



REPORT FROM STATE CIRCLE
 Published by the League of Women Voters of Maryland, Inc.
 111 Cathedral Street, Suite 201, Annapolis MD 21401
 410-269-0232



lwvmd.org

lwvmd@verizon.net

facebook.com/LWVMD

President: Susan Cochran
April 23, 2015

Editor: Judith Heimann
Copy Editor: Ashley Oleson

Issue No. 6

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

TABLE OF CONTENTS

Administration of Justice	9	Environment: Renewable Energy Standards	7
Budget	1	Environment: Storm Water, Pollution & the Bay	7
Campaign Finance	6	Gun Control	10
Children and Families	10	Health	11
Drugs and Other Controlled Substances		Meeting Basic Human Needs	11
Education	3	Redistricting Reform	4
Elections	4	Taxes	5
Environment: Hydraulic Fracturing	6	Transparency in Government	6
Environment: Land Use	7	Transportation	8

BUDGET

HB 70 Budget Bill (Fiscal Year 2016) As reported in RSC 5, the Senate overwhelmingly supported the recommendations of its Budget and Taxation Committee and the House concurred with the report submitted to them by their Appropriations Committee. Despite the fact that the bills adopted in both chambers were remarkably similar, neither chamber would concede to the other chamber’s version, so a conference committee was appointed.

The Conference committee agreed that the Administration’s proposed budget cap on education foundation spending, reducing State employee salaries by 2%, reducing the Geographic Cost of Education Index by 50%, caps on the growth of private and community college formula spending, and a general cap on other State mandated spending, including the Developmental Disabilities Administration was unacceptable, so they found reductions in other places of the budget to fund these priorities.

While, it has been said many times that, according to the Maryland Constitution, the legislature cannot add to the budget, they were able to reject many of the cuts proposed by the Governor, because adopting them would have required them to alter previously adopted legislation through HB 72 Budget Reconciliation and Financing Act of 2015 (BRFA). Instead of adopting the Governor’s proposed BRFA, they made major amendments to it by proposing different cuts (which they do have the power to do) and then mandating that the savings from those cuts go to the programs that are priorities for them. They stipulated, in the BRFA, that if the savings are not spent on the programs they want them to go to they cannot be spent on anything else.

So, where did the legislature find the money to augment the governor’s proposals? They cut from the Community College formula, delayed continued phase-in of a change to the Education Aid formula that was previously authorized, reduced aid to local Health Departments, reduced allocations to programs that were over budgeted and level funded a few others for a total savings of \$44.8 million. They also made a number of fund swaps, funding delays and reductions in the Medicaid program, for a savings of \$115 million. They changed the way that the Governor proposed funding pensions, but maintained an extra \$75 million payment. They pointed out that even with this reduced payment, the pension fund is projected to reach the 80% funding level by fiscal 2023, which was the original goal established by pension reform legislation adopted in 2011. Other reductions were achieved by elimination of new judicial positions, and

To subscribe to *Report from State Circle*, please visit LWVMD [website](http://lwvmd.org) or call 410-269-0232.

reducing other expenses related to the judiciary, increasing the amount of bonding for capital projects and scaling back on the rate of repayment to special funds that have been used for the general fund over the years. All of these moves came to \$287.9 million that the legislature could use to fund their priorities.

The table below, from the Conference Committee Report prepared by the Department of Legislative Services, shows the cuts proposed by the governor that were rejected or modified by the legislature, and their priorities for additional funding.

Legislative Budget Priorities (\$ in Millions)

Administration Contingent Reductions Rejected or Modified

	<u>Admin</u>	<u>House</u>	<u>Senate</u>	<u>Conf.</u>
Level Fund Education Per Pupil Foundation	\$66.0	\$0.0	\$0.0	\$0.0
Reduce VLT Impact Aid and Transfer to Education Trust Fund	3.9	0.0	0.0	0.0
Phase-in State Support for Library for Blind & Handicapped	1.9	0.0	0.0	0.0
Delay Establishment of Deaf Culture Digital Library	0.2	0.0	0.0	0.0
Community College Formula	13.0	9.0	9.0	9.0
Aid to Private Colleges and Universities	6.5	5.1	5.1	5.1
Level Fund Local Health Grants to Fiscal 2014	7.8	3.9	3.9	3.9
Reduce Academic Health Center CRF Monies to Fund Medicaid	7.2	3.6	0.0	0.0
Provider Rates for Developmental Disabilities Administration	9.2	6.5	2.6	2.6
Level Fund Juvenile Services Provider Rates to Fiscal 2014	0.8	0.0	0.0	0.0
Park Service Payments in Lieu of Taxes in Fiscal 2016	2.5	2.3	0.0	0.0
Level Fund Maryland Arts Council to Fiscal 2014	1.4	0.0	0.0	0.0
Level Fund Disparity Grant to Fiscal 2014	2.1	0.0	2.1	0.0
Total Reductions	\$122.5	\$30.5	\$22.7	\$20.6

