



# REPORT FROM STATE CIRCLE

Published by the League of Women Voters of Maryland, Inc.  
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March 9, 2017

Issue No. 4

Maryland General Assembly website: <http://mgaleg.maryland.gov>

## TABLE OF CONTENTS

<a href="#">Administration of Justice</a>	1	<a href="#">Environment: Storm Water, Bay, Phosphorus,</a>	9
<a href="#">Budget</a>	6	Pesticides, Recycling, Trees & Other	
<a href="#">Campaign Finance</a>	6	<a href="#">Ethics</a>	11
<a href="#">Children and Families</a>	11	<a href="#">Gun Control</a>	13
Domestic Violence		<a href="#">Health</a>	13
<a href="#">Juvenile Justice</a>	12	<a href="#">Human Trafficking</a>	14
<a href="#">Education</a>	5	<a href="#">Meeting Basic Human Needs</a>	12
<a href="#">Elections</a>	7	<a href="#">Redistricting Reform</a>	7
<a href="#">Environment: Renewable Energy</a>	8	<a href="#">Taxes</a>	6
<a href="#">Environment: Land Use</a>	9	<a href="#">Transparency in Government</a>	7
<a href="#">Environment: Hydraulic Fracturing</a>	9	<a href="#">Transportation</a>	11

## ADMINISTRATION OF JUSTICE

### Judicial Selection

**[SB 744](#) Election of Circuit Court Judges- Nonpartisan Elections** (Zirkin) provides for Circuit Court judges to be elected on a nonpartisan basis. Candidates for Circuit Court judge would be selected in primary elections in which all registered voters may participate. Candidates would file certificates of candidacy to be certified to appear on all primary election ballots. In the general election, voters could vote for the number of nominees equal to the number of judges to be elected. Hrg 3/7 JPR

**[HB 1382/SB 1121](#) Election Law - Candidates for Circuit Court Judge Defeated in Primary Election** (Barron/Conway) A candidate for Circuit Court judge who is defeated in a primary election could not appear on the general election ballot as a candidate for any office. This is current law for most other offices, but Circuit Court judges have been an exception. Hrg 2/22 JUD; SRU

### Bail Reform

After the Attorney General questioned the constitutionality of the current bail system because of its effect on those who could not afford to pay bail or post bond, the Court of Appeals ruled that, after July 1, District Court judges and commissioners will release defendants before trial if there is no risk that defendants will not appear in court and there is no danger to the community. If bail is imposed, judges and commissioners will take into account the defendant's ability to pay. A Washington Post editorial (2/20/17) called on the legislature to provide resources and strengthen pretrial services statewide.

**SB 880/HB 1390 Criminal Procedure - Pretrial Release - Reform** (Kelley/ Barron plus 66) authorizes the pretrial release of a defendant on personal recognizance or unsecured bond unless the judicial official determines that only bail will ensure the appearance of the defendant in court or prevent endangering the safety of victims, other persons or the community. The judicial officer shall impose the least onerous condition to achieve these goals. If the defendant does not meet the criteria for release, the official may impose nonfinancial requirements such as maintaining or seeking employment or an educational program, paying child support and alimony, observing a reasonable curfew, not owning a dangerous weapon or using drugs or abusing alcohol and reporting to a designated law enforcement agency or pretrial services agency on a regular basis. The bill requires those counties that do not have pretrial services agencies to establish such offices by 2021. Hrg. 3/1 JPR; Hrg 3/7 JUD

**SB 983/HB 1215 Criminal Procedure - Pretrial Release** (Muse/Anderson plus 8) authorizes the release of a defendant pending trial, with or without bail or nonfinancial conditions unless it is clear that the defendant will not appear in court or will pose a danger to a victim, a witness or the community. A defendant charged with one or more misdemeanors shall be released on personal recognizance, unless the defendant has been charged with a serious crime or domestic violence within the previous five years or failed to appear in court within the previous three years. The judicial officer may impose nonfinancial conditions on a defendant who is released. Hrg 3/1 JPR; Hrg 3/7 JUD

**SB 714 Criminal Procedure - Indigent Individual - Bail Review and Indigency Determination** (McFadden) requires a District Court commissioner to determine whether a person qualifies as indigent to be eligible for representation by a public defender according to specified criteria. If a commissioner sets bail for an indigent defendant, a bail review hearing must be held before a judge within 24 hours to determine if the defendant is indigent and if bail is necessary to ensure appearance in court or for public safety. Hrg 3/1 JPR

**SB 879/HB 1157 Criminal Procedure - Pretrial Release - Pilot Program and Conditions** (Kelley/ Dumais plus 6) requires the Pretrial Release Services Program to establish pretrial resources to provide assistance to county pretrial services programs. Establishes a Pretrial Release Pilot Program in Baltimore, one suburban county and one rural county using a pretrial safety assessment tool based on risk assumptions. Hrg. 3/1 JPR; Hrg. 3/7 JUD

