.

6 MS. WINDON: I know. But in the future,

7 if I had a light --

8 MS. PRICE: I asked you --

9 MS. WINDON: That's all.

10 MS. PRICE: The question I had for you was

11 if you're pulling back from what you agreed to

12 when we sat together and drafted an amendment.

13 And that's my question to you.

14 MR. DIVILIO: To interrupt, I'm sorry, but

15 I will.

16 I would imagine a lot changed after I went

17 down and got a tour. And then we had a long

18 discussion of what it meant and what's going on

19 in the state, what's going on in different

20 counties, and what we're losing out on.

21 And I can completely understand your

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1 position. You always want to please everybody.

2 And when you're sitting down there looking at a

3 business unfriendly Council that we have been

4 in the past, you have to make limitations to

5 try to get what you need.

6 But I'm willing to throw my full support

7 to her, as I have and I've told her and as I've

8 worked with others to try to get this so that

9 Talbot County matches that of our competitive

10 counties.

11 MS. WINDON: And that means a lot to me

12 because I was and am still willing to work to

13 make the Council happy, but it seems, with all

14 due respect, that Mr. Divilio's amendment did

15 not truly make you happy. I'm not sure where

16 you stand, Mr. Pack. Because the amendment was

17 different than your amendment.

18 So where you're saying I pulled back, I

19 felt that you pulled back after our discussion.

20 MS. PRICE: I put two options on the table

21 because I wrote -- that's not Mr. Divilio's and

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1 Mr. Callahan's amendment. It's my amendment.

2 They're both my amendments. They are the ones

3 that introduced that amendment.

4 MS. WINDON: Sorry for my confusion.

5 MS. PRICE: And I wanted to put two

6 options on the table for discussion.

7 MR. PACK: Let's do this. Jaime, thank

8 you very much for taking the questions, and

9 we'll hear back from you shortly.

10 MS. WINDON: Thank you.

11 MR. PACK: Anyone else on that row?

12 President Boos, good to see you, sir. Coming

13 up from the big city of St. Michaels.

14 MR. BOOS: Mr. President, it's good to see

15 you and all of you.

16 MR. DIVILIO: Are we giving him a minute?

17 MR. PACK: Give him 30 seconds. Should be

18 enough.

19 MR. BOOS: My name is William Boos. I

20 live at 606 South Talbot Street in

21 St Michaels. I am the president of the

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1 Commissioners of St. Michaels. And I'm glad

2 to be before you.

3 President Pack and Councilmen, I am here

4 very briefly to tell you that I speak for

5 myself tonight as all commissioners do, unless

6 they're voting, you know that rule.

7 But I'd like to tell you that Lyon

8 Distributing and Jaime Windon are great

9 neighbors. Not just members of the

10 St Michaels community, but my neighbors. I

11 live literally across the street from them.

12 And I would like to be here tonight to tell you

13 that I fully and completely and absolutely

14 support the Bill 1442 unamended.

15 I don't believe it should be amended. I

16 think these are great proprietors. Jaime is a

17 great proprietor. They're great neighbors.

18 They do the right thing. And they are great

19 residents of St. Michaels.

20 They do the right thing in regard to

21 alcohol. And I know that you have concerns

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1 about that, and I get that. But I'm here to
 2 tell you that they're -- you should not be
 3 worried about Lyon Distributing and you should
 4 not be worried about this bill.
 5 This bill, it keeps -- comports with the
 6 rest of the State, and I believe in it firmly
 7 and completely.
 8 And that's my statement on behalf of
 9 myself, and I do not speak for the
 10 commissioners, but I have a feeling that some
 11 agree with me.
 12 MS. PRICE: I have a question.
 13 MR. BOOS: You do?
 14 MS. PRICE: Yes, I do.
 15 MR. BOOS: Please.
 16 MS. PRICE: So I agree. And I sat there
 17 with Jaime and I said you're great, you're
 18 responsible. But what if she sells it and the
 19 next person is not?
 20 As somebody who writes and has to vote on
 21 legislation, you can't vote on a piece of

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1 legislation based on the owner of that
 2 business. You have to look out for another
 3 business that might come in.
 4 And so it's wonderful to hear how great
 5 that Jaime is. I agree with you. But I don't
 6 know that she might sell the business tomorrow
 7 to somebody that's not so great. So that is
 8 what we're talking about.
 9 So now put your commissioner hat on, and
 10 how would you -- wouldn't you think about it in
 11 a slightly different way if it wasn't somebody
 12 that was so responsible?
 13 MR. BOOS: Commissioner Price, I totally
 14 agree with you. I think that you as a
 15 Councilwoman has got to make a decision based
 16 on not on personalities.
 17 I'm here to testify as to Lyon
 18 Distributing and what they do. I believe that
 19 they are not unrepresentative of this whole
 20 entire industry.
 21 You can make your decision, and I would

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1 not be pretentious enough to sit here and say
 2 that I think it's otherwise. But I'm here to
 3 tell you that as far as they're concerned and
 4 as far as their relationship with St Michaels,
 5 got my 1,000 percent support.
 6 MR. DIVILIO: Is there zoning for another
 7 one in St. Michaels?
 8 MR. BOOS: Is there what?
 9 MR. DIVILIO: Zoning available for another
 10 distillery in St. Michaels?
 11 MR. BOOS: Yeah, probably.
 12 MS. PRICE: Right. It doesn't matter. It
 13 can be anywhere in the county.
 14 MR. BOOS: Yeah, yeah.
 15 MS. PRICE: That's what you have to think
 16 about.
 17 MR. BOOS: I just feel really strongly
 18 that we need to enter the real world on this,
 19 and I strongly urge you to vote for 1442
 20 unamended.
 21 MR. PACK: Commissioner, Mr. Boos, thank

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1 you very much, sir. Always good to see you.
 2 MR. BOOS: Thank you, sir, Mr. President
 3 and Councilmen.
 4 MR. PACK: Talk with you soon.
 5 Anyone else on the next row, 1442 or the
 6 amendments thereof? Come forward, yes, be
 7 heard.
 8 MS. LYONS: My name is Sarah Befolk Lyons.
 9 I live at I 636 Lomax Street in Easton.
 10 And I first want to say thank you for
 11 hearing our voices tonight.
 12 As a resident of Talbot County, former
 13 bartender at multiple high-volume
 14 establishments in this county, and a
 15 TIPS-certified member of Lyon rum sales team,
 16 I'd really like to move forward with this bill
 17 to allow this on-premise consumption of
 18 cocktails to class one distilleries. It's
 19 imperative to a number of different elements in
 20 relation to this micro-distillery. And you've
 21 already heard a bunch of examples. I'm not

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1 going to waste your time with more.
 2 What I will say is that the fact of the
 3 matter is that I bartended at some of the
 4 busiest bar and restaurants in the county, and
 5 I don't want to work in that style atmosphere
 6 again. What I do want is to be able to educate
 7 our visitors, showcase Lyon spirits in
 8 cocktails, and a large part of that is a proper
 9 measured pour for a proper delicious cocktail.
 10 All of this has to do with education. I
 11 understand that no one can predict the future
 12 behaviors of businesses that have yet to come.
 13 But this is where we need to be an example for
 14 those businesses, and we need to be allowed to
 15 have that happen.
 16 Allowing us this bill can create a
 17 pleasant, interesting, and educational
 18 experience for everyone who walks through that
 19 door, and that is really important to the
 20 businesses of this county in order to succeed
 21 and help and influence other businesses. And

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1 that's really what we want to do, is educate
 2 the community and future businesses on how to
 3 do this and how to create a well-poured
 4 cocktail that's not about going out and getting
 5 drunk. It's about an experience. It's much
 6 more than that.
 7 MR. PACK: Thank you very much. Well
 8 said.
 9 Anyone else on that row? Anyone else on
 10 that row? Okay. Let's go to the next row.
 11 Anyone else on the next row? No. Where am I?
 12 Anyone on the back row there, back bench? No.
 13 Have we already gone around?
 14 Any questions of Mr. Atticks since he's
 15 here from the distillery? Okay.
 16 If there's no further public testimony on
 17 Bill 1442 or the amendments, the chair will
 18 call the public hearing to a close.
 19 Mr. Callahan is on the phone with us. I
 20 was going to move this matter to next Council
 21 meeting because of his absence, but it appears

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1 that he has pulled himself away from the beach
 2 or from the pool or from wherever he may be.
 3 Hopefully he pulled himself away from his
 4 cocktail.
 5 So we have two amendments. What I'm going
 6 to -- if I can get your attention, please.
 7 What I'm going to do first is if there's any
 8 Council comment, then I'll move forward with
 9 actions.
 10 Is there any Council comment on what we
 11 just heard?
 12 MR. LESHHER: Well, I will note that I've
 13 not heard any opposition to this bill from
 14 either the written testimony or the spoken
 15 testimony.
 16 There seems to be some pretty widespread
 17 support in the community for this, and I think
 18 that this is -- we are a tourism economy. This
 19 is something that will enhance that, and I'm
 20 prepared to support this as part of being a
 21 business-friendly Council here.

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1 MR. DIVILIO: And I will echo Mr. Leshher's
 2 words. I completely agree. I did not get a
 3 single e-mail or no phone calls or nobody
 4 stopped me to say this place is terrible,
 5 didn't get anything like that.
 6 Got several e-mails in support for it.
 7 And one thing I keep hearing over and over
 8 again is about Jaime, she's a great business
 9 owner, what if she sells. What if she does
 10 sell? What if she gets frustrated with us and
 11 leaves, you know? Goes to another county, and
 12 I hate that. I don't want to lose a business.
 13 I'm here to support this and support the
 14 employees that we have and our constituents.
 15 I think that it's a great establishment.
 16 I think they've got a great track record. I
 17 think that being the head of the Maryland
 18 Distillers Guild, she knows absolutely what
 19 she's doing.
 20 And I fully support her and support this
 21 bill without the amendments. I'm going to ask

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1 to have mine withdrawn. And I hope that we
 2 show a nice support to her, especially if you
 3 have a Councilperson who is away on vacation
 4 who owns a business, they get it. They're
 5 here, they're calling in to help another
 6 business out. I have a lot of pride in that.
 7 I think that's fantastic. And I hope he heard
 8 it.
 9 But I'm prepared to move forward with this
 10 bill without any amendments on it.
 11 MS. PRICE: As I've said before, this is
 12 not a reflection on Ms. Windon and Lyon's
 13 Distillery.
 14 We have been faced with other pieces of
 15 legislation that we have -- we do have to look
 16 into the future. And even if it's not driving
 17 her away, but somebody else that comes in or
 18 they decide to -- people sell their businesses.
 19 Okay. So it's not because we're putting her
 20 out of business or anything like that.
 21 I heard part of the testimony from the

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1 former bartender about a properly poured
 2 cocktail. That's what we talked about. And
 3 you can't do a properly poured cocktail with
 4 six to eight ounces of alcohol? I mean I don't
 5 know what you're pouring.
 6 I thought about making light of this and
 7 bringing in a bottle of rum and pouring each of
 8 us eight ounces. I had my measuring cup out
 9 last night. My husband and I were doing that.
 10 And I'm looking at eight ounces.
 11 And when you walk in, okay. So we're
 12 talking about a tasting. You're not probably
 13 going to be there for several hours. I know
 14 she's limited in space. So what we talked
 15 about was maybe a flight of three or four
 16 cocktails, three cocktails with two ounces in
 17 each one.
 18 I mean that's a shot. You're talking
 19 about now three shots and now you add on the
 20 extra two ounces of a shot.
 21 I was going to say you know what, at the

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1 top of this Council meeting, let's each drink
 2 eight ounces. And Jaime, if you wanted to
 3 bring your mixers, we can mix them in whatever
 4 way. And let's not vote on this until we've
 5 spent about an hour sitting here having
 6 eight ounces, six ounces, eight ounces, let
 7 alone unlimited, and let's see if you trust the
 8 vote that the Council is going to make.
 9 We walked in the door. We haven't had any
 10 alcohol. Of course we're going to be served --
 11 MR. PACK: Mr. Callahan is on the phone.
 12 MS. PRICE: Yeah, yeah. I don't know
 13 about Chuck tonight.
 14 But now we have a flight of drinks, if
 15 that's the way Jaime has talked about,
 16 Ms. Windon has talked about serving these
 17 things so you can sample three or four
 18 different ones. So you're probably going to
 19 drink them all, and you will have consumed,
 20 even under my amendment of six ounces or the
 21 other amendment of eight ounces, I'm pretty

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1 sure that most people when they're done with
 2 that probably wouldn't -- if you breathalyzed
 3 them or whatever, that they might be over the
 4 legal limit. They might not appear
 5 intoxicated. They might appear intoxicated.
 6 That's how I have to think of this
 7 legislation. Someone is probably going to be
 8 in there less than an hour, ballpark. It's a
 9 tasting. You're going to go, you're going to
 10 drink your flight, you're going to have your
 11 two ounces, and you will have drank a full cup
 12 of alcohol in whatever.
 13 And I looked through my cabinet last
 14 night. And I looked at what the different
 15 alcohol contents were. And the mixers, the
 16 mixers some of the things like, I mean like I'm
 17 going to say like a Blue Curacao or something
 18 like that, actually had a little more alcohol
 19 than the bottle of Barbadian rum that I had at
 20 30 or so percent.
 21 So that's how I have to look at this. Is

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1 somebody going to leave after 45 minutes or an
 2 hour, an hour and 15 minutes after drinking
 3 even eight ounces of alcohol and not be
 4 affected. They're going to be affected. That
 5 has nothing to do with the TIPS training.
 6 You've served them the flight with six or
 7 eight ounces in it. It's done. You've already
 8 served them. Now what are you going to do?
 9 You're not going to serve them anymore
 10 obviously.
 11 So I don't understand why there's a
 12 problem. Even the limitation to me still makes
 13 me a little bit uncomfortable. I mean they're
 14 going to be under the influence at the end.
 15 And I know it's not their intent. But you're
 16 doing a tasting of six to eight ounces in these
 17 three or four cocktails. They're going to be
 18 affected by that at the end of the day, which
 19 is why I wanted to come up with what Ms. Windon
 20 and I thought was a reasonable limitation to
 21 showcase her cocktails and still have some

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1 limitation that someone couldn't stay there and
 2 drink unlimited.
 3 So that's where I am, that's where I
 4 thought she was, and that's where I'm going to
 5 stand.
 6 MR. PACK: Okay. Did you comment already?
 7 MR. DIVILIO: Yes.
 8 MR. PACK: Mr. Callahan, can you hear me?
 9 MR. CALLAHAN: I can.
 10 MR. PACK: Are you in any condition to
 11 give testimony?
 12 MR. CALLAHAN: Well, I think I'm over
 13 eight ounces right now.
 14 MR. PACK: Over eight ounces.
 15 MS. PRICE: Point taken.
 16 MR. CALLAHAN: So I've been listening very
 17 quietly. Can everybody hear me?
 18 MR. PACK: Yeah, you're good. Go ahead,
 19 Chuck.
 20 MR. LESHER: Yes, thank you.
 21 MR. CALLAHAN: Okay. So I've been

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1 listening very carefully. I've been thinking
 2 about this. I talked to Jaime.
 3 As a Councilman in representing the
 4 county, I don't look at it in respect -- we've
 5 heard some great testimony. We've heard some
 6 great things from Council people. Laura,
 7 you've done a great job in explaining your
 8 position. I fully, fully respect that. So
 9 have you, Corey. We've talked about --
 10 MR. PACK: I haven't said anything.
 11 MR. CALLAHAN: I look at it in a way that
 12 the State has come down and made some
 13 recommendations, legislation.
 14 It's up to us do we want to put any
 15 restrictions on it. It's okay for the State.
 16 Now is it okay for us.
 17 I'm looking down at several things. I'm
 18 looking at what it's going to cause. Is it
 19 going to cause problems for Talbot County? I
 20 really don't see that.
 21 I see a respectable, respected distillery

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1 that is far in what she does. She's a
 2 professional. She's been in it she said 25
 3 years. Her sister has been in it 20 years.
 4 And look, let's all face this. She's put
 5 her reputation on the line here. Okay. I know
 6 it. I'm not looking at it as this person here
 7 with this business. She's put her reputation
 8 on the line. Let's all understand. She's on
 9 the Council in St. Michaels.
 10 So this person is here to do the right
 11 thing, set a standard. And I've been really
 12 thinking about it.
 13 I think we all should support local
 14 business, and we all do that. But restriction
 15 after restriction after restriction. I think
 16 in this particular situation, I really support
 17 her.
 18 There's nothing there that is showing me
 19 that we shouldn't really support this bill.
 20 She's done her due diligence.
 21 I think Pete and Frank have done their due

<p style="text-align: right;">Page 82</p> <p>1 diligence. We've all talked.</p> <p>2 I've talked to Corey about it. You know,</p> <p>3 Corey, in respect to you, I love you to death.</p> <p>4 I know that you were on board with the</p> <p>5 amendment. And I really, really, really</p> <p>6 appreciate that. But at the same time, you're</p> <p>7 scared it's going to open a can of worms for</p> <p>8 others. I don't really see that. I know you</p> <p>9 look at things a little bit different. And I</p> <p>10 respect that.</p> <p>11 But in this particular situation, I just</p> <p>12 think we're doing the right thing by giving her</p> <p>13 approval if it passes to go forth with her</p> <p>14 business and prosper with her business and make</p> <p>15 things work.</p> <p>16 She's stepping back a little bit from two</p> <p>17 weeks ago, thinking about it. She's thinking</p> <p>18 it's not going to work for her. And I</p> <p>19 understand that, Laura. She's stepping back a</p> <p>20 little bit. She's rethinking it.</p> <p>21 She's been doing this for 25 years. So I</p>	<p style="text-align: right;">Page 84</p> <p>1 very clear with her.</p> <p>2 This bill is not, I don't think it's even</p> <p>3 titled that way, the Jaime Windon bill. This</p> <p>4 bill is regarding allowing distilleries the</p> <p>5 ability to serve retail cocktails on site.</p> <p>6 That's what this bill is about.</p> <p>7 Ms. Price does raise some points that I do</p> <p>8 concur with. The fact that when we're trying</p> <p>9 to draft legislation, as wonderful as she is,</p> <p>10 and I think she's a wonderful person, all the</p> <p>11 testimony that we've heard here in front of us</p> <p>12 and also what we received in writing, speak to</p> <p>13 that. And I don't doubt that one bit.</p> <p>14 And this bill is not about how she runs</p> <p>15 her business, but this bill is about the</p> <p>16 industry and how the county going forward will</p> <p>17 shape the industry as it moves forward.</p> <p>18 So as your elected official, I have to</p> <p>19 think more broadly than whether or not I like</p> <p>20 her or not. I have to think more broadly</p> <p>21 whether or not that she, in particular, is</p>
<p style="text-align: right;">Page 83</p> <p>1 think she's got a little bit of credibility</p> <p>2 there to say that and change her mind, that</p> <p>3 it's not going to work and it's going to cause</p> <p>4 a certain problem with her business.</p> <p>5 And let's all keep in mind if there's any</p> <p>6 other ones that's going to open up, they've got</p> <p>7 to go through this same process and at least go</p> <p>8 through the Liquor Board to get the license.</p> <p>9 So it's not like, it's not like we're handing</p> <p>10 these licenses over. They've got to show us --</p> <p>11 MS. PRICE: I don't think so.</p> <p>12 MR. CALLAHAN: They've got to show us</p> <p>13 (inaudible) business and responsible. So there</p> <p>14 is a process to actually go through this.</p> <p>15 So I agree with it, and I wish we would go</p> <p>16 forward.</p> <p>17 MR. PACK: Thank you, Mr. Callahan.</p> <p>18 Well, as Chuck said, I heard the</p> <p>19 amendments that were offered last week. And I</p> <p>20 did also have a conversation with Jaime several</p> <p>21 weeks ago. We talked on the phone, and I was</p>	<p style="text-align: right;">Page 85</p> <p>1 doing the right thing.</p> <p>2 I have to think industry wide how would</p> <p>3 this impact the next person that comes on board</p> <p>4 that may want to open a distillery and may want</p> <p>5 to serve retail cocktails on site that may not</p> <p>6 have her morality or her ethics to do so in the</p> <p>7 way that she does it.</p> <p>8 And that's a daunting task. And you put</p> <p>9 us up here to think that way and to kind of</p> <p>10 consider those unintended consequences.</p> <p>11 Several years ago, the Council was asked</p> <p>12 to come up with a craft beer license. And the</p> <p>13 person that was proffering us to do that was,</p> <p>14 again, a very upstanding and reputable person</p> <p>15 in the community. And this Council had to</p> <p>16 consider how that bill would shape and move</p> <p>17 forward over time.</p> <p>18 And I think we heard from the public, we</p> <p>19 heard from the petitioner as far as what he was</p> <p>20 looking for, and we crafted a bill that</p> <p>21 addressed his desires.</p>

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1 Talbot County has always had an unwritten
 2 rule, if you would, about bars in the county.
 3 And I raised this point with Jaime. And she
 4 said Corey, I don't want to be a bar. And
 5 testimony today was the same thing. I think
 6 Jessie said the same thing, we don't want to be
 7 a bar. And that's great, that's great.
 8 If this is a place where individuals will
 9 come in, have a sampling of the distilled
 10 liquor, and then if that sample meets their
 11 taste buds, maybe then try it in the form of a
 12 cocktail, that's wonderful. That's what we
 13 want.
 14 I remember Jaime said I don't want to be a
 15 bar, I don't want to be a place where people
 16 stay around and linger. I want them to come
 17 in, do the tasting, purchase the cocktail, and
 18 move on or buy a bottle and move on, if I
 19 understand you correctly what you said. Maybe
 20 also purchase some of the other ingredients to
 21 go home and try to duplicate that at home.

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1 So when I heard the amendment that was
 2 posed by Mr. Callahan and Mr. Divilio, I
 3 thought that amendment gave her what she was
 4 looking for, which was a place that it wouldn't
 5 allow people to congregate and sit around and
 6 linger, but it will allow them to get in, still
 7 allow them to do their two-ounce samplings.
 8 And if they so desire, to then move that up to
 9 a full cocktail, they could do so.
 10 With six ounces, most cocktails take one
 11 and a half, maybe two ounces, somewhere in that
 12 neighborhood. So you're still looking at three
 13 cocktails on top of the two ounces of pure
 14 distilled rum. I thought that was reasonable.
 15 I may not have tipped my hand last week
 16 when we met, but I thought that was very
 17 reasonable. And from the comments that we
 18 heard from Jaime, I thought that she was also
 19 agreeable to that.
 20 Look, no one is trying to stifle business.
 21 I mean I've heard this repeatedly that the

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1 Council is trying to stifle business. We're
 2 not, we're certainly not. We weren't trying to
 3 stifle business when we drafted the craft beer
 4 legislation. We're not trying to stifle
 5 business and growth here.
 6 We're trying to be cautious about the way
 7 we move through these things. We do have the
 8 distinct ability here in Talbot County to
 9 design our own liquor laws. We try to do so
 10 with some prudence, with some forethought. And
 11 we try to do so with a certain level of
 12 caution. But certainly, not to do so to stifle
 13 or limit businesses in their ability to grow
 14 and expand their services.
 15 So that's my take on it. If this is
 16 supposed to be a tasting room, again, I did not
 17 go down, although I was invited, but my
 18 understanding is that this is a very limited
 19 space. And I know I was thinking about a bill
 20 that would mirror the class I license, which is
 21 our craft beer license, which is that you have

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1 to do a small plate along with the serving.
 2 I felt that with this amendment, that
 3 wasn't necessary because you already had a
 4 limit there of eight ounces. So the serving of
 5 food I didn't think was needed. And this was
 6 to allow the accomplishment of what I think the
 7 end game was, was to allow customers to come
 8 in, get their sampling, try a cocktail or two,
 9 and then move on. Because as Jaime said, this
 10 was not a gathering place. She did not want a
 11 place where people would gather and stay
 12 around.
 13 So again, I'm repeating myself, I felt
 14 after three drinks, that should give you enough
 15 to either purchase the bottle and the other
 16 ingredients and do as she's asked, move on,
 17 don't linger around. So that was my take on
 18 it.
 19 Again, I felt the amendment was a good
 20 amendment. I would support the amendment if it
 21 goes forward. I thought it met what the

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<p>1 petitioner was asking for at that time, which 2 was a place where people could come in, get a 3 sample, try it in a different format, either 4 mixed with grapefruit or orange juice, 5 whatever. I don't drink rum. So I don't know 6 how you make it other than rum and Coke I 7 guess. But there's other ways you can make rum 8 and enjoy it. 9 That's my take on it. It's not a place 10 where you want to sit there and get inebriated. 11 That's what we don't want. But we want you to 12 be able to taste the ingredients and purchase 13 and go home and try it yourself without 14 driving. That's my take on it. 15 So let me start with the amendment, the 16 first amendment that we have before us. Any 17 further comment? The public hearing has been 18 closed at this time. 19 Since Mr. Callahan is on the phone, I'm 20 going to go ahead and move forward with this 21 this evening, Council, if there's no objection.</p>	<p>1 relatively short period of time, because if 2 you're going to move them in, move them out, 3 you're going to be affected in some way up 4 here. And I'm not willing to put people out, 5 and I don't understand at all why you need 6 unlimited if you are just a sample room. 7 So I certainly hope we have the 8 opportunity to vote on both amendments and not 9 have either one pulled. I think they deserve 10 an up or down vote. 11 MR. PACK: Thank you, Ms. Price. So on 12 the first amendment, the chair would entertain, 13 if there is no further comment, the chair would 14 entertain a motion on the first amendment. 15 MS. PRICE: To what? To move it to a 16 vote? 17 MR. PACK: To move it to a vote, yes, 18 ma'am. 19 MS. PRICE: Well, I would move that it 20 gets voted on. 21 MR. PACK: Ms. Price. Is there a second?</p>
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<p>1 I was going to push it back. But while we have 2 him still awake, why don't we go ahead and take 3 care of some business here. I guess you guys 4 didn't catch that. Okay. It wasn't that 5 funny. 6 Amendment number one, which is Ms. Price's 7 amendment. Ms. Price, you want to add anything 8 additional to this amendment before I ask for a 9 vote? 10 MS. PRICE: You know -- 11 MR. LESHER: It needs to be moved and 12 seconded; doesn't it? 13 MR. PACK: The amendment, yes. I'm asking 14 if she wants anything additional. 15 MS. PRICE: No. I mean I think I said 16 what I needed to say about if it is truly for 17 tastings, then you shouldn't need more than six 18 to eight ounces, whichever one it was. And 19 otherwise, you are going to become a bar. 20 And I'm going to stand by the fact that if 21 you're drinking six to eight ounces in a</p>	<p>1 MS. PRICE: To at least take a vote? 2 MR. PACK: Is there a second? 3 MS. PRICE: So you're not even going to 4 allow a vote? No other Councilman is going to 5 at least allow a vote? 6 MR. PACK: The chair will -- since 7 Mr. Callahan is not here, I'll turn my gavel 8 over to Mr. Divilio. I will second the 9 amendment to move it to a vote. 10 Ms. Price, the amendment is now before 11 Council for final vote. Any additional 12 comments that you would have? 13 MS. PRICE: No. I think I've talked 14 enough. 15 MR. PACK: The first amendment is now 16 before the Council for vote. 17 Madam Secretary, please call the roll. 18 SECRETARY: Mr. Pack. 19 MR. PACK: No. 20 SECRETARY: Mr. Divilio. 21 MR. DIVILIO: No.</p>

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1 SECRETARY: Ms. Price.
 2 MS. PRICE: Aye.
 3 SECRETARY: Mr. Leshner.
 4 MR. LESHER: No.
 5 SECRETARY: Mr. Callahan.
 6 MR. CALLAHAN: No.
 7 MR. PACK: Thank you very much. The first
 8 amendment fails.
 9 Moving to the second amendment. We heard
 10 a reading of that amendment. Any further
 11 discussion on the amendment by either
 12 Mr. Callahan or Mr. Divilio at this time?
 13 MR. DIVILIO: I'm prepared to withdraw the
 14 amendment.
 15 MR. CALLAHAN: I second that.
 16 MR. PACK: Both petitioners are asking
 17 that the second amendment be withdrawn. Any
 18 further --
 19 MS. PRICE: Can we have discussion?
 20 MR. PACK: Yes. I said any further
 21 discussion.