Budgeted Funds Restricted for Priorities Not Funded by Governor

Fiscal 2015 2% General Salary Increase		\$68.7	\$68.7	\$68.7
Geographic Cost of Education Index		68.0	68.1	68.1
Physician Rates (Primary Care – House/B&T; Specialty – B&T)		14.4	15.1	15.5
Psychiatrist Evaluation and Management Rates		1.6	1.0	1.1
Community Mental Health Provider Rates		6.5	6.5	6.5
Home- and Community-based Care Provider Rates		4.8	4.8	4.8
Medicaid Coverage for Pregnant Women and Family Planning		4.8	4.8	4.8
Developmental Disabilities Purchase of Care Grants		2.2	2.2	2.2
Developmental Disabilities Crisis Resolution Services		0.0	3.0	3.0
Adult Day Care Center Grants		2.1	2.1	2.1
Substance Abuse Treatment – Heroin Addiction		2.0	2.0	2.0
Maryland School for the Blind Additional Program Support		1.8	1.8	1.8
Nonpublic Special Education Placements Provider Rates		1.7	1.7	1.7
Prince George's County Hospital Center		0.0	15.0	15.0
Nursing Home Rates		0.0	5.7	4.0
Children's Medical Day Care Services		0.0	0.1	0.1
Charter School Funding Study		0.0	0.0	0.3
Total Funding for Priorities Not Funded by Governor		\$178.6	\$202.6	\$201.7

CRF: Cigarette Restitution Fund VLT: Video Lottery Terminals

For more detail on the final allocations for education, see the article on education below.

Nancy Soreng

EDUCATION

Funding

Operating funds for K-12 education provided through the “Bridge to Excellence” or “Thornton” formulas generated much controversy during this session. The Governor’s proposed budget would have held the per pupil foundation amount to the FY2015 level of \$6,860 for FY2016. For FY2017 through FY2020, the limit on annual inflation was to be reduced from 5% to 1%. As passed, the budget does not alter inflation in the per pupil foundation amount, making the FY2016 per pupil amount \$6,954, a 1.4% increase over FY2015. The General Assembly restored the \$68 million for Geographic Cost of Education Index (GCEI) that provides extra funds for counties with higher costs. However, the governor refused to restore the funding in a supplemental budget, and as of the RSC deadline, the Governor had not decided to spend these funds. **SB 183 Education – Geographic Cost of Education – Requirement** was amended and passed, requiring that GCEI be fully funded in FY2017 and beyond if the governor does not spend the GCEI funds for FY2016.

SB 334/HB 965 The Hunger Free Schools Act of 2015 (RSC 2, 3, 4) passed.

SB 885 Education Funding and Formulas – Amendment – Supermajority Vote (RSC 4). No action.

Bills to modify Maintenance of Effort (MOE) requirements for local share of funding either failed to pass both houses or received no action.

State Aid to Nonpublic Schools

A total of \$10 million was allocated to the Aid to Nonpublic Schools Program for the purchase of textbooks and computer hardware and software. The budget, as introduced, provided \$6 million. An additional \$4 million was provided, contingent on full funding of GCEI. If GCEI is not fully funded, the budget specifies that this \$4 million should go for GCEI. No action was taken on **SB 405/HB 487 Maryland Education Credit** (RSC 2, 3, 5). The General Assembly refused to accept a supplemental budget appropriation of \$5 million for Student Assistance Organization Business Entity Grants, to businesses which give donations to "student assistance organizations" which then pay for financial assistance to students at non-public or public schools.

School Construction and Renovation

The FY2016 capital budget provides \$280 million in General Obligation bonds for the Public School Construction Program (PSCP). Also included is **\$6.1 million in funds for the Aging Schools Program** (RSC 1). **\$3.5 million for the Nonpublic Aging Schools Program** was not in the governor’s original budget, but was added without hearings during budget Conference Committee negotiations.

HB 110 Qualified Zone Academy Bonds (QZABs) (RSC 1) passed authorizing \$4.6 million for this program.

Charter Schools

SB 595 Public Charter School Expansion and Improvement Act of 2015 (RSC 3) passed but was extensively amended. Instead of requiring a county-wide lottery for admission, charter schools can now give additional weight to students eligible for free and reduced-price meals, with disabilities, with limited English proficiency, who are homeless, or who are siblings of a currently enrolled student. A school can designate a geographic attendance area with below median income from which student placement in the public charter school is guaranteed for up to 35% of its available space. Operators with different multiple-year schools may provide placement for up to 35% of students who attended a public charter school operated by the same operator during the previous year.

Public charter schools that have been in existence for at least five years with a history of sound fiscal management, and student achievement that exceeds the average, can have more flexibility. The State board is required to develop criteria for additional flexibility. If an agreement is reached with the local chartering authority, an eligible public charter school may be exempt from requirements for textbooks, instructional programs, curricula, professional development, and scheduling. The bill makes local districts the chartering authorities. A public charter school must apply to the county

board for a waiver of a county board policy, and the state board for a state board policy.

County boards can negotiate amendments to existing collective bargaining agreements to address the needs of a particular public charter school. But professional staff of a public charter school are subject to the same certification provisions for professional staff as other public schools.

Finally, the bill requires the Maryland State Department of Education (MSDE) and the Department of Legislative Services (DLS) to contract for a study of the amount of funding provided by local school systems to public charter schools and traditional public schools, and report by October 31, 2016. MSDE is also required to provide technical assistance to charter schools, and to collect and disseminate information about best practices.

Curriculum and Accountability

SB 497/HB 452 Commission to Review Maryland's Use of Assessments and Testing in Public Schools (RSC 4, 5) passed. However, other bills for moratoriums on various tests or implementation of Common Core standards received no action or unfavorable reports. Likewise, there was no action on attempts to require assessments to include questions on government in **SB 806/HB 1200 State Board of Education – High School Assessment – Government** (RSC 3, 4).

SB 677/HB 1069 Education – Professional Development for Teachers and Providers of Early Childhood Education – Master Plan (RSC 4) passed.

SB 440 Education – Expenditures of Revenues – Reporting by County Boards of Education (RSC 3) received no action.

Special Education

SB 390/HB 344 Education – Due Process Hearings for Children with Disabilities – Burden of