#### Sentencing

**HB 488/SB 798 Criminal Law - Use or Possession of a Controlled Dangerous Substance - De Minimus Quantity** (Morhaim plus 17/Muse plus 3) applies existing law governing small amounts of marijuana (less than 10 oz.) to small amounts of other controlled substances. A first or second conviction would be a civil offense subject to a fine, rather than a misdemeanor. In addition to a fine, the court shall order the violator to attend a drug education program, be referred to assessment for substance abuse disorder and treatment if necessary. Hrg. 2/14 JUD; Hrg.3/2 JPR

**HB 1012/SB 654 Task Force to Study Crime Classifications and Penalties** (Dumais & B.Wilson/ Hough plus 4) establishes a task force to review all the penalties for all criminal and civil violations in the Maryland Code, and recommend whether violations and penalties should be reclassified or altered and whether the state should impose a standardized classification and penalty system. Hrg. 2/28 JUD; Hrg. 2/23 JPR

**SB 1066 Criminal Procedure - Modification of Sentences** (Simonaire) provides that if a court ordered modification of a sentence for a violent crime reduces the sentence below the sentencing guidelines minimum, the State may appeal the sentence to a three judge panel. The panel may not impose a sentence greater than the minimum sentence recommended by the guidelines. Hrg. 3/15 JPR

Corrections

**[HB 1001](#)/SB 1015 Correctional Services - Restrictive Housing - Limitations** (Moon plus 3/Lee plus 5) prohibits a correctional facility from placing an inmate in restrictive housing (solitary confinement) for more than 15 consecutive days or a total of 20 days in a 60 day period unless the inmate poses a threat to the security of the facility, to the inmate or to others. All less restrictive options must have been attempted without success, the inmate must have received a physical and mental health evaluation before confinement, and the inmate may be held in solitary for only the minimum time necessary to address the risk, and only for a period of time that does not endanger the inmate's mental and physical health. An inmate in solitary may not be denied visits, mail, treatment, therapy or exercise and must receive the same food and access to water as other inmates. The correctional facility must document and make available the name, age, gender, race and ethnicity of each isolated inmate, the date and time of such confinement and release and the reason for restrictive housing. A Restrictive Housing Work Group shall be established within the Department of Public Safety and Correctional Services to advise on policy procedures and best practices related to restrictive housing. Hrg 2/28 JUD; Hrg 2/21 JPR

**[SB 1119](#) Correctional Services - Inmates - Labor** (Muse) requires the Commissioner of Corrections to report on inmate labor and wages. Establishes a Task Force on Inmate Labor to analyze the barriers to providing greater compensation to inmates and track the results of inmate employment. SRU

Criminal Justice Reform

**[HB 993](#)/SB 462 Commission to Study the Disproportionate Justice Impact on Minorities** (Valentino-Smith plus 9/Conway) establishes a Commission to Study the Disproportionate Justice Impact on Minorities staffed by the Governor's Office of Crime Control and Prevention (GOCCP). The commission shall collect and analyze data on the racial, gender and ethnic identities of juveniles and adults who are detained, arrested or charged by local law enforcement agencies, states attorneys, and make recommendations for routine reporting on these statistics. The task force shall recommend legislative and policy changes to address the disproportionate impact of criminal laws and sentencing on minorities. Hrg 2/28 JUD; Hrg 2/15 JPR

**[SB 583](#)/HB860 Transitional Support for Ex-Offenders - Repeal of Restrictions (Maryland Equal Access to Food Act of 2017)** (Madeleno plus 9/ Lierman plus 31) repeals current law that mandates that persons convicted of felonies involving drugs who apply for temporary cash assistance or food stamps are subjected to testing, treatment and sanctions and are not eligible for such assistance for one year following conviction. Hrg 3/9 FIN; Hrg 2/21 APP

Sexual Assault Enforcement

In January 2015, the Office of the Attorney General released the results of a legislative mandated audit of untested sexual assault collection kits held by 120 state and local law enforcement agencies. The report revealed that there were 3,700 untested kits statewide and included recommendations for addressing the backlog. These included a statewide uniform policy for testing sexual assault kits within specified time periods, and notifying victims when kits are sent for testing the results of the tests.

