REPORT FROM STATE CIRCLE

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CAMPAIGN FINANCE

HB 299 Campaign Finance – Political Action Committees – Solicitation Disclosures (Luedtke) would require a donation solicitation by or for a political action committee to contain a conspicuous written disclosure statement that would include the approximate percentage of expenditures the committee made in the previous calendar year that: were paid to any individual or organization for administrative costs; that were spent on campaign material; or, paid to business entities in which the officers have a financial interest. The bill defines financial interest, and gives specificity about applying its provisions to political action committees that were formed during the 2017 General Assembly session so that they would not be exempt from legislation passed after they were formed. The bill further mandates, that a political action committee that receives a contribution from a solicitation that does not include the required disclosure statement shall refund the contribution and shall be subject to a civil penalty not to exceed $10,000. Any penalty collected because of this provision shall be distributed to the Fair Campaign Financing Fund. Hrg 2/16 W&M

HB 303 Departmental Secretaries - Campaign and Working Hour Activities (Turner plus 13) puts limits on what a principal officer (Secretary) of a department of the executive branch may do. They may not solicit, accept, or deposit contribution for the benefit of a campaign or political party. However, they may make a personal donation, and may inform any person of a position taken by a candidate for public office, or engage in election activities not described in this legislation. A Secretary may not be a candidate for public office while holding that title. A campaign that receives a donation that is in violation of this law must return the donation, and be subject to a civil fine of not more than $1,000, plus the amount of the donation, which will go the Fair Campaign Finance Fund.

A Secretary who violates this law will be referred by the State Board of Elections to the State Ethics Commission for review. In addition, this bill requires a Secretary to report all events and meetings attended outside of regular working hours when not on leave, all travel that is paid for by the state, and how each activity described above relates to the work of the department. The bill also states that these reports shall be available to the public on the department's website and shall be updated monthly. Hrg 2/16 W&M

HB 376 Election Law - Business Entity Campaign Contributions – Prohibition (Moon plus 6) was introduced last year as HB 297 although this year it has more co-sponsors. This bill directly confronts the idea that businesses have the right to support candidates, by prohibiting them from making contributions to any campaign finance entity unless it is a ballot measure campaign. The League supports this concept; however, as was stated when covered in last year's *Report from State Circle*, it has little chance of passing and if it does it would likely be challenged in court. Hrg 2/16 W&M

HB 551 Election Law - Private Loan to Campaign Finance Entity of Candidate – Prohibited (Cluster plus 18) would preclude anyone, except the candidate or a candidate's spouse, from making a loan to a campaign finance entity. It would also require the written consent of a candidate to accept such a loan on behalf of the candidate or the candidate's campaign finance entity. W&M

Update on bills previously reported in the RSC:

SB 259 Election Laws - Loans to a Campaign Finance Entity (erroneously reported as SB 250) covered in **RSC 1** Hrg 2/9 EHEA

HB 72 Election Law - Fair Campaign Financing Fund and **HB 118 Election Law - Persons Doing Public Business - Reporting by Governmental Entities** also covered in **RSC 1**. Hrg 2/7 W&M

Nancy Soreng

BUDGET

According to the governor's press release, the governor's operating budget **HB 150/SB 170,** submitted on January 18, while approximately the same as last year's, decreases spending in real dollars, thus slowing the rate of growth. It is structurally balanced and fully funds all educational mandates with $6.4 billion devoted to K-12 education. Direct state aid to schools increases by $60.4 million. With a strong emphasis on job growth (see governor's tax bills below), the proposed appropriation to the Economic Development Assistance Authority Fund is almost doubled to $24 million. Increases are also made to other business development funds. The budget also incorporates portions of the tax credits granted to Marriott ($20 million) and Northrop Grumman ($5 million.)

$11 billion is included in the budget for the Maryland Medicaid program. Some analysts believe that the enrollment assumptions are optimistically low. It allows for a 2% increase in rates for most health care providers and group homes. $7.4 million in two waiver programs would allow for additional services for those with developmental disabilities.

Funding for mental health and substance abuse would be $1.3 billion, with additional funding for an increase in the number of substance abuse beds, and $4 million in new funding for treatment of those with heroin and opioid addiction.

Regarding the environment, the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund will receive

$51.3 million, and transfer tax funded programs, such as Program Open Space, will receive $186 million, an increase of $63.8 million.

There is no provision for salary increments, nor a net salary increase for state employees. State positions would be reduced by 443.

Many mandated grants to local governments are level funded. Total state aid would increase by 1.5%. However, the governor proposes an additional $42 million in the state's subsidy for the Washington Metro, in concert with the other entities (Virginia and the District of Columbia) which support the transit system.

Not included in the budget is a $50 million supplement to the seriously underfunded state pension fund mandated by the 2016 BRFA. There is also reduced support for the Prince George's hospital system as well as significant reductions in support for housing programs.

Barbara Hankins

TAXES

Following are bills submitted by the Speaker and the Senate President at the request of the Governor:

HB 375/SB 321 Income Tax – Subtraction Modification- Military Retirement Income (Speaker et al/President et al.) allows deductions for military retirement income – the greater of $10,000 or 50% of the income received during 2018, and the greater of $10,000 or 75% of the military retirement income received during 2019, and all military retirement income after Dec. 31, 2019. Hrg 2/1 W&M; Hrg 2/22 B&T

HB 378/SB 321 Cybersecurity Investment Incentive Tax Credit – Eligibility and Sunset Extension (Speaker, et al./President, et al.) alters the eligibility criteria for the cybersecurity investment tax credit from the company to the qualified investors, extends the termination date of the credit. W&M; Hrg 2/22 B&T

HB 388/SB 322 Income Tax – Subtraction Modification – Law Enforcement, Fire, Rescuer and Emergency Services Personnel (Hometown Heroes Act) (Speaker, et al./President, et al.) increases the amounts deductible by volunteer fire, rescue and emergency personnel, and adds the circumstances under which paid fire, rescue, and emergency personnel may take the deduction. Hrg 2/8 W&M; Hrg 2/22 B&T

HB 394/SB 317 More Jobs for Marylanders Act of 2017 (Speaker, et al./President, et al.) The More Jobs for Marylanders Program is for new businesses which meet certain criteria. For up to ten years, they are exempt from certain fees and the sales tax on certain purchases. Some may also take a credit against the state income and property taxes and would be exempt from certain accounting practices. W&M; Hrg 2/22 B&T

HB 424/SB 304 Taxpayer Protection Act (Speaker/President) prohibits individuals not registered with the State Board of Tax Preparers from providing tax preparation services, authorizes employees of the Comptroller's Office to act as police officers when enforcing certain laws, allow for injunctions to be issued in certain cases. JUD; Hrg 2/15 B&T

HB 406/SB 315 Clean Cars Act of 2017 (Speaker, et al, President, et al.) extends to fiscal year 2020 the Electric Vehicle Recharging Equipment Rebate Program. Increases the maximum amount

per year of credits from $600,000 to $1.2 million. Hrg 2/23 ET; Hrg 2/14 FIN

Update on bills previously reported in the RSC:

SB 134 Changes in Income Tax Rates (Serafini, et al.) (RSC 1) Hrg cancelled.