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1 MS. PRICE: I was going to say that I
 2 believe that these amendments deserve an up or
 3 down vote so that each Council member and our
 4 position on these amendments is known.
 5 So we know where they are. They're going
 6 to vote no on it, but I don't understand why in
 7 the world we wouldn't at least take a vote on
 8 it so we have an opportunity so you know where
 9 each Council member is.
 10 So I would respectfully ask that you -- I
 11 know you have a motion and a second, but at
 12 lease allow us to vote.
 13 MR. CALLAHAN: I have no problem with
 14 that. I withdraw my second. Let's vote on it.
 15 MS. PRICE: Yeah. That's all I'm asking.
 16 Fair vote.
 17 MR. PACK: Mr. Callahan has withdrawn his
 18 second. Since he is the other introducer of
 19 the bill, the bill does stand with
 20 Mr. Callahan. The amendment, excuse me.
 21 So we're now dealing with a second

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1 amendment to Bill 1442. Is there a motion to
 2 move the second amendment to vote?
 3 MS. PRICE: So moved.
 4 MR. PACK: Moved by Ms. Price. Is there a
 5 second? Is there a second?
 6 MR. LESHER: Second.
 7 MR. CALLAHAN: Second.
 8 MR. PACK: Seconded by Mr. Callahan.
 9 Thank you, sir. Amendment number two is now
 10 before the Council for any further discussion
 11 on amendment number two before we call for the
 12 vote?
 13 Well, I made my comments on the amendment.
 14 I think it's a good amendment. I think it
 15 achieves what the petitioner was seeking as far
 16 as a sampling or tasting area but still allows
 17 some revenue to be generated through the six
 18 additional ounces of a cocktail.
 19 Not a gathering place, not a bar, not a
 20 place where you linger and stay around. But
 21 you would be able to sample the spirits as

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1 distilled and then try them also in a cocktail
 2 format. I think this is a good drafting and it
 3 meets the objective of what they were looking
 4 for.
 5 So we have a motion and a second. Those
 6 are my comments. Madam Secretary, if there's
 7 no additional, please call the roll on the
 8 second amendment.
 9 SECRETARY: Mr. Pack.
 10 MR. PACK: Aye.
 11 SECRETARY: Mr. Divilio.
 12 MR. DIVILIO: No.
 13 SECRETARY: Ms. Price.
 14 MS. PRICE: Aye.
 15 SECRETARY: Mr. Leshner.
 16 MR. LESHER: Nay.
 17 SECRETARY: Mr. Callahan.
 18 MR. CALLAHAN: No.
 19 MR. PACK: Okay. Second amendment does
 20 fail.
 21 Now we have Bill 1442 as drafted. Both

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<p>1 amendments have now failed. Any further 2 discussion on Bill 1442 as drafted? None, 3 okay. 4 Bill 1442 is now before the Council for 5 final vote. Madam Secretary, on Bill 1442. 6 MR. LESHER: Do you need a third reader on 7 this? 8 MR. PACK: Do we need third reader? I'm 9 sorry, yes. 10 MS. PRICE: One second. Just one quick 11 comment. 12 I am truly disappointed that after working 13 with the person who wanted this who said that 14 they could operate their business and pour 15 those cocktails so that people could enjoy them 16 and sample them in the way they are intended 17 and work on this amendment and then to have 18 that go away and get voted down when the person 19 who wants this very legislation was willing to 20 compromise and she'd still be able to run her 21 business and we have a reasonable limitation</p>	<p>1 you said it, it is the Jaime Windon Bill. And 2 I love her, but that is not what we should be 3 voting on. And so I'm really disappointed that 4 we couldn't vote on a compromise that came from 5 the owner themselves. 6 MR. PACK: Any further comment, 7 discussion? Okay. 8 This bill has not been moved to third 9 reader. I do apologize. We were moving so 10 much through it. The chair would now take a 11 vote to move Bill 1442 -- is there a motion to 12 move Bill 1442 to third reader tonight? 13 MR. LESHER: So moved. 14 MR. DIVILIO: Second. 15 MR. PACK: Take your pick. I guess 16 Mr. Divilio -- Mr. Leshar was first, 17 Mr. Divilio is the second. This is to move 18 Bill 1442 to third reader. 19 Madam Secretary, please call your roll. 20 SECRETARY: Mr. Pack. 21 MR. PACK: Aye.</p>
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<p>1 for anybody future in this county that wants to 2 come in and do this. 3 I'm very disappointed that we couldn't 4 work with this comprise, not knowing who the 5 next person is to come through that Talbot 6 County door to open up a business. 7 We don't have any bars in Talbot County, 8 whether you agree or disagree with that. I am 9 a small business owner. I understand about 10 business. And she said she could operate this 11 business. And now it's all gone away. 12 And so you don't know. Be careful what 13 you wish for because you just don't know the 14 next person. And when somebody does have that 15 and they don't appear inebriated and there's a 16 problem with somebody being intoxicated and 17 somebody getting hurt, when a reasonable 18 limitation could have at least protected us and 19 what might happen. 20 And we have to write legislation for 21 anybody and everybody. And this is, I think</p>	<p>1 MR. LESHER: You actually need a third 2 reader; don't you? 3 MR. PACK: We're moving it to third 4 reader. 5 MR. LESHER: Okay. 6 MR. PACK: We're moving it to third 7 reader. 8 MR. LESHER: Right. I'm sorry. 9 MR. PACK: We're moving it to third 10 reader. This is to move it to third reader. 11 MS. PRICE: This is not a vote on the 12 bill. This is just to get it to third reader. 13 MR. LESHER: Sorry. 14 MR. PACK: Madam Secretary, please call 15 your roll. 16 SECRETARY: Mr. Pack. 17 MR. PACK: Aye. 18 SECRETARY: Mr. Divilio. 19 MR. DIVILIO: Aye. 20 SECRETARY: Ms. Price. 21 MS. PRICE: Aye.</p>

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1 SECRETARY: Mr. Leshner.
 2 MR. LESHNER: Aye.
 3 SECRETARY: Mr. Callahan.
 4 MR. CALLAHAN: Aye.
 5 MR. PACK: Bill 1442 is now before the
 6 Council for third reader. Madam Secretary, if
 7 there's no further comment, please read the
 8 bill.
 9 SECRETARY: Bill Number 1442 --
 10 MR. DIVILIO: I ask that it be considered
 11 a third reading.
 12 MR. PACK: Motion is made by Mr. Divilio.
 13 Is there any objection?
 14 Mr. Divilio, since this bill did cause a
 15 lot of angst, I would like the bill to be read,
 16 at least the title of the bill, so that people
 17 will understand exactly what the bill and title
 18 is. I know there was much discussion about it.
 19 There was much debate back and forth about the
 20 bill.
 21 So I would ask that the secretary be

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1 allowed to read the bill title at this time.
 2 MS. PRICE: I would concur.
 3 MR. PACK: Madam Secretary, please read
 4 the title of the bill, 1442.
 5 SECRETARY: Bill Number 1442, a bill to
 6 amend Chapter 11 of the Talbot County Code,
 7 alcoholic beverages, to allow the Board of
 8 Liquor License Commissioners to issue a license
 9 for on-premises consumption of mixed drinks to
 10 class one distilleries.
 11 MR. PACK: Thank you very much, Madam
 12 Secretary.
 13 The chair will take that any final comment
 14 on the bill before vote. Okay.
 15 Again, I think we all had a chance to be
 16 heard on this. Again, since no additional
 17 comment, Madam Secretary, please call the roll
 18 on Bill 1442.
 19 SECRETARY: Mr. Pack.
 20 MR. PACK: Aye.
 21 SECRETARY: Mr. Divilio.

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1 MR. DIVILIO: Aye.
 2 SECRETARY: Ms. Price.
 3 MS. PRICE: No.
 4 SECRETARY: Mr. Leshner.
 5 MR. LESHNER: Aye.
 6 SECRETARY: Mr. Callahan.
 7 MR. CALLAHAN: Aye.
 8 MR. PACK: Okay. Bill 1442 passes. Thank
 9 you very much, ladies and gentlemen.
 10 We're going to be moving on to our bill
 11 portion of the evening. If you want to stay
 12 around and be heard on any of the bills, please
 13 do so. If you're going to exit, please do so
 14 quietly. We have a lot of bills to get done
 15 with. Okay.
 16 Welcome to bill night. This will be an
 17 annual part of the Talbot County Council during
 18 the legislative period in Annapolis. From time
 19 to time, the Council is asked to take a
 20 position on various bills that will impact all
 21 of us here in Maryland.

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1 The Council has been asked to take a
 2 position on several bills. If you have the
 3 agenda, we have I think at last count with the
 4 amendment from Mr. Divilio 34 bills that we're
 5 going to go through this evening.
 6 Let me lay the ground rules to you how
 7 this is going to work. It's somewhat different
 8 than the public hearing process. What the
 9 chair will be asking is that for the person or
 10 persons who are asking the Council to take a
 11 position on the bill to come to the table and
 12 give us their position.
 13 The Council will give them two minutes to
 14 state their position. After they have done so,
 15 the Council will then open up the floor for any
 16 individuals in the gallery who want to give an
 17 opposing or maybe an adjoining position to that
 18 position which is given.
 19 After we've gone through that process, the
 20 Council will take one of three positions;
 21 either to support, to oppose, or no position.

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1 And then we'll move onto the second bill and in
 2 that fashion until we're gone through all 34
 3 bills this evening.
 4 Again, Council felt that this was the most
 5 open and transparent way to deal with the
 6 requests that we're getting. We get a number
 7 of requests every year to take a position on
 8 bills. So going forward, you will see this
 9 Council have one evening set aside which is
 10 bill day.
 11 And so congratulations and welcome to the
 12 inaugural Talbot County bill day.
 13 MS. PRICE: Mr. Pack.
 14 MR. PACK: Yes, ma'am.
 15 MS. PRICE: There were several bills that
 16 got onto the list that weren't necessarily
 17 requested.
 18 I spoke to both Delegate Mautz and to . . .
 19 MS. MORRIS: Captain Newberry.
 20 MS. PRICE: Captain Newberry. Thank you.
 21 And Captain Newberry only had three bills that

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1 he really wanted us to take a position on.
 2 And I also went through the bill list with
 3 Delegate Mautz, and we were able to cross out
 4 several that he didn't think the County Council
 5 had a role on.
 6 So I have a list of bills, and this would
 7 cut our list about in half, to go through. And
 8 I can read off the bill number. And if there's
 9 anybody that does want us to discuss them --
 10 MR. PACK: Well, Ms. Price, that's
 11 precisely what we're going to do.
 12 But since the delegate is here, if no one
 13 comes to the table, then we'll move through
 14 that bill. If Captain Newberry or no one from
 15 the Watermen's Association is here to ask us to
 16 take action on it, we'll simply move past that
 17 bill to the next bill.
 18 So by virtue of their absence, we'll
 19 accomplish what it is that you're saying.
 20 So in that regard, I think we do have,
 21 yes, I do see her in the audience.

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1 So we're going to start with House Bill --
 2 and Madam Secretary, as I call the bill, if you
 3 wouldn't mind reading the title of the bill so
 4 we can have that on the record as well.
 5 We're going to start with House Bill 388.
 6 SECRETARY: House Bill 388, criminal
 7 procedure, civil immigration enforcement,
 8 restrictions.
 9 MR. PACK: Council will ask for who is
 10 bringing this matter to the Council for
 11 consideration? Come to the table and identify
 12 yourself.
 13 Director Kokolis, good to see you.
 14 MR. KOKOLIS: Mr. Chairman, Terry Kokolis,
 15 director of corrections for Talbot County,
 16 Maryland.
 17 MR. PACK: Thank you. Director, good to
 18 see you. You have two minutes, sir.
 19 MR. KOKOLIS: Okay. I don't have much to
 20 say on House Bill 388.
 21 I was asked to comment on House Bill 677,

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1 also partnered by Senate Bill 850.
 2 MR. PACK: You're two bills ahead of us.
 3 So I'm going to ask you to step back if you're
 4 not speaking on 388 at this time. But we'll
 5 get to those bills.
 6 I'm just trying to go in order that the
 7 Council has these bills outlined in the agenda.
 8 Who is offering Council on 388? Come
 9 forward please, be identified.
 10 MR. PETERS: Good evening, Council.
 11 MR. PACK: Good evening.
 12 MR. PETERS: My name is Matthew Robert
 13 Peters. Address is 7423 Station Road in
 14 Newcomb, Maryland. I am the executive director
 15 of the Chesapeake Multicultural Resource
 16 Center.
 17 So my statement here tonight for the
 18 criminal procedure of civil immigration
 19 enforcement and restrictions, which is a House
 20 bill currently, is to really stress to the
 21 Council here tonight the impact that this type

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1 of bill would have in Talbot County.
 2 Knowing now that there's well over 900
 3 students in Talbot County Public Schools that
 4 are either foreign born or their parents are
 5 foreign born and recent immigrants, the
 6 immigrant population is an integral part of our
 7 school systems.
 8 The rate of births in the hospital,
 9 parents, grandparents, uncles, and cousins make
 10 up a large portion of the Talbot County
 11 community.
 12 So my first question that I'd like to
 13 propose as you think about giving your support
 14 for or not for this is really how do you see
 15 our immigrant community. Do you see them as
 16 our neighbors, as a threat, as friends, as
 17 enemies, and a security risk, or as valuable
 18 community members?
 19 The second question is what do you know
 20 about our immigrant community here? Do you
 21 know their names, do you know where they were

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1 born, why they came to Talbot County? What are
 2 their hopes and dreams? Have you sat with them
 3 in a camping trip, have you broken bread with
 4 them, have you sat at their celebrations, their
 5 birthday parties?
 6 So I ask you when you think about this is
 7 those are things I do know, having worked every
 8 day for the past seven years here in this
 9 county with the immigrant community. And you
 10 may ask me how do you know all these things
 11 about this community.
 12 And I ask you, if you'd like to respond,
 13 why do you think I know so much about this
 14 community? What is the reason you think that I
 15 have so much knowledge about this community?
 16 MR. PACK: Because you care.
 17 MR. PETERS: One. There's another word
 18 I'm looking for. It's trust. I've earned that
 19 trust by listening and being with them.
 20 So when I look at this bill and I look at
 21 what this could provide for our community, are

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1 two ways for you to decide as a Council and as
 2 State to lead. Is it to lead with trust or is
 3 it to lead by invoking fear into this
 4 community?
 5 I see firsthand the fear that children
 6 have when they see a police car drive by. I
 7 hear what they say. I have to calm them. They
 8 trust me. We need to extend that trust to all
 9 law enforcement and everyone in this state as
 10 much as we can.
 11 There's nothing we can do better than to
 12 build that trust. And it only takes me or one
 13 person one mess-up, one misuse of that trust
 14 and to lose it forever with this community.
 15 So I implore you for criminal procedures
 16 to really think about the families here that it
 17 affects and how we need to take every step we
 18 can to have that trust because right now they
 19 are living in fear. Right now we are ruling
 20 with that fear, not with that trust.
 21 Thank you.

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1 MR. PACK: Thank you, Matt. The Council
 2 will now hear anyone who have any further
 3 testimony on 388 either in support of
 4 Mr. Matthew's position or in opposition.
 5 Please come up and identify yourself and be
 6 heard.
 7 MR. BOBROW: My name is Davis Bobrow.
 8 I live in St. Michaels, 24997 Back Creek Drive
 9 21663.
 10 MR. PACK: Thank you, sir. Your two
 11 minutes.
 12 MR. BOBROW: I'm here to speak in
 13 support of the bill. And I'm speaking on
 14 behalf of a coalition of more than 100 Talbot
 15 County residents and six congregational faith
 16 groups.
 17 For us, this is not a partisan issue.
 18 This is a moral issue and an issue of
 19 enlightened economic self-interest.
 20 All this bill will do is remove
 21 initiatives that local law enforcement could

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<p>1 take related to immigration enforcement. It in 2 no way provides sanctuaries for law violations 3 of any other kind. It in no way disables any 4 other parts of law enforcement. 5 So if you believe that this community, 6 which is large and diverse racially, in terms 7 of religion, and in terms of country of origin, 8 is a value and has the status where they should 9 not be hassled when, other than on immigration 10 matters, they have broken no law, you would 11 support this bill. 12 Thank you very much. 13 MR. PACK: Thank you, sir. Anyone else on 14 Bill 388? 15 Any Council discussion on 388? Chair 16 would entertain -- yes, Mr. Leshner. 17 MR. LESHER: What is the next action? 18 MR. PACK: I ask any further discussion on 19 388. 20 MR. LESHER: I would prefer that we take 21 the time on something like this to gather</p>	<p>1 be taking a position on. I don't see the role 2 in us taking -- still having to come back and 3 take a vote on this, especially once it's out 4 of committee, that's -- if it passes committee, 5 it typically passes the house. 6 And honestly, if Delegate Mautz has any 7 feedback to give us as we're going through this 8 process, since we're dealing with you guys', 9 your bills, I would welcome that. 10 MR. PACK: Mr. Divilio, any -- 11 MS. PRICE: So I would say no position. 12 MR. DIVILIO: So I was just going to ask. 13 So we're either -- 14 MS. PRICE: Support, oppose, no position. 15 MR. DIVILIO: We're going to send these 16 all at one time tonight? 17 MR. PACK: Well, we'll have to draft the 18 letter. Then we'll do that. 19 But Mr. Leshner is asking that we hold this 20 off until March 10th. 21 MR. DIVILIO: I'm fine with that.</p>
<p>Page 115</p> <p>1 additional information and would ask if we 2 could put this on the agenda for March 10th. 3 MS. PRICE: Well, as the hearing has 4 already -- 5 MR. LESHER: The hearing has already taken 6 place. We're not going to (inaudible) House 7 hearing at this point. 8 MS. PRICE: Correct. It's also I believe 9 a place -- when we sometimes look at bills like 10 this at MACo, we look at whether it has a local 11 impact. And sometimes it will say well, this 12 is better served by the sheriff's community or 13 the police community taking the position on the 14 bill and how it's going to impact them. 15 I don't think that this is something that 16 the County Council should necessarily be 17 involved in. If it's something that has to do 18 with the Health Department, we let those 19 agencies really take the lead on that. 20 So I would think that this would be better 21 for Sheriff Gamble and maybe the Easton PD to</p>	<p>Page 117</p> <p>1 MS. PRICE: It will basically be done. I 2 mean it's already gone through the House. And 3 then it might have already passed the floor. 4 So delaying any of these is not going to 5 serve us well. And honestly, our letter is not 6 probably going to make a difference either. So 7 I think honestly most of these things we pretty 8 much could take them up tonight or we just 9 basically have decided to waive our rights to 10 have a letter go up. 11 MR. PACK: Okay. 12 MS. PRICE: Now or never basically. 13 MR. PACK: Does that change your position 14 any, Mr. Leshner? 15 MR. LESHER: At the risk of what Ms. Price 16 has suggested there, I would like to take the 17 additional time. 18 MR. PACK: Okay. We're going to -- we 19 always had a gentleman's agreement to respect 20 if someone was asking for a matter to be 21 postponed. So we will set our intentions on</p>

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1 Bill 388 until our March 10th hearing to allow
 2 Mr. Leshner some additional time to work through
 3 the bill.
 4 Next matter before Council is Bill 404.
 5 It also has a companion House bill, which is
 6 903. Who is bringing this bill to the Council
 7 for action? Who is bringing this bill to the
 8 Council for action?
 9 Sir, come up to be heard. House Bill 403,
 10 Senate Bill 903.
 11 SECRETARY: Mr. Pack, you want me to read
 12 it?
 13 MR. PACK: Yes, ma'am. If you would read
 14 the bill while he's coming forward.
 15 SECRETARY: House Bill 403, Senate Bill
 16 903, immigration enforcement, public schools,
 17 hospitals, and courthouses, policies.
 18 MR. PACK: Thank you. Sir, identify
 19 yourself. Get two minutes on the clock.
 20 Please be quiet.
 21 MR. BOBROW: Mr. Bobrow, same person I

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1 was. 24997 Back Creek Drive, St. Michaels.
 2 This is the bill deals with sensitive
 3 locations. It simply will assist public
 4 schools, hospitals, and courthouse managers to
 5 avoid interference with their normal functions
 6 by ICE agents unless they have a judicial
 7 warrant. In other words, it does not change
 8 current federal law. It involves no change.
 9 And it simply would require the Attorney
 10 General of the State of Maryland to provide
 11 technical assistance to the managers of
 12 schools, courthouses, and hospitals.
 13 It is in the public interest for the
 14 community that will be most directly affected
 15 to feel comfortable getting health care, to
 16 feel comfortable having their kids educated,
 17 and to feel comfortable that they will not be
 18 bushwhacked when they deal with the legal
 19 system for a whole host of matters, many civil
 20 and not all criminal.
 21 Thank you very much.

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1 MR. PACK: Thank you very much. Anyone
 2 else on Bill 403, Senate Bill 903? Come up and
 3 be heard, please. Your name for the record,
 4 Mr. Peters.
 5 MR. PETERS: Matthew Robert Peters, 7423
 6 Station Road.
 7 MR. PACK: Thank you.
 8 MR. PETERS: Newcomb, Maryland.
 9 MR. PACK: Two minutes on the clock.
 10 MR. PETERS: So in terms of the policy for
 11 immigration enforcement and the Attorney
 12 General giving guidance to public schools,
 13 hospitals, and courthouses on what to do with
 14 enforcement, immigration enforcement, I can
 15 attest to this personally.
 16 This is something that I do regularly with
 17 school systems, hospital groups where I do know
 18 your rights training and I do inform schools of
 19 their rights so they can share that knowledge
 20 with their constituents, their students, and
 21 their patients.