**[SB 734](#)/HB 1209 Sexual Assault Victims Resource Act of 2017** (Kasemeyer plus 6/ A. Miller plus 27) provides appropriations for resources for sexual assault victims, such as counseling and

information about criminal prosecutions, civil law remedies, evidence collection and victim rights. Establishes a committee to develop a statewide sexual assault evidence kit policy to increase access to justice for sexual assault victims and hold perpetrators accountable. Hrg 3/7 B&T; Hrg 3/2 APP

**HB 1076 Criminal Procedure - Sexual Assault Evidence Collection Kits - Analysis** (Hettleman plus 11) A sexual assault kit must be submitted to a forensic lab when there is no clear evidence to disprove the allegation of sexual assault and the victim gives consent. A kit must be submitted for analysis within 30 days of receipt, the analysis must be completed within 50 days and the victim notified of the results. Hrg 2/21 JUD

**HB 1141/SB 1094 Criminal Procedure - Statewide Sexual Assault Evidence Collection Kit Tracking System Requirements** (K.Young plus 20/Smith) requires the State Police to operate a statewide tracking system for sexual assault evidence collection kits that includes the location and analysis status and to update victims on the status of their kits. The State Police must inform the General Assembly on a plan for launching and implementing the system by July 1, 2019 and report results to the Governor's Office of Crime Control and Prevention on a semi-annual basis. Hrg 2/21 JUD; SRU

**Update on bills previously reported in the RSC:**

**SB 196/HB 40 Criminal Procedure - Life without Parole - Imposition** ([RSC-1](#)) Unfavorable report JPR; unfavorable report APP; withdrawn.

**HB 579 Circuit Court Judges - Elections, Qualifications and Term of Office** ([RSC-1](#)) Note error, this was reported as SB 579.

**HB 213 Public Safety - Maryland Police Training and Standards Commission - Sexual Assault** ([RSC-1](#)) Favorable report with amendments JUD; passed House 138 - 0; Hrg 3/22 JPR

**HB 25/SB 42 Criminal Law - Hate Crimes - Law Enforcement Officers (Blue Lives Matter Act of 2017)** ([RSC-1](#)) Unfavorable reports, JUD and JPR

**HB 19/SB 120 Hate Crimes - Prohibitions and Protected Classes - Expansion to Law Enforcement Officers and First Responders** ([RSC-1](#)) Unfavorable report JUD

**HB 293 ([RSC-2](#))** should be **HB 393 Manslaughter and Homicide by Vehicle or Vessel – Penalties**

**HB 371/SB 312 Vehicle Laws - Drunk and Drugged Driving - Subsequent Offenders – Felonies (Repeat Drunk Drivers Act of 2017)** ([RSC-2](#)) Hrg 3/1 JUD; Hrg 2/7 JPR

**HB 429/ SB 217 Criminal Law - Sexual Offenses - Physical Resistance** ([RSC-2](#)) Favorable reports with amendments JUD & JPR; passed Senate 47 – 0

**HB 374 Criminal Procedure - Expungement - Denial of Petition Without Hearing** ([RSC-2](#)) Favorable report JUD; passed House 138 - 0; Hrg. 3/22 JPR

**HB 739/SB 941 Public Safety - SWAT Teams - Reporting and Limitations** ([RSC-2](#)) Favorable report with amendments JUD

**[SB 694](#)/HB 723 Inmates - Life Imprisonment - Parole Reform ([RSC-2](#))** Favorable report JUD

**[HB 459](#) Higher Education - Adult Correctional Institutions - Job Training and Education ([RSC-2](#))** Favorable report ECM; passed House 99 - 37; Hrg. 2/27 EHEA & FIN

**[SB 659](#)/HB1564 Task Force on Practices and Procedures on Solitary Confinement ([RSC-2](#))** Unfavorable report, JPR; Hrg. 3/15 JUD

**[HB 828](#) Criminal Law - Threat Against State or Local Official - Law Enforcement Officer ([RSC-2](#))** Unfavorable Report JUD

*Marlene Cohn*

## EDUCATION

**[SB 994](#) School Overcrowding Reduction Act of 2017** (Rosapepe) Renames the Maryland Stadium Authority (which has been overseeing a large Baltimore City school construction and renovation program) to be the Maryland Construction Authority. Other counties could contract with the Authority for assistance with construction projects. It establishes a design-construct-operate-maintain-finance arrangement as an alternative financing method. The bill would increase a county's state share of eligible costs by 10% if costs are 30% or more below a rolling state average of public school construction costs. Also, unless a county gets a waiver from the Interagency for School Construction, construction costs that exceed \$30,000 per student—adjusted annually for inflation—would be ineligible for state funding. Hrg 3/8 B&T

### Update on bills previously reported in the RSC:

**[HB 257](#)/SB 359 Education - Maryland Meals for Achievement In-Classroom Breakfast Program - Administration (Maryland Meals for Achievement for Teens Act of 2017) ([RSC-2](#), [3](#))** Passed House, W&M; **SB 359** passed Senate. EHEA

**[HB 287](#) Hunger-Free Schools Act of 2017 ([RSC-2](#), [3](#))** Passed House W&M. EHEA; B&T

**[HB 461](#) Education - Accountability Program - Assessments (Less Testing, More Learning Act of 2017) ([RSC-2](#))** Passed House. EHEA.