SB 236 & SB 237 Income Tax – Personal Exemption Inflation Adjustment and Income Tax – Standard Deduction – Income Tax (Eckardrt) (RSC 1) Hrg 2/8 B&T

Barbara Hankins

ELECTIONS

SB 423 Elective Franchise – Registration and Voting at Polling Place (Pinsky) would allow same day voter registration on Election Day. Hrg 2/9 EHEA *LWVMD supports*

HB 73 Election Law – Election Judges – Minimum Age and Minimum Compensation (Luedtke) would allow 16 year olds who are registered voters (an individual can register to vote at 16, but not vote until a primary preceding a general election in which the voter will be 18 years old), to be appointed as election judges. Hrg 2/7 W&M *LWVMD supports*

Lu Pierson

REDISTRICTING REFORM

Redistricting reform has continued to garner attention this year attention throughout Maryland and the nation. On January 24, 2017 at Boston College, former Governor O'Malley talked about how he has changed his stance on partisan gerrymandering since his time as governor. He lamented his own participation in partisan gerrymandering during his time as governor, and called on states to act by instituting non-partisan districting commissions to draw the maps. A few bills during this year's session of the General Assembly call for just that, while other's call for different solutions.

HB 367 Legislative and Congressional Districting – Standards and Processes (Reznik plus 7) was introduced in the 2016 session as HB 467. This bill proposes an amendment to the Maryland Constitution. However, it begins with the caveat that for the changes to be enacted in Maryland, it must be determined by the Department of Legislative Services that Virginia and Pennsylvania have adopted "substantially similar" legislative and congressional districting processes.

In this bill, the commission size and composition shall be determined by the Executive Director of the Department of Legislative services, and may vary every 10 years. The members of the commission proposed here are based on more technocratic qualifications than have been seen in other commission makeup proposals. A member of the commission may not be an elected official, an official whose appointment is subject to Senate confirmation, nor a candidate for elected office.
There is one procedural distinction between legislative and congressional redistricting, and that is the specification of geographical standards for congressional districting. The bill calls for compact congressional districts, made up of adjoining territory, giving "due regard" to natural and political boundaries, and that are of substantially equal population. Hrg 3/3 1 pm HRU

HB 622 Potomac Compact for Fair Representation (Carr plus 6) was introduced in 2016 as SB 762 by Senator Raskin. This bill proposes a compact between Maryland and Virginia (primarily, but

suggests the ability of other states to join – e.g. Arkansas, Indiana, Kansas, Michigan, Missouri, North Carolina, Oklahoma, Pennsylvania, Utah, West Virginia, or Wisconsin) in creating independent redistricting commissions in each state for the purpose of drawing congressional lines only. These commissioners would be selected through an application process conducted by a non-partisan state agency. It would be comprised of 7 members – 2 from the majority party, 2 from the minority party, 2 of neither, and one selected by a majority of these previous members, who is not a resident of a state party to the compact, and is a prominent academic, former government official, or civic leader known for political independence in judgment. Members of the commission may not hold public office, be a candidate for public office, serve as an officer, employee or paid consultant of a political party or candidate, nor be a registered lobbyist.

The bill suggests that the party states may choose to either have single or multi-member congressional districts, but lays out guidelines how multi-member congressional districts ought to be divided. Maryland would be divided into two 4-member districts, and Virginia would be divided into three multi-seat districts. Two districts electing 3-members each, and one electing 5-members. Guidelines are laid out in the event that a party state is to have fewer than five seats, these members will be elected at large. If states other than Maryland or Virginia join the compact and have six or more congressional delegates, they will be allowed to divide into districts that hold no fewer than three members, and no more than five.

Virginia must act in adopting similar legislation by January 1, 2019 in order for it to take effect. Hrg 3/3 1 pm HRU

HB 535 House Legislative Districts – Single Member (Parrott plus 7) calls for an amendment to the Maryland Constitution that would require every senate and legislative district to be a single-member districts. However, it goes on to make a distinction that it will not prohibit the formation of two legislative districts with one holding one seat, and the other two. The amendment would be put on the ballot for Maryland voters during the November 2018 elections.

Currently, Maryland House districts can be drawn as one at-large district, three single-member districts, or one single-member and one two-member district. There have been recent challenges to the fairness of these variations. LWVMD has taken up this issue as a consensus study, and more information can be found on the "Facts Sheets" page of LWVMD.org. Hrg 3/3 1 pm HRU

Updates on bills previously reported in the RSC:

SB 252/HB 385 Constitutional Amendment – Redistricting Reform Act of 2017 (The President by request—Administration) (RSC 1) EHEA; Hrg 3/3 1 pm HRU

Ashley Oleson

TRANSPARENCY IN GOVERNMENT

HB 698/SB 362 – Public Information Act -Records Relating to Alleged Job-Related Misconduct by Law Enforcement Officers (Barron plus 12/Conway) seeks to provide citizens with the right to learn whether a disciplinary action has been taken against a police officer as a result of a formal complaint filed by a citizen about the officer's conduct in a routine situation, such as a telephone call. The citizens can also learn whether their complaint was taken seriously and how government

agencies hold their employees accountable. All public employees are required to respond to the public in courteous manner, even in the face of discourteous conduct on the part of the public. This requirement is a routine part of training for any public employee who interacts with the public. Hrg 2/14 JUD; Hrg 2/8 JPR *LWVMD supports*

Barbara Schnackenberg

ENVIRONMENT: RENEWABLE ENERGY

SB 515/HB 406 Clean Cars Act of 2017 (President plus 17/Speaker plus 34) extend the Electric Vehicle Recharging Equipment Rebate Program for recharging equipment for electric plug-in vehicles to 2020. The bills also authorize motor vehicle excise tax credits for new plug-in electric drive vehicles, and increase the amount required to be transferred from the Strategic Energy Investment Fund (SEIF) to the Transportation Trust Fund to offset the cost of the program. Individuals, businesses and state or local government can apply for the rebate. Hrg 2/14 FIN; Hrg 2/23 ET

SB 393 Electric Vehicle Excise Tax Credit – Extension (Manno) extends the expiration date to 7/1/22 for realizing an excise tax credit for a plug-in electric drive vehicle. Also extends to 2022 the authorization to transfer funds from the Strategic Energy Investment Fund to the Transportation Trust Fund to cover the cost of the tax credit. Hrg 2/22 BT

SB 715/HB 773 Clean Energy Storage Technology (Rosapepe plus 9/Korman plus 29) requires the Maryland Clean Energy Center to study regulatory reforms and market incentives to increase the use of energy storage devices in the State. A final report and recommended policy is due Dec. 1, 2018. FIN; ECM

SB 758/HB 490 Income Tax Credit – Energy Storage Systems (Guzzone/Reznik plus 12) An income tax credit against State income tax for residential (maximum of $5,000) and commercial property (maximum of $150,000) for installed costs of an energy storage system, such as a system used to store electrical energy for use at another time is available for systems installed between 1/1/17 and 12/31/2021. Bill introduced in prior session 2016 as **SB 834/HB 386**. BT; Hrg 2/23 WM

SB 921/HB 1106 Clean Energy Jobs Act of 2016 The Governor vetoed this legislation in 2016. The Act raises Maryland's Renewable Portfolio standard requirement to 25 percent by 2020, up from the current goal of 20 percent by 2022, including increasing the solar requirement to 2.5 percent by 2020. The Maryland Senate voted to override the Governor's veto on 2/2 after the House voted to override the veto on 1/31. LWVMD wrote testimony in support of the original legislation and advocated for the override.