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1 I believe that this will help us again for
 2 the word I brought up before, trust. Our
 3 families now do have trust in our schools.
 4 That's the one place where trust is enshrined.
 5 They do have trust in our medical facilities
 6 and our clinics.
 7 They do not have trust at this point in
 8 our courthouses. So we need guidance on that.
 9 We need to make sure that they feel comfortable
 10 going to court, either testifying or being
 11 accountable for any infractions that they have.
 12 I can attest to when that trust is broken,
 13 how that leads to a myriad of effects on family
 14 members, increasing stress, and increasing
 15 mental illness issues with these families.
 16 So again, I implore this Council to take a
 17 position on this in favor of allowing our
 18 Attorney General to provide that guidance to
 19 make sure that these areas of trust are
 20 enshrined with this community so we can make
 21 sure that we are secure as a community in terms

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<p>1 of providing education, health, and legal 2 services to this community. 3 Thank you. 4 MR. PACK: Thank you, Mr. Peters. Anyone 5 else on Bill 403, Senate Bill 903? 6 Hearing none, the chair would entertain a 7 position on Council to either support, oppose, 8 or no position. 9 MS. PRICE: I make a motion for no 10 position. 11 MR. PACK: No position by Mr. Price. Is 12 there a second to that? 13 MR. DIVILIO: I can second that. 14 MR. PACK: Second no position. Madam 15 Secretary, on the position that we take a no 16 position on Bill 403. 17 Well, before I call the roll for that, I 18 was hoping that we would lend our support to 19 this bill. I think that the bill does give 20 some safeguards in place. I think both of the 21 testimony we received was correct. It doesn't</p>	<p>1 MS. PRICE: Aye. 2 SECRETARY: Mr. Leshar. 3 MR. LESHAR: Nay. 4 MR. PACK: Matter fails. Council will not 5 be taking action on Bill 403. 6 MR. LESHAR: I can offer a motion for a 7 letter of support. I have a sense of where 8 this is going to go. 9 MS. PRICE: What I was asking as far as 10 discussion, again, these types of bills are 11 really best served by the Sheriff's Department 12 or if it's like Terry Kokolis, those are the 13 people that I have to trust to take the lead on 14 the position of these bills. 15 And so for Talbot County, I don't know 16 that like our sheriff would or our Easton PD 17 would. If it's a Detention Center bill, which 18 I know we're about to hear about, it's better 19 for the Detention Center heads to take 20 positions on that. 21 I just feel like we're overstepping our</p>
<p>Page 123</p> <p>1 remove action if there's a legitimate reason 2 for that action. If there is a judicial 3 warrant for an individual for a crime that was 4 committed, of course, law enforcement will step 5 in and apprehend that individual and it will go 6 through the judicial process. But if someone 7 was on public property attending schools or 8 hospitals and there is no judicial warrant to 9 have law enforcement approach that individual, 10 that gives me pause. 11 So I was hoping that we would support 12 this. And that's my position on it. 13 So Council does have a position by 14 Ms. Price of no position, seconded by 15 Mr. Divilio. 16 Madam Secretary, please call the roll. 17 SECRETARY: Mr. Pack. 18 MR. PACK: No. 19 SECRETARY: Mr. Divilio. 20 MR. DIVILIO: Aye. 21 SECRETARY: Ms. Price.</p>	<p>Page 125</p> <p>1 bounds. It's not a matter of whether we 2 support, oppose, or no position personally. 3 But there's a place where these bills should 4 be, the people who should speak to these bills 5 and give their testimony, not necessarily the 6 County Council's. 7 MR. PACK: Thank you, Ms. Price. 8 Mr. Leshar is now offering a second motion 9 on Bill 403, which is a motion to support from 10 the Council. Any further discussion on that? 11 I've already given my testimony. You guys 12 know where I stand. 13 Is there a second to offer a letter of 14 support on Bill 403? 15 MR. DIVILIO: I'll second it. 16 MR. PACK: Seconded about Mr. Divilio. 17 Any further discussion on the letter of support 18 to 403? 19 Hearing none, Madam Secretary, please call 20 your roll. 21 SECRETARY: Mr. Pack.</p>

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<p>1 MR. PACK: Aye.</p> <p>2 SECRETARY: Mr. Divilio.</p> <p>3 MR. DIVILIO: Aye.</p> <p>4 SECRETARY: Ms. Price.</p> <p>5 MS. PRICE: No. For the reasons I stated</p> <p>6 before.</p> <p>7 SECRETARY: Mr. Leshner.</p> <p>8 MR. LESHER: Aye.</p> <p>9 MR. PACK: Okay. The Council will be</p> <p>10 offering a letter of support to Bill 403.</p> <p>11 Next matter before Council is now House</p> <p>12 Bill 677, companion bill is Senate Bill 850.</p> <p>13 Who is bringing this matter before the Council?</p> <p>14 Director Kokolis, good to see you, sir.</p> <p>15 MR. KOKOLIS: Good to see you,</p> <p>16 Mr. Chairman.</p> <p>17 Members of the Council, I am here to offer</p> <p>18 opposition to House Bill 677 and companion bill</p> <p>19 Senate Bill 850. The bill prohibits any</p> <p>20 cooperation between local jurisdictions and</p> <p>21 what is called an immigration detention</p>	<p>1 opinion talking about cooperation, specifically</p> <p>2 to detainers, which is a term that is inherent</p> <p>3 in custom enforcement matters.</p> <p>4 It also interweaves that the Attorney</p> <p>5 General's opinion still holds fast, but it's</p> <p>6 covered by the bill.</p> <p>7 So I think that the confusion of the bill</p> <p>8 in terms stands that we should oppose this</p> <p>9 particular bill from the county perspective.</p> <p>10 Be willing to answer any questions you may</p> <p>11 have.</p> <p>12 MR. PACK: Any questions on the bill of</p> <p>13 the director?</p> <p>14 MR. LESHER: Yeah. I'm curious. There's</p> <p>15 no fiscal or policy note yet available from the</p> <p>16 Department of Legislative Services on this.</p> <p>17 MR. KOKOLIS: There is.</p> <p>18 MR. LESHER: Oh, there is?</p> <p>19 MR. KOKOLIS: Yes.</p> <p>20 MR. LESHER: It wasn't on the website.</p> <p>21 MR. KOKOLIS: The fiscal impact is</p>
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<p>1 agreement. But the bill confuses immigration</p> <p>2 detention agreement with an IGSA, which is an</p> <p>3 intergovernmental service agreement.</p> <p>4 Talbot County presently has an IGSA,</p> <p>5 intergovernmental service agreement, with the</p> <p>6 US Marshal Service. The way this legislation</p> <p>7 is written, and incidentally, it is not to hold</p> <p>8 immigration-related defendants or detainees,</p> <p>9 but an IGSA is a federal government agreement</p> <p>10 that stipulates that even though it is for the</p> <p>11 US Marshal, it has a caveat that the county can</p> <p>12 hold Immigration Custom Enforcement detainees</p> <p>13 known as ICE detainees.</p> <p>14 Talbot County never has, has always taken</p> <p>15 a position not to hold. But this legislation</p> <p>16 affects IGSA agreements that Talbot County has.</p> <p>17 So for that reason, I oppose the bill.</p> <p>18 And woven throughout the bill is the lack of</p> <p>19 cooperation throughout with Immigration Custom</p> <p>20 Enforcement, when, in fact, the Attorney</p> <p>21 General of Maryland has issued two letters of</p>	<p>1 directly related to three counties, Frederick</p> <p>2 County, Howard County, and Worcester County,</p> <p>3 that have immigration holding facilities. They</p> <p>4 have IGSA's, and they hold only for ICE,</p> <p>5 Immigration Custom Enforcement.</p> <p>6 And I think the fiscal note indicates that</p> <p>7 the cost, that Frederick County receives a</p> <p>8 million dollars, Howard County receives</p> <p>9 \$2.9 million, and Worcester County receives</p> <p>10 \$5.2 million, which is 54 percent of their</p> <p>11 budget. So the impact is more inherent in</p> <p>12 other counties and not in Talbot County.</p> <p>13 But the fact that it keeps referring to</p> <p>14 IGSA's, which Talbot County has with the US</p> <p>15 Marshals Service, I think it muddies the water</p> <p>16 of what an IGSA is because it is not an</p> <p>17 immigration detention agreement that this bill</p> <p>18 prohibits.</p> <p>19 MR. LESHER: So Mr. Kokolis, if I'm</p> <p>20 understanding you well, essentially you see</p> <p>21 this as a poorly written bill that for Talbot</p>

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1 County would have unintended consequences?
 2 MR. KOKOLIS: Yes.
 3 MR. LESHHER: Because the Marshal Service
 4 has nothing to do with immigration enforcement,
 5 but this would pertain to that because of the
 6 unfortunate language that's been used in this
 7 particular bill.
 8 MR. KOKOLIS: This bill, IGSA's are federal
 9 contracts to hold. It's not just Talbot
 10 County. It's Kent County and it's Dorchester
 11 County. It's a lot of counties that have IGSA
 12 agreements.
 13 But this bill couples IGSA agreements with
 14 immigration detention agreements, which is what
 15 it wants to prohibit. And even though it cites
 16 the three counties that have IGSA's, the same
 17 agreement that Talbot County has, strictly for
 18 ICE, Immigration Custom Enforcement, detainees,
 19 and they are paid through the federal
 20 government from the Department of Homeland
 21 Security. Talbot County is paid by the US

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1 Marshal Service. And the individuals we hold
 2 generally have nothing to do with immigration
 3 that we know of.
 4 MS. PRICE: Let me read the one sentence
 5 from after \$9.1 million for those particular
 6 three counties. It says expenditures decrease
 7 to the extent that local jurisdictions no
 8 longer provide immigration detention services
 9 for the federal government.
 10 And then I'll just skip.
 11 MR. LESHHER: Though it sounds like we
 12 don't do that in Talbot County.
 13 MS. PRICE: No. But again, sometimes you
 14 have to think bigger picture and you have to
 15 think might not be happening in your county
 16 right now, but it could come.
 17 But anything where I see this bill imposes
 18 a mandate on a unit of local government, I want
 19 our local government to be able to make those
 20 decisions. The County Council hires people
 21 like Director Kokolis, the citizens of Talbot

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1 County vote on someone like Sheriff Gamble.
 2 So I think that retaining local autonomy
 3 is crucial. Any time the State wants to come
 4 in and take that authority away, I'm pretty
 5 likely to oppose that bill because I trust the
 6 people that the citizens voted in or that the
 7 County Council has put in places of authority,
 8 which is, again, why on these bills it's not
 9 necessarily my personal position. It's that I
 10 entrust those decisions to you.
 11 Now, in this case you're asking us for our
 12 support. So I will respect that.
 13 MR. KOKOLIS: These bills and the passion
 14 of immigration bills in Annapolis the past
 15 three sessions, this session being no
 16 different, it relates to an IGSA that is
 17 something that Talbot County has that has
 18 nothing to do with immigration detention
 19 agreements.
 20 So I think it's poorly written, and I
 21 think the opposition is that it is poorly

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1 written and could affect, if the legislature
 2 prohibits any jurisdiction in Maryland from
 3 participating in an IGSA agreement, then we
 4 would be excluded from that program, and it has
 5 nothing to do with custom --
 6 MS. PRICE: We're just housing their
 7 people, right?
 8 MR. KOKOLIS: Yes.
 9 MS. PRICE: And you know, why wouldn't, if
 10 you have that capability of having that in your
 11 jurisdiction, the State shouldn't be the ones
 12 telling us that we can't do that because it is
 13 a local revenue source for some jurisdictions.
 14 MR. PACK: Thank you very much, Director
 15 Kokolis.
 16 Anyone else on HB 677 or SB 850, please
 17 come up to be heard? Okay.
 18 Council, the chair would entertain a
 19 motion to either support, oppose, or no
 20 position.
 21 MS. PRICE: I'll make a motion to oppose.

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1 MR. PACK: Motion to oppose by Ms. Price.
 2 MR. DIVILIO: Second.
 3 MR. PACK: Seconded by Mr. Divilio. Any
 4 further discussion?
 5 Madam Secretary, we have a motion before
 6 us to oppose, a letter of opposition to 677,
 7 please call the roll.
 8 SECRETARY: Mr. Pack.
 9 MR. PACK: Aye.
 10 SECRETARY: Mr. Divilio.
 11 MR. DIVILIO: Aye.
 12 SECRETARY: Ms. Price.
 13 MS. PRICE: Aye.
 14 SECRETARY: Mr. Leshner.
 15 MR. LESHER: Aye.
 16 MR. PACK: Thank you very much.
 17 Moving on, Council, we now have before us
 18 House Bill 1368, correction services.
 19 Madam Secretary, please read the bill.
 20 SECRETARY: Correctional services, home
 21 county correctional facility program.

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1 MR. PACK: Thank you very much.
 2 Director Kokolis, good to see you again.
 3 MR. KOKOLIS: Mr. Chairman. My testimony
 4 for House Bill 1368 is to not only oppose it
 5 but to strongly oppose it.
 6 MS. PRICE: Yes.
 7 MR. KOKOLIS: What this bill does is
 8 empowers the secretary of the Department of
 9 Public Safety and Correctional Services to
 10 collect the names of all inmates in the
 11 Division of Corrections, all 17, 18,000 of
 12 them, find out who lived in Talbot County prior
 13 to their arrest and conviction. And within
 14 five years of their release from the Division
 15 of Corrections, to send them back to their home
 16 jurisdiction.
 17 So this is an attempt for the Division of
 18 Corrections to effectively depopulate prisons
 19 and put the burden on local jurisdictions. And
 20 not only that, members of the County Council,
 21 but a local jurisdiction has no say in

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1 accepting or not accepting an individual that
 2 fits into this category. The only requirement
 3 is for the inmate, if the Division of
 4 Corrections, to request to move back to their
 5 home jurisdiction. And the only caveat is
 6 within five years of their release date.
 7 MS. PRICE: -- house people for five
 8 years. Typically, what, 18 months is about the
 9 max that we keep people. And now we're going
 10 to -- again, I'm just going to go ahead. We
 11 don't need to discuss this.
 12 Motion to oppose.
 13 MR. PACK: Any further discussion?
 14 There's a motion to oppose. Is there a second?
 15 MR. DIVILIO: Second.
 16 MR. LESHER: Are we going to take other?
 17 MR. PACK: I'm sorry. Thank you very
 18 much, Director Kokolis.
 19 Any further comment on Bill 1368?
 20 Sure. Go ahead.
 21 MR. LESHER: This is one -- there are

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1 quite a lot of these bills that I feel like I
 2 have an imperfect understanding of.
 3 The fiscal note clearly does say the bill
 4 imposes a local government mandate which is a
 5 directive and a bill requiring a local
 6 government unit to perform a task or assume the
 7 responsibility that has a discernable fiscal
 8 impact on the local government unit.
 9 That presumably is the cost of housing
 10 that inmate. Is that what the language is
 11 talking about here?
 12 MR. KOKOLIS: COMAR outlines that in local
 13 correctional facilities around the State of
 14 Maryland, all 23 counties, that an 18-month
 15 sentence is the maximum sentence that somebody
 16 could do in a local correctional facility.
 17 That's to build in the resocialization or
 18 rehabilitation tool and to be able to provide
 19 reentry services and to make it cost effective.
 20 Local correctional -- I'll give you a good
 21 example of this bill. There are 13 inmates in

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1 State prison that are within one year of their
 2 release that are from Talbot County that meet
 3 this criteria. So there are 13 eligible right
 4 now with one year left on their sentence.
 5 So if you multiply that by five, the
 6 population of the Talbot County Detention
 7 Center could double just by virtue of this
 8 program.
 9 So the real cost effectiveness or the per
 10 diem cost, there is no per diem cost associated
 11 with this bill. So even if there was a per
 12 diem cost, the burden that it would put on a
 13 local correctional facility, not only the
 14 services that it provides but also the
 15 treatment that it provides. Providing
 16 treatment for 60 people as opposed to 120
 17 people are two different levels of treatment
 18 that can be provided from a public safety
 19 arena.
 20 So it impacts staffing, it impacts cost
 21 for services, it impacts treatment, increases

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1 the cost of three meals a day, increases the
 2 cost of medical care, which are all privatized
 3 very high contracts.
 4 So the fiscal (inaudible) can't even
 5 determine what the cost would be.
 6 MR. LESHER: And State funding would not
 7 follow these into Talbot County detention?
 8 MS. PRICE: No.
 9 MR. KOKOLIS: This provides absolutely not
 10 a word about any reimbursement to a county at
 11 all.
 12 MR. PACK: Director Kokolis, currently
 13 Talbot County is engaged, correct me if I'm
 14 wrong, in the reentry partnership with
 15 Department of Corrections, Division of
 16 Corrections, excuse me. We are receiving
 17 inmates from EPRU, or we have been under the
 18 former director, who were within one year of
 19 their release date.
 20 Is that still going on where through the
 21 reentry program we're receiving inmates from

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1 EPRU?
 2 MR. KOKOLIS: That program was
 3 discontinued and a new program with new
 4 wording, we have received the MOU. The Office
 5 of Law has the MOU. It requires Council
 6 president's signature.
 7 And what it does is it outlines a reentry
 8 program for Talbot County residents to be able
 9 to come back to the county within one year of
 10 their release date, which makes sense. These
 11 are county residents that will be released back
 12 into our community. So it is the appropriate
 13 thing for us to be able to put them in reentry
 14 program, put them in work release, and get them
 15 jobs.
 16 But that's a total of 13 that are eligible
 17 for the program. They may not all wish to come
 18 back. But those that are wishing and hoping to
 19 come back, we will accept them because they're
 20 coming back to our community anyhow.
 21 MR. PACK: So we are, I just want to be

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1 clear so the public is aware that we are
 2 currently, once this new MOU is looked at and
 3 approved by Council, engaged in a reentry
 4 program with the Division of Corrections?
 5 MR. KOKOLIS: Correct.
 6 MR. PACK: I know that prior Council had
 7 put some stipulation on the types of inmates
 8 that we were taking back into the local
 9 Detention Center.
 10 Because we are a local detention center,
 11 we don't have felony inmates in that local
 12 detention center by and large. So I know there
 13 was some stipulation on the type of inmate we
 14 were receiving back.
 15 But just wanted to make sure that program
 16 is still ongoing for the record. So although
 17 this one may not be to your liking, the county
 18 is already taking part in a reentry program to
 19 help those inmates transition and reenter back
 20 into their home life. So we are doing our part
 21 with that.

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1 MR. KOKOLIS: Yes. And we review each one
 2 of those and we accept them and approve them to
 3 return. This bill has no such --
 4 MR. PACK: Right. I concur with you.
 5 Yes, sir.
 6 Anyone else on 1368?
 7 Council, the chair would entertain on 1368
 8 to either oppose, support, or no position.
 9 MS. PRICE: Motion to oppose.
 10 MR. PACK: Motion to oppose by Ms. Price.
 11 Is there a second?
 12 MR. DIVILIO: Second.
 13 MR. PACK: Seconded by Mr. Divilio. Any
 14 further discussion?
 15 MR. LESHHER: I would suggest that the
 16 letter of opposition might suggest that
 17 unfunded mandates from the State to the local
 18 government are unwelcome.
 19 MR. PACK: Once we get the wording, we'll
 20 send it over to you to add any additional
 21 wording you see fit.

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1 Madam Secretary, we have a motion and
 2 second to oppose, issue a letter in opposition
 3 of Bill 1368. Would you please call your roll.
 4 SECRETARY: Mr. Pack.
 5 MR. PACK: Aye.
 6 SECRETARY: Mr. Divilio.
 7 MR. DIVILIO: Aye.
 8 SECRETARY: Ms. Price.
 9 MS. PRICE: Aye.
 10 SECRETARY: Mr. Leshher.
 11 MR. LESHHER: Aye.
 12 MR. PACK: Thank you very much.
 13 Council, next matter before you is HB 95.
 14 Its joint filing is House Bill 162. Who is
 15 bringing this matter before Council?
 16 MS. HARRISON: I will.
 17 MR. PACK: Come forward to be heard.
 18 Identify yourself, please.
 19 MS. HARRISON: Robin Harrison with Talbot
 20 Watermen's Association.
 21 MR. PACK: Ms. Harrison. Good to see you.

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1 MS. HARRISON: I'm filling in for my
 2 husband, Jeff Harrison, and Captain Rob
 3 Newberry. They're leaving Annapolis. They
 4 left about 15 minutes ago.
 5 We've had there's 33 hearings altogether
 6 this session that are involving natural
 7 resources. And as Laura had mentioned, she had
 8 talked to Captain Rob, and we just want to go
 9 over the three bills that --
 10 MS. PRICE: Right. So this wasn't one of
 11 the three. So I have the list of three bills.
 12 This was not one of them.
 13 MS. HARRISON: That is correct.
 14 MS. PRICE: So can we skip this one? This
 15 is Anne Arundel County.
 16 MS. HARRISON: Yes.
 17 MS. PRICE: Right. So when you hear one
 18 of the three that I talked to Captain Rob
 19 about, can you come up for those?
 20 MS. HARRISON: Yes. I have them here.
 21 MR. PACK: So this is not one that the

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1 Watermen's Association of Talbot County wish to
 2 take a position on?
 3 MS. HARRISON: We take no position on
 4 that.
 5 MR. PACK: Okay. Council, is there. . .
 6 MS. PRICE: Motion for no position.
 7 MR. PACK: No position. And is there a
 8 second?
 9 MR. LESHHER: Second.
 10 MR. PACK: Seconded by Mr. Leshher.
 11 Madam Secretary, call your roll on no
 12 position to House Bill 95.
 13 SECRETARY: Mr. Pack.
 14 MR. PACK: Aye.
 15 SECRETARY: Mr. Divilio.
 16 MR. DIVILIO: Aye.
 17 SECRETARY: Ms. Price.
 18 MS. PRICE: Aye.
 19 SECRETARY: Mr. Leshher.
 20 MR. LESHHER: Aye.
 21 MR. PACK: Next matter, Council, before

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<p>1 you is House Bill 210. Who is bringing this</p> <p>2 before Council?</p> <p>3 MS. HARRISON: We are. Talbot Watermen's</p> <p>4 Association, Robin Harrison.</p> <p>5 MR. PACK: Okay. This bill is also an</p> <p>6 Anne Arundel County bill.</p> <p>7 MS. PRICE: Let me see.</p> <p>8 MR. PACK: I'm sorry.</p> <p>9 MR. LESHER: Are we reading the title?</p> <p>10 MR. PACK: I apologize. Madam Secretary,</p> <p>11 please read the title to 210.</p> <p>12 MS. PRICE: Hold on one second.</p> <p>13 The three bills, just so you know which</p> <p>14 ones they were --</p> <p>15 MR. PACK: Let me just have her read the</p> <p>16 title to 210.</p> <p>17 MS. PRICE: This isn't one of them. This</p> <p>18 isn't one of the three.</p> <p>19 MS. HARRISON: It's a lot of bills.</p> <p>20 MR. PACK: Well, it's on our agenda. So I</p> <p>21 have to go through the agenda.</p>	<p>1 position on 210?</p> <p>2 MS. PRICE: Move no position.</p> <p>3 MR. PACK: No position on 210. Is there a</p> <p>4 second?</p> <p>5 MR. LESHER: Second.</p> <p>6 MR. PACK: Seconded by Mr. Leshler. Any</p> <p>7 further discussion?</p> <p>8 Madam Secretary, please call the roll on</p> <p>9 Bill 210 for no position.</p> <p>10 SECRETARY: Mr. Pack.</p> <p>11 MR. PACK: Aye.</p> <p>12 SECRETARY: Mr. Divilio.</p> <p>13 MR. DIVILIO: Aye.</p> <p>14 SECRETARY: Ms. Price.</p> <p>15 MS. PRICE: Aye.</p> <p>16 SECRETARY: Mr. Leshler.</p> <p>17 MR. LESHER: Aye.</p> <p>18 MR. PACK: Next matter move before us is</p> <p>19 Bill House 517. Madam Secretary, would you</p> <p>20 please read the title of 517?</p> <p>21 SECRETARY: House Bill 517, constitutional</p>
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<p>1 She'll read the bill. If we don't take a</p> <p>2 position on it, we'll just say no position and</p> <p>3 move forward. Let me just get through the</p> <p>4 agenda as printed for the people at home or who</p> <p>5 want to hear it.</p> <p>6 So on 210.</p> <p>7 MS. HARRISON: We are opposed.</p> <p>8 MR. PACK: I need, Madam Secretary, would</p> <p>9 you please read the title of 210, please.</p> <p>10 SECRETARY: House Bill 210, Senate 342,</p> <p>11 aquaculture leases in water column, riparian</p> <p>12 right of first refusal.</p> <p>13 MR. PACK: Okay.</p> <p>14 MS. PRICE: Now, I'm going to go back to</p> <p>15 this again. Captain Newberry gave me bills of</p> <p>16 HB 1306 cross filed with SB 629, SB 437, and SB</p> <p>17 948. Those are the only three he said that we</p> <p>18 needed to take up. Otherwise, we are going to</p> <p>19 be here all night because there are like a</p> <p>20 dozen new bills. So those are the only three.</p> <p>21 MR. PACK: So is there a motion for no</p>	<p>1 amendment, environmental rights.</p> <p>2 MR. PACK: Who is bringing this matter</p> <p>3 before Council for consideration?</p> <p>4 MS. HARRISON: Robin Harrison, Talbot</p> <p>5 Watermen's Association.</p> <p>6 MR. PACK: Is there a motion from Council</p> <p>7 either no position, support, or to oppose?</p> <p>8 MS. PRICE: Move no position.</p> <p>9 MR. PACK: No position by Ms. Price. Is</p> <p>10 there a second?</p> <p>11 MR. DIVILIO: Well, is this one of the</p> <p>12 three?</p> <p>13 MS. PRICE: No.</p> <p>14 MR. DIVILIO: Can you give me the three</p> <p>15 bill numbers?</p> <p>16 MS. PRICE: HB 1306, cross filed with</p> <p>17 Senate Bill 629, Senate Bill 437, and Senate</p> <p>18 Bill 948.</p> <p>19 I will just make a brief comment on this</p> <p>20 one that MACo is taking this up tomorrow and</p> <p>21 will likely oppose this bill, but we'll get</p>

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1 more information on this bill tomorrow.
 2 MR. PACK: Motion is made of no position.
 3 Is there a second on the motion of no position?
 4 MR. LESHER: Second.
 5 MR. PACK: Seconded Mr. Leshner. Any
 6 further discussion?
 7 Hearing none, Madam Secretary, please call
 8 your roll on HB 517.
 9 SECRETARY: Mr. Pack.
 10 MR. PACK: No position. Aye. Sorry.
 11 SECRETARY: Mr. Divilio.
 12 MR. DIVILIO: Aye.
 13 SECRETARY: Ms. Price.
 14 MS. PRICE: Aye.
 15 SECRETARY: Mr. Leshner.
 16 MR. LESHER: Aye.
 17 MR. PACK: Thank you very much. No
 18 position on that one.
 19 House Bill 856. Who is bringing this
 20 matter before Council?
 21 MS. HARRISON: Robin Harrison, Talbot

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1 Watermen's Association.
 2 MR. PACK: Madam Secretary, will you
 3 please read the title of the bill.
 4 SECRETARY: House Bill 856, Senate Bill
 5 689. Unlawful taking of oysters from submerged
 6 land leases and water column leases, penalties.
 7 MS. PRICE: I move no position.
 8 MR. PACK: Motion of no position made by
 9 Mr. Price. Is there a second?
 10 MR. LESHER: Second.
 11 MR. PACK: Seconded by Mr. Leshner. Any
 12 further discussion?
 13 MS. PRICE: From what I talked about with
 14 Delegate Mautz, this one is still under
 15 negotiation. Very one sided, not balanced.
 16 And the sponsors and stuff are trying to work
 17 this out. So it's likely to change.
 18 MR. PACK: Thank you very much, Ms. Price.
 19 We have a motion and a second of no
 20 position on House Bill 856.
 21 Hearing no further discussion, Madam

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1 Secretary, please call the roll.
 2 SECRETARY: Mr. Pack.
 3 MR. PACK: Aye.
 4 SECRETARY: Mr. Divilio.
 5 MR. DIVILIO: No.
 6 SECRETARY: Ms. Price.
 7 MS. PRICE: Aye.
 8 SECRETARY: Mr. Leshner.
 9 MR. LESHER: Aye.
 10 MR. PACK: No position on House Bill 856.
 11 Moving onto the second page, Council, we
 12 have House Bill 911.
 13 Madam Secretary, would you please read the
 14 title of House Bill 911.
 15 SECRETARY: House Bill 911, Senate Bill
 16 808, natural resources, fishery management
 17 plans, oysters.
 18 MR. PACK: Thank you very much, Madam
 19 Secretary.
 20 Who is bringing this matter before
 21 Council?

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1 MS. HARRISON: Robin Harrison, Talbot
 2 Watermen's Association.
 3 MR. PACK: Thank you very much,
 4 Ms. Harrison.
 5 MS. PRICE: Move no position.
 6 MR. PACK: No position made by Ms. Price.
 7 Is there a second?
 8 MR. LESHER: Second.
 9 MR. PACK: Seconded by Mr. Leshner. Any
 10 further discussion on 911?
 11 MR. DIVILIO: I would -- I'm asking for
 12 support with amendments that allow continued
 13 implementation of the Maryland Chesapeake Bay
 14 Oyster Management Plan.
 15 MR. PACK: Okay.
 16 MR. LESHER: Okay. So this bill simply
 17 alters the deadline for the Oyster Advisory
 18 Commission to meet following the veto override
 19 in January and keeps them from meeting and
 20 deliberating in closed session as they develop
 21 their consensus recommendations.

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1 The fiscal note notes indicates no impact
 2 to the local finances or small business.
 3 It does, I confess, seem necessary for
 4 this bill to pass since the previously
 5 legislated deadline has already elapsed between
 6 the time of the veto and the time the veto was
 7 overridden. I think the bill should pass.
 8 I question whether there is really a
 9 Talbot County government interest at stake
 10 here.
 11 It's already received favorable review in
 12 the House committee with amendments, and the
 13 Senate committee had a hearing today on its
 14 version at one o'clock this afternoon.
 15 So presumably not too late to get comment
 16 in on the Senate side before the Senate
 17 committee votes on this.
 18 MR. PACK: Okay. Delegate --
 19 MR. LESHER: I don't have strong feelings
 20 on this in terms of Talbot County action, but I
 21 sort of was prepared for no position on this.