**[HB 516](#) Workgroup to Study the Implementation of Universal Access to Prekindergarten for 4-Year-Olds ([RSC-2](#), [3](#))** Passed House with amendments. B&T

**[HB 878](#) Public Charter School Act of 2017 ([RSC-2](#), [3](#))** Unfavorable report W&M

**[HB 978](#) Education - Accountability - Consolidated State Plan and Support and Improvement Plans (Protect Our Schools Act of 2017) ([RSC-3](#))** Favorable report with amendments W&M

**[SB 825](#) Education - Nonpublic Schools - Programs for Students With Special Needs ([RSC-3](#))** Hrg for 3/8 EHEA canceled.

[SB 1161](#) Education - Summer Meals Expansion Grant Program – Established (Oaks). Cross file of [HB 273 \(RSC-2\)](#) SRU

*Lois Hybl*

## CAMPAIGN FINANCE

[HB 1641](#) Corporations and Associations – Nonprofit Corporations – Legislative Advocacy (Lam). This late-filed bill was assigned to the House Rules and Executive Nominations Committee on March 3. It would require a non-profit corporation that qualifies for IRS tax-exempt status, and advocates for or against legislation that is before the General Assembly or a county governing body, to record the corporation's position in the minutes at a meeting at which the decision is made to advocate for or against the legislation. For this bill to proceed to a regular standing committee, it will need to be approved by the Rules Committee. This would have a significant impact on the ability of non-profits to advocate for programs and policies that help them to achieve their mission.

*Nancy Soreng*

## BUDGET

The third leg of the Maryland budget stool is the **Budget Reconciliation and Financing Act of 2017 (BRFA)** ([HB 152/SB 172](#)). Its purpose is to make changes to the current year's budget to bring the budget into balance based on current revenue projections. Generally, it is used to add to or subtract from budgets that were passed last spring. This year the current budget deficit is \$279.3 million so most of the provisions contain either reductions of budgets, or transfers from special funds into the operating fund.

A major provision to reduce the deficit is a \$170 million transfer from the Rainy Day Fund. Other large changes include eliminating the \$50 million supplemental addition to the underfinanced pension fund, reducing the transfer into the Reserve Fund by \$40 million, reducing the mandated funding for the Prince George's Regional Medical System by \$15 million, reducing the funding for the 2016 Strategic Demolition and Smart Growth Impact Fund by \$25 million, and reducing the funding for the Baltimore Regional Neighborhood Initiative Program by \$12 million. Numerous other programs face budget reductions.

Since legislators' hands are somewhat tied in the Maryland budget process, in order to "save" one program, they will need to propose cutting that amount from another program. The Department of Legislative Services has included a large number of possible other amendments that might be adopted in its information packet.

*Barbara Hankins*

## TAXES

### Update on bills previously reported in the RSC:

[SB 134](#) Income Tax - Rates (Serafini, et al.) Unfavorable Report. Withdrawn B&T

[SB 157](#) Sales and Use Tax - Alcoholic Beverages - Rate Reduction (Brochin, et al.) Unfavorable Report. B&T

*Barbara Hankins*

## ELECTIONS

**[SB 141](#) Election Law – Polling Places on College Campuses** (Zirkin) would require that local boards of elections establish a separate precinct on the campus of a senior institution of higher education if there is residential student housing on the campus. Current law requires local boards to establish a voting precinct on campus if the board determines that at least 500 students, staff and faculty of the institution are registered voters in the precinct in which the campus is located. A hearing was held 2/26/2017 at EHEA.

**[SB 1003](#) State Officers – Year of Election** (Manno) proposes a constitutional amendment to change the schedule of Maryland state elections to coincide with Presidential elections, beginning in 2024. During the EHEA hearing on 2/3/2017, Sen. Manno noted that voter turnout in gubernatorial elections years is 25-35% less than voter turnout in Presidential election years. The cross-filed **[HB 766](#)** was heard in W & M on 3/2/2017.

### **Updates on bill previously reported in the RSC:**

**[HB532](#) Election Law – Qualification of Voters – Proof of Identity** (**[RSC-3](#)**), requires a voter to show a government issued photo identification in order to cast a regular ballot at a polling place, received an unfavorable report from W & M; cross-filed **[SB 1133](#)** received an unfavorable report in Senate Rules Committee and was withdrawn. LWVMD opposed both bills.

**[HB 539](#) Election Law – Voter Registration and Absentee Voting – Proof of Citizenship**, received an unfavorable report from W & M. The League opposed this bill and there is no cross-filed bill.

**[SB 423](#) Elective Franchise – Registration and Voting at Polling Places** (**[RSC-2](#)**) received a favorable report after a hearing at EHEA. The bill would place on the ballot a Constitutional Amendment to give General Assembly the power to provide by law a process to allow a qualified individual to register and vote at a polling place on Election Day. The cross-filed **[HB 345](#)** had a hearing at W&M on February 16.

***Lu Pierson***

## REDISTRICTING REFORM

Hearings were held in both the House and Senate on Redistricting Reform on 3/3, along with a press conference held by the Governor in support of redistricting reform. However, as of the RSC deadline, there has been no movement.