Update on bills previously reported in the RSC:

HB 110 Electric Vehicles and Recharging Equipment Rebates and Taxes Extension (Fraser-Hidalgo plus 2) (RSC 1) Hrg 2/16 ET

SB 184/HB 514 Energy Efficiency Programs - Calculation of Program Savings and Consideration of Cost Effectiveness (Middleton/Jameson plus 19) (RSC 1) Hrg 1/31 FIN; Hrg 2/9 ECM

Betsy Singer

ENVIRONMENT: HYDRAULIC FRACTURING

SB 740 Oil and Natural Gas Hydraulic Fracturing – Prohibition (Zirkin plus 22) EHEA *The text of bill has not been posted to the General Assembly website.*

SB 862 Environment - Hydraulic Fracturing - Moratorium and Referenda (Conway plus 23) would prohibit the Department of the Environment from issuing permits for hydraulic fracturing of a well for the exploration or production of natural gas in in Maryland until 10/1/19, and prohibit fracking in a local jurisdiction unless the voters had voted in a referendum. The current moratorium on fracking in Maryland expires in October 2017. *The text of the bill has not been posted to the General Assembly website.* EHEA

Betsy Singer

ENVIRONMENT: LAND USE

HB 105 Program Open Space—Apportionment Formula and Committee (Chair, Appropriations Committee) changes the composition of the committee to apportion open space funds to subdivisions. Presently, two senators, three delegates, and four members of the public at large make up the committee. It is proposed that the committee be in the hands of the Secretary of Natural Resources, Secretaries of Budget and Management, Secretary of Planning, and a representative from each of the Maryland Association of Counties, Maryland Municipal League, the Maryland Department of Recreation and Parks. The committee's duties have been streamlined. Instead of meeting every year, consulting the local governments and having hearings, the committee will meet every five years, unless summoned by the Secretary, with no requirements for notification and opportunity for hearings or guidance on funds unused by the subdivision. The collection of real estate transfer funds will be considered in determining the apportionment of funds. APP

SB 116 Program Open Space - Attainment of Acquisition Goals - Local Government Apportionment and Use of Funds (Edwards) increases from 75 percent to 100 percent of the future annual apportionment, a local government may spend on development projects and capital renewal after it has attained its acquisition goals under Program Open Space. EHEA

HB 867 Natural Resources - State-Owned Land - Wind Facilities (Barve, et al.) authorizes the Department of Natural Resources to use land that is owned and managed by the Department for the generation of electricity from a facility utilizing wind energy. ET; ECM

HB 863 State Agricultural and Conservation Property Interests - Solar Facilities (Right to Solar Farm) (Barve, et al) authorizes the owner of land subject to an easement approved for purchase by the Board of Public Works after June 30, 2014 to request approval for use of up to 25% of the land for solar power facilities, and also to lease or sell his interest for such use. No more than 3% of total land purchased by the state for such easements can be used for renewable energy projects. ET

HB 599/SB 365 Forest Conservation Act – Exemption, Reforestation Rate, and Forest Conser-

vation Fund – Alterations (Healy, et al./Young) Except for some clearing for electric utilities, this subtitle shall apply to any public or private subdivision plan or application for a grading or sediment control permit by any person, including a unit of State or local government on areas 40,000 square feet or greater. Changes in law proposed: Requirements for rights of way cleared for utilities beyond 1 acre shall not be exempt from reforestation regulations. The ratio of reforestation required for cleared forest above the forest conservation threshold is raised from 1/4 acre of restoration to 1 acre cleared to 1 acre for 1 acre. If not feasible to reforest outside of priority areas, money in lieu of for the Forest Conservation Fund may be raised by 20 percent. ET; Hrg 2/7 EHEA

HB 267/SB 257 Program Open Space - Authorized Transfer to the Maryland Heritage Areas Authority Financing Fund - Increase (Wilson, B. et al/Kasemeyer) Increases from $3,000,000 to $6,000,000 the maximum amount that may be transferred, in the State budget or through a specified budget amendment process, to the Maryland Heritage Areas Authority Financing Fund from funds that are distributed to Program Open Space. APP; B&T

Susan Cochran

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

HB 384/SB 343 Bay Restoration Fund - Eligible Costs - Expansion (Adams, et al./Eckardt, et al.) alters the definition of "eligible costs" as it relates to projects that receive funding from the Bay Restoration Fund to include any wastewater facility upgrade to enhanced nutrient removal, as determined by the Department of the Environment. Hrg 2/15 ET; Hrg 2/07 EHEA

HB 417/SB 314 Clean Water Commerce Act of 2017 (Speaker, et al./President, et al.) authorizes funds in the Bay Restoration Fund to be used for the costs associated with the purchase of specified nutrient credits, not to exceed $10,000,000 per year; and requires the Department of the Environment to consult with the Secretary of Agriculture and the Secretary of Natural Resources when developing specified regulations. Hrg 2/22 ET; Hrg 2/14 EHEA

HB 504/SB 713 Products That Contain Mercury - Prohibition on Sale of Electric Switches, Electric Relays, and Gas Valve Switches (B. Robinson, et al./Young, et al.)
Prohibits sale of mercury switches and relays. Hrg 2/22 E&T; hrg 2/21 EHEA

Switches and relays are the largest tonnage of mercury still in consumer use. There are non-mercury alternatives. The bill includes an exception for large, industrial machinery switch and relay replacements.

HB 537 Environment – On-Site Sewage Disposal Systems and Funding for Wastewater Treatment Facilities and Sewerage Systems (Parrott et al.) authorizes a person to install, replace, or have installed or replaced a on-site sewage disposal system that does not utilize nitrogen removal technology on property located outside the Chesapeake and Atlantic Coastal Bays Critical Area; it requires the Department of the Environment or the local approving authority to impose a fee of $200 for a residential on-site sewage disposal system and $100 per 1,000 square feet for a non-residential building on-site sewage disposal system. Hrg 2/22 ET

HB 557/SB 440 Environment – Water Management – Sediment Control at Large Redevelop-

ment Sites (Stein, et al./Conway & Salling) prohibits a county or municipality from issuing a grading or building permit until the developer submits a grading and sediment control plan approved by the Department of the Environment if the property that is the subject of the permit is, or is included in, a large redevelopment site; it requires the Department to determine criteria for large redevelopment sites; provides that the Department is the approval authority for large redevelopment sites; and defines the term "large redevelopment site". Hrg 2/22 ET; Hrg 2/14 EHEA

HB 617/SB 29 Natural Resources - Forest Conservation Act - Forest Conservation Thresholds and Reforestation Requirements (Healey, et al.) clarifies that units of local government with planning and zoning authority may adopt specified forest conservation thresholds and reforestation requirements that are more stringent than specified forest conservation thresholds and reforestation requirements in State law. Hrg 2/22 ET. See update below on **SB 29**.