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1 MR. PACK: Delegate Mautz.
 2 DELEGATE MAUTZ: This bill passed the
 3 House today. It was referred to the Senate.
 4 It does change deadlines based off of the
 5 Oyster Advisory Commission legislation that was
 6 vetoed by the governor, then it was overridden.
 7 And it comes up with two new timelines for
 8 issuing oyster management plan recommendations
 9 for the OAC. The first is August of 2021, and
 10 the next is December of 2021.
 11 The problem with the bill is that it
 12 prohibits the Department of Natural Resources
 13 from taking certain actions until this
 14 recommendation is made by the OAC.
 15 I serve on the OAC. I've been on the OAC
 16 for the past four years. And the bill requires
 17 the OAC agree by a margin of 75 percent to make
 18 this recommendation. And the OAC has never
 19 agreed on anything by more than -- I mean
 20 they've always objected.
 21 So there's a problem that if this deadline

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1 is in place and there's a problem and something
 2 needs to happen, then the Department is
 3 prohibited by law from taking action.
 4 That being said, it's just corrective,
 5 administrative. So I don't know if you
 6 necessarily want to get that deeply involved in
 7 something like this.
 8 MR. PACK: Thank you very much, Delegate
 9 Mautz.
 10 We had a motion of no position which was
 11 seconded. Mr. Divilio offered up a second
 12 motion, which is support with amendment.
 13 Is there a second to Mr. Divilio's motion?
 14 MS. PRICE: We didn't vote on the first
 15 motion.
 16 MR. PACK: But I have to get (inaudible)
 17 with his motion and then go back to the
 18 original motion.
 19 MS. PRICE: I thought we have to vote on
 20 the first motion first. I think that's the way
 21 that works.

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1 MR. PACK: Is there a second on
 2 Mr. Divilio's motion to support with
 3 amendments?
 4 MS. PRICE: Point of order,
 5 Mr. Kupersmith, if there's a motion and a
 6 second, don't we need to take the vote before?
 7 we entertain a second motion?
 8 MR. KUPERSMITH: Yeah, unless the second
 9 motion is to amend the first motion.
 10 MR. PACK: Which actually it is because
 11 it's asking for a motion to support.
 12 MS. PRICE: No. That's a completely
 13 different motion. That's not an amendment to a
 14 no position.
 15 MR. KUPERSMITH: If you have a motion and
 16 a second, the next step would be to call for a
 17 vote.
 18 MS. PRICE: Yup. We got to vote on that.
 19 MR. PACK: Okay. Then we'll move for the
 20 vote on no position at this time. Any further
 21 discussion on Bill 911?

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1 MS. PRICE: It's too technical for us. I
 2 mean it's too technical for us, as Delegate
 3 Mautz just said. I mean there's just no reason
 4 for us to weigh in on this. He sees problems
 5 with it. Certainly wouldn't go as far as
 6 trying to support it. So I think we stay out
 7 of it.
 8 MR. PACK: Madam Secretary, please call
 9 your roll, motion of no position on 911.
 10 SECRETARY: Mr. Pack.
 11 MR. PACK: Aye.
 12 SECRETARY: Mr. Divilio.
 13 MR. DIVILIO: Aye.
 14 SECRETARY: Ms. Price.
 15 MS. PRICE: Aye.
 16 SECRETARY: Mr. Leshner.
 17 MR. LESHNER: Aye.
 18 MR. PACK: Okay. Moving onto House Bill
 19 1059. Madam Secretary, would you please read
 20 the title of the bill?
 21 SECRETARY: House Bill 1059, Senate Bill

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1 950, aquaculture lease applications, notice,
 2 protests, and meetings alterations.
 3 MR. PACK: Who is bringing this bill?
 4 before Council?
 5 MS. HARRISON: Robin Harrison, Talbot
 6 Watermen's Association.
 7 MS. PRICE: Since it wasn't one of our
 8 three, I would move no position at this time.
 9 MR. PACK: Motion made of no position to
 10 1059. Is there a second?
 11 MR. LESHNER: Second.
 12 MR. PACK: Any further discussion?
 13 Madam Secretary, please call the roll on
 14 HB 1059 of no position.
 15 SECRETARY: Mr. Pack.
 16 MR. PACK: Aye.
 17 SECRETARY: Mr. Divilio.
 18 MR. DIVILIO: Aye.
 19 SECRETARY: Ms. Price.
 20 MS. PRICE: Aye.
 21 SECRETARY: Mr. Leshner.

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1 MR. LESHNER: Aye.
 2 MR. PACK: Thank you very much.
 3 Moving on, we have now House Bill 1285.
 4 Madam Secretary, please read the title.
 5 SECRETARY: House Bill 1285, Senate Bill
 6 678, natural resources, reclassification of
 7 oyster sanctuaries, authorization.
 8 MR. PACK: Thank you very much. Who is?
 9 bringing this matter before Council? Delegate
 10 Mautz, good to see you.
 11 DELEGATE MAUTZ: This legislation has been
 12 withdrawn.
 13 MR. PACK: Has been withdrawn, no
 14 position.
 15 MS. PRICE: (Inaudible) not even going to
 16 take a position at all.
 17 DELEGATE MAUTZ: There's nothing to take.
 18 Yeah. The bill has been withdrawn.
 19 MR. PACK: The bill has been completely
 20 withdrawn.
 21 MS. PRICE: Yup. So just skip.

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1 MR. PACK: Just scrap that out.
 2 Moving on, 1306. Madam Secretary, would
 3 you please read 1306.
 4 SECRETARY: House Bill 1306, Senate Bill
 5 629, natural resources, SAV protections zones
 6 and hydraulic clam dredges, Aquatic Habitat
 7 Protection Act.
 8 MR. PACK: Thank you. Who is bringing
 9 this matter before Council?
 10 MS. HARRISON: Robin Harrison, Talbot
 11 Watermen's Association.
 12 MS. PRICE: This one is on your list. You
 13 get to talk now.
 14 MR. PACK: We'll hear from you.
 15 MS. HARRISON: We oppose this bill because
 16 of the financial economic impact that it will
 17 have in Talbot County and for all, not only the
 18 watermen, but the seafood industry that rely on
 19 clams for crab bait.
 20 We feel that clams -- we have had studies
 21 on clams, make sure that the 50-foot buffer is

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1 appropriate for SAV protection. And the aerial
 2 surveys, we even examined those from VIMS that
 3 were taken from the last, the most current
 4 years. And it actually shows SAV growth in
 5 areas of clamming where clamming was occurring.
 6 And we put together a PowerPoint that showed
 7 the progressive growth in those areas.
 8 So we're thinking it's not harmful to clam
 9 in areas where there's SAVs nearby. It might
 10 even be beneficial to the clams oxygenating the
 11 water. We've submitted this finding to the
 12 Department of Natural Resources.
 13 There's no study that supports the
 14 150-foot buffer that the sponsor of this bill
 15 is looking for. It's just an arbitrary number.
 16 But there's no evidence that this is going to
 17 make any kind of impact good or bad. There's
 18 just no science behind it.
 19 And we have years of studies going back to
 20 about 20 years for clamming, and there's only
 21 1.8 percent of the Chesapeake Bay that is

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1 clammed for hydraulic dredge.
 2 So that's our position. If you have any
 3 questions.
 4 MS. PRICE: I would move to oppose.
 5 MR. LESHHER: Just a question. What this
 6 bill would do is to update the maps of SAV beds
 7 every year instead of I think the current is
 8 every three years. Is that correct?
 9 MS. HARRISON: It is, every three years.
 10 And we do see some benefits for year to
 11 year because if you have a heavy rain, then
 12 that would kill all the grass. But then you
 13 wouldn't have any grasses.
 14 I mean anything can happen in a year. The
 15 maps that we looked at, '19 and '18 were heavy
 16 rainfalls. They didn't even show -- they
 17 couldn't even map the SAVs. So I think they're
 18 trying.
 19 And we would also -- watermen want grasses
 20 to grow. That's the nursery for a lot of the
 21 seafood.

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1 And we think that a year would be good,
 2 but it could also be, because of heavy rains,
 3 that could not be a really good picture of
 4 where the SAVs could be. We're moving with the
 5 SAVs and we're keeping a good buffer between us
 6 and the SAV and it seems to be working. We're
 7 actually showing growth.
 8 MR. PACK: Thank you, Ms. Harrison.
 9 MR. LESHHER: So from time to time now, you
 10 might be working with lines that were drawn
 11 with three-year-old data instead of
 12 one-year-old data under this.
 13 But I don't think I understand how that
 14 could negatively impact clamming.
 15 MS. HARRISON: For it to be -- it doesn't.
 16 Because like what I said in 2019 and 2018, it
 17 actually would move us closer to the
 18 shoreline --
 19 MR. LESHHER: Because the grasses weren't
 20 growing in that year.
 21 MS. HARRISON: -- there was clams before.

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1 So the three years is kind of like then
 2 you can have a rainfall, but then you have a
 3 dry year. You have a little bit of a median
 4 where, you know, unfortunately we had two
 5 consecutive years of heavy rainfall.
 6 We want to protect the grasses, too.
 7 MR. LESHHER: Sure.
 8 MS. HARRISON: I think three years is a
 9 reasonable amount because of rain and weather
 10 events.
 11 What is happening now is working. And the
 12 clambers, they don't go into the grasses
 13 because it fowls up their gear. Doesn't work
 14 for them.
 15 MR. PACK: I'm going to open it up if
 16 anyone else has any additional comment on 1306.
 17 Any additional comment on 1306? Anyone
 18 else come forward to be heard. Come forward.
 19 Thank you. You can step back, Ms. Harrison.
 20 You can step back.
 21 MS. HARRISON: Me?

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1 MR. PACK: Yes.

2 MR. WATSON: Thank you. My name is Dan

3 Watson. I live at 8404 Aveley Manor Lane,

4 Easton on the Miles River. I'm speaking for

5 myself personally.

6 It happens that I am on the Advisory Board

7 of the Shore Rivers organization. I didn't

8 come here intending to speak on this or any

9 other bill. And I'm not speaking for Shore

10 Rivers.

11 That said, this is a piece of legislation

12 that I have followed and I followed the genesis

13 of the studies that underlie what's being

14 recommended by this legislation, which is an

15 annual update, as you've said, Mr. Leshner, of

16 the location of the SAV beds.

17 SAVs are a central element in the recovery

18 of the Chesapeake Bay and our tributaries, our

19 local tributaries; the Miles, the Wye, and the

20 Choptank.

21 And we acknowledge and are delighted that

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1 everyone, including the Watermen's Association,

2 acknowledges the central need for these SAV

3 beds as a nursery for everything that lives in

4 our rivers.

5 The dredging of clams is a very

6 destructive process. It's true that the

7 clambers endeavor not to work in SAV beds

8 because it does mess up their rigs. There is

9 also a timing difference here because clams are

10 typically harvested during the summer season

11 and into the early fall. The clams are

12 harvested as crab bait.

13 MR. DIVILIO: Ten seconds.

14 MR. WATSON: The SAV beds frequently

15 prosper in the springtime. With the heat and

16 by the summer weather, they've fallen away.

17 We do need, in fostering the growth of

18 these SAV beds, and it is weather dependent, we

19 acknowledge there are these ups and downs, of

20 course, but we all want to foster the long-term

21 growth, the upward curve of this in terms of

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1 the expansive SAV beds in our waters.

2 There is no reason not to rely on the

3 Virginia studies, the aerial surveys of SAV

4 beds, which are done annually and submitted to

5 DNR annually.

6 So DNR gets this information. There's no

7 additional work for DNR. It's just a matter of

8 DNR then promulgating these as the boundaries

9 of today's SAVs.

10 MR. PACK: I'm going to have to stop --

11 MR. WATSON: I'm not an expert. I'm going

12 to stop on this.

13 The point I do want to make is with

14 respect to this legislation and very many of

15 these pieces of legislation, each case, it's

16 before the General Assembly because it's

17 complicated. There are pros, there are cons,

18 there's this issue, that issue.

19 And the General Assembly, Mr. Mautz,

20 others, attend many hearings, they get input

21 from many people to make informed intelligent

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1 decisions on all these issues. And that's the

2 way the legislation should be written. And it

3 is inherent in what you, as the County Council,

4 are trying to do is make decisions on very

5 limited information that doesn't benefit from

6 all of that.

7 And I would urge that you be cognizant of

8 the need to hear all the issues from all the

9 sides. And maybe there's no one side that

10 really carries the ball completely. But this

11 is a great example of a complex issue, and I

12 urge that you support this legislation because

13 it's important to save the SAV beds in our

14 tributaries, our waters.

15 Thank you.

16 MR. PACK: Thank you, Mr. Watson.

17 Anyone else on House Bill 1306? No, okay.

18 I thought she was coming up. Anyone else on

19 this side on House Bill 1306? Okay.

20 Chair would entertain Council decision

21 either to support, oppose, or no position.

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<p>1 MS. PRICE: Was there a motion already 2 made? 3 MR. PACK: No. I'm entertaining. . . 4 MS. PRICE: I'll make a motion to oppose. 5 MR. PACK: Motion to oppose. 6 MR. DIVILIO: And I'll second it. 7 MR. PACK: Second it. 8 MS. PRICE: And that's primarily for the 9 reason that Talbot and Dorchester County rely 10 so much on our watermen. And I don't think 11 that this is completely vetted out with the 12 science. I think it's not ready for prime 13 time. 14 It's so much a big part of our economy. 15 It's too much of a financial impact on the 16 watermen and our seafood industry. And it's 17 just critical. So sometimes we have to -- I 18 know that they are good stewards of whether 19 it's oysters or clamming and taking care of the 20 beds and putting the shells back. And I have a 21 great deal of faith in our watermen because if</p>	<p>1 move out of the House sooner than that. 2 MR. PACK: We have a motion and a second. 3 Madam Secretary, will you please call your roll 4 for a letter to oppose House Bill 1306. 5 MR. DIVILIO: Well, at this time, I would 6 like to follow what we've been doing before and 7 postpone if one person is not prepared -- 8 MS. PRICE: -- fish or cut bait, clam or 9 cut bait. 10 I mean either we do it tonight and we're 11 prepared. If we're not prepared, then we skip 12 it. 13 But I think I've got enough information 14 and having I guess sat through this for ten 15 years and hearing from the watermen and the 16 impact on the county and the economic health of 17 our watermen's industry, I'm certainly prepared 18 to oppose this bill. There's just not a lot of 19 science and there's a bunch of amendments on 20 it. 21 I'm going to stick by my motion.</p>
<p>Page 171</p> <p>1 they don't take care of the natural resources, 2 then they're not going to have an industry 3 going forward. 4 So I would make a motion to oppose, and 5 you second that. 6 MR. PACK: Motion is made and seconded. 7 If there's no further discussion. If 8 there is, I'll hear from you. 9 MR. LESHER: I'm just -- I don't know that 10 I've got enough information at this juncture to 11 take a position on this at this point. 12 I don't fully understand the reason for 13 the Watermen's Association opposition as 14 following the questioning that I made. 15 If anything, I'd prefer more time on this 16 before we take action. I know that the House 17 hearing on this is not scheduled until 18 March 4th. Grant it, that's not -- 19 MS. PRICE: But they -- 20 MR. LESHER: -- before our next meeting, 21 but it seems unlikely that this is going to</p>	<p>Page 173</p> <p>1 There's no reason -- either we're prepared 2 tonight or we skip it. To do it in two weeks 3 is pointless. That's all I'll say. So you 4 gotta sometimes you gotta go with your gut. 5 MR. PACK: You were the second. So if 6 you're withdrawing your second -- 7 MR. DIVILIO: I'll withdraw my second. 8 MR. PACK: -- that's your prerogative. 9 Is there a second to Ms. Price's motion on 10 1306? Mr. Divilio has withdrawn his second at 11 this time. 12 Hearing none, the motion to oppose 1306 13 fails. 14 The chair would entertain any additional 15 motion on 1306 at this time or additional 16 action of Council at this time. 17 You're asking that we set this aside? Is 18 that what you're saying? 19 MR. LESHER: Which we can do by not taking 20 action now. 21 MR. PACK: Okay.</p>

<p style="text-align: right;">Page 174</p> <p>1 MS. PRICE: There will be no point in two 2 weeks. Just saying. 3 MR. PACK: We're in agreement to set this 4 off to the side? 5 MR. DIVILIO: Yes. 6 MR. PACK: Madam Secretary, please call 7 your roll. 8 MR. LESHER: Is there -- there wasn't a 9 motion. 10 MR. PACK: You are asking that the Council 11 just move this off until -- 12 MR. LESHER: If there's no motion, we 13 don't -- 14 MR. PACK: I understand. Are you asking 15 that we just move this off to our March 10th 16 hearing or just not take action on it at all? 17 MR. LESHER: Well, we can all be at 18 liberty between now and before the deadline for 19 the next to make sure that this gets on the 20 agenda. And we can measure in the week coming 21 up to that how far this has moved through the</p>	<p style="text-align: right;">Page 176</p> <p>1 I just need to move this along. 2 MS. PRICE: Motion to oppose. 3 MR. DIVILIO: Second. 4 MR. PACK: Motion to oppose by Ms. Price. 5 It's now re-seconded by Mr. Divilio. 6 If there's no further discussion, Madam 7 Secretary, please call your roll. 8 SECRETARY: Mr. Pack. 9 MR. PACK: No. 10 SECRETARY: Mr. Divilio. 11 MR. DIVILIO: Aye. 12 SECRETARY: Ms. Price. 13 MS. PRICE: Aye. 14 SECRETARY: Mr. Lesher. 15 MR. LESHER: Nay. 16 MR. PACK: Matter fails. 17 Next matter before Council is House Bill 18 1353. Madam Secretary, will you please read 19 the bill. 20 SECRETARY: House Bill 1353, natural 21 resources, oyster severance tax increase.</p>
<p style="text-align: right;">Page 175</p> <p>1 General Assembly, whether indeed it has moved 2 or we can still take action on it at that 3 juncture. 4 MS. PRICE: Delegate Mautz, may I ask you 5 if us doing nothing tonight basically means our 6 voices will never be heard one way or the 7 other? 8 DELEGATE MAUTZ: When is the hearing 9 scheduled? 10 MS. PRICE: March 4th. And our next 11 meeting is not until March 10th. 12 MS. HARRISON: Today it was heard and -- 13 MR. LESHER: In the Senate. 14 MS. HARRISON: In the Senate. And I 15 listened to the testimony. And there was no 16 study for the 150-foot that they're talking 17 about. There's no, there's nothing they were 18 able to put on the table to say that is why -- 19 MR. PACK: Matter of order, I'm just going 20 to move this along. Is there a motion of 21 Council on 1306 either way?</p>	<p style="text-align: right;">Page 177</p> <p>1 MR. PACK: Thank you very much. Who is 2 brining this matter before Council? 3 DELEGATE MAUTZ: I am, Mr. President. I 4 appreciate the recognition. This is my big tax 5 bill. 6 MR. PACK: Your big tax bill. 7 DELEGATE MAUTZ: Yeah. It's my big tax 8 bill. Doubles the oyster severance tax. 9 That money goes for shells and shell 10 committees. And it would affect Talbot County 11 to the extent that that money would come back 12 to Talbot County Shell Committee and 13 aquaculture operations. 14 The problem right now with putting this 15 bill before the Council is I know there are 16 plans to offer amendments to it and change it. 17 So I actually would recommend a no position on 18 the bill because I know it's going to change. 19 MR. PACK: It's going to change. 20 DELEGATE MAUTZ: Yup. 21 MR. PACK: Okay.</p>

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<p>1 MS. PRICE: I move no position.</p> <p>2 MR. PACK: Is there further, any other</p> <p>3 comment on the bill, 1353? Okay.</p> <p>4 Hearing none, we have a motion of</p> <p>5 Ms. Price of no position on 1353.</p> <p>6 MR. LESHES: Second.</p> <p>7 MR. PACK: Seconded by Mr. Leshes. Any</p> <p>8 further comment on 1353?</p> <p>9 Hearing none, Madam Secretary, please call</p> <p>10 your roll on no position to 1353.</p> <p>11 SECRETARY: Mr. Pack.</p> <p>12 MR. PACK: Aye.</p> <p>13 SECRETARY: Mr. Divilio.</p> <p>14 MR. DIVILIO: Aye.</p> <p>15 SECRETARY: Ms. Price.</p> <p>16 MS. PRICE: Aye.</p> <p>17 SECRETARY: Mr. Leshes.</p> <p>18 MR. LESHES: Aye.</p> <p>19 MR. PACK: Thank you very much.</p> <p>20 House Bill 1397. Madam Secretary, would</p> <p>21 you please read the title of that bill.</p>	<p>1 MR. LESHES: Second.</p> <p>2 MR. PACK: Seconded by Mr. Leshes. Any</p> <p>3 further discussion?</p> <p>4 Hearing none, Madam Secretary, please call</p> <p>5 your roll.</p> <p>6 SECRETARY: Mr. Pack.</p> <p>7 MR. PACK: Aye.</p> <p>8 SECRETARY: Mr. Divilio.</p> <p>9 MR. DIVILIO: Aye.</p> <p>10 SECRETARY: Ms. Price.</p> <p>11 MS. PRICE: Aye.</p> <p>12 SECRETARY: Mr. Leshes.</p> <p>13 MR. LESHES: Aye.</p> <p>14 MR. PACK: 1397, no position.</p> <p>15 Next matter before Council is Bill 1399.</p> <p>16 Madam Secretary, will you please read the</p> <p>17 title of the bill.</p> <p>18 SECRETARY: House Bill 1399, Senate Bill</p> <p>19 510. Natural resources, commercial fishing,</p> <p>20 use of haul seines.</p> <p>21 MR. PACK: Thank you very much. You did</p>
<p>Page 179</p> <p>1 SECRETARY: House Bill 1397, Senate Bill</p> <p>2 882. Recreational striped bass fishery, study</p> <p>3 on harvest data.</p> <p>4 MR. PACK: Thank you very much. Who is</p> <p>5 bringing this matter before Council for</p> <p>6 consideration?</p> <p>7 MS. HARRISON: I am.</p> <p>8 MR. PACK: Ms. Harrison.</p> <p>9 MS. HARRISON: Me. Yes.</p> <p>10 MR. PACK: Me. Okay.</p> <p>11 MS. HARRISON: Robin Harrison, Talbot</p> <p>12 Watermen's Association.</p> <p>13 MR. PACK: Thank you, Ms. Harrison.</p> <p>14 MS. PRICE: Not one of the three. So can</p> <p>15 I move no position?</p> <p>16 MS. HARRISON: Yes.</p> <p>17 MR. PACK: No further discussion on the</p> <p>18 matter? Anyone on 1397 to be heard by Council?</p> <p>19 Okay. No further comment.</p> <p>20 Motion by Ms. Price for no position on</p> <p>21 1397. Is there a second?</p>	<p>Page 181</p> <p>1 that excellently.</p> <p>2 Who is bringing this matter before</p> <p>3 Council?</p> <p>4 MS. HARRISON: Robin Harrison, Talbot</p> <p>5 Watermen's Association.</p> <p>6 MS. PRICE: Move no position.</p> <p>7 MR. PACK: Any further discussion? Anyone</p> <p>8 else to be heard on 1399? House Bill 1399</p> <p>9 before Council?</p> <p>10 We have a motion before Council for no</p> <p>11 position on 1399 by Ms. Price. Is there a</p> <p>12 second?</p> <p>13 MR. LESHES: Second.</p> <p>14 MR. PACK: Seconded by Mr. Leshes. Any</p> <p>15 further discussion on 1399?</p> <p>16 Hearing none, Madam Secretary, on the</p> <p>17 position of no position on 1399, please call</p> <p>18 the roll.</p> <p>19 SECRETARY: Mr. Pack.</p> <p>20 MR. PACK: Aye.</p> <p>21 SECRETARY: Mr. Divilio.</p>

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<p>1 MR. DIVILIO: Aye.</p> <p>2 SECRETARY: Ms. Price.</p> <p>3 MS. PRICE: Aye.</p> <p>4 SECRETARY: Mr. Lesher.</p> <p>5 MR. LESHER: Aye.</p> <p>6 MR. PACK: Thank you very much.</p> <p>7 Next matter, Council, before you is House</p> <p>8 Bill 1434.</p> <p>9 Madam Secretary, please read the title of</p> <p>10 the bill.</p> <p>11 SECRETARY: Aquaculture leases, marking</p> <p>12 requirements and use of lease, alterations.</p> <p>13 MR. PACK: Thank you very much, Madam</p> <p>14 Secretary.</p> <p>15 Who is bringing this matter before</p> <p>16 Council?</p> <p>17 MS. HARRISON: Robin Harrison.</p> <p>18 MR. PACK: Ms. Harrison, good to see you</p> <p>19 once again.</p> <p>20 MS. PRICE: Move no position.</p> <p>21 MR. PACK: No position is made by</p>	<p>1 House Bill 1465.</p> <p>2 Madam Secretary, please read the title of</p> <p>3 the bill.</p> <p>4 SECRETARY: Federal Clean Water Act,</p> <p>5 authority of state.</p> <p>6 MR. PACK: Who is bringing this matter</p> <p>7 before Council?</p> <p>8 MS. HARRISON: Robin Harrison.</p> <p>9 MR. PACK: Ms. Harrison, you wish to be</p> <p>10 heard?</p> <p>11 MS. PRICE: I'm going to move no position,</p> <p>12 but I'm also going to say what this one is</p> <p>13 about is the State entering into an agreement</p> <p>14 with MDE. And this could tank the deal before</p> <p>15 it gets into it. And this is about what's</p> <p>16 coming through the Conowingo Dam and all that.</p> <p>17 This is a federal issue. That is MDE, and</p> <p>18 we ought to stay out of it.</p> <p>19 So I am moving no position.</p> <p>20 MR. PACK: Anyone else want to be heard on</p> <p>21 House Bill 1465, the adjoining bill is Senate</p>
<p>Page 183</p> <p>1 Ms. Price.</p> <p>2 Any further discussion or comment from the</p> <p>3 public on House Bill 1434? No further comment</p> <p>4 from the public.</p> <p>5 We have a motion before Council on no</p> <p>6 position on House Bill 1434.</p> <p>7 MR. LESHER: Second.</p> <p>8 MR. PACK: Seconded by Mr. Lesher. Any</p> <p>9 further discussion by Council on 1434?</p> <p>10 Hearing none, Madam Secretary, please call</p> <p>11 your roll on the position of no position on</p> <p>12 1434.</p> <p>13 SECRETARY: Mr. Pack.</p> <p>14 MR. PACK: Aye.</p> <p>15 SECRETARY: Mr. Divilio.</p> <p>16 MR. DIVILIO: Aye.</p> <p>17 SECRETARY: Ms. Price.</p> <p>18 MS. PRICE: Aye.</p> <p>19 SECRETARY: Mr. Lesher.</p> <p>20 MR. LESHER: Aye.</p> <p>21 MR. PACK: Next matter before Council is</p>	<p>Page 185</p> <p>1 Bill 955? Anyone to be heard on either one of</p> <p>2 these bills?</p> <p>3 We have a motion before Council made by</p> <p>4 Ms. Price for no position.</p> <p>5 MR. LESHER: Second.</p> <p>6 MR. PACK: Seconded by Mr. Lesher. Any</p> <p>7 further discussion?</p> <p>8 Hearing none, Madam Secretary, please call</p> <p>9 your roll on 1465 of no position.</p> <p>10 SECRETARY: Mr. Pack.</p> <p>11 MR. PACK: Aye.</p> <p>12 SECRETARY: Mr. Divilio.</p> <p>13 MR. DIVILIO: Aye.</p> <p>14 SECRETARY: Ms. Price.</p> <p>15 MS. PRICE: Aye.</p> <p>16 SECRETARY: Mr. Lesher.</p> <p>17 MR. LESHER: Aye.</p> <p>18 MR. PACK: Next matter before Council is</p> <p>19 House Bill 1498.</p> <p>20 Madam Secretary, please read the title of</p> <p>21 the bill.</p>