***Ashley Oleson***

## TRANSPARENCY IN GOVERNMENT

### **Update on bills previously reported in the RSC:**

**[HB 438/SB 253](#) Legislative Transparency Act of 2017** (Speaker, by Request of Administration) Hrg. 3/14 HGO, No hearing yet scheduled in E&T.

***Barbara Schnackenberg***

**ENVIRONMENT: RENEWABLE ENERGY**

**[SB 980](#)/HB 1461 Environment – Natural Gas and Oil Interest Restitution Fund** (Edwards) (Beitzel plus 7) establishes a restitution fund for compensation of each owner of a natural gas or oil interest with at least 50 acres of contiguous land in the state for money lost due to the inability to lease or sell the interest for hydraulic fracturing because of a State ban. In addition, owners of an energy generating system that is eligible for meeting the renewable energy portfolio standard shall deposit 25% of the revenue from the sale of credits to the Natural Gas and Oil Interest Restitution Fund. Hrg 3/7 EHEA; Hrg 3/8 ET

**[SB 1043](#)/HB 1452 – Renewable Energy Portfolio Standard Requirements – Standard Offer Service** (Feldman plus 3/Clippinger plus 1) requires an electric company to contract for renewable energy credits (RECs) and electricity generated from specified renewable sources beginning in 2018. The bill establishes provisions of the process and electric company used to solicit bids and the award and terms of a contract. It applies only prospectively. Hrg 3/21 FIN; Hrg 3/2 ECM

**[SB 1146](#)/HB 1414 – Renewable Energy Portfolio Standard – Study** (Middleton) (Jameson) Requires the Maryland Clean Energy Center (MCEC) and the University of Maryland Energy Research Center to conduct a joint study of the Renewable Energy Portfolio Standard. The study must be a comprehensive review of the history, implementation and effectiveness of RPS in relation to the energy policies of the State. The interim report must be submitted by Dec. 1, 2018 and a final report by Dec. 1, 2019. The MCEC is likely to end at the close of FY 2017 due to a lack of funding. SB 313/HB 410, Administration bills, would establish the Maryland Energy Innovation Institute in the Engineering School at the University of Maryland College Park campus to integrate MCEC and the energy research centers at UMCP under the Institute. Hrg 3/21 FIN; Hrg 2/23 ECM

**[SB 1158](#) Power Plant Research Program – Solar Generation Facilities – Pollinator-Friendly Designation** (Middleton plus 1) requires the power plant research program to include an evaluation of the benefits of a pollinator friendly vegetation management plan on the land where solar generation facility is located. Hrg 3/21 FIN

**Update on bills previously reported in the RSC:**

**[HB 867](#) Natural Resources - State-Owned Land - Wind Facilities** ([RSC-3](#)) Hrg 3/1 ET

**[HB 410](#)/SB 313 Economic Development – Maryland Energy Innovation Institute** ([RSC-3](#)) Hrg 2/14 ECM; Hrg 2/14 FIN

**[HB 110](#) Electric Vehicles and Recharging Equipment Rebates and Taxes Extension** ([RSC-1](#)) Hrg 2/16 ET

**[SB 184](#)/HB 514 Energy Efficiency Programs - Calculation of Program Savings and Consideration of Cost Effectiveness** ([RSC-1](#)) Passed House (92-46). FIN Favorable with Amendments, Special Order until 3/7.

**[SB 921](#)/HB 1106 Clean Energy Jobs Act of 2016** ([RSC-2](#)) Passed

**[SB 315](#)/HB 406 Clean Cars Act of 2017** ([RSC-2](#)) Hrg 2/14 FIN; Hrg 2/23 ET

**SB 393** Electric Vehicle Excise Tax Credit – Extension ([RSC-2](#)) Hrg 2/22 B&T

**SB 715**/HB 773 Clean Energy Storage Technology ([RSC-2](#)) Hrg 3/07 FIN; Hrg 2/23 ECM

**SB 758**/HB 490 Income Tax Credit – Energy Storage Systems ([RSC-2](#)) Hrg 3/7 B&T; Hrg 2/23 W&M

***Betsy Singer***

## **ENVIRONMENT: HYDRAULIC FRACTURING**

**HB 1325/SB 740** Oil and Natural Gas - Hydraulic Fracturing - Prohibition ([RSC-3](#)) Favorable with Amendments 3/6 ET; Hrg 2/28 EHEA

**SB 862** Environment - Hydraulic Fracturing - Moratorium and Referenda ([RSC-3](#)) Hrg 2/28. EHEA

***Shari Glenn***

## **ENVIRONMENT: LAND USE**

### **Update on Bills Previously Reported in the RSC:**

**HB 267/SB257** Program Open Space - Authorized Transfer to the Maryland Heritage Areas Authority Financing Fund - Increase (Wilson,B.) Favorable with Amendments. APP

**HB 863** State Agricultural and Conservation Property Interests - Solar Facilities (Right to Solar Farm) ( Barve) Unfavorable Report, withdrawn. ET