HB 830/SB 386 Pollinator Habitat Plans - Plan Contents - Requirement and Prohibition (Healey & Frush/Nation-Pulliam, et al.) requires that a pollinator habitat plan established by the Department of Natural Resources, the Maryland Environmental Service, and the State Highway Administration be as protective of pollinators as the Department of Agriculture's managed pollinator protection plan; and prohibits the use of pesticides, seeds, or plants in the pollinator habitat plan. ET; Hrg 2/07 EHEA

SB 280 Environment - Nonwoven Disposable Products - Advertising and Labeling (Guzzone and Middleton) Beginning January 1, 2018, prohibits the manufacturer of a nonwoven disposable product from advertising or labeling nonwoven disposable products in a specified manner, unless they are flushable; and requires the manufacturer of a nonwoven disposable product to label a nonwoven disposable product in a specific manner beginning January 1, 2018. Hrg 2/14 EHEA

SB 390 Oyster Poaching – Administrative Penalties – Gear Violations (Hershey, et al.) repeals the offense of taking oysters with gear in specified areas that is subject to enhanced administrative penalties; and establishes the offense of taking oysters with a power dredge in areas that is subject to specified enhanced administrative penalties. Hrg 2/07 EHEA

HB 602/SB 422 Keep Antibiotics Effective Act of 2017 (S. Robinson, et al./Pinsky, et al.) prohibits an owner of cattle, swine, or poultry from administering or authorizing an agent to administer antimicrobial drugs in cattle, swine, and poultry without an antimicrobial drug prescription or a veterinary feed directive issued by a licensed veterinarian in accordance with conditions; requires an owner to submit to the State Department of Agriculture a copy of an antimicrobial drug prescription or a veterinary feed directive in a manner. Hrg 2/15 ET; Hrg 2/14 EHEA

Update on bills previously reported in the RSC:

SB 29/HB 617 Natural Resources - Forest Conservation Act - Forest Conservation Thresholds and Reforestation Requirements (RSC 1) passed Senate, now in House, ET.

SB 116 Program Open Space - Attainment of Acquisition Goals - Local Government Apportionment and Use of Funds (RSC 1) received a favorable report with amendments by EHEA.

Linda Silversmith

ETHICS

Background: The League does not have a position on end-of-life options. Nevertheless, this bill, which would provide for assistance in dying in certain circumstances, is of interest to the general public. Bills on this topic were submitted in 2015 and 2016.

HB 370/SB 354 Richard E. Israel and Roger "Pip" Moyer End-of-Life Option Act (Pendergrass plus 42/Guzzone plus13) Under this bill, an adult who resides in Maryland, and who has a terminal diagnosis with life expectancy of 6 months, may request medication from his/her attending (primary) physician that he/she may self-administer to bring about death. The individual must have the capacity to make medical decisions, and be able to self-administer the medication. The bill mandates counseling about feasible alternative medical options, including palliative and hospice care, and provisions for mental health assessments if indicated. An individual – never anyone acting on his/her behalf - would make the request orally to a primary physician, and then in a written document signed and dated before two witnesses. The attending physician may not be a witness. Only one witness may be a family member, or a person entitled to any benefit at the person's death. A second oral request for aid in dying must be made within a specified time frame. A patient must be alone at least once with his/her physician when making the request for medicine to end his/her life. A consulting physician would confirm a patient's terminal diagnosis and competence.

Actions taken by an individual under this law would not constitute suicide or assisted suicide, and would have no effect on an individual's insurance policies. Cause of death would be recorded as from natural causes. The bill includes reporting requirements by health care providers. The Department of Health and Mental Hygiene would collect certain information and make a yearly report available. This bill was submitted last year. Hrg 2/16 1pm HGO, JUD; JPR

Betsy Sexton

TRANSPORTATION

HB 119 Washington Metropolitan Area Transit Authority – Washington Metrorail Safety Commission – Establishment of Compact (Chair, Environment and Transportation Committee) is an agreement to be ratified by Maryland, Virginia, and the District of Columbia to establish a Washington Area Transportation Safety Commission and the Metrorail Safety Commission. This act must be ratified by all three jurisdictions to take effect, and lacking the establishment of such commissions, Metro funds will be withheld by the federal government. Hrg 2/9 ET *LWVMD supports*

SB 265/HB 285 Washington Metrorail Safety Commission Membership Act (Feldman, et al./ Korman, et al.) specifies how two regular commissioners and one alternate are to be chosen by the governor. One member must be from either Montgomery or Prince George's County with alternating terms of membership. Hrg 2/8 FIN; 2/16 ET *LWVMD supports*

SB 307/HB 402 Repeal of the Maryland Open Transportation Investment Decision Act of 2016

(Road Kill Bill Repeal) (President) is intended to repeal standards that were codified in last year's session. In 2016, **SB 908/HB 1013** was passed, vetoed by the governor, then overridden to require the government to score transportation projects and add transparency to decisions made. Hrg 2/22 B&T; APP, ET

SB 337/HB 527 Vehicle Laws – Bicycles and Pedestrians – Use of Crosswalks (Manno, et al./ Kramer, et al.) allows a bicycle to use a crosswalk when crossing a road even if a bicyclist is prohibited from riding on a sidewalk. It clarifies both the responsibilities of drivers and bicyclists and the bill was prompted by a fatality in Montgomery County. Hrg 2/07 JPR; 2/23 ET *LWVMD supports*

SB 338/HB 578 Vehicle Laws – Pedestrian Hybrid Signals (Manno, et al./Kramer, et al.) codifies the responsibilities of drivers, pedestrians, and bicyclists for hybrid signals, also known as push-button red lights or Hawk signals. Currently, Maryland law is ambiguous about the use of this signal for pedestrians to cross roads even though it's used in many other places. This bill would allow jurisdictions to install the push-button to make crossing a street safer where there is no other light signal. Hrg 2/07 JPR; 2/23 ET *LWVMD supports*

SB 484/HB 271 Maryland Transit Administration – Farebox Recovery, Goals, and Performance Indicators (Madaleno, et al. /Lierman, et al.) would repeal the requirement that a certain percentage (currently 35%) of revenue from public transit fares be collected, and that the performance or service measurement be based on amount of fares that are collected. It also establishes five goals for the MTA and five performance measures that must be tracked. Hrg. 2/22 B&T; 2/7 APP *LWVMD supports*

Bee Ditzler

ADMINISTRATION OF JUSTICE

Judicial Selection

SB 579 Circuit Court Judges - Election, Qualifications and Term of Office (Hill plus 9) This bill was introduced in 2016 as **HB 388**, and is a Constitutional Amendment providing for the appointment of Circuit Court judges by the Governor, subject to Senate confirmation and a retention election after 1 year. Reduces the term of office of Circuit Court judges from 15 years to 10 years. Hrg 2/22 JUD