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<p>1 SECRETARY: House Bill 1498, tidal fish 2 licenses, oyster authorizations, revocation. 3 MR. PACK: Thank you very much. 4 Who brings this matter before Council? 5 MS. HARRISON: Robin Harrison. 6 MR. PACK: Ms. Harrison, you wish to be 7 heard? 8 MS. PRICE: Going to move no position. 9 Delegate Mautz also said he didn't need 10 our support on this and to take no position. 11 MR. PACK: Anyone else wish to be heard on 12 House Bill 1498? No one wishes to be heard. 13 We have a motion, Council, of no position 14 made by Ms. Price. Is there a second? 15 MR. LESHER: Second. 16 MR. PACK: Seconded by Mr. Leshner. Any 17 further discussion on 1398? 18 Hearing none, Madam Secretary, please call 19 your roll on the position of no position on 20 House Bill 1498. 21 SECRETARY: Mr. Pack.</p>	<p>1 Anyone here wish to be heard on Senate 2 Bill 86? No one wishes to be heard on Senate 3 Bill 86. 4 Council, you have a motion before you of 5 no position. Is there a second? 6 MR. LESHER: Second. 7 MR. PACK: Second made by Mr. Leshner. Any 8 further discussion? 9 Hearing none, Madam Secretary, please call 10 your roll on the position of no position of 11 Senate Bill 86. 12 SECRETARY: Mr. Pack. 13 MR. PACK: Aye. 14 SECRETARY: Mr. Divilio. 15 MR. DIVILIO: Aye. 16 SECRETARY: Ms. Price. 17 MS. PRICE: Aye. 18 SECRETARY: Mr. Leshner. 19 MR. LESHER: Aye. 20 MR. PACK: Thank you very much. 21 Next matter before Council is Senate Bill</p>
<p>1 MR. PACK: Aye. 2 SECRETARY: Mr. Divilio. 3 MR. DIVILIO: Aye. 4 SECRETARY: Ms. Price. 5 MS. PRICE: Aye. 6 SECRETARY: Mr. Leshner. 7 MR. LESHER: Aye. 8 MR. PACK: Next matter before Council is 9 Senate Bill 86. 10 Madam Secretary, please read the title of 11 that bill. 12 SECRETARY: Natural resources, fishing and 13 hunting rights. 14 MR. PACK: I ran out of paper here. Thank 15 you very much. Thank you. 16 Senate Bill 86. Who brings this matter 17 before Council? 18 MS. HARRISON: Robin Harrison. 19 MR. LESHER: You wish to be heard? 20 MS. PRICE: Move no position. 21 MR. PACK: No position made by Ms. Price.</p>	<p>1 114, Senate Bill 114. 2 Madam Secretary, please read the title of 3 the bill. 4 SECRETARY: Natural resources, nuisance 5 organisms, pilot projects and northern 6 snakeheads. 7 MR. PACK: Thank you very much, Madam 8 Secretary. 9 Snakeheads. Who is bringing this matter 10 before Council? 11 MS. HARRISON: Robin Harrison. 12 MR. PACK: Ms. Harrison, you wish to be 13 heard? 14 MS. PRICE: Move no position. 15 MR. PACK: Anyone wish to be heard on 16 Senate Bill 114? Anyone wish to be heard on 17 Senate Bill 114? 18 Council, we have a motion before us for no 19 position made by Ms. Price. Is there a second? 20 MR. LESHER: Second. 21 MR. PACK: Second made by Mr. Leshner. Any</p>

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<p>1 further discussion on Senate Bill 114? 2 Hearing none, Madam Secretary, please call 3 your roll on the position of no position on 4 114. 5 SECRETARY: Mr. Pack. 6 MR. PACK: Aye. 7 SECRETARY: Mr. Divilio. 8 MR. DIVILIO: Aye. 9 SECRETARY: Ms. Price. 10 MS. PRICE: Aye. 11 SECRETARY: Mr. Leshner. 12 MR. LESHER: Aye. 13 MR. PACK: Thank you very much. 14 Next matter before Council is Senate Bill 15 257. 16 Madam Secretary, please read the title of 17 the bill. 18 SECRETARY: Fishing gearing, crab pots, 19 ghost panel requirement. 20 MR. PACK: Who brings this matter before 21 Council?</p>	<p>1 And the guys now, they don't do drop pots 2 anymore. They tether them so that they don't 3 lose them. And pots are like 40 to \$50 apiece. 4 So they make sure that they don't lose them. 5 And the gauge wire that they use on the 6 pots is actually not as heavy as it used to be. 7 So a pot would last like one or two years. 8 So I watched the hearing. And it was a 9 little disconcerting that Senator Elfreth and 10 (inaudible) didn't know that. They said 11 they've been working with the watermen. They 12 didn't know that they were tethering the pots 13 nowadays. 14 MR. DIVILIO: Yeah. 15 MR. PACK: So this would allow if a crab 16 was in the pot, this ghost panel would allow 17 him to escape after a period of time? 18 MR. DIVILIO: Yes. 19 MS. HARRISON: Yes. 20 MR. DIVILIO: So they have to get new pots 21 and redo. It changes up the industry.</p>
<p>Page 191</p> <p>1 MS. HARRISON: Robin Harrison. 2 MR. PACK: Ms. Harrison, you wish to be 3 heard? 4 MS. PRICE: Move no position. 5 MR. DIVILIO: No. I would like to oppose 6 this one. I don't think there's any way for 7 them to really track these. It changes up the 8 whole industry on what the ghost -- ghost 9 panels allow crabs out if a pot gets lost. 10 I mean come on. 11 MR. PACK: Okay. So Mr. Divilio, before I 12 go forward with your motion, is there anyone 13 else wish to be heard on Senate Bill 257? 14 MS. HARRISON: I do have a comment to 15 make. 16 MR. PACK: Yes. 17 MS. HARRISON: The Watermen's Association 18 is opposed also because there was a derelict 19 pot program where they all went out and 20 collected the pots. And the study that they're 21 basing this on was back like in 1985.</p>	<p>Page 193</p> <p>1 MS. HARRISON: Most of the guys have 2 already gotten the pots up and they're getting 3 ready to put them in the water. So what are 4 they going to -- this was going to happen -- 5 MR. PACK: I'm sorry. So every pot would 6 have to be this ghost post? 7 MR. DIVILIO: Yes. 8 MS. HARRISON: Yeah. And the panel 9 that -- 10 MS. PRICE: I'll second your motion. 11 MR. DIVILIO: Thank you. 12 MS. HARRISON: The panel that goes in 13 there is made out of plant material. So I 14 thought the crabs could probably eat through it 15 in time. 16 They said it was working in Virginia, but 17 the Virginia watermen -- 18 MS. PRICE: You've got your motion and a 19 second. Let's go. 20 MS. HARRISON: -- is not -- okay. Yes. 21 That one was one of the -- I don't know</p>

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1 where that even came from.
 2 MR. LESHER: This bill, am I correct, this
 3 bill is a study? This bill is not a new
 4 requirement?
 5 MS. HARRISON: No. It was a requirement
 6 as of July 1st. The men would have to redone
 7 all their pots before they put it in the water.
 8 MR. LESHER: The bill is labeled study.
 9 MR. PACK: It says to be enacted --
 10 MR. LESHER: -- requiring tidal Fisheries
 11 Advisory Commission to study adverse impacts to
 12 fish species and aquatic habitat caused by lost
 13 and abandoned crab pots, identify and discuss
 14 practices and measures that can be implemented
 15 or adopted to mitigate the problem associated
 16 with lost and abandoned crab pots and make
 17 recommendations for addressing problems with
 18 lost and abandoned crab pots in the State and
 19 requiring the commission to report to the
 20 secretary of natural resources on or before
 21 December 31st.

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1 There's nothing but a study here --
 2 MS. PRICE: I know.
 3 MR. PACK: No. This --
 4 MS. PRICE: Studies cost money. And the
 5 bill sponsors didn't even know what --
 6 MR. DIVILIO: This bill --
 7 MR. PACK: This bill does say that to
 8 further be enacted on July 1, 2020. So she is
 9 correct. There is a date to be enacted should
 10 the bill pass.
 11 MR. LESHER: Well, that's because that's
 12 when the study could start. They put an
 13 earlier date for the study to start --
 14 MS. PRICE: Either way --
 15 MR. DIVILIO: This bill --
 16 MR. LESHER: -- must be completed.
 17 MS. PRICE: Either way --
 18 MR. PACK: This bill is not a study.
 19 MR. DIVILIO: -- to adopt regulations that
 20 would require all crab pots --
 21 MR. PACK: Yeah. This is not a study.

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1 MR. DIVILIO: -- panels. And two,
 2 establish specifications for ghost panels using
 3 crab pots. This will take effect July 1st.
 4 MR. PACK: No. This is a bill to take
 5 action. This is not a study.
 6 MS. PRICE: Right. I don't think this
 7 bill is going to sink or swim based on what
 8 Talbot County does.
 9 MR. PACK: Any further discussion on
 10 Senate Bill 257?
 11 We have a motion to oppose by Mr. Divilio.
 12 I believe it was seconded by Ms. Price. Any
 13 further discussion?
 14 This is an action. This isn't a study.
 15 Hearing none --
 16 MR. LESHER: I'm looking on the website
 17 now, and it's describing this as a study,
 18 Senate Bill 257.
 19 MS. PRICE: But they get updated with the
 20 fiscal note. Usually you get a blurb.
 21 MR. PACK: This is the printout that I

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1 received from staff.
 2 MR. DIVILIO: I'm reading the fiscal note
 3 on it.
 4 MR. PACK: And it has a date.
 5 MS. PRICE: I mean again --
 6 MR. LESHER: So it's been amended. It's
 7 been amended.
 8 It is no longer, if you look at it, if you
 9 look at the text of the bill now, they've
 10 crossed out ghost panel requirement and added
 11 the word study.
 12 MS. PRICE: Well, either way, it's a waste
 13 of time and money.
 14 MR. LESHER: So all it is now is a study.
 15 It looks --
 16 MR. HARRISON: -- study. It kind of
 17 popped out of nowhere. The crabbers really
 18 should have an input into it. And they decided
 19 to take it to a summer study.
 20 MS. PRICE: That's where bills go to die.
 21 MR. PACK: So we do have a motion before

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<p>1 us to oppose and seconded by Ms. Price.</p> <p>2 Study or an action, doesn't sound like</p> <p>3 a --</p> <p>4 MS. PRICE: Is it worthwhile? It says</p> <p>5 it's going to a study. Is it worthwhile to</p> <p>6 spend staff time opposing it or should we skip</p> <p>7 it?</p> <p>8 MR. LESHHER: Do you need the County</p> <p>9 Council to take a position on this?</p> <p>10 MR. HARRISON: You don't need to take a</p> <p>11 position, no, no.</p> <p>12 MS. PRICE: So I'll withdraw my second.</p> <p>13 MR. PACK: Second has been withdrawn to</p> <p>14 oppose. There's a motion to oppose.</p> <p>15 MR. DIVILIO: I'll withdraw my motion.</p> <p>16 MR. PACK: He's withdrawn the motion to</p> <p>17 oppose.</p> <p>18 MS. PRICE: And I'll make a motion to take</p> <p>19 no position.</p> <p>20 MR. PACK: Motion is now made of no</p> <p>21 position.</p>	<p>1 SECRETARY: Ms. Price.</p> <p>2 MS. PRICE: Aye.</p> <p>3 SECRETARY: Mr. Leshher.</p> <p>4 MR. LESHHER: Aye.</p> <p>5 MR. PACK: Thank you.</p> <p>6 Next matter before Council is Senate Bill</p> <p>7 437.</p> <p>8 Madam Secretary, would you please read the</p> <p>9 title of the bill.</p> <p>10 SECRETARY: Senate Bill 437, prohibition</p> <p>11 of dredging of Man-O-War shoals.</p> <p>12 MR. PACK: Thank you very much.</p> <p>13 Who brings this matter before Council?</p> <p>14 MR. HARRISON: Talbot Watermen's</p> <p>15 Association.</p> <p>16 MR. PACK: Talbot Waterman's Association.</p> <p>17 Mr. Harrison, good to see you. We'll hear from</p> <p>18 you. You wish to be heard?</p> <p>19 MR. HARRISON: Yes. This bill here, we're</p> <p>20 opposed to it.</p> <p>21 This bill has been up probably five times</p>
<p>Page 199</p> <p>1 MR. LESHHER: Second.</p> <p>2 MR. PACK: Second on no position based on</p> <p>3 the new testimony we got from Mr. Harrison.</p> <p>4 Thank you for joining us.</p> <p>5 MR. HARRISON: .I didn't know you guys</p> <p>6 would still be here.</p> <p>7 MS. PRICE: Just what you want to do. Go</p> <p>8 from one bill hearing to another.</p> <p>9 MR. HARRISON: Eight hours in Annapolis.</p> <p>10 MR. LESHHER: (inaudible) a more enjoyable</p> <p>11 conclusion to your evening.</p> <p>12 MR. HARRISON: Yeah. I'm glad to be here.</p> <p>13 MR. PACK: We have now a new motion before</p> <p>14 us of no position on Senate Bill 257. We had a</p> <p>15 motion and a second.</p> <p>16 Madam Secretary, please call your roll of</p> <p>17 no position on 257.</p> <p>18 SECRETARY: Mr. Pack.</p> <p>19 MR. PACK: Aye.</p> <p>20 SECRETARY: Mr. Divilio.</p> <p>21 MR. DIVILIO: Aye.</p>	<p>Page 201</p> <p>1 now. We just discussed it over in Annapolis.</p> <p>2 And there is a chance that it might go the</p> <p>3 wayside again. But we are opposed to it.</p> <p>4 What happens is I'm on the OAC, Oyster</p> <p>5 Advisory Commission. And it kind of takes</p> <p>6 another tool away from us. This Man-O-War</p> <p>7 shoals has been in the picture for like ten</p> <p>8 years now. It was actually voted for at one</p> <p>9 time to dredge it, if you can imagine that.</p> <p>10 And then the permit sat on someone's desk for</p> <p>11 about four years about until Hogan came into</p> <p>12 office. Then they put the permits in. Then it</p> <p>13 took four more years to get those permits</p> <p>14 through. They went through all kinds of</p> <p>15 various groups and organizations to get</p> <p>16 approval.</p> <p>17 And now, they are actually sitting on the</p> <p>18 Board of Public Works' desk and have been for</p> <p>19 over a year.</p> <p>20 And we want those shells. We need those</p> <p>21 shells. There's no one that can tell you that</p>

<p style="text-align: right;">Page 202</p> <p>1 in order to do any kind of oyster restoration, 2 not just on the public harvest areas, for 3 aquaculture, for sanctuaries, we all need 4 shell. 5 So we definitely oppose this. 6 MR. PACK: Thank you very much, 7 Mr. Harrison. 8 Anyone else wish to be heard on Senate 9 Bill 437? 10 Hearing none, the chair would entertain a 11 motion at this time. 12 MR. DIVILIO: Motion to oppose. 13 MR. PACK: Motion to oppose by 14 Mr. Divilio. 15 MS. PRICE: Second. 16 MR. PACK: Seconded by Ms. Lane. 17 MS. PRICE: I'm Ms. Lane now? 18 MR. PACK: I'm sorry. 19 MS. PRICE: I know I'm the finance gal, 20 but you know. 21 MR. PACK: Ms. Price, excuse me.</p>	<p style="text-align: right;">Page 204</p> <p>1 they vote on it. 2 But we just don't want this -- once they 3 say you can't dredge it, I mean it could be 4 another ten years before we have an opportunity 5 like this. So that's our position. 6 MR. PACK: Thank you very much, 7 Mr. Harrison. 8 We have a motion to oppose and it is 9 seconded by Ms. Price. 10 If there's no additional comment, Madam 11 Secretary, please call your roll. 12 SECRETARY: Mr. Pack. 13 MR. PACK: Aye. 14 SECRETARY: Mr. Divilio. 15 MR. DIVILIO: Aye. 16 SECRETARY: Ms. Price. 17 MS. PRICE: Aye. 18 SECRETARY: Mr. Leshner. 19 MR. LESHNER: Aye. 20 MR. PACK: Thank you very much. 21 Next matter before Council is Senate Bill</p>
<p style="text-align: right;">Page 203</p> <p>1 MR. LESHNER: This is sponsored now by the 2 Baltimore County delegation. 3 MR. HARRISON: Baltimore County senators 4 actually. It was two senators there today to 5 testify on the bill. 6 When it did get passed, like I said, ten 7 years ago, they were the only two senators to 8 vote against it at that time. 9 It's part of their county. Our comment 10 was, you know, down here on the Eastern Shore, 11 we had to give up Harris Creek and the Tred 12 Avon. We didn't want to, but I guess we did it 13 for oyster restoration and we did it for the 14 cause. 15 Well, it's time for Baltimore County to do 16 something for the cause is what we tell them. 17 And yes, it's not like we're going to take 18 the whole bar. It's 100 million bushels of 19 shells up there. We're talking about taking 20 5 million bushels over the next five years if 21 it gets off of the Board of Public Works and</p>	<p style="text-align: right;">Page 205</p> <p>1 948. 2 Madam Secretary, would you please read the 3 title of the bill. 4 SECRETARY: Natural resources, commercial 5 oyster authorizations, requirements. 6 MR. PACK: Thank you very much. 7 Who is bringing this matter before 8 Council? 9 MR. HARRISON: Talbot Watermen's 10 Association. 11 MR. PACK: You wish to be heard, 12 Mr. Harrison? 13 MR. HARRISON: Yes. On this bill, 14 Mr. Pinsky is the only Senator to bring this 15 forth. There was no one there to support it. 16 We vehemently oppose it because last year 17 we went through a process to get 830 passed. 18 As you remember, that bill was supposed to be 19 the new bill that would take the legislature 20 out of the process of trying to get regulations 21 for oysterling.</p>

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1 And this automatically throws it right in
 2 the face of that right off the start. We're
 3 trying to build some kind of trust with the
 4 other side, the other stakeholders. And this
 5 does that.
 6 It says no, this is what we're going to
 7 do, we're going to make a limited amount of
 8 licenses, if you haven't bought your surcharge
 9 in two year, you can't buy a surcharge.
 10 We had 151 watermen up there today to
 11 oppose this bill, by the way. Like I said, no
 12 one supported it.
 13 But anyway, what it does, last year he
 14 said we were -- he was for Bill 830. Finally,
 15 it got vetoed, it was overridden this year.
 16 And so we thought hey, good, no more oyster
 17 bills. And then this one comes out, and this
 18 one really hits at our heart.
 19 At the end of it, the way it was
 20 originally written, you wouldn't be able to
 21 transfer your license, you wouldn't be able to

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1 leave your license to someone like your son or
 2 something. And eventually it would be the end
 3 of the public fishery is what it says.
 4 Now, he has tried to put on some
 5 amendments that try to (inaudible) that.
 6 But what we said, send this to the OAC
 7 where it's a group of stakeholders that can
 8 talk about this and get it straight.
 9 So we're opposed.
 10 MR. PACK: Thank you very much.
 11 Anyone else wish to be heard on Senate
 12 Bill 948?
 13 MS. PRICE: Move to oppose.
 14 MR. DIVILIO: Second.
 15 MR. PACK: Delegate Mautz, wish to be
 16 heard. I'll hear you, Delegate Mautz.
 17 DELEGATE MAUTZ: I'd like to (inaudible)
 18 opposition to this bill.
 19 MR. PACK: Thank you very much, sir.
 20 Anyone else wish to be heard on Senate
 21 Bill 948? Hearing none, the chair would

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1 entertain a motion at this time.
 2 MR. LESHHER: You've got a motion.
 3 MR. PACK: I was coughing, I was listening
 4 to Delegate Mautz. So is there a motion on the
 5 bill?
 6 MS. PRICE: Motion to oppose.
 7 MR. PACK: Motion to oppose by Ms. Price.
 8 MS. PRICE: Second.
 9 MR. PACK: Seconded by Mr. Divilio.
 10 MR. LESHHER: Mr. Pack, this is a really
 11 terrible bill. The fiscal note says this would
 12 have a negative impact on State finances, it
 13 would have a negative impact on small business,
 14 probably which they mean the watermen.
 15 This is one of the worst bills I've ever
 16 seen, and it is absolutely hostile to the
 17 future of watermen, of oystering particularly,
 18 oystermen. Only 276 oystermen who paid the
 19 oyster surcharge in one or both of the two past
 20 seasons would qualify for oystering in the
 21 future. And it seems it would be on a path for

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1 that number to continue to dwindle over time.
 2 I stand with you in opposition.
 3 MR. HARRISON: Pretty much everybody else
 4 did, too.
 5 MR. PACK: Okay. Madam Secretary, please
 6 call your roll on Senate Bill 948, position of
 7 no position. I'm sorry. Position to oppose.
 8 SECRETARY: Mr. Pack.
 9 MR. PACK: Aye.
 10 SECRETARY: Mr. Divilio.
 11 MR. DIVILIO: Aye.
 12 SECRETARY: Ms. Price.
 13 MS. PRICE: Aye.
 14 SECRETARY: Mr. Leshher.
 15 MR. LESHHER: Aye.
 16 MR. PACK: Okay. This is Senate Joint
 17 Resolution Number 3. Madam Secretary, please
 18 read the title of the bill.
 19 SECRETARY: Natural resources, fishing,
 20 while-caught blue catfish.
 21 MR. PACK: Thank you.

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1 Who is bringing this matter before
 2 Council?
 3 MR. HARRISON: Talbot Watermen's
 4 Association.
 5 MR. PACK: Thank you, Mr. Harrison. You
 6 wish to be heard?
 7 MS. PRICE: What we did at the beginning
 8 was there were three that Captain Newberry said
 9 that we really need to take positions on. And
 10 we've covered those three.
 11 So is there anything you need from us on
 12 this?
 13 MR. PACK: You wish to be heard?
 14 MR. HARRISON: Not really. I mean really
 15 like on this bill, everyone I think supported
 16 it.
 17 It's basically trying to get rid of the
 18 blue catfish. There's problems at the federal
 19 level where for some reason if you deal with
 20 catfish, you have to have an inspector on duty
 21 at your place where you're cleaning them, and

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1 the cost is \$75,000 to have that person there
 2 for the year. But you know, no one can afford
 3 to do it.
 4 So we have this problem with blue catfish.
 5 All right. They're coming up there. They're a
 6 predatory fish that's not native to our area.
 7 And they're eating everything up, if you can
 8 imagine.
 9 I mean they're catching them now. I heard
 10 one guy had one 48 pounds up at Tuckahoe the
 11 other day. It's like that. And these fish --
 12 MR. LESHHER: The only good thing about
 13 them is --
 14 MR. HARRISON: So we're trying any way we
 15 can to get rid of them and to get a market for
 16 them, too, of course.
 17 MS. PRICE: Is there anything you need
 18 from us that would make a difference?
 19 MR. HARRISON: No.
 20 MS. PRICE: So I'll move no position.
 21 MR. DIVILIO: Second.

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1 MR. PACK: Any further discussion on
 2 Senate Joint Resolution 3?
 3 MR. LESHHER: This is sort of a strange
 4 bill. Blue catfish, we have got to get rid of
 5 them. Fortunately, they taste good.
 6 But if we took a letter on this, we would
 7 be essentially lobbying the State to turn
 8 around and lobby the feds. It seems a bit of a
 9 stretch. So I think no position is the right
 10 way to go on this.
 11 MR. PACK: Madam Secretary, please call
 12 your roll on the position of no position on
 13 Senate Joint Resolution Number 3.
 14 SECRETARY: Mr. Pack.
 15 MR. PACK: Aye.
 16 SECRETARY: Mr. Divilio.
 17 MR. DIVILIO: Aye.
 18 SECRETARY: Ms. Price.
 19 MS. PRICE: Aye.
 20 SECRETARY: Mr. Leshher.
 21 MR. LESHHER: Aye.

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1 MR. PACK: Next matter before Council is
 2 House Joint Resolution Number 3.
 3 MS. PRICE: Wait. You skipped
 4 (inaudible.)
 5 MR. LESHHER: It's the same one only the
 6 House version. Showed up separately in the --
 7 MR. PACK: I'm sorry. It did. We had it
 8 listed twice. So actually that should have
 9 been the same bill. You're right. So HJ 3,
 10 that's the House side.
 11 So let's move down to now we have Senate
 12 Bill 547, House Bill 99. Madam Secretary,
 13 please read the bill.
 14 SECRETARY: Senate Bill 540, House Bill
 15 999. Member regulated cooperatives,
 16 establishment of rural broadband for the
 17 Eastern Shore Act of 2020.
 18 MR. PACK: Who is bringing this matter
 19 before Council for consideration?
 20 MS. PRICE: You probably want to --
 21 MR. PACK: You can step back.

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1 MR. HARRISON: Huh?

2 MR. PACK: You can step back.

3 MR. HARRISON: Are we for this or not?

4 MS. PRICE: This is not your bill.

5 MR. PACK: Mr. Harrison.

6 MR. HARRISON: Oh, I'm good?

7 MR. PACK: You can step back, yeah.

8 MR. HARRISON: Thank God.

9 MR. PACK: Thank you very much.

10 MS. PRICE: Do we want to ask Delegate

11 Mautz to speak on the Choptank Cooperative

12 Bill?

13 DELEGATE MAUTZ: Am I speaking on it?

14 No. I don't represent Choptank Electric.

15 MS. PRICE: Of course not.

16 DELEGATE MAUTZ: I'm surprised they didn't

17 send someone here.