***Susan Cochran***

## **ENVIRONMENT: STORMWATER, BAY, PHOSPHORUS, PESTICIDES, RECYCLING, TREES, & OTHER:**

**HB 1118** Natural Resources - Roadside Trees - Preservation and Protection (Lafferty) authorizes the Department of Natural Resources to allow under a permit for roadside tree care the maintenance or removal of a roadside tree under specified circumstances. It prohibits the Department from authorizing under a permit for roadside tree care the maintenance or removal of a roadside tree for specified purposes, and requires an applicant for a permit to remove a roadside tree to demonstrate to the Department that the applicant has made a reasonable effort to protect and preserve the roadside tree; etc. Hrg 3/1 in ET

### **Update on bills previously reported in the RSC:**

**HB 66** Environment - Lead and Mercury Wheel Weights – Prohibited, sponsored by Del. Lam ([RSC-1](#)) Passed House; in EHEA in Senate

**HB 121** Environment - Hazardous Material Security – Repeal (chair, ET, for governor, MDE), ([RSC-1](#)) Passed House; in Senate in HRU

**HB 124** Environment - Solid Waste and Recycling Facilities, sponsored by chair, ET (for Governor and Department of Environment) ([RSC-1](#)) passed House; in Senate in HRU

**[HB 125](#) Environment - Emergency Action Plans for Dams** (chair, ET, for governor, MDE), ([RSC-1](#)). Passed House; in Senate in HRU

**[HB 155](#) Maryland Agricultural Land Preservation Foundation - Easement Termination**, (chair, ET for Governor and Department of Agriculture) ([RSC-1](#)). Passed House; in Senate in HRU

**[HB 171/SB 99](#) Department of the Environment - Yard Waste and Food Residuals Diversion and Infrastructure – Study** (Del. Robinson and 14 others; Sen. Middleton) ([RSC-1](#)) HB 171 passed House; in Senate in EHEA/SB 99 passed Senate; in House in ET

**[HB 217](#) Agricultural Land Preservation Easements - Overlay Easements, Rights-of-Way, or Servitudes** (Del. Krebs et al.) ([RSC-1](#)) Unfavorable E&T report; withdrawn

**[HB 281/ SB 266](#) Environment - On-Site Sewage Disposal Systems - Best Available Technology for Nitrogen Removal – Prohibition** (Lafferty and 12 others; Conway et al. ) ([RSC-1](#)) SB 266 adopted but laid over by Sen. Jennings

**[HB 384/SB 343](#) Bay Restoration Fund - Eligible Costs - Expansion** (Adams et al./Eckardt et al.) ([RSC-2](#)) HB 384 with amendments in second reading. SB 343 passed Senate and in House in E&T

**[HB 417/SB 314](#) Clean Water Commerce Act of 2017** (Speaker of House et al./President of Senate et al.) ([RSC- 2](#)) HB 417 received favorable with amendments report by E&T. SB 314 passed Senate and now in House in E&T

**[HB 477/SB 396](#) Natural Resources - Protection and Restoration of State-Owned Lakes** (Beitzel/Edwards) ([RSC-3](#)) SB 396 passed Senate and now in E&T in House

**[HB 557/SB 440](#) Environment - Water Management - Sediment Control at Large Redevelopment Sites** (Stein et al.; Conway & Salling) ([RSC-3](#)) HB 557 favorable with amendments by E&T. SB 440 passed Senate & now in E&T in House.

**[HB 617/SB 29](#) Natural Resources - Forest Conservation Act - Forest Conservation Thresholds and Reforestation Requirements** (Healey et al.) ([RSC-2](#)) SB 29 passed Senate and now in House in E&T

**[HB 830/SB 386](#) Pollinator Habitat Plans - Plan Contents - Requirement and Prohibition** (Healey & Frush/Nation-Pulliam et al.) ([RSC-2](#)). Passed the Senate floor vote and moved to the House.

**[HB 1063](#) Agriculture - Maryland Healthy Soils Program** (Stein et al.) ([RSC-3](#)) favorable with amendments report by E&T

**[SB 108](#) Property Tax Credit - Erosion Control Measures - Nonstructural Shoreline Stabilization** (Simonaire) ([RSC-1](#)) Passed Senate

**[SB 116](#) Program Open Space - Attainment of Acquisition Goals - Local Government Apportionment and Use of Funds** ([RSC-2](#)) passed Senate and now in APP in House.