HB 724 Circuit Court Judges - Election (Kramer and Hill) This bill was introduced in 2016 as **HB 579**. Similar to **SB 579,** but with the term of office remaining at 15 years. Hrg 2/22 JUD

HB 826 Circuit Court Judges - Selection and Tenure (West and Barron) This bill was introduced in 2016 as **HB 223**. A Constitutional Amendment providing that if a vacancy occurs on the Circuit Court, the governor shall appoint a successor with the consent of the Senate. If the senate confirmation is by less than 80%, the judicial appointee must face a contested election in which other qualified candidates may challenge the appointee. If a Circuit Court judge is unable to perform his/ her duties because of sickness or physical or mental infirmity, the judge may be removed by a 2/3 vote of the General Assembly and the approval of the governor. Hrg 2/22 JUD

Governor's Anti-Crime Initiative

HB 371/ SB 312 Vehicle Laws - Drunk Driving - Subsequent Offenders - Felonies (Repeat

Drunk Driving Offenders Act of 2017) (Speaker by request – Administration plus 39/President by request – Administration plus 14) increases the penalties for drunk drivers with three or more previous offenses, and designates the offense as a felony. JUD; Hrg 2/7 JPR

SB 316/HB 369 Courts - Evidence of Sexually Assaultive Behavior - Admissibility (The Repeat Sexual Predator Prevention Act of 2017) (President by request – Administration plus 15/ Speaker by request – Administration plus 45) In a prosecution for sexual offenses, evidence of other sexual assaults by the defendant may be admissible. The court must hold a hearing outside the presence of a jury to consider the admissibility and appropriateness of such evidence before it is introduced. Hrg. 2/8 JPR; 2/21 JUD

HB 429 Criminal Law - Sexual Offenses - Physical Resistance (Dumais plus 64) establishes that evidence of physical resistance by a victim is not required to prove that a sexual crime has been committed. However, evidence of physical resistance may be admissible in a trial.

HB 293 Manslaughter and Homicide by Vehicle or Vessel - Penalties (Dumais plus 38) greatly increases the penalties for causing the death of a person while under the influence of alcohol or drugs. JUD

Criminal Justice Reform

HB 374 Criminal Procedure - Expungement - Denial of Petition without Hearing (Sanchez plus 5) Under current law, a person charged with a crime may petition for expungement (removal of a court record from public records) under such circumstances as acquittal, dismissal of charges, or gubernatorial pardon. Under the 2016 Justice Reinvestment Act, eligibility to petition for expungement was expanded to include approximately 100 misdemeanors. This bill authorizes, rather than requires, a court to hold a hearing on a petition for expungement, and the court may deny the petition without a hearing if it determines that the petition is barred by law. Hrg 2/7 JUD

HB 593/SB 348 State Compensation for Erroneous Conviction and Imprisonment - Gubernatorial Pardon Requirement - Repealed (Dumais/Kelley plus 14) repeals the requirement that an erroneously convicted and imprisoned person must receive a gubernatorial pardon to be eligible for compensation. Hrg 2/15 JUD; Hrg 2/8 JPR

HB 739 Public Safety - SWAT Teams - Reporting and Limitations (Moon plus 6) requires the Maryland Police Training and Standards Commission to set standards for the training and deployment of SWAT teams. Law enforcement agencies must submit yearly reports to the Governor's Office of Crime Control and Prevention on the use of SWAT teams, reasons for the use, and results. The Governor's Office shall analyze and summarize these reports for submission to the governor and the General Assembly. Hrg 2/14 JUD

SB 694/HB 723 Inmates - Life Imprisonment - Parole Reform (McFadden plus 6/ Queen plus 11) repeals the provision that an inmate sentenced to life imprisonment may only be paroled with the Governor's approval. JPR; Hrg 2/14 JUD

Bail Reform

SB 714 Criminal Procedure - Indigent Individual - Bail Review and Indigency Determination

(McFadden) If a District Court Commissioner sets bail for an indigent individual, a bail review shall be held before a judge within 24 hours to determine if the person is indigent, and whether bail is necessary to ensure that the person returns to court and is not a threat to public safety. JPR

Corrections

HB 459 Higher Education - Adult Correctional Institutions - Job Training and Education (Queen plus 10) provides that inmates must be provided with post-secondary education and work-force training, certification, and experience so they may obtain in-demand jobs. Hrg 2/14 ECM

SB 659 Task Force on Practices and Procedures on Solitary Confinement (Benson and Smith) establishes a task force on solitary confinement to study and make recommendations on issues related to solitary confinement, and report its findings and recommendations to the governor and General Assembly by December 1, 2017. Among the issues that the task force should consider: the use of solitary confinement as a disciplinary tool; the effect on recidivism; reasons for imposing solitary confinement; the average duration; demographic data on who is confined; alternate methods of punishment; and methods to reduce or eliminate solitary confinement. JPR

Other

HB 828 Criminal Law - Threat Against State or Local Official - Law Enforcement Officer (Folden plus 21) Prohibition of threats against state and local officials would include law enforcement officers. Hrg 2/14 JUD

Update on Bills Reported in RSC 1

SB 196/HB 401 Criminal Procedure - Life without Parole (RSC 1) unfavorable report, JPR

SB 55 Employers of Ex-Offenders - Liability for Negligent Hiring or Inadequate Supervision (RSC 1) Cross-filed with **HB 440**. Hrg 2/21 ECM

SB 243 Correctional Services - Inmates - Financial Literacy Training (RSC 1) Hrg 2/8 JPR

Marlene Cohn

CHILDREN AND FAMILIES

HB 395/SB 293 Child Care Subsidy Program – Alternative Methodology – Report (Kelly plus 19/King plus 11) require the Department of Education to report to the Joint Committee on Children, Youth and Families, the Senate Budget and Tax Committee and the House Appropriations Committee by 10/1/17 whether an alternate methodology for setting child care subsidy reimbursement rates should replace the market rate survey or be used in addition to it – or whether the market rate survey should be modified to better measure the actual cost of child care and the cost of improvements to it. Hrg 2/14 APP; Hrg 2/15 B&T

HB 418/SB 294 Child Care Subsidy Program – Reimbursement Rate Adjustments (Kelly plus 22/King plus 10) require the Department of Education to report by 9/1/17, and every two years after that, on the analysis used to formulate appropriate rates for the Child Care Subsidy Program; including, cost estimates for raising the reimbursement rates to the costs of 45%, 55%, 65%, and 75% of

child care providers in each of the state's market regions, and the rate adjustment the Department will implement based on that analysis, and its impact on families and providers. Hrg 2/14 APP; Hrg 2/15 B&T

Note: Maryland child care subsidy rates are among the lowest in the nation. New federal regulations require that states subsidize child care at rates that allow eligible families to enroll their children in higher-priced (often higher quality) programs, rather than only the least expensive. Maryland rates currently cover costs for only 9% of providers (Washington Post 1/3/17).