18 The bill has been sponsored by the Shore

19 Delegation. It's been sponsored. And per

20 their presentation to the Delegation, that they

21 were going to have the bill amended.

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1 The concern was is who is going to pay for

2 the broadband connection and what is the

3 guarantee that everyone is going to be

4 connected, would they be connected in a timely

5 manner. Those are issues that should be

6 addressed through the legislative process.

7 I believe this bill has been endorsed by

8 all the surrounding counties. That's about as

9 much information as I can give you, unless you

10 have any specific question that you might want

11 to put to me.

12 MR. PACK: I do not. I think the one

13 thing of the bill that's probably of somewhat

14 troubling to me is the deregulation part of the

15 bill where you're deregulating a utility for

16 the purpose of allowing them to extend

17 broadband.

18 I know there is a waiver provision that

19 would allow them to accomplish some of what

20 they do. I know there's a cost value attached

21 to that, that waiving provision. But it still

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1 will allow them to expand broadband.

2 And look, this Council is very proactive

3 in looking for ways to extend broadband. We

4 understand that it's needed. We understand

5 there's a lot of underserved and unserved parts

6 of Talbot County as well as the entire Eastern

7 Shore that need, that need broadband services.

8 We certainly understand that.

9 And to that extent, I would certainly

10 applaud Choptank for stepping up and trying to

11 address the broadband shortages in the area. I

12 really do.

13 I think, again, the one thing that I would

14 just give pause is the deregulation part of

15 this. I know I've been -- I've talked to a lot

16 of the Choptank board members about how there

17 would be various protections in place and how

18 if persons had issues, I know the bill talks

19 about how they could go through the steps of

20 getting any issues addressed.

21 But it still doesn't -- in deregulating

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1 them, there's still no overarching authority

2 from Public Service Commission. That does give

3 me pause in that.

4 I know I've been told that there's other

5 cooperatives around the nation that have sought

6 the same thing. And to my understanding, that

7 it's worked in other places. I haven't went

8 about to research that. I'm just going by what

9 was told to me.

10 It just gives me pause. I would think at

11 this time Talbot County is in kind of a unique

12 situation from the other counties on the shore,

13 some of the other counties on the shore, in

14 that we are undergoing an initiative to extend

15 broadband here in the county to those unserved

16 and underserved portions of the county.

17 So we are also sensitive to the fact that

18 we need to address this problem, and we're

19 working to do that. So a position of no

20 position would be my recommendation to the

21 Council.

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1 MS. PRICE: Can I -- before we do that,
 2 because you can't make the motion.
 3 MR. PACK: I can't. I just want to state
 4 my position on it.
 5 MS. PRICE: I've been lobbied just as
 6 hard. And I agree with all of that.
 7 I've spent time talking to Delegate Mautz
 8 and to Senator Eckardt.
 9 And also, I did watch the hearing. The
 10 hearing was today. So sometimes it's somewhat
 11 of a moot point. But what was a little
 12 troubling about the hearing, and I don't know
 13 if you had a chance to watch it or catch any of
 14 it, but the PSC officially was neutral. But
 15 oh, my goodness, they were, with the statements
 16 that they made, they were clearly opposed. And
 17 there were some very hard questions asked about
 18 this waiver process and whether they had met
 19 with the PSC to see if they could work this
 20 out.
 21 They really were trying to get this

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1 through because they said there's a grant. We
 2 know sometimes they're limited on being able to
 3 apply for the grant.
 4 But it really didn't seem like they had
 5 reached out to try to work with the PSC to see
 6 if this waiver could work. And that's been
 7 going on for months and months.
 8 So just a little bit strange. You would
 9 think that Choptank would have tried a little
 10 harder if this could have been done because
 11 there was legislation last year, which I think
 12 you were probably a sponsor of that, that
 13 allowed them to do some things. I'm not sure
 14 what things. You could speak to that better.
 15 DELEGATE MAUTZ: We changed the law last
 16 year to allow for the use of easements to
 17 transmit broadband signal.
 18 Prior to last year, the easement, they
 19 only authorized use on the electrical easement,
 20 was the transmission of electrical lines. And
 21 because they were proposing to send broadband

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1 through that electrical line easement, there
 2 was a case in I believe it was Iowa or Missouri
 3 where a coop was sued for fair market value for
 4 the entity that was sending the broadband
 5 signal across their electrical easement. So
 6 that was a violation of their agreement to run
 7 the electrical lines.
 8 So we changed that last year. So they're
 9 allowed to do that now.
 10 MS. PRICE: So has it ever really been
 11 explained to you why they can't do what they're
 12 trying to do? Because we all support getting
 13 the broadband out there, absolutely, and using
 14 some of the existing resources, that they
 15 can't, and why they really -- I've still never
 16 been able to wrap my head around why they
 17 actually need this and why, if the PSC sat
 18 there and testified today, that they've really
 19 not reached out to try to work it out.
 20 DELEGATE MAUTZ: Again, I don't represent
 21 Choptank. But their proposal argument is that

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1 the work that they want to do can't be done
 2 unless they are exempted or carved out of the
 3 Public Service Commission regulation. That's
 4 their argument. And that has worked in other
 5 places.
 6 Our district is four counties, 37B. It's
 7 Dorchester, Wicomico, Caroline, and Talbot. So
 8 we received comment on this in a number of
 9 different ways. How it affects Talbot County
 10 is definitely unique. And not to all of Talbot
 11 County, but for most.
 12 So there are different considerations
 13 without a doubt. But still, access to high
 14 speed broadband is still a top tier issue for
 15 everyone.
 16 MS. PRICE: Sure.
 17 MR. LESHER: Absolutely.
 18 MS. PRICE: So the amendments. I know we
 19 spoke about the fact that every one of their
 20 users must be connected and in a timely manner.
 21 Right?

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<p>1 DELEGATE MAUTZ: Correct.</p> <p>2 MS. PRICE: If that doesn't happen, does</p> <p>3 it automatically go back under PSC control? Or</p> <p>4 I mean my concern is if they don't ever connect</p> <p>5 anybody or very few, that they've deregulated</p> <p>6 themselves and they haven't actually done the</p> <p>7 broadband.</p> <p>8 Are they required to do that as amended</p> <p>9 now or not?</p> <p>10 DELEGATE MAUTZ: So they just had the</p> <p>11 Senate hearing. The House hearing is coming</p> <p>12 up.</p> <p>13 The amendment and the effect, the</p> <p>14 enforcement side of any amendment to require,</p> <p>15 that doesn't exist right now. So I can't tell</p> <p>16 you. It's got to be amended, and you have to</p> <p>17 see the language. So as of right now, that's</p> <p>18 not in the bill --</p> <p>19 MS. PRICE: So what would I offer, then,</p> <p>20 is a support with amendments that are going to</p> <p>21 mirror what I think you all are looking for,</p>	<p>1 little issues.</p> <p>2 I think those two big broad, fundamental</p> <p>3 principles are strong ones and you can stick by</p> <p>4 those.</p> <p>5 The bill is going to change. And if you</p> <p>6 go on the record one way or the other, you can</p> <p>7 always clarify that if the bill changes.</p> <p>8 MS. PRICE: So we could do support with</p> <p>9 amendments that electric shall not subsidize</p> <p>10 broadband and they shall connect all of</p> <p>11 their --</p> <p>12 MR. PACK: I think that's already a</p> <p>13 foregone conclusion that the electrical will</p> <p>14 not subsidize the broadband. It was never --</p> <p>15 MS. PRICE: It's not written in the bill.</p> <p>16 MR. PACK: Well, it was never the intent.</p> <p>17 MR. LESHAR: It's saying it won't happen.</p> <p>18 MR. PACK: Right.</p> <p>19 MR. LESHAR: But there's nothing</p> <p>20 legislatively that ensures that it won't --</p> <p>21 MS. PRICE: So therefore --</p>
<p>Page 223</p> <p>1 which we could put some general language about</p> <p>2 that every one of their users must be connected</p> <p>3 in a timely manner, within certain amount, and</p> <p>4 that we would be supportive of a support with</p> <p>5 amendments position based on the amendments</p> <p>6 that our Eastern Shore Delegation is looking</p> <p>7 for.</p> <p>8 DELEGATE MAUTZ: And that rate payers,</p> <p>9 electrical rate payers --</p> <p>10 MS. PRICE: Don't subsidize.</p> <p>11 DELEGATE MAUTZ: -- will not be</p> <p>12 subsidizing the work that's being done --</p> <p>13 MS. PRICE: They said that today. And</p> <p>14 they've had big ads in the paper that said it</p> <p>15 shall not.</p> <p>16 So I would put those two caveats on there</p> <p>17 and anything else that you or Senator Eckardt</p> <p>18 or Delegate Adams or Senator Hershey is looking</p> <p>19 for.</p> <p>20 DELEGATE MAUTZ: Honestly, you get into</p> <p>21 the weeds. There's so many nuances and so many</p>	<p>Page 225</p> <p>1 MR. PACK: Correct.</p> <p>2 MS. PRICE: -- an amendment. That's why</p> <p>3 I'm offering support with those two basic</p> <p>4 amendments.</p> <p>5 MR. PACK: I would just stay away from it</p> <p>6 and offer no position at this time. Again, if</p> <p>7 the amendments do take place and come back</p> <p>8 before us, we can also consider it once we see</p> <p>9 the final draft of that --</p> <p>10 MR. LESHAR: I agree with you, Mr. Pack.</p> <p>11 This legislation still has a long road</p> <p>12 ahead of it in the General Assembly. And I</p> <p>13 think if we take no position at this point, we</p> <p>14 can certainly revisit it if it gets changed</p> <p>15 later in the session.</p> <p>16 MR. PACK: If it's redrafted.</p> <p>17 MS. PRICE: The House hearing is on</p> <p>18 March 5th. So again, it will be too late to</p> <p>19 the party.</p> <p>20 DELEGATE MAUTZ: Well, no, not for this</p> <p>21 bill.</p>

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<p>1 MR. PACK: Not really.</p> <p>2 DELEGATE MAUTZ: I think it's totally</p> <p>3 appropriate to have Choptank come in and</p> <p>4 address the Council and answer your questions</p> <p>5 and present to you directly, if they have not</p> <p>6 already done that.</p> <p>7 MR. LESHER: I'll move for no position.</p> <p>8 MR. PACK: There's a motion by</p> <p>9 Mr. Lesher --</p> <p>10 MR. DIVILIO: Second.</p> <p>11 MR. PACK: -- on no position on House Bill</p> <p>12 540?</p> <p>13 MR. DIVILIO: Yes.</p> <p>14 MR. PACK: Thank you. Seconded by</p> <p>15 Mr. Divilio. Any further discussion?</p> <p>16 Hearing none, Madam Secretary, please call</p> <p>17 your roll on House Bill 549 position of no</p> <p>18 position.</p> <p>19 SECRETARY: Mr. Pack.</p> <p>20 MR. PACK: Aye.</p> <p>21 SECRETARY: Mr. Divilio.</p>	<p>1 MR. PACK: Delegate Mautz.</p> <p>2 DELEGATE MAUTZ: Maryland House of</p> <p>3 Delegates.</p> <p>4 MR. PACK: The floor is yours.</p> <p>5 DELEGATE MAUTZ: Talbot Delegation</p> <p>6 chairman.</p> <p>7 This is called the rocket docket. I got a</p> <p>8 couple of quick bills for you.</p> <p>9 The first one is a Sunday hunting. It</p> <p>10 adds a Sunday to youth hunting day for the</p> <p>11 white tail deer season and the turkey season.</p> <p>12 It would just be one extra Sunday in the spring</p> <p>13 and one in the fall.</p> <p>14 MS. PRICE: Move to support.</p> <p>15 MR. PACK: Thank you very much.</p> <p>16 Any additional comment on House Bill 1129?</p> <p>17 Yes, sir, come forward. Your name and your</p> <p>18 address.</p> <p>19 MR. HEIKES: Ed Heikes, St. Michaels,</p> <p>20 Maryland.</p> <p>21 MR. PACK: Mr. Heikes, good to see you.</p>
<p>Page 227</p> <p>1 MR. DIVILIO: Aye.</p> <p>2 SECRETARY: Ms. Price.</p> <p>3 MS. PRICE: Aye.</p> <p>4 SECRETARY: Mr. Lesher.</p> <p>5 MR. LESHER: Aye.</p> <p>6 MR. PACK: Okay.</p> <p>7 MS. PRICE: Okay. Now your bill is up.</p> <p>8 MR. PACK: Now I'm down on House Bill</p> <p>9 1129.</p> <p>10 Madam Secretary, please read the title of</p> <p>11 the bill for me, for us.</p> <p>12 SECRETARY: House Bill 1129, Senate Bill</p> <p>13 500, Talbot County, turkey and deer hunting</p> <p>14 Sundays.</p> <p>15 MR. PACK: Thank you very much, Madam</p> <p>16 Secretary.</p> <p>17 Who is bringing this matter before</p> <p>18 Council?</p> <p>19 DELEGATE MAUTZ: I am, Mr. President.</p> <p>20 MR. PACK: You wish to be heard?</p> <p>21 DELEGATE MAUTZ: Johnny Mautz.</p>	<p>Page 229</p> <p>1 MR. HEIKES: Most Talbot County farmers</p> <p>2 like I am are probably interested in having</p> <p>3 some extra hunting days. And I think this is a</p> <p>4 bill that you all should support.</p> <p>5 MR. PACK: Thank you very much.</p> <p>6 Anyone else wish to be heard on House Bill</p> <p>7 1129? Okay.</p> <p>8 Hearing none, the chair would entertain a</p> <p>9 motion at this time.</p> <p>10 MS. PRICE: Motion to support.</p> <p>11 MR. DIVILIO: Second.</p> <p>12 MR. PACK: Motion to support by Ms. Price,</p> <p>13 seconded by Mr. Divilio. Any further</p> <p>14 discussion on House Bill 1129?</p> <p>15 Hearing none, Madam Secretary, please call</p> <p>16 your roll on the motion to support House Bill</p> <p>17 1129.</p> <p>18 SECRETARY: Mr. Pack.</p> <p>19 MR. PACK: Aye.</p> <p>20 SECRETARY: Mr. Divilio.</p> <p>21 MR. DIVILIO: Aye.</p>

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<p>1 SECRETARY: Ms. Price.</p> <p>2 MS. PRICE: Aye.</p> <p>3 SECRETARY: Mr. Lesher.</p> <p>4 MR. LESHER: Aye.</p> <p>5 MR. PACK: Thank you, Madam Secretary.</p> <p>6 Next matter before Council is House Bill</p> <p>7 1130. Madam Secretary, please read the title.</p> <p>8 SECRETARY: Talbot County, Sunday hunting,</p> <p>9 deer bow hunting season.</p> <p>10 MR. PACK: Thank you very much, Madam</p> <p>11 Secretary.</p> <p>12 Who is bringing this matter before</p> <p>13 Council?</p> <p>14 DELEGATE MAUTZ: I do, Mr. President.</p> <p>15 MR. PACK: Thank you very much. Wish to</p> <p>16 be heard?</p> <p>17 DELEGATE MAUTZ: Thank you. Johnny Mautz,</p> <p>18 Talbot County Delegation chairman.</p> <p>19 This bill pertains to Talbot County. It</p> <p>20 would add every Sunday during the deer bow</p> <p>21 hunting season to applicable hunting days on</p>	<p>1 on House Bill 1130?</p> <p>2 Hearing none, Madam Secretary, please call</p> <p>3 your roll on the motion to support House Bill</p> <p>4 1130.</p> <p>5 SECRETARY: Mr. Pack.</p> <p>6 MR. PACK: Aye.</p> <p>7 SECRETARY: Mr. Divilio.</p> <p>8 MR. DIVILIO: Aye.</p> <p>9 SECRETARY: Ms. Price.</p> <p>10 MS. PRICE: Aye.</p> <p>11 SECRETARY: Mr. Lesher.</p> <p>12 MR. LESHER: Aye.</p> <p>13 MR. PACK: Next matter before Council is</p> <p>14 House Bill 1132.</p> <p>15 Madam Secretary, please read the title of</p> <p>16 the bill.</p> <p>17 SECRETARY: Talbot County, speed</p> <p>18 monitoring systems, intersection of Maryland</p> <p>19 Route 333, Oxford Road, and Bonfield Avenue.</p> <p>20 MR. PACK: Thank you very much, Madam</p> <p>21 Secretary.</p>
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<p>1 private land. So it would allow for Sunday</p> <p>2 hunting for bow and arrow on private land</p> <p>3 throughout the archery season.</p> <p>4 MR. PACK: Thank you very much.</p> <p>5 Anybody else wish to be heard on House</p> <p>6 Bill 1130?</p> <p>7 MR. HEIKES: I would urge you all to</p> <p>8 support this.</p> <p>9 MR. PACK: Thank you very much,</p> <p>10 Mr. Heikes.</p> <p>11 Any further discussion? Anyone else wish</p> <p>12 to be heard on House Bill 1130?</p> <p>13 Hearing none, the chair would entertain a</p> <p>14 motion at this time.</p> <p>15 MS. PRICE: -- support.</p> <p>16 MR. LESHER: Second.</p> <p>17 MR. PACK: Motion to support, seconded by</p> <p>18 Mr. Lesher on House Bill 11 --</p> <p>19 MR. LESHER: Nice to find something that's</p> <p>20 easy to support.</p> <p>21 MR. PACK: Okay. Any further discussion</p>	<p>1 Who is bringing this matter before</p> <p>2 Council?</p> <p>3 DELEGATE MAUTZ: I do, Mr. President.</p> <p>4 MR. PACK: Thank you very much. You wish</p> <p>5 to be heard?</p> <p>6 DELEGATE MAUTZ: I do. Johnny Mautz,</p> <p>7 Talbot Delegation chair.</p> <p>8 This legislation is authorizing</p> <p>9 legislation, and it would authorize the Town of</p> <p>10 Oxford to maintain a traffic camera at the</p> <p>11 entrance of town. This legislation was a</p> <p>12 result of many discussions after that tragic</p> <p>13 incident last spring.</p> <p>14 MR. PACK: Absolutely, absolutely.</p> <p>15 Anyone else wish to be heard on House Bill</p> <p>16 1132?</p> <p>17 Hearing none, the chair would entertain a</p> <p>18 motion.</p> <p>19 MS. PRICE: Motion to support.</p> <p>20 MR. PACK: Motion to support by Ms. Price.</p> <p>21 MR. DIVILIO: Second.</p>

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1 MR. PACK: Seconded by Mr. Divilio. Any
 2 further discussion on 1132?
 3 MR. LESHER: This shouldn't go without any
 4 discussion. I do think we should support this.
 5 I know that speed cameras are
 6 controversial for some people, including a
 7 member of my household. But they do provide a
 8 valuable function for law enforcement in that
 9 they allow -- essentially it's a labor savings
 10 for law enforcement that allows them to put
 11 officers in higher priority locations rather
 12 than in speed enforcement.
 13 It does unquestionably change behavior.
 14 And I presume the reason that this is needed is
 15 that we currently have State law that enables
 16 these to be placed within half-mile radius,
 17 radii of schools. And there are a couple of
 18 these already in the Easton area.
 19 And so I was on the Easton Town Council at
 20 the time that we went through, went with great
 21 discussions about the virtues of this and

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1 people kind of resenting the idea of the big
 2 brother camera up there taking pictures of
 3 them, which it only does if you exceed the
 4 speed limit by more than 12 miles per hour in
 5 the school zone.
 6 Of course, in this case, Oxford has not
 7 had an elementary school for a number of
 8 decades. There is no school there. Therefore,
 9 there's no enabling provision in State laws.
 10 DELEGATE MAUTZ: Right.
 11 MR. LESHER: For this to be there.
 12 There are a couple of these other
 13 exceptions already carved into State law. I
 14 believe they're largely in Prince George's
 15 County.
 16 This will allow this in this location
 17 where clearly there is a problem and some
 18 recent history on this.
 19 DELEGATE MAUTZ: And I'm not certain that
 20 Oxford will actually put one in. They want the
 21 authorization. And then they're going to go

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1 through the public vetting process. So it
 2 depends on whether the public will is still
 3 there to do this. Because, of course, a speed
 4 camera doesn't slow a vehicle down. And I'm
 5 sure there will be open public discussion about
 6 that.
 7 MS. PRICE: People are worried about speed
 8 cameras, and Alexa and Google are always
 9 listening. So you know, big brother is out
 10 there already.
 11 MR. PACK: I'm not, I concur with the
 12 member of Mr. Leshner's household, I'm not a fan
 13 of the speed camera. I think it's a tool in
 14 the toolbox, but it needs to be used with other
 15 policing and enforcement techniques.
 16 So I think we all know just the speed
 17 camera alone may not be the trigger to change
 18 behavior. There needs to be some other
 19 enforcement to go along and citations or
 20 penalty along with it.
 21 In this particular case, yes, I think

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1 you're absolutely right. Absent of a school
 2 zone, which Oxford does not have, but the fire
 3 station is the central location, if you would,
 4 of the community gathering point. There's many
 5 meetings that I've attended there, many social
 6 events that are held there.
 7 So for Oxford, having the ability to have
 8 this tool in the toolbox at a central gathering
 9 place where there are small children as well as
 10 elderly people, I think it would be a good tool
 11 for the chief to have, Chief Maxwell to have to
 12 use down there.
 13 So I will certainly support it as well.
 14 If there's no further discussion, we have
 15 a motion and a second. Madam Secretary, on
 16 1132, please call your roll.
 17 SECRETARY: Mr. Pack.
 18 MR. PACK: Aye.
 19 SECRETARY: Mr. Divilio.
 20 MR. DIVILIO: Aye.
 21 SECRETARY: Ms. Price.

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1 MS. PRICE: Aye.
 2 SECRETARY: Mr. Lesher.
 3 MR. LESHHER: Aye.
 4 MR. PACK: Okay. We had two items that
 5 were added on late.
 6 We have House Bill 1257 --
 7 MS. PRICE: You still have two more.
 8 1392 --
 9 MR. PACK: We had the two that were added
 10 on. This is CC 1 and CC 2.
 11 MS. PRICE: I got you.
 12 MR. PACK: House Bill 1257. Madam
 13 Secretary, would you please read the title of
 14 that bill.
 15 SECRETARY: House Bill 4 was first.
 16 MS. PRICE: Yup.
 17 MR. PACK: Was 4 first? I'm sorry. Yeah.
 18 I wrote 4. I can't read my own handwriting.
 19 Okay. House Bill 4 was first. You're right.
 20 SECRETARY: House Bill 4, public safety,
 21 rifles and shotguns, secondary transactions.

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1 MR. PACK: House Bill 4 was first. Okay.
 2 Who is bringing this matter before
 3 Council?
 4 DELEGATE MAUTZ: I do, Mr. President.
 5 MR. PACK: Wish to be heard?
 6 DELEGATE MAUTZ: Thank you. Johnny Mautz,
 7 Talbot Delegation chair.
 8 Real quickly. This is a bill that's been
 9 through the House. It's currently pending in
 10 the Senate.
 11 There is a couple of other bills that are
 12 coming up related to firearm, lawful ownership.
 13 This bill in particular, I believe we've
 14 got some comments from Sheriff Gamble about it
 15 being unenforceable and not serving the public
 16 good.
 17 I've got a couple experts in the industry.
 18 These are technical bills. They're in the back
 19 of the room. I'd like to give them an
 20 opportunity to speak. They've been waiting
 21 patiently.

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1 MR. PACK: Absolutely. Who else wish to
 2 be heard on House Bill 4? Please come up and
 3 be heard. Give us your name and your address.
 4 DELEGATE MAUTZ: I'd first like to call up
 5 Mr. Larry Albright.
 6 MR. PACK: Mr. Larry Albright, okay.
 7 Mr. Albright.
 8 MR. ALBRIGHT: Council, Larry Albright,
 9 owner of Albright's Gun Shop proudly for 38
 10 years. And am I supposed to. . .
 11 MR. PACK: Yeah. Move up to the mike,
 12 Mr. Albright.
 13 MR. ALBRIGHT: To save some time, I
 14 understand that Council has Sheriff Gamble's
 15 letter.
 16 MR. PACK: We do.
 17 MR. ALBRIGHT: Opposing.
 18 MR. PACK: Yes.
 19 MR. ALBRIGHT: And I can't say it any
 20 better than what the sheriff has put down in
 21 writing. So that's to keep it clear and

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1 simple.
 2 If we could make that letter, possible to
 3 make that letter available to anybody that
 4 thinks that we should do anything else other
 5 than oppose this bill, I think that letter
 6 should be made available to them.
 7 So I'm here to oppose.
 8 MR. PACK: Thank you very much,
 9 Mr. Albright.
 10 Anyone else wish to be heard on House Bill
 11 4?
 12 MR. LESHHER: Can we get on the record this
 13 was a late addition. I've not actually had a
 14 chance to read the fiscal and policy note on
 15 this. I'm feeling relatively uninformed on
 16 this.
 17 Can we talk about what this bill would do
 18 and --
 19 DELEGATE MAUTZ: HB 4 has two sections.
 20 First section requires mixed background
 21 checks on all person-to-person sales for long

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1 guns.

2 In addition to that, it has about seven

3 provisions that restrict an individual's

4 ability to loan a firearm, requiring the owner

5 of the firearm to be in the presence of that

6 firearm, of that long gun at all times.

7 So specifically in the public's safety

8 restriction, it says you cannot loan a long gun

9 to someone unless they are in imminent danger.

10 And so if someone is in imminent, it's too late

11 to loan them a firearm.

12 In the hunting provision, it says that you

13 have to physically be present and in the act of

14 hunting if you're going to loan someone a

15 firearm. And in cases where people loan

16 firearms in hunting situations, I beg to

17 differ. More than 70 percent of the time that

18 person isn't in the presence of another person

19 who has loaned the long gun.

20 Also, in the ordinary course of opening

21 and using long guns, oftentimes one person will

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1 hold a long gun for another person, take it to

2 the shop, pick it up, take it to a friend's

3 house. Or in the case of like youth hunting,

4 they make these really nice youth guns with

5 sawed off stocks. So adults will oftentimes

6 loan other adults their youth gun so everyone

7 doesn't have to buy a new youth gun until that

8 child grows up and is at the physical condition

9 where they can shoot a full size long gun.

10 All that would be prohibited by HB 4.

11 So it's unworkable, it's unusable. That's

12 on the long gun owner perspective.