*Linda Silversmith*

## ETHICS

**[SB 253](#)/HB 438 – Legislative Transparency Act of 2017** (President/Speaker, by request Administration) is Governor Hogan's bill to increase transparency and ethics standards in Annapolis by amending the Open Meetings law. It requires live streaming of debates on the floor of the Senate and House, committee meetings, and votes. It increases the registering and reporting requirements for lobbyists when entertaining executive branch employees. Hrg 3/3 1pm EHEA; Hrg 3/14 1pm HGO

**[SB 683](#)/HB 879 - Public Integrity Act – 2017** (President/Speaker, by request Administration) another of Governor Hogan's bills, broadens the executive branch and legislative employee stipulations on lobbying following employment, and increases the prohibitions on self-dealing for Legislators. It eliminates the Joint Ethics Committee and moves and increases those powers to the Ethics Commission. (The Attorney General has questioned the constitutionality of parts of this bill.) Hrg 3/3 1pm EHEA; Hrg 2/22 1pm ET

### Update on bills previously reported in the RSC:

**[HB 370](#)/SB 354 Richard E. Israel and Roger "Pip" Moyer End-of-Life Option Act** (Pendergrass plus 42/Guzzone plus13) ([RSC-2](#)) Hrg 2/16, 1pm HGO; Hrg 3/7, 1pm JPR

**[HB 1006](#) Elections - Public Official in Executive Unit –Elected Public Office (McDonough)** Hrg 3/9, 1pm W&M

*Betsy Sexton*

## TRANSPORTATION

### Update on bills previously reported in the RSC:

**[HB 119](#) Washington Metropolitan Area Transit Authority – Washington Metrorail Safety Commission – Establishment of Compact** ([RSC 2](#)) passed House on third reading

**[HB 271](#)/SB484 Maryland Transit Administration – Farebox Recovery, Goals, and Performance Indicators** ([RSC 2](#)) passed House with amendments on third reading

**[HB 285](#)/SB265 Washington Metrorail Safety Commission Membership Act** ([RSC 2](#)) passed House on second reading

*Bee Ditzler*

## CHILDREN AND FAMILIES

### Update on bills previously reported:

**[HB 395](#)/SB 293 Child Care Subsidy Program – Alternative Methodology – Report** ([RSC-2](#)) HB 395 passed, B&T; SB 293 passed, APP

**[HB 418](#)/SB 294 Child Care Subsidy Program – Reimbursement Rate Adjustments** ([RSC-2](#)) HB 418 passed, B&T; SB 294 passed, APP and B&T

**[HB 428](#)/SB 574 Family Law - Child Conceived Without Consent – Termination of Parental Rights (Rape Survivor's Family Protection Act) ([RSC-2](#))** JUD favorable with amendments

**[HB 632](#)/SB 308 Child Abuse – Sex Trafficking (Protecting Victims of Sex Trafficking Act of 2017) ([RSC-2](#))** HB 632 JUD favorable with amendments; SB 308 passed Sen

**[SB 27](#) Child Abuse and Neglect – Exposed Newborns – Reporting ([RSC-1](#))** JPR unfavorable report

*Judy Morenoff*

## JUVENILE JUSTICE

### Update on bills previously reported:

**[HB 471](#)/SB 215 Juvenile Court – Jurisdiction ([RSC-1](#))** JPR unfavorable report

**[HB 721](#)/SB 674 Juvenile Services- Services & Programs For Females ([RSC-2](#))** The Department of Legislative Services estimates that this would cost an additional \$3.2 million annually. Hrg 3/1 JPR

**[HB 1255](#)/SB 981 Juveniles – Mechanical Restraints ([RSC-3](#))** JUD Unfavorable report. Hrg 3/1 JPR

**[HB 1256](#)/SB 982 Juveniles – Strip Searches – Limitations ([RSC-3](#))** JUD favorable with amendments. Hrg 3/1 JPR

*Judy Morenoff*

## MEETING BASIC HUMAN NEEDS

**[HB 1590](#) State Government-Creation and Maintenance of Religious Registry-Prohibitions and Immunity for Refusal to Provide Information (Frick)** provides protection from liability to state and local government officials for refusing to provide information for a registry of individuals who belong to a specific religion. HRU

**[HB 1614](#)/ [SB 1116](#) Maryland Fair Scheduling, Wages, and Benefits Act** (Morales plus 17/ Benson plus 3) requires employers to provide employees work schedules 21 days in advance, update the schedule within 24 hours of a change, and pay employees 'predictability pay' for each shift or on-call shift that is changed less than 21 days before the date of the scheduled work. HRU/SRU

### Update on bills previously reported in the RSC:

**[HB 01](#) Labor and Employment-Maryland Healthy Working Families Act** passed the House with a veto proof majority.

**[SB 728](#) Home Act of 2017** Hrg JPR 3/14

*Ruth Crystal*

## GUN CONTROL

NOTE: Baltimore Sun, 2/22/17, Appeals Court Upholds Gun Ban: "A federal appeals court upheld Maryland's 2016 ban on assault rifles," reversing a 2016 decision.