HB 416/SB 442 Family Law – Protecting the Resources of Children in State Custody (Moon plus 7/Madaleno plus 22) deal with the responsibility of the Department of Human Resources (DHR) to manage the assets of children in the foster care system and require, in part, that when DHR applies for and receives Federal benefits for an older foster youth, an increasing portion of those benefits be reserved for the foster child to use when he (or she) exits the foster care system. Similar legislation was introduced in the 2015 and 2016 sessions; the Fiscal Note recognized they would reduce funds currently available to DHR. Both years, the House bill received an unfavorable report from JUD. Hrg 2/22 FIN

HB 428/SB 574 Family Law – Child Conceived Without Consent – Termination of Parental Rights (Rape Survivor's Family Protection Act) (Dumais plus 93/Feldman plus 35) authorize the court to terminate the parental rights of an individual found on the basis of "clear and convincing evidence" to have committed an act of non-consensual sexual contact against the other parent that resulted in the conception of a child and give specifics related to such termination. Hrg 2/9 JUD

HB 456 Family Child Care Homes and Child Care Centers – Dispute Resolution Process – Regulations (Kaiser plus 20) amends current law governing these centers by requiring the Department of Education to develop regulations for a dispute resolution process for investigating and resolving complaints of discrimination based on a child's disability. Hrg 2/14 W&M

HB 632/SB 308 Child Abuse – Sex Trafficking (Protecting Victims of Sex Trafficking Act of 2017) (Speaker plus 36/President by request—Administration plus 17) amend the definition of "sexual abuse" in provisions of law related to child abuse to include the sex trafficking of a child and defines related terms. Hrg 2/23 JUD; Hrg 2/9 JPR

Update on bills previously reported in RSC:
SB 10 Child Care Custody and Visitation – Deployed Parents (RSC 1) now cross-filed with **HB 636** (Valentino-Smith plus 6) Hrg 2/23 JUD

Judy Morenoff

JUVENILE JUSTICE

HB 721/SB 674 Juvenile Services – Services and Programs for Females (Dumais/Kelley plus 26) require the Department of Juvenile Services to provide for females services and programs substantially equivalent to those offered to males. Hrg 2/23 JUD

Update on bills previously reported in RSC:
SB 5 Juvenile Law – Continued Detention – Minimum Age (RSC 1) Unfavorable report. JPR

SB 35 Juvenile Law - Informal Adjustment – Mental Health Programs (RSC 1) Favorable with amendments JPR

SB 215 Juvenile Court – Jurisdiction (Sydnor plus 6) (RSC 1) Now cross-filed with **HB 471** Hrg 2/23 JUD

Judy Morenoff

DOMESTIC VIOLENCE

HB 293/SB 274 Family Law - Divorce - Domestic Violence Order (Dumais, et al./Ramirez) Repeals a provision providing that an order or a decision in a domestic violence proceeding is inadmissible as evidence in a divorce proceeding; and repeals a provision prohibiting a court from considering compliance with a domestic violence order as grounds for granting a decree of limited or absolute divorce. Hrg 2/2 JUD; Hrg 2/2 JPR

HB 501 Business Occupations and Professions - Barber and Cosmetology Professionals - Domestic Violence and Sexual Assault Awareness Education (Chang) requires specified licensees to complete a specified domestic violence and sexual assault awareness education as a condition of the first renewal for licenses issued by the State Board of Barbers and the State Board of Cosmetologists beginning June 1, 2018, with specified exceptions; specifies that a licensee who completes domestic violence and sexual assault awareness education to comply with a specified continuing education requirement may not be held civilly or criminally liable for specified actions or inactions; etc. Hrg 2/14 ECM

HB 634/SB 514 Creation of a State Debt - Anne Arundel County - YWCA Domestic Violence and Trafficking Shelters (Beidle, et al.) authorizes the creation of a State Debt not to exceed $1,000,000, the proceeds to be used as a grant to the Board of Directors of The Young Women's Christian Association of Annapolis and Anne Arundel County, Maryland, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the YWCA Domestic Violence and Trafficking Shelters, located in Anne Arundel County; provides for disbursement of the loan proceeds; etc.
APP

HB 803 Domestic Violence - Education and Definition of Abuse (Angel, et al.) requires the State Board of Education to encourage county boards of education to incorporate age-appropriate lessons on domestic violence into a specified curriculum; alters the definition of "abuse" for purposes of specified provisions of law relating to domestic violence to include harassment and malicious destruction of property; and defines harassment and malicious destruction of property. JUD

SB 785 Creation of a State Debt - Anne Arundel County - The Bernie House
(Astle) *Official summary unavailable, but pertains to funding of transitional housing for women and children who have left abusive situations.*

Sandra Raviv

MEETING BASIC HUMAN NEEDS

HB 317 Labor and Employment – Wages and Benefits – Preemption of Local Authority (Davis plus 2) prohibits a county or municipality from enacting a law that regulates wages for employees other than those of the county or municipality. It would prohibit local governments from setting the minimum wage for their jurisdiction at a higher rate than the state established minimum wage if the provision was enacted on or after January 1, 2017. This bill would nullify the 'fight for fifteen' effort in several jurisdictions to increase their minimum wage to $15/hour. Hrg 2/7 1 pm ECM Favorable with amendments

HB 382/SB 305 Commonsense Paid Leave Act (The Speaker/The President both by request – Administration) requires the provision of paid sick leave by employers with 50 or more employees in one location, and only for employees who work 30 or more hours per week. The vast majority of workers in businesses with 50 or more employees in one location, already receive paid sick leave. This bill would not provide protection to most workers in fast food establishments or restaurants. Hrg 2/10 12:30pm ECM; Hrg 2/9 1pm FIN & B&T *LWVMD Opposes*

Ruth Crystal

GUN CONTROL

HB 159 Weapon – Free Higher Education Zones (Barnes) prohibits a person from carrying or possessing a firearm on the property of a public institution of higher education in the state, and applies existing criminal penalties to violations. A public institution of higher education must post signs to provide notice of the bill's prohibition in prominent locations. This does not apply to a law enforcement officials or shooting activities for educational purposes. Hrg 1/31 APP

HB 162/SB 16 Public Safety - Firearm Application (Dumais/Hough) makes one change to the firearm application process by accepting the applicant's handgun qualification number instead of a copy of the applicant's handgun qualification license. Hrg 2/7 JUD; Hrg 2/8 JPR

HB 318/SB 467 Public Safety - Firearms Disqualifications - Antique Firearm (Miller, et al./ Feldman) repeals and reenacts Article – Criminal Law, Section 4 – 201(a) and (b), Annotated Code of Maryland. Expands Section 4 to include antique firearms in those provisions that disqualify a person from possessing a rifle or shotgun. Introduced in 2016 session as **HB 703**. JUD

HB 339 Public Safety Handgun Permits - Correctional Officer (McKay) presumes that an applicant for a permit to carry, wear, or transport a handgun has a good and substantial reason if the applicant is an active, certified correctional officer. JUD

HB 611 Handguns – School Employees – Handgun Permits and Carrying Weapons on School Property (Impallaria, et al.) A county school board may authorize school employees who are otherwise qualified and have a permit, to carry a handgun on school property. Exceptions to the prohibition against carrying a deadly weapon on public school property include, a law enforcement officer, or retired officer, in the regular course of the officer's duty; or an off duty or retired officer carrying a badge or credentials. JUD

HB 663/SB 511 Public Safety – Permit to Carry, Wear, or Transport a Handgun –Qualifications (Reilly, et al./Norman, et al.) Personal protection or self–defense can qualify as a good and substan-

tial reason when applying for a permit to wear, carry, or transport a handgun.
JUD

HB 820 Handgun Permits –Universal Recognition (Rey et al.) A permit to carry a handgun issued to an individual in Delaware, Pennsylvania, Virginia, Washington, D.C., or West Virginia is valid in Maryland. Introduced in 2016 as: **HB 369.** JUD

HB 821 Firearms - Permit to Wear, Carry, or Transport a Handgun - Expiration and Renewal (Rey, et al.) alters the time period in which a permit to wear, carry, or transport a handgun expires from 2 years to 5 years after the issuance; and alters the time period for renewal of a permit to wear, carry, or transport a handgun from 3 years to 5 years after the last renewal. JUD

SB 224 Public Safety - Regulated Firearms - Definition of Convicted of a Disqualifying Crime (Lee, et al.) In fire arm permit applications to wear, carry, or transport, alters the definition of "convicted of a disqualifying crime" to include a case in which a person received probation before judgment for assault in the second degree for a domestically related crime.
JPR

SB 245 Public Safety - Permit to Carry, Wear, or Transport a Handgun - Qualifications (Salling) Self-defense can qualify as a good and substantial reason to wear, carry, or transport a handgun for purposes of the issuance of a permit by the Secretary of State Police. JPR

Updates on bills previously reported in RSC:

HB 53 Sales and Use Tax - Exemption - Firearm Safety Devices (RSC 1) Hrg 1/18 W&M

Doreen Rosenthal

HEALTH

Governor Larry Hogan has written to Representative Kevin McCarthy, Majority Leader of the House of Representatives, asking him to continue Maryland's All Payer System as they consider changes to the ACA. (There is a short summery of the All Payer system and its changes in RSC 2014-1.) In 2014, the state shifted the focus of care to outcomes rather than fee for service, and agreed to $330 million in Medicare hospital savings. Maryland hospitals have exceeded that target producing $429 million in savings. Our All Payer system and the outcomes model has become a working model for the country. However, it should be noted that the decrease in the uninsured through the ACA has helped to generate these savings.

Governor Hogan also noted that Maryland is in the process of developing a Medicare/Medicaid Duel Accountable Care Organization for duel eligible beneficiaries. This is a particularly high-cost population that needs extensive care coordination to improve outcomes. A successful model could be implemented nation-wide.

The LWVMD has signed on to a letter from Consumer Health First (formerly the Women's Health Coalition) to the Governor urging him to continue the high quality of health care in the State provided through the ACA.

SB 38 Department of Health and Mental Hygiene – Updating Advisory Boards and Councils (Middleton) would establish a Council on Health and Wellness, consolidate other councils and change the makeup of the State Child Fatality Review Team. The bill has passed the Senate and is now in the House HGO committee. Hrg 1/19 1 pm FIN

SB 110 Public Health – Expedited Partner Therapy – Pharmacist Dispensing (Conway) would allow pharmacists to dispense antibiotics for certain sexually transmitted diseases without a prescription within a certain timeframe. Hrg 2/1 EHEA

SB 169 Maryland Medical Assistance Program – Cost of Emergency Room Visits to Treat Dental Conditions (Middleton & Kasemeyer) would mandate a study and report on the number and cost of emergency adult dental treatment for Medicaid recipients. The bill was heard in Senate and reported out with amendments on 2/6. Hrg 2/1 FIN

SB 363/HB 613 Pharmacists – Contraceptives – Prescribing and Dispensing (Conway/ Hettleman) would allow pharmacists to prescribe and dispense contraceptives following the development of regulations, and requiring Medicaid and the CHIP program to cover contraceptives prescribed by a pharmacist. This bill is a priority of the Consumer Health First. Hrg 2/10 HGO

HB 185 Department of Health and Mental Hygiene – Distribution of Tobacco Products to Minors – Prohibition and Enforcement, (Rosenberg & Waldstreicher) mandates the Comptroller's office to give the DHMH a list of tobacco licensees and delineates violations and penalties. Hrg 2/15 ECM

HB 270 Environment – Testing for Lead in Drinking Water – Public and Nonpublic Schools (Lafferty, et al.) would require periodic testing of drinking fountains in schools for lead. Hrg 2/24 ET

Update on bills previously reported in RSC:

SB 82/HB 180 Department of Health and Mental Hygiene – Renaming (Middleton/Morhaim) (RSC 1) passed the Senate and House.

SB 225 Civil Actions - Non-Economic Damages - Catastrophic Injury (Ramirez) (RSC 1) received an unfavorable report and was withdrawn.

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 1) Hrg 2/7 ECM;1/31 JPR

Deborah Mitchell

EDUCATION

K-12 Public Education Funding

HB 684 Education - Grant for Declining Education Aid (Krebs plus 15) provides a one-time grant to a local district for FY2018 if enrollment has declined and total direct education aid has decreased by more than one percent. The grant would be 50 percent of the decrease in total direct education aid from the prior fiscal year to the current fiscal year. Hrg 2/21 APP

SB 346 Education – Prekindergarten Students – Funding (Conway plus 18) Beginning in FY2019 and after, eligible prekindergarten students (four-year-olds from economically disadvantaged families) enrolled on September 30 of the previous school year would be included in the enrollment count used to determine the state and local share of the foundation program. Half-day students would be counted as .5 and full-day students as one. Hrg 2/22 B&T

HB 516/SB 581 Workgroup to Study the Implementation of Universal Access to Prekindergarten for 4–Year–Olds (Atterbeary & Ebersole/Ferguson & King) establishes a workgroup to consider problems involved in implementing universal access such as numbers of children, space needed, making more qualified staff available, sources of providers and funding, etc. The workgroup would be required to report to the Commission on Innovation and Excellence in Education by September 1, 2017. Hrg 2/14 W&M; B&T

Aid to Nonpublic Schools

SB 557 Education – Maryland Education Opportunity Account Program – Established (Bates plus 6) This program would have accounts similar to the 529 plans that parents use to save for higher education. Parents or guardians of eligible students between 5 and 18, who live in a geographic attendance area served by a public school ranked in the bottom 5 percent of public schools based on statewide assessments, can enroll in the Maryland Education Opportunity Account Program. The state would be required to contribute the per pupil foundation amount in the student's account. The parent could use the funds for tuition and fees at a participating non-public school, textbooks; payments to a licensed tutor; purchase of a curriculum; tuition and fees for an online learning program; fees for national assessments; advanced placement exams and exams related to college or university admission; contribution to a student's qualified tuition program under Article 529; and, education services for students with disabilities, tuition, fees, books at a postsecondary institution. Parents would sign an agreement to use the funds for qualifying academic subjects, and not to enroll the student in a public primary, secondary, or public charter school in any year the parent is enrolled in the program. A Maryland Education Opportunity Account Authority, consisting of the comptroller, state treasurer, the state superintendent of schools and four members of the public appointed by the governor to serve four-year terms, would administer the program. In each fiscal year beginning in FY2019, the state budget must include a grant equal to the per-pupil foundation amount times the number of accounts minus up to 3 percent for administrative expenses. Funds in the accounts are not subject to income tax. The League opposes state aid to private and parochial schools. B&T