13 From a law enforcement perspective, this

14 bill would require law enforcement to ask a

15 myriad of questions every time they encounter

16 someone with a long gun, a shotgun. That may

17 not be a big deal in some places, but in this

18 part of the State of Maryland where many people

19 own long guns, it would overwhelm law

20 enforcement, which is why Sheriff Gamble has

21 very clearly and strongly stated how

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1 unenforceable and how ineffective this would be

2 for their activities.

3 Furthermore, the statistics behind firearm

4 injuries, fatalities, crimes, none of them are

5 linked directly, possibly very indirectly in an

6 obscure instance where something had happened,

7 but there's no empirical data that would

8 support that HB 4 would make society any safer.

9 In fact, many would argue that it would make it

10 more dangerous because those who actually need

11 a firearm to protect themselves would not be

12 able to get one.

13 MR. LESHAR: And the impacts of this bill

14 are strictly for long guns?

15 DELEGATE MAUTZ: That's correct.

16 MR. LESHAR: Because handguns are already

17 covered by similar provisions.

18 DELEGATE MAUTZ: And I have other

19 individuals here to testify to that affect. So

20 I would give them a chance.

21 MR. PACK: Okay. Mr. Albright, you wish

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1 to step back. We'll hear from anyone else on

2 House Bill 4.

3 Come forward, sir.

4 DELEGATE MAUTZ: Mr. Glen Biddle.

5 THE COURT: Okay.

6 MR. BIDDLE: Good evening. Thank you for

7 listening to us. My name is Glen Biddle, 29209

8 Woodbridge Drive, Easton, Maryland.

9 I live about five doors down from Joe

10 Gamble. I see him about every ten days, and we

11 talk about guns and gun rights.

12 I reference you to his letter where he had

13 several examples of this loaning of a gun. If

14 he were one tree stand down from hunting from

15 you, he would be in violation of that loaning

16 of a gun.

17 This is absolutely ridiculous that the

18 legislature is putting these undue burdens on

19 law-abiding citizens.

20 A second example. Let's say we go up to

21 Pin Tail Point for the breast cancer shoot that

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1 the hospital puts on and raises a ton of money
 2 for breast cancer research. Let's say we're
 3 shooting together. Johnny Mautz and I were
 4 shooting together last year at this event. His
 5 gun jams. He can't get it fixed. I have a
 6 spare in my truck. I loan it to him. But he's
 7 with another party and he's three stations down
 8 from me. We're no longer in proximity. I'm in
 9 violation. So is he.
 10 This is totally unworkable.
 11 Then another instance, Dorchester County
 12 sheriff brought this up last week in their
 13 Council meeting. He said if we go hunting and
 14 I loan you a gun and the DNR shows up, the
 15 penalty is like three times worse than if you
 16 had a stolen gun in the blind. It was like a
 17 \$300 fine.
 18 MR. DIVILIO: 550.
 19 MR. PACK: I thought it was more than
 20 that.
 21 MR. BIDDLE: It's ridiculous the way the

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1 legislature is doing this. And they're doing
 2 it year after year against law-abiding gun
 3 owners, more infringements after more
 4 infringement after more infringement.
 5 And that's why we're here tonight. We've
 6 brought a ton of people. We could bring 500
 7 more if we have to to get this point across.
 8 It's completely out of control by
 9 Annapolis. They're focusing on a problem in
 10 the metro area that does not exist here.
 11 And Sheriff Gamble has put that in his
 12 letter. I strongly suggest you look at his
 13 letter because it's quite informative. Like
 14 Mr. Albright said, we can't say anything better
 15 than what Sheriff Joe Gamble has said. And
 16 he's very even handed on this. He's not a
 17 Second Amendment rah-rah guy. He's just a
 18 lacrosse coach that became sheriff. That's
 19 what we're looking at.
 20 MR. PACK: Thank you very much,
 21 Mr. Biddle.

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1 MR. BIDDLE: If you have any questions,
 2 I'll be glad to answer any more.
 3 MR. PACK: Thank you very much.
 4 Anyone else on House Bill 4?
 5 MR. BIDDLE: Thank you.
 6 DELEGATE MAUTZ: Yes, Mr. President. Dan
 7 Bowen.
 8 MR. PACK: Dan Bowen, okay. Dan.
 9 MR. BOWEN: Hello, Council. Thank you for
 10 allowing me this opportunity. My name is
 11 Daniel Bowen. I live at 25734 Edgeview Road.
 12 Being a long-time, life-long resident of
 13 Talbot County, father of two, and husband as
 14 well, I wanted to just speak my point that
 15 these bills, in addition to all the other
 16 Second Amendment bills, that would constrict
 17 that right will not keep myself or my family
 18 safer.
 19 My wife being a Talbot County Public
 20 Schools admin position or having both children
 21 in Talbot County Public Schools will not help

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1 them or allow them to exercise their
 2 opportunity of inviting friends, for example,
 3 to participate in hunting or shooting
 4 activities and only restrict their ability.
 5 Thank you.
 6 MR. PACK: Thank you. Thank you very
 7 much.
 8 Anyone else?
 9 DELEGATE MAUTZ: Mr. Sean Mann.
 10 MR. PACK: That's fine. Bring him up,
 11 bring him up.
 12 We thank you all for waiting patiently.
 13 We'll certainly hear from you. Take your time.
 14 MR. MANN: No problem. My name is Sean
 15 Mann. I live in Trappe, Maryland.
 16 I grew up in the store that Larry Albright
 17 now owns.
 18 I have to ask John a question. This
 19 felonized (sic.) this, people who would
 20 loan. . .
 21 DELEGATE MAUTZ: Correct.

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1 MR. MANN: One of the most incredible
 2 things about most of the legislation in front
 3 of Annapolis year after year is that it takes
 4 law-abiding people who are generally involved
 5 in law-abiding pursuits and immediately turns
 6 us into felonies.
 7 If you read these bills, this long gun
 8 loan bill, if I loaned a gun to John in the
 9 scenario that Glen was just telling you about,
 10 one or both of us becomes a felon. It's
 11 ridiculous to take law-abiding people and
 12 criminalize them with the stroke of a pen. I
 13 mean it's that simple. It's that crazy. It
 14 makes no sense at all to me.
 15 Now, I have to ask you a question. There
 16 was a bill that was brought up earlier that was
 17 quickly no position. I was standing out in the
 18 hallway, and I didn't -- I wasn't familiar with
 19 the bill. Is it too late to just ask you a
 20 quick question about that, because it ties into
 21 this?

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1 MR. DIVILIO: You've got 30 second left.
 2 MR. PACK: He said you got 30 seconds
 3 left. So yes.
 4 MR. MANN: Well, it ties into this. SB 86
 5 is the hunting and fishing rights bill. I
 6 looked it up quickly.
 7 It basically grants the citizens of the
 8 State of Maryland the right to hunt and fish.
 9 Having grown up in Talbot County, and I
 10 still have mud between my toes right now, it's
 11 an important -- it's a bill that I think that
 12 the Council should be in favor of.
 13 And then as that relates to this loaning
 14 thing, I've been hunting and fishing my whole
 15 life in Talbot County. And to criminalize the
 16 simple loaning of a gun and to felonize (sic.)
 17 us, made that word up, but turn us into felons
 18 is just ridiculous.
 19 Sorry to take so much time. But thank
 20 you. But please consider supporting SB 86
 21 also.

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1 MR. PACK: Anyone else on House Bill 4?
 2 It does say on the conviction, is subject
 3 to imprisonment not to exceed five years or a
 4 fine not exceeding 10,000 or both. So a
 5 five-year penalty for loaning a gun.
 6 I know the first time I went hunting, I
 7 borrowed -- it was someone else's gun.
 8 MR. DIVILIO: And that's how most people
 9 get into it.
 10 MR. PACK: Yeah. I borrowed someone
 11 else's gun.
 12 MS. PRICE: Motion to oppose.
 13 MR. PACK: So I certainly understand what
 14 the fear behind this. And as you said, a
 15 five-year sentence for just loaning someone a
 16 shotgun to go hunting with is, yeah.
 17 MR. DIVILIO: I'll second it.
 18 MR. PACK: Okay. We have a motion to
 19 oppose.
 20 Johnny, anyone else? We're going to move
 21 on with the motion. Motion to oppose.

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1 MR. LESHHER: Mr. Pack, I'm going to join
 2 in the opposition to this. But I really don't
 3 like the way we got here in that this was so
 4 last minute. We really should have had time to
 5 prepare for this.
 6 MS. PRICE: I'll just say it's House Bill
 7 4. It was introduced like the first week of
 8 session.
 9 MR. LESHHER: But it's been on our agenda
 10 since --
 11 MS. PRICE: Yeah, four minutes ago.
 12 MR. LESHHER: The start of this meeting.
 13 MR. PACK: Three hours ago now. So it's
 14 been on the agenda for a long time.
 15 MS. PRICE: Put it this way. When I go to
 16 Annapolis every Wednesday and I get a list of
 17 35 bills at MACo that I've never seen before,
 18 you get the synopsis. You listen to -- and you
 19 take a position. You don't have the luxury of
 20 a couple of days or a week or whatever. I mean
 21 sometimes you just have to go you know what,

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<p>1 that's a bad bill and we need to oppose it.</p> <p>2 And you trust the people who have done the</p> <p>3 research.</p> <p>4 MR. LESHER: -- read at least the fiscal</p> <p>5 note before you do that.</p> <p>6 MS. PRICE: No.</p> <p>7 MR. LESHER: Or the text of the bill.</p> <p>8 MS. PRICE: No. Put it this way. The</p> <p>9 staff has. So you rely on the person</p> <p>10 presenting to you. And in this case, Delegate</p> <p>11 Mautz, and he's, of course --</p> <p>12 DELEGATE MAUTZ: And the sheriff.</p> <p>13 MS. PRICE: -- armful of people.</p> <p>14 MR. LESHER: This is what I have --</p> <p>15 MR. PACK: We do understand your point,</p> <p>16 Mr. Leshner. But for the sake, we do have a</p> <p>17 motion, we do have a second. We want to move</p> <p>18 it along.</p> <p>19 But you make a very good point. It was</p> <p>20 added on with an amendment. So it is before us</p> <p>21 for consideration tonight.</p>	<p>1 Who brings this before council?</p> <p>2 DELEGATE MAUTZ: I do, Mr. President.</p> <p>3 MR. PACK: Wish to be heard?</p> <p>4 DELEGATE MAUTZ: HB 1257 doubles down on</p> <p>5 existing requirements for firearms dealers.</p> <p>6 And we've got some dealers that can explain to</p> <p>7 you why this legislation is not a good idea and</p> <p>8 why the Council needs to oppose HB 1257.</p> <p>9 I know specifically after talking to</p> <p>10 dealers that there have been no problems with</p> <p>11 the current recordkeeping requirements for our</p> <p>12 dealers, that the mandates that dealers utilize</p> <p>13 this electronic recordkeeping system actually</p> <p>14 diminishes their recordkeeping. It's more</p> <p>15 difficult, it's more complicated, it's</p> <p>16 expensive.</p> <p>17 It would require dealers also to keep --</p> <p>18 MR. PACK: Audio.</p> <p>19 DELEGATE MAUTZ: Video and audio.</p> <p>20 MR. PACK: This says video and audio.</p> <p>21 DELEGATE MAUTZ: Right, right. And it's</p>
<p>Page 255</p> <p>1 We have a motion and a second on House</p> <p>2 Bill 4 to oppose. Madam Secretary, please call</p> <p>3 your roll.</p> <p>4 SECRETARY: Mr. Pack.</p> <p>5 MR. PACK: Aye.</p> <p>6 SECRETARY: Mr. Divilio.</p> <p>7 MR. DIVILIO: Aye.</p> <p>8 SECRETARY: Ms. Price.</p> <p>9 MS. PRICE: Aye.</p> <p>10 SECRETARY: Mr. Leshner.</p> <p>11 MR. LESHER: Aye.</p> <p>12 MR. PACK: Okay. I think we're now at, I</p> <p>13 have my handwritten notes here --</p> <p>14 MS. PRICE: HB 1257.</p> <p>15 MR. PACK: 1257 now. Okay. 1257 now.</p> <p>16 Madam Secretary, would you please read the</p> <p>17 title on 1257.</p> <p>18 SECRETARY: House Bill 1257, public</p> <p>19 safety, licensed firearms dealers, Firearms</p> <p>20 Dealers Safety Act.</p> <p>21 MR. PACK: Thank you very much.</p>	<p>Page 257</p> <p>1 excessive.</p> <p>2 There have been no problems.</p> <p>3 This undoubtedly, according to the dealers</p> <p>4 I've talked to, this is actually going to lead</p> <p>5 to less accurate information when you're trying</p> <p>6 to pull some of these records up.</p> <p>7 Larry Albright to testify.</p> <p>8 MR. PACK: Okay. Mr. Albright, you wish</p> <p>9 to be heard on 1257?</p> <p>10 MR. ALBRIGHT: Please.</p> <p>11 MR. PACK: Okay.</p> <p>12 MR. ALBRIGHT: Again, Larry Albright,</p> <p>13 Albright's Gun Shop.</p> <p>14 Again, the sheriff put it very clearly.</p> <p>15 It is a law that it doesn't deal with any</p> <p>16 problem.</p> <p>17 We are required to call the FBI on what's</p> <p>18 called NICS, National Instant Check System, on</p> <p>19 the transfer of every long gun.</p> <p>20 Trying to sit here and think if this law</p> <p>21 got implemented and how to put cameras in and</p>

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1 record with the noise in the shop. I can only
 2 imagine what it would be like during Waterfowl
 3 Festival selling a shotgun and trying to record
 4 and film this, as you all know, with the crowd
 5 we have.
 6 It is with the National Instant Check
 7 System, we call the FBI, we call with a valid
 8 ID that not only do we have to show that it is
 9 a current license, but we also to the point of
 10 recent changes. We actually have to, with the
 11 positive ID, we have to give the feds the
 12 driver's license number.
 13 We also are checked by the feds online
 14 that the driver's license info has to match the
 15 federal form called a 4473. That's already in
 16 place.
 17 We have ATF, most dealers have an ATF
 18 compliance check a couple of times a year where
 19 they look at every piece of paper that we deal
 20 with.
 21 So my point, rather than going any

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1 further, again the sheriff, we agree with him
 2 strongly to oppose this bill.
 3 MR. PACK: Thank you very much,
 4 Mr. Albright.
 5 Anyone else wish to be heard on 1257?
 6 DELEGATE MAUTZ: We have one more.
 7 MR. PACK: Okay.
 8 MR. HERT: Thank you, sir. My name is
 9 Dale Hurt, 16558 Jones Road, Henderson,
 10 Maryland.
 11 MR. PACK: Okay.
 12 MR. HERT: I am a Maryland certified
 13 firearms instructor. I am also a retired
 14 police officer.
 15 Back in October of 2013 when Maryland
 16 changed the rules and regulations, they did a
 17 really good job. It's not broken. And all
 18 they're doing now is trying to come back out
 19 and rewrite rules and add more paperwork.
 20 People get a license for ten years to buy
 21 a handgun. They go online, they get

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1 fingerprinted. This is all in Maryland State
 2 program. Once they get that, the HQL license,
 3 they go over and they do the 77R form, which is
 4 redundant and asks all the same questions all
 5 over again with the same 21 questions that they
 6 asked the first time as to whether you can
 7 actually own and buy a firearm. Now we have it
 8 done a second time.
 9 They walk in with a control number and a
 10 four-digit PIN that they give to the gun store.
 11 That gun store turns around, puts that number
 12 in, and it pulls their information up. They
 13 then grab their HQL card from the customer and
 14 the driver's license to verify it's the same
 15 person.
 16 How much more do we need? There's
 17 something as too much paperwork.
 18 Myself, very good friends with the
 19 sheriff, and I support what he's done. And I
 20 hope that you do the same. Thank you.
 21 MR. PACK: Thank you very much.

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1 Anybody else on House Bill 1257?
 2 Mr. Biddle is it?
 3 MR. BIDDLE: Once again, Glen Biddle,
 4 29209 Woodbridge Drive, Easton, Maryland.
 5 I've worked for Mr. Albright in his store.
 6 I'm also a responsible person on a separate
 7 FFL.
 8 And what Mr. Albright, he said the ATF
 9 comes in there and goes through his records
 10 sometimes once a year, even sometimes even more
 11 than that.
 12 But also, since he's a regulated firearms
 13 dealer, the Maryland State Police come in and
 14 also audit his books for regulated firearms.
 15 So you're getting two sets of observers or
 16 regulators coming in to look at his books.
 17 Also, we really need to ask who is buying
 18 guns legally and who is buying guns illegally.
 19 An outlaw, or a person living outside the law,
 20 that's where it comes from in the English
 21 language, is someone who doesn't care about the

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<p>1 law. They are not going to go through an HQL 2 process, they're not going to go through a 4473 3 process because they're not going to pass 4 anyway if they're a prohibited person. 5 Once again, I reference you to Sheriff Joe 6 Gamble's letter. He references this in 7 entirety in his letter, that once again, you're 8 targeting law-abiding gun owners. You're not 9 targeting the problem, which is illegal 10 purchases of guns on the street somewhere, 11 unregulated, illegal. 12 There's probably ten to 20 gun laws that 13 they're already breaking. And then we have 14 judges and prosecutors that are plea bargaining 15 away, prosecutors are, gun crime and we're not 16 putting people away for long times, like 17 Sheriff Gamble says in his letter, where they 18 cannot commit crimes. 19 He references where a police officer was 20 shot in this letter because he was released 21 early on parole, went and got a gun illegally,</p>	<p>1 Anyone else on 1257? Okay. 2 The chair would entertain a motion now on 3 Bill 1257. 4 MS. PRICE: Motion to oppose. 5 MR. DIVILIO: Second. 6 MR. PACK: Motion to oppose, second. Any 7 further discussion on 1257? 8 MR. LESHAR: I will join in opposition, 9 but I simply register my similar protest in 10 getting this without adequate time to do my 11 homework. 12 MR. PACK: Duly noted, Mr. Leshar. Thank 13 you very much. 14 Madam Secretary, please call the roll on 15 House Bill 1257, a motion to oppose. 16 SECRETARY: Mr. Pack. 17 MR. PACK: Aye. 18 SECRETARY: Mr. Divilio. 19 MR. DIVILIO: Aye. 20 SECRETARY: Ms. Price. 21 MS. PRICE: Aye.</p>
<p>Page 263</p> <p>1 did not go through any of the checks that we're 2 talking about here tonight. 3 So videotaping and audio taping somebody 4 buying a legal gun in a store is not going to 5 stop this crime. It's just not effective. 6 It's targeting law-abiding gun owners and 7 it's not targeting the problem, which is 8 illegal gun use in our state. Illegal gun use, 9 not the legal gun use. 10 You can't get a question answered by the 11 State Police or the Attorney General's Office 12 on how many people who are arrested on a gun 13 crime have an HQL. They're not going to give 14 you that answer because it's inconvenient to 15 them because it doesn't fit the statistics. 16 We were told in 2013 by Governor O'Malley 17 that the HQL would lower crime in Maryland. 18 What has happened in Baltimore? It has gone 19 up. It's ineffective. 20 Thank you. 21 MR. PACK: Thank you, Mr. Biddle.</p>	<p>Page 265</p> <p>1 SECRETARY: Mr. Leshar. 2 MR. LESHAR: Aye. 3 MR. PACK: My handwriting says we are on 4 House Bill 636 now. This was an add-on? 5 DELEGATE MAUTZ: Yes, correct. 6 MR. PACK: Who is bringing this -- Madam 7 Secretary, please read the bill for us first. 8 SECRETARY: House Bill Number 636, public 9 safety, access to firearms, storage 10 requirements. 11 MR. PACK: Okay. Delegate Mautz, you wish 12 to be heard? 13 DELEGATE MAUTZ: Yes, Mr. President. I'm 14 bringing this bill to the Council to request 15 the Council's opposition. 16 This bill would prohibit leaving a minor 17 in a place where they can reach a loaded 18 firearm while they are alone. 19 Currently there are laws covering storage 20 of firearms. However, the way this is written, 21 it would provide anyone under the age of 18</p>

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1 from hunting alone.

2 In order to go hunting and to receive a

3 license, a hunter safety course has to be

4 taken. That includes live fire.

5 Most of the individuals under 18 with

6 hunter safety are probably more equipped or

7 more trained to handle a firearm than many

8 adults who get the license and go through the

9 process to buy a firearm.

10 So I'd request -- this bill has already

11 been defeated in committee. And I'm bringing

12 it back, I'm bringing it to the Council's

13 attention now for your opposition because I've

14 learned the practice of the legislature has

15 been, with firearms legislation, when they're

16 defeated, sometimes they'll bring them back in

17 other bills usually right before St. Patrick's

18 Day. And it would have been important to have

19 the Council's position on this important aspect

20 of the bill should this bill come back.

21 MS. PRICE: So it could get resurrected,

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1 huh?

2 DELEGATE MAUTZ: That's my fear.

3 MS. PRICE: Okay.

4 DELEGATE MAUTZ: Anyone want to speak on

5 it?

6 MR. BOWEN: Thank you, again. My name is

7 Daniel Bowen. Address is 25734 Edgeview Road,

8 Royal Oak, Maryland.

9 As I mentioned before, being a father of

10 two, I'm strongly against this bill and hope

11 that you are as well as this is disclosed and

12 discussed further coming back around.

13 An example of this would be my daughter,

14 she is a well-rounded individual, traditional

15 Talbot County, if you will. Loves to sail,

16 field hockey, play lacrosse, loves to goose

17 hunt and deer hunt, for that matter.

18 Her being a minor, she has passed all the

19 requirements set by the State of Maryland,

20 Maryland hunter's safety course. That's two

21 weeks of classwork in addition to hands on, as

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1 Mr. Mautz had mentioned.

2 What this bill would do would be

3 potentially as many people have done in the

4 past tradition of the county, on a day off of

5 school when they have the opportunity to go

6 with their siblings hunting. I'm not able to

7 there be, and I feel they are safe. The State

8 has checked them off as being safe in firearm

9 handling. Would make them be in violation of

10 the law and, therefore, make me responsible as

11 well.

12 So something that's not insignificant to

13 this area. We should not be punished as a

14 result. Thank you.

15 MR. PACK: Thank you.

16 Mr. Albright.

17 MR. ALBRIGHT: Again, Larry Albright.

18 One of the nice things that I've had to

19 deal with over many years with the gun shop is

20 the number of youth hunters that we have, not

21 just in Talbot County, but on the Eastern

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1 Shore.

2 And it does my heart really, really good

3 every time I have a teacher tell me and

4 compliment me, knowing that I'm in the

5 business, that the most responsible students

6 that they deal with are the young hunters, both

7 male and female in this county. They are the

8 most responsible because they have learned,

9 they've educated, not only in gun safety, but

10 in the hunter safety program.

11 And adamantly oppose this bill based on

12 the fact that the number of youth hunters under

13 18 is a staggering number in this county. It

14 is our heritage, and it is our tradition. It

15 goes back to our Colonial days.

16 And I think it would be important for the

17 Council to realize the significance of this

18 with the fact that they are some of the best

19 young people that we have in this county in

20 terms of responsibility. Opposed to the bill.

21 Thank you for the time.

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1 MR. PACK: Thank you, Mr. Albright.
 2 Anyone else on House Bill 636?
 3 DELEGATE MAUTZ: Sean.
 4 MR. MANN: Sean Mann again. Just want to
 5 reinforce what Larry has said and Daniel as
 6 well and Johnny.
 7 I started hunting when I was 17 years old.
 8 I went when I was five, started shooting when I
 9 was seven, started guiding goose hunters when I
 10 was 15.
 11 This law would prevent anyone else from
 12 being able to do that. You know, the kids who
 13 have gone through hunter safety -- hunter
 14 safety wasn't required when I was seven years
 15 old.
 16 MR. PACK: Probably not.
 17 MR. MANN: Right. I was in one of the
 18 first classes. I've taken it about five times.
 19 Took it with my nieces and nephews and my sons
 20 and so forth.
 21 So once young people experience the

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1 gravity of what happens when they shoot a
 2 firearm, I think they get it for the most part.
 3 And to -- I can't think of the right word. To
 4 discourage them from participating -- when I
 5 showed that I was responsible enough, I was
 6 allowed to go on my own, just as Daniel said
 7 his daughter.
 8 In this case, as John had said earlier,
 9 you know, deer hunting is a solitary sport. So
 10 a young person could go to the woods with a
 11 parent and go up into the stand, right, and
 12 then Dad goes 200 yards away. And now we're in
 13 violation because we have a youngster who is
 14 actually being monitoring by a parent but in
 15 possession of a loaded firearm. So it doesn't
 16 make sense.
 17 It's an answer to a question that isn't
 18 being asked. So please oppose it. Thank you.
 19 MR. PACK: Thank you very much, Mr. Mann.
 20 Anyone else on the bill, 636? Mr. Biddle.
 21 DELEGATE MAUTZ: Glen is going to comment

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1 also.
 2 MR. PACK: Okay.
 3 MR. BIDDLE: Glen Biddle. 29209
 4 Woodbridge Drive, Easton, Maryland.
 5 Once again, everything that they said is
 6 absolutely correct. Reference again to Sheriff
 7 Gamble's letter. I strongly suggest you look
 8 at that. It even says that one of the
 9 instances where he investigated a crime, there
 10 was a youth, a child that got a hold of a
 11 firearm inside of a house where a drug dealer
 12 was, who was a prohibited person, wasn't
 13 supposed to have the gun to begin with. And
 14 the child accidently shot himself. That's a
 15 tragedy, but that gun should have never been
 16 there to begin with because someone who was in
 17 violation of law shockingly broke the law.
 18 Once again, if you look at kids in Talbot
 19 County, they always claim they have nothing to
 20 do on the weekends or whenever they have free
 21 time. If we take hunting away from them,

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1 that's just one more thing that they're not
 2 going to have to do. And that's a tragedy
 3 because every one of us in here grew up
 4 hunting.
 5 I've taken the hunter safety course three
 6 times. I did it when I was 12 up in Remington
 7 in Kent County. I've done it twice with both
 8 of my kids in Talbot County. And Judge Adkins
 9 is out there on the skeet field handing the gun
 10 to your kid to shoot at the two clay birds to
 11 show that they can shoot.
 12 I mean if we -- and little kids are out
 13 there. My kids started shooting when they were
 14 eight, nine, ten years old hunting with me when
 15 they were that age. It's just -- I remember my
 16 daughter got her first goose. I sent a picture
 17 to Larry Albright. I said look, Larry, this is
 18 the 28-gauge that you sold to us with the
 19 shells. He was like a proud papa. Same with
 20 me.
 21 We take this away, it's going to be

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1 terrible. It's also going to be very
 2 detrimental to our youth because they're not
 3 going to have anything to do. And think of the
 4 responsibility that these kids get when they go
 5 through hunter safety and they learn to shoot
 6 responsibly, okay. And that you take the
 7 curiosity out of that firearm so that if a kid
 8 that's never been around a firearm picks up a
 9 gun, doesn't know what to do with it, doesn't
 10 know to check if it's loaded or not, I think
 11 that we're doing a disservice to the youth by
 12 not letting them have access to firearms to
 13 dispel the curiosity and see that they're safe.
 14 So I think, once again, and the Maryland
 15 legislature, some of those people I don't think
 16 know which end of the gun the bullet comes out
 17 of the way they write these firearm laws. It's
 18 actually terrible.
 19 And I would be willing, Mr. Leshar, I
 20 would be glad to talk to you at length about
 21 these laws if you wish. Now, I have to say I'm

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1 not an unbiased person about it, but I can be
 2 very even keeled with you.
 3 And some of the best people that I've ever
 4 taken shooting are people that were opposed to
 5 guns. And you take them out shooting, and
 6 they've had the best time and you dispel all
 7 the crazy stereotypes that people have with gun
 8 owners. We're law-abiding citizens. We
 9 couldn't have the guns legally if we weren't.
 10 So I don't know why we're mistrusted by
 11 our government.
 12 MR. LESHER: Mr. Biddle, please don't take
 13 me wrong on this.
 14 MR. BIDDLE: No, not at all. I know
 15 you're an Eagle Scout. So I'm sure you got the
 16 shotgun badge and the rifle badge.
 17 MR. LESHER: Not only that. Actually, no.
 18 I was -- I did not earn those merit badges.
 19 But I did enjoy some time on the rifle
 20 range, and I have indeed spent some time in the
 21 goose blind with Mr. Bowen.