### Update on bills previously reported in the RSC:

**HB 06** Public Safety – Handgun Permits – Application Report ([RSC-1](#)) Unfavorable Report, withdrawn, JUD

**HB 162/SB 16** Public Safety - Firearm Application ([RSC - 2](#)) Third Reading Passed, JUD

**HB 318 / SB 467** Public Safety - Firearms Disqualifications - Antique Firearm ([RSC - 2](#)) Hrg 3/14 JUD

**HB 820** Handgun Permits - Universal Recognition ([RSC - 2](#)) Hrg. 3/14, JUD

**HB 905** Public Safety - Handgun Qualification License - Application Fee ([RSC - 3](#)) Hrg 3/14 JUD

**SB 224/HB 294** Public Safety - Regulated Firearms - Definition of Convicted of a Disqualifying Crime ([RSC - 2](#)) Hrg 3/8 JPR

**SB 946** Weapon-Free Higher Education Zones ([RSC - 3](#)) Hrg 3/1 JPR

*Doreen Rosenthal*

## HEALTH

Speaker of the House of Representatives, Paul Ryan, issued several position papers on Health Care Reform on the Friday before the recess. However, they are not up on his website. For those who are interested, I would suggest that you look at his website. It will give you some ideas about the Republican ideas for change. It appears that there will be great reliance on tax credits for the poor, Health Savings Accounts, as well as block grants for Medicaid. I will continue to search for additional information. It should be noted that if the ACA is repealed, Maryland will lose \$215 million in Medicaid funding. Here is a link to his website: <http://paulryan.house.gov/healthcare/>

Governor Larry Hogan has indicated that he will add \$50 million to the fight on Opioid Addiction over the next five years. He feels that declaring it an emergency situation will allow greater flexibility in prevention, treatment and enforcement. Maryland has budgeted \$122 million in funds for treatment, however if the ACA is repealed those funds are in jeopardy.

**SB 437/HB 666** Public Health Expensive Drugs – Manufacturers Reporting and Drug Price Transparency Advisory (Conway, et al/Bromwell, et al) would require the manufacturers of drugs costing more than \$2,500 to breakdown in detail the cost of manufacturing, marketing, and promotion. Hrg 2/15 FIN; Hrg 2/23 HGO

**SB 425/HB 631**, Public Health – Essential Generic Drugs – Price Gouging – Prohibition (Miller, et al/Busch, et al) aims to stop the pharmaceutical industry from price gouging on certain drugs (i.e.

Epipen). Hrg 2/15 FIN; Hrg 2/23 HGO

**Update on bills previously reported in the RSC:**

**SB 82/**HB 180 Department of Health and Mental Hygiene – Renaming (Middleton/Morhaim) ([RSC-1](#)) passed the Senate and House with amendments, in the Senate.

**SB 38** Department of Health and Mental Hygiene – Updating Advisory Boards and Councils, (Middleton) ([RSC-2](#)) Passed the Senate. Sent to HGO 2/1. No hearing set in HGO to date.

**SB 110** Public Health – Expedited Partner Therapy – Pharmacist dispensing (Conway) ([RSC-2](#)) Sent to HGO 2/15. No hearing set in HGO to date.

**SB 169** Maryland Medical Assistance Program – Cost of Emergency Room Visits to Treat Dental Conditions (Middleton & Kasemeyer) ([RSC-2](#)) Passed Senate. Sent to HGO 2/10. No hearing set in HGO to date.

**SB 363/**HB 613 Pharmacists – Contraceptives – Prescribing and Dispensing (Conway/Hettleman) ([RSC-2](#)) No action. Hrg 2/10 EHEA; Hrg 2/1 HGO

**HB 185** Department of Health and Mental Hygiene – Distribution of Tobacco Products To Minors – Prohibition and Enforcement (Rosenberg & Waldstreicher) ([RSC-2](#)) No action. Hrg 2/15 ECM

**HB 270** Environment – Testing for Lead in Drinking Water – Public and Nonpublic Schools, (Lafferty, et al) ([RSC-2](#)) Hrg 2/24 ET; W&M

**SB 433/**HB 1093 Substance Abuse Treatment – Inpatient and Intensive Outpatient Programs – Consent by Minor (Klausmeier, et al/Young K., et al) ([RSC-2](#)) Passed the Senate. Hrg 3/7 HGO

**SB 898/**HB 1147 Health Insurance – Prescription Drugs – Dispensing Synchronization (Astle/Morales) ([RSC-2](#)) Hrg FIN 3/9

**SB 553/**HB 869 Recovery Residence Residential Rights Protection Act (Hershey/Howard S.) ([RSC-2](#)) No action. Hrg. 2/23 FIN; Hrg 2/20 HGO

*Neilson Andrews*

## **HUMAN TRAFFICKING**

**Update on bills previously reported in the RSC:**

**HB 258/**SB 221 Adult Entertainment Establishments – National Human Trafficking Resource Center Hotline Information – Sign Posting Requirements (Morales, et al./Lee plus 5) ([RSC-2](#)) passed the House and the Senate.

**SB 220/**HB 1279 Police Training Commission – Training Requirements – Human Trafficking (Morales, et al./Lee plus 5) ([RSC-3](#)) passed the Senate. Hrg 2/28 JUD

*Deborah Mitchell*