HB 696 Nonpublic Elementary and Secondary Schools – Discrimination – Prohibition (McCray plus 37) Prohibits a nonpublic elementary or secondary school that receives state aid from refusing to enroll, expel, withhold privileges from or discriminate against any student or prospective student because of race, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, or disability. The act would not require the school to accept anyone who is not otherwise qualified. Nondiscrimination also applies to non-ministerial employees. If violations cannot be

resolved, complaints can be referred to the Commission on Civil Rights and punitive damages awarded. This bill is similar to **SB 948** which was withdrawn in 2016. W&M

School Construction and Buildings

SB 334/HB 692 Education - School Emergency Air-Conditioning Fund – Established (Ferguson plus 7/Haynes plus 19) establishes a special non-lapsing fund for supplemental grants to elementary and secondary schools to install air conditioning. The governor would be required to appropriate $7.5 million per year from FY2019 to FY2022. Hrg 2/15 B&T; Hrg 2/21 APP

SB 370 Digital Equity for All Maryland Students Act of 2017 (Rosapepe plus 18) requires the governor to appropriate $9 million per year beginning in FY2018 for a non-lapsing fund for a grant program to help local districts leverage federal funds to install or upgrade internet access. Hrg 2/8 EHEA; B&T

HB 270 Environment - Testing for Lead in Drinking Water - Public and Nonpublic Schools (Lafferty plus 9) requires the Department of the Environment and the Maryland State Department of Education to develop regulations for requiring the testing of drinking water outlets by October 2017. Initial testing must be done by January 2018. Elevated lead levels must be reported to the Departments of Environment, Education, Health and Mental Hygiene and the local Health Department. The drinking water outlets must be shut off, an alternate supply provided, and steps taken to filter the water or repair the plumbing. Public notice must be given either about the high lead levels, or that the tests indicate no elevated lead levels. Hrg 2/24 ET

HB 845 Education – Public School Indoor Air Quality (W. Miller plus 9) establishes the Public School Indoor Air Quality Inspection, Evaluation, and Notification Program in the State Department of Education. The Department of Education, in consultation with the Board of Public Works and the Department of General Services, is required to develop a manual of best practices for managing air quality in school buildings, and share the manual electronically with superintendents. A system for filing complaints, requiring inspections, and recommending remediation would be established. APP

SB 537 Public Health – School Buildings – Minimum Health Standards (Healthy Schools Program) (Sallings and Bates) requires the Secretary of Health and Mental Hygiene, in consultation with the Interagency Committee on School Construction (IAC), to establish minimum standards to protect the health of people in public elementary and secondary school buildings and to require inspections. B&T

Governance

HB 590/SB 609 State Board of Education - Membership - Teachers and Parents (Ebersole plus 13/Madaleno plus 9) adds three members who are certified teachers, and two who are parents of students enrolled in public schools to the Maryland State Board of Education. W&M; Hrg 2/22 EHEA

SB 618 Education - Achievement School District – Establishment (Serafini) A statewide school district established under MSDE would take over public schools or districts in the state for which student achievement ranks in the lowest 5 percent of public schools in the state for two years. The local districts and state would turn over the local and state shares of funding to the Achievement School District, and the Headmaster would be responsible for all operations and expenses. After 5 years a successful school could be returned to local control and an unsuccessful school might be

reverted to another form of governance. EHEA

HB 878/SB 704 Public Charter School Act of 2017 (The Speaker by request – Administration plus 39/The President by Request - Administration plus 8) establishes a Maryland Public Charter School Authority, and specifies that employees of a public charter school authorized by the Authority are not public school employees, are exempt from State teacher certification requirements, and may refuse to join employee organizations. *Text of bills was not available by deadline.* W&M; SRU

Community Schools and Out of School Time

HB 454/SB 806 Education - Healthy Out of School Time (HOST) Heroes Recognition Program (Lierman plus 4/King plus 5) A HOST Heroes Program must meet the national out of school time Healthy Eating and Physical Activity Standards. The Department of Education would be required to develop a process for a program to be recognized and keep a list of recognized programs. Hrg 2/14 W&M; EHEA

Accountability

HB 461/SB 452 Education - Accountability Program - Assessments (Less Testing, More Learning Act of 2017) (Luedtke plus 21/Manno plus 30) Requires local school boards to adopt a social studies assessment which reflects local and state standards during the 2017-18 school year. The state board is to evaluate the whole testing program for effectiveness and for limiting the percent of time devoted to testing. Hrg 2/14 W&M; Hrg 2/15 EHEA

Discipline and School Climate

SB 244 Task Force to Study Suspension Rates of African American Prekindergarten Students (Robinson plus 5) establishes a task force to determine whether African-American prekindergarten students are suspended at a higher rate and make recommendations. The fiscal analysis reported that, according to the Maryland State Department of Education, a total of 89 prekindergarten students were suspended or expelled from school in the 2015-2016 school year. Hrg 2/1 EHEA

HB 425/SB 651 Public Schools - Suspensions and Expulsions (Lierman plus 34/Smith plus 26) prohibits the suspension or expulsion of prekindergarten students from public schools. Students in kindergarten through second grade may be suspended only if they bring firearms to school. Schools must use appropriate behavioral interventions such as “restorative practices” to address serious misbehavior. Hrg 2/14 W&M; EHEA

School Meals

SB 359/HB 257 Education - Maryland Meals for Achievement In-Classroom Breakfast Program - Administration (Maryland Meals for Achievement for Teens Act of 2017) (Madaleno plus 16/Hixson) allows schools to serve breakfast in classrooms after school starts from “grab and go” carts. Hrg 2/8 EHEA; Hrg 2/9 W&M

HB 273 Education – Summer Meals Expansion Grant Program – Established (Queen plus 4) requires the governor to appropriate $1 million to expand the number of sites and children served by the meals program during the summer. Local counties or school districts are required to provide matching funds. Hrg 2/9 W&M

HB 288/SB 360 State Department of Education - Breakfast and Lunch Programs - Funding

(Free School Meals for Students From Low- and Middle-Income Families Act) (Hixon/ Madaleno plus 16) requires the state to pay the student share of reduced price breakfasts and lunches. Hrg 2/9 W&M; Hrg 2/22 B&T

SB 361/HB 287 Hunger-Free Schools Act of 2017 (Madaleno plus 18/Hixon) extends to FY2022 provisions for the Compensatory Education Enrollment Count for state aid when schools opt to provide free meals to the whole school under the federal community eligibility provision. Hrg 2/22 B&T; EHEA; Hrg 2/9 W&M

SB 657/HB 366 Public Schools - Wellness Policy - School Meals (Young plus 3/ Conaway) requires county school boards to add a plan to reduce students' added sugar intake to its wellness policy, following recommendations by the United States Department of Agriculture by August 2018. EHEA; Hrg 2/9 W&M

Lois Hybl