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1 So I'm absolutely sympathetic to these
 2 issues. I just wish I had gotten these on
 3 Friday so that I could have looked at them like
 4 I did all these other pieces of legislation
 5 before us. That's all.
 6 MR. BIDDLE: Well, what I think has
 7 happened is that on social media there has been
 8 an explosion of people that are scared to death
 9 by what's happening by the State legislature
 10 that it's a total reaction.
 11 This happened in Dorchester. I was down
 12 there last week. I think it was two days that
 13 this erupted in Dorchester County. We went
 14 before their Council. We couldn't even get the
 15 words out of our mouth that we wanted them to
 16 support the Second Amendment, second, third,
 17 fourth, passed. It was amazing. We had the
 18 letter the next day from the Council supporting
 19 the Second Amendment and opposing the Maryland
 20 legislature in its overreach.
 21 And Caroline County met tonight. I just

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1 got a text that they've done the same thing
 2 tonight.
 3 There's a groundswell of support by the
 4 Second Amendment community coming out and
 5 saying enough is enough.
 6 The Maryland legislature has got to wake
 7 up and to not treat law-abiding gun owners as
 8 the enemy. And that's how we feel, and we're
 9 not. We are the most law-abiding people there
 10 are.
 11 MR. PACK: Thank you very much,
 12 Mr. Biddle. Your time has elapsed.
 13 Anyone else on Bill 636?
 14 DELEGATE MAUTZ: I think the difference
 15 this year is the crisis in Baltimore City.
 16 MR. PACK: I understand, I understand.
 17 Yes, sir.
 18 MR. MEEKINS: Good evening. My name is
 19 Tinsley Meekins. I live on 29669 Porpoise
 20 Creek Road in Trappe. I'm the president of the
 21 Cambridge Skeet Club.

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1 And I'd just like to say how important it
 2 is for the young children to come. It's just a
 3 wonderful feeling to me when I see a father and
 4 a son come to the skeet club and see them learn
 5 and get better. And it's just we have a lot of
 6 young kids come with their parents.
 7 I had a little boy come last Sunday. He
 8 had a Red Rider BB gun.
 9 MS. PRICE: Be careful. You'll shoot your
 10 eye out, right?
 11 MR. MEEKINS: With his father. He was
 12 about six years old. And he wanted to go on
 13 the rifle range and shoot at a tin can. I said
 14 sure, that would be nice. So that was his
 15 first shooting experience.
 16 But I just feel very strongly about the
 17 young people getting into shooting.
 18 Thank you very much.
 19 MR. PACK: Thank you very much, sir.
 20 Anyone else on Bill 636?
 21 MR. CAMPER: Ladies and gentlemen of the

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1 Council, thank you. John Camper, Ferry Neck,
 2 Royal Oak, Maryland.
 3 As a native of the shore, being born and
 4 raised right here in Talbot County and having
 5 served my country in the Armed Forces, doing
 6 three oversea campaigns and the Persian Gulf
 7 War, also York and regular Army Military Police
 8 Airborne and US Army National Guard Infantry
 9 and later Talbot County Sheriff's Office patrol
 10 division and criminal investigations division,
 11 I must say that I am both saddened and sickened
 12 by the attacks to our God-given freedom and
 13 rights that are acknowledged by the Declaration
 14 of Independence and the US Constitution and
 15 guaranteed by the Bill of Rights.
 16 As much as I am a supporter of the
 17 people's right to hunt, I must remind the
 18 members of the Council that the US Constitution
 19 and the Bill of Rights are silent, and rightly
 20 on the purpose of these -- on the matter of
 21 hunting. And the purpose of these great

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1 documents was to describe what rights that the
 2 government has, and not the other way around.
 3 It implicitly states that those rights not
 4 granted by the Constitution and the Bill of
 5 Rights are explicitly reserved to the State and
 6 the people. In other words, these rights are
 7 to the people and they're not to be infringed
 8 upon.
 9 However, the Founding Fathers felt so
 10 strongly about the right to keep and bear arms
 11 that they did prescribe this in law in our
 12 Second Amendment. And as I've already stated,
 13 it states that this right shall not be
 14 infringed.
 15 This bill that is proposed, as well as
 16 these former bills that have been mentioned,
 17 are an infringement upon those rights, of which
 18 I swore as both a soldier and a deputy sheriff
 19 to uphold. And I believe you all have done the
 20 same.
 21 I urge you to oppose this bill and any

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1 similar bills. Thank you.
 2 MR. PACK: Thank you very much, sir.
 3 Anyone else on House Bill 636?
 4 I thank everyone for their comment. I'm
 5 looking at this, John. It looks like not only
 6 you could be fined and face up to 90 days for
 7 leaving a loaded gun, but it also says an
 8 unloaded gun.
 9 DELEGATE MAUTZ: Right.
 10 MR. PACK: Unloaded gun.
 11 DELEGATE MAUTZ: That's correct.
 12 MR. PACK: Okay.
 13 DELEGATE MAUTZ: I really feel what's
 14 going on is there's a crisis in Baltimore. The
 15 governor is trying to attack crime. And
 16 there's blow back in the legislature. And
 17 unfortunately, this is the collateral damage in
 18 some of these proposals.
 19 MS. PRICE: And they won't even take up
 20 his crime bill.
 21 So I mean the Rural County Coalition voted

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<p>1 last night to support every one of Governor 2 Hogan's crime bills because they're doing all 3 this and yet the people who are the criminals 4 who are shooting guns and doing bad things, 5 we're not upholding their sentences. 6 DELEGATE MAUTZ: But it's significant in 7 that everyone is concerned about public safety, 8 and I think it's important. 9 That's why this year I brought these bills 10 to the Council so the Council is involved and 11 the local community is involved. And also, it 12 sends a message to the other parts of Maryland 13 where these bills may not be as objectionable, 14 to places where gun ownership is not as common. 15 MS. PRICE: And maybe they shouldn't be 16 the ones sponsoring the bill. 17 With that, I will make a motion to oppose. 18 MR. DIVILIO: Second. 19 MR. PACK: Motion to oppose. Seconded by 20 Mr. Divilio. Any further discussion on House 21 Bill 636?</p>	<p>1 MS. PRICE: I haven't heard it put that 2 way before. 3 MR. PACK: Madam Secretary, we have a 4 motion and a second. Please call your roll on 5 House Bill 636, a motion to oppose. 6 SECRETARY: Mr. Pack. 7 MR. PACK: Aye. 8 SECRETARY: Mr. Divilio. 9 MR. DIVILIO: Aye. 10 SECRETARY: Ms. Price. 11 MS. PRICE: Aye. 12 SECRETARY: Mr. Leshner. 13 MR. LESHNER: Aye. 14 MR. PACK: Next matter before Council is 15 House Bill 1392. Are we back to -- is that 16 yours as well? 17 MR. LESHNER: Back to the agenda. 18 MR. DIVILIO: Just for one point of 19 (inaudible). 20 MR. PACK: Go ahead. 21 MR. DIVILIO: So the comments that people</p>
<p>1 MR. DIVILIO: I would just like to be on 2 the record briefly and just say that I was that 3 kid. I grew up on a 65-acre horse farm on 4 Black Dog Alley. We would hunt there as kids. 5 We went over to the (inaudible) Hunt Club with 6 my father, shot skeet there. And now I'm doing 7 that with my son. I'm taking my oldest son out 8 there and doing that. 9 I bought a little break-action 410 single 10 shot that I brought from Mr. Albright that's 11 perfect for kids. And I lend it out to other 12 kids who want to get into it whose parents take 13 them out to the Ride and Gun Club and safely 14 use it and get into it. It's a sport that 15 hoping to see continue to grow because it 16 practices safety, it helps reduce wounded birds 17 that are flying around. It does. And it's 18 just another outlet for kids to get into things 19 on the Eastern Shore. 20 I fully support that and I oppose this 21 bill for that reason.</p>	<p>1 are referencing is probably, is really for me. 2 And I had to complain about this the other day 3 when I saw everything on the legislation on 4 here. I said would it be helpful if Council 5 members who put things on the agenda reach out 6 to the other Council members to let them know 7 why it's on there and what their stance is. 8 And I did try to reach out to Pete a 9 little bit. I called him today. But yes, I 10 should have gotten this information out earlier 11 and I apologize for that, Mr. Leshner. 12 MR. LESHNER: Thank you. 13 MR. PACK: House Bill 1392. Madam 14 Secretary, would you please read the title of 15 the bill? 16 SECRETARY: House Bill 1392, Senate Bill 17 667, renewable energy portfolio standard, 18 municipal electric utilities. 19 MR. PACK: Thank you very much, Madam 20 Secretary. 21 Who is bringing this matter before</p>

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<p>1 Council?</p> <p>2 DELEGATE MAUTZ: I am, Mr. President.</p> <p>3 MR. PACK: You wish to be heard?</p> <p>4 DELEGATE MAUTZ: Johnny Mautz, Talbot</p> <p>5 County Delegation chair.</p> <p>6 Last year, the legislature increased the</p> <p>7 renewable mandate, also known as the RPS, with</p> <p>8 a tiered increase to a 50 percent mandate of</p> <p>9 renewable energy by the year 2030. That bill</p> <p>10 voting session was controversial and I think it</p> <p>11 was not expected to be approved in committee.</p> <p>12 However, the bill was approved in committee.</p> <p>13 During that voting session, I attempted to</p> <p>14 have the municipal utilities amended out of</p> <p>15 that mandate requirement and have them held at</p> <p>16 the 2019 level. The bill moved through, went</p> <p>17 into place. The mandate increases have taken</p> <p>18 effect.</p> <p>19 This legislation would restore the mandate</p> <p>20 level requirement for municipal utilities.</p> <p>21 Without this legislation, the mandate for</p>	<p>1 on the price of renewable energy credits I</p> <p>2 think is going to be pretty minimal. And small</p> <p>3 entities like this really can't compete in the</p> <p>4 marketplace with Pepco and the other large</p> <p>5 utilities. They're in a distinct competitive</p> <p>6 disadvantage.</p> <p>7 So I'm ready to support this.</p> <p>8 MR. PACK: Okay. We have a motion and a</p> <p>9 second to support on 1392. Madam Secretary,</p> <p>10 would you please call your roll.</p> <p>11 SECRETARY: Mr. Pack.</p> <p>12 MR. PACK: Aye.</p> <p>13 SECRETARY: Mr. Divilio.</p> <p>14 MR. DIVILIO: Aye.</p> <p>15 SECRETARY: Ms. Price.</p> <p>16 MS. PRICE: Aye.</p> <p>17 SECRETARY: Mr. Leshner.</p> <p>18 MR. LESHER: Aye.</p> <p>19 MR. PACK: Last matter, Council, before</p> <p>20 you is House Bill 1508.</p> <p>21 Madam Secretary, would you please read</p>
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<p>1 Easton Utilities is going to go up</p> <p>2 significantly. This first year was a minor</p> <p>3 increase. Easton Utilities has incurred an</p> <p>4 additional \$500,000 cost that's going to be</p> <p>5 borne by all of its rate payers.</p> <p>6 So I urge that the Council support this</p> <p>7 legislation.</p> <p>8 MR. PACK: Thank you very much.</p> <p>9 Is there a motion to support on 1392?</p> <p>10 MS. PRICE: Motion to support.</p> <p>11 MR. LESHER: Second.</p> <p>12 MR. PACK: Made by Ms. Price, seconded by</p> <p>13 Mr. Leshner. Any further comment of Council?</p> <p>14 MR. LESHER: There's a fiscal note on</p> <p>15 this. It shows that local revenues will not be</p> <p>16 directly impacted, cites a minimal effect on</p> <p>17 small business, it notes that municipal</p> <p>18 utilities only distribute between 1.2 and</p> <p>19 1.3 percent of the energy sold anywhere in</p> <p>20 Maryland.</p> <p>21 The negative impact that this could have</p>	<p>1 that bill.</p> <p>2 SECRETARY: House Bill 1508, Senate Bill</p> <p>3 790, information technology, communications</p> <p>4 lines, installation.</p> <p>5 MR. PACK: Thank you. Who brings this</p> <p>6 matter before Council?</p> <p>7 DELEGATE MAUTZ: Mr. President, I do. And</p> <p>8 I want to thank you for all your patience.</p> <p>9 MR. PACK: Absolutely.</p> <p>10 DELEGATE MAUTZ: A lot of getting bills in</p> <p>11 the last minute was me. This is the first year</p> <p>12 we've done this. So I apologize. Thank you</p> <p>13 for working with us to get the bills on the</p> <p>14 agenda.</p> <p>15 This legislation I would like to withdraw</p> <p>16 from your consideration or ask for no position.</p> <p>17 MS. PRICE: No position.</p> <p>18 MR. LESHER: What's the reason for that?</p> <p>19 This is about last mile broadband. Is</p> <p>20 this being amended?</p> <p>21 DELEGATE MAUTZ: This bill is being</p>

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<p>1 amended. It's a statewide bill. It has</p> <p>2 implications more so in doing it in a very</p> <p>3 complicated area of State government and how it</p> <p>4 does its contracting and right of way access</p> <p>5 that it really is not germane to the county as</p> <p>6 much as it is to the State.</p> <p>7 And right now the bill as it's drafted</p> <p>8 would take the existing guidance that's been</p> <p>9 issued by the Department of Information</p> <p>10 Technology and would codify that. I'm not sure</p> <p>11 exactly how that would implicate Talbot County</p> <p>12 and the rights of way in Talbot County and the</p> <p>13 county's interaction with those rights of ways.</p> <p>14 So I'm not prepared to bring that to you,</p> <p>15 and I don't want to bring it to you and ask for</p> <p>16 your support not being able to answer specific</p> <p>17 questions about it with regards to the county.</p> <p>18 MS. PRICE: So I'll move no position.</p> <p>19 MR. LESHER: Second.</p> <p>20 MR. PACK: Okay. We lost one of our</p> <p>21 members. I guess I still have a quorum. We</p>	<p>1 MR. PACK: Council will take a five-minute</p> <p>2 recess. We'll come back and reconvene at</p> <p>3 10:20.</p> <p>4 (Recess taken.)</p> <p>5 MR. PACK: Council is going to come back</p> <p>6 to order. Ask any conversation be taken out</p> <p>7 into the hallway.</p> <p>8 Mr. Hollis, we have successfully</p> <p>9 maneuvered through our first bill day. We</p> <p>10 handled 35 bills, and we're now county manager</p> <p>11 report. I'll turn it over to you and I'll</p> <p>12 remain quiet.</p> <p>13 MR. HOLLIS: So asking for the appointment</p> <p>14 of George Neilson to the Short-Term Rental</p> <p>15 Review Board representing the attorney with</p> <p>16 real estate experience seat.</p> <p>17 MR. PACK: Is there a motion to</p> <p>18 represent -- thank you.</p> <p>19 MR. LESHER: I'll move to appoint.</p> <p>20 MR. PACK: Thank you very much.</p> <p>21 MR. DIVILIO: Second.</p>
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<p>1 have a second no position.</p> <p>2 Madam Secretary, please call your roll.</p> <p>3 SECRETARY: Mr. Pack.</p> <p>4 MR. PACK: Aye.</p> <p>5 SECRETARY: Ms. Price.</p> <p>6 MS. PRICE: Aye.</p> <p>7 SECRETARY: Mr. Leshner.</p> <p>8 MS. MORRIS: Mr. Pack, the reporter needs</p> <p>9 a minute.</p> <p>10 MR. PACK: We have finished our first bill</p> <p>11 day.</p> <p>12 Why are pointing upstairs for?</p> <p>13 MR. HARRISON: I had a question.</p> <p>14 MR. PACK: Wait a minute. Our bill day is</p> <p>15 now finished on all bills before Council.</p> <p>16 We have one matter that we held over, and</p> <p>17 we'll pick that up in March. But we're now</p> <p>18 finished with bill day.</p> <p>19 Thank you very much, Delegate Mautz, for</p> <p>20 all that you've done. Appreciate it.</p> <p>21 DELEGATE MAUTZ: Thank you.</p>	<p>1 MR. PACK: Madam Secretary, would you call</p> <p>2 the roll please.</p> <p>3 SECRETARY: Mr. Pack.</p> <p>4 MR. PACK: Aye.</p> <p>5 SECRETARY: Mr. Divilio.</p> <p>6 MR. DIVILIO: Aye.</p> <p>7 SECRETARY: Ms. Price.</p> <p>8 MR. LESHER: This is voting on</p> <p>9 confirmation of George Neilson for the</p> <p>10 Short-Term Rental Review Board.</p> <p>11 MS. PRICE: Oh, aye.</p> <p>12 SECRETARY: Mr. Leshner.</p> <p>13 MR. LESHER: Aye.</p> <p>14 MS. PRICE: Thank you.</p> <p>15 MR. HOLLIS: Council, we're requesting</p> <p>16 your recommendation on awarding Bid 17-09,</p> <p>17 St Michaels pumping station number three</p> <p>18 upgrade rehabilitation, Talbot County,</p> <p>19 Maryland, in the amount of \$310,596. It's for</p> <p>20 pressure sewer installation at the west end of</p> <p>21 Grace Street in St. Michaels, and the</p>

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<p>1 additional work is covered under the USDA 2 grant. 3 MR. PACK: You wish to be heard? You're 4 good. 5 MR. CLARKE: If y'all are ready to 6 approve, we're good. 7 MR. PACK: Is there a motion to approve 8 Bid 17-09? 9 MR. DIVILIO: So moved. 10 MR. PACK: Moved by Mr. Divilio. 11 MR. LESHER: Second. 12 MR. PACK: Seconded by Mr. Leshner. Any 13 further comment on Bid 17-09? 14 Hearing none, Madam Secretary, please call 15 the roll. 16 SECRETARY: Mr. Pack. 17 MR. PACK: Aye. 18 SECRETARY: Mr. Divilio. 19 MR. DIVILIO: Aye. 20 SECRETARY: Ms. Price. 21 MS. PRICE: Aye.</p>	<p>1 SECRETARY: Mr. Pack. 2 MR. PACK: Aye. 3 SECRETARY: Mr. Divilio. 4 MR. DIVILIO: Aye. 5 SECRETARY: Ms. Price. 6 MS. PRICE: Aye. 7 SECRETARY: Mr. Leshner. 8 MR. LESHER: Aye. 9 MR. HOLLIS: Requesting Council approval 10 to award Lane Engineering, Incorporated sewer, 11 design, and survey work in the amount of 12 \$28,000 to connect the Talbot County Community 13 Center to the Easton wastewater treatment 14 system. 15 MR. PACK: Can I make the motion on that 16 one? 17 MS. PRICE: So moved. 18 MR. DIVILIO: Second. 19 MR. PACK: Motion made by Ms. Price, 20 seconded by Mr. Divilio. Any further 21 discussion?</p>
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<p>1 SECRETARY: Mr. Leshner. 2 MR. LESHER: Aye. 3 MR. PACK: Motion passes. 4 Next matter. 5 MR. HOLLIS: Council that was Change Order 6 15. 7 Change Order 16 is in the amount of 8 \$32,100 for roadbed restoration and drainage 9 improvements to Conner Street also in 10 St Michaels. Again, additional work covered 11 under the USDA grant. 12 MR. PACK: Thank you very much. Is there 13 a motion on Bid 17-09 -- 14 MR. LESHER: So moved. 15 MR. DIVILIO: Second. 16 MR. PACK: This is number 16 change order. 17 That motion was made by Mr. Leshner, 18 seconded by Mr. Divilio. Any further 19 discussion on the change order? 20 Hearing none, Madam Secretary, please call 21 the roll.</p>	<p>1 This is long, long overdue. Let me just 2 say that. And thank you very much, Mr. Clarke, 3 on all your efforts in getting this started and 4 underway. 5 We have a motion and a second. Madam 6 Secretary, please call your roll. 7 SECRETARY: Mr. Pack. 8 MR. PACK: Aye. 9 SECRETARY: Mr. Divilio. 10 MR. DIVILIO: Aye. 11 SECRETARY: Ms. Price. 12 MS. PRICE: Aye. 13 SECRETARY: Mr. Leshner. 14 MR. LESHER: Aye. 15 MR. HOLLIS: Council, requesting your 16 approval to award tree removal work. 17 Thank you, Mr. Clarke. 18 On Station Road in Newcomb, Maryland, to 19 Wilder Tree. It's in the amount of \$14,500. 20 It's the lowest of three quotes we received. 21 Requesting the use of contingency funds,</p>

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1 which have been certified as available.
 2 This is needed to improve the drainage
 3 situation on Station Road. All affected
 4 property owners have agreed with the tree
 5 removal.
 6 MR. PACK: Is there a motion?
 7 MR. DIVILIO: So moved.
 8 MR. PACK: Moved by Mr. Divilio.
 9 MR. LESHER: Second.
 10 MR. PACK: Seconded by Mr. Lesher. Is
 11 there any additional comment?
 12 MR. LESHER: I went over this with staff.
 13 Planning and Zoning has certified that these
 14 are diseased and dying trees and that there's
 15 no need for -- there's no requirement for
 16 replacement in these instances.
 17 MR. PACK: Okay. Is it ash beetle or you
 18 don't know as far as the trees?
 19 MR. LESHER: I don't know. No. Actually,
 20 well, not the pines. But apparently
 21 they're. . .

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1 MR. PACK: They're diseased?
 2 MR. LESHER: The condition of these is not
 3 good.
 4 MR. PACK: We have a motion and a second.
 5 This is for Wilder Tree Service, \$14,500.
 6 Madam Secretary, please call your roll.
 7 SECRETARY: Mr. Pack.
 8 MR. PACK: Aye.
 9 SECRETARY: Mr. Divilio.
 10 MR. DIVILIO: Aye.
 11 SECRETARY: Ms. Price.
 12 MS. PRICE: Aye.
 13 SECRETARY: Mr. Lesher.
 14 MR. LESHER: Aye.
 15 MR. PACK: Next matter, please.
 16 MR. HOLLIS: That's all, Mr. President.
 17 Thank you.
 18 MR. PACK: Thank you very much.
 19 Council comment. Can we collectively say
 20 none? Do I need to go down the row?
 21 MR. DIVILIO: I'm good.


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1 MR. PACK: Let me read my spiel then.
 2 County Council's next meeting will be on
 3 Tuesday, March the 10th, at 2:20. I'm sorry,
 4 at 2:20. Let me start over.
 5 MS. PRICE: A.m. or p.m.? It's pushing
 6 2:20 right now.
 7 MR. PACK: Let me start over. I
 8 apologize.
 9 County Council's next meeting will be held
 10 on Tuesday, March the 10th, beginning at
 11 six p.m. The Council will convene in closed
 12 session at 4:30 p.m. and immediately adjourning
 13 into closed session to discuss real estate,
 14 legal, personnel matters as listed on the
 15 statement for closing that meeting.
 16 On Tuesday, February the 27th, the County
 17 Council will be hearing budget presentations
 18 from various county departments and agencies
 19 beginning at four p.m. The presentation will
 20 be held here in the Bradley meeting room, and
 21 it is open to the public. Please see the

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1 Council's agenda for a full listing of those
 2 presentations.
 3 On Tuesday, March the 3rd, the County
 4 Council will be hearing budget presentations
 5 from various county departments and agencies
 6 beginning at four p.m. The presentations will
 7 be held right here in the Bradley meeting room
 8 and are open to the public. Please see the
 9 Council's agenda for a full listing of those
 10 presentations.
 11 Therefore, is there a motion to adjourn
 12 this meeting and reconvene at noted?
 13 MR. LESHER: So moved.
 14 MR. PACK: Moved by Mr. Lesher.
 15 MR. DIVILIO: Second.
 16 MR. PACK: Seconded by Mr. Divilio.
 17 Madam Secretary, please call your roll.
 18 SECRETARY: Mr. Pack.
 19 MR. PACK: Aye.
 20 SECRETARY: Mr. Divilio.
 21 MR. DIVILIO: Aye.

1 SECRETARY: Ms. Price.
 2 MS. PRICE: Aye.
 3 SECRETARY: Mr. Leshner.
 4 MR. LESHER: Aye.
 5 MR. PACK: Thank you.
 6 (Meeting concluded at: 10:22 p.m.)
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1 STATE OF MARYLAND
 2 I, Diane Houlihan, a Notary Public in and
 for the State of Maryland, County of Anne Arundel,
 3 do hereby certify that the within named, Talbot
 County Council Audio, personally appeared before me
 4 at the time and place herein set according to law,
 was interrogated by counsel.
 5
 I further certify that the examination was
 6 recorded stenographically by me and then transcribed
 from my stenographic notes to the within printed
 7 matter by means of computer-assisted transcription
 in a true and accurate manner.
 8
 I further certify that the stipulations
 9 contained herein were entered into by counsel in my
 presence.
 10
 I further certify that I am not of counsel
 11 to any of the parties, not an employee of counsel,
 nor related to any of the parties, nor in any way
 12 interested in the outcome of this action.
 13 AS WITNESS my hand Notorial Seal this 5th
 day of March, 2020, at Easton, MD.
 14
 15 
 16 _____
 Diane Houlihan
 Notary Public
 17
 18
 19
 20 My commission expires September 16, 2021
 21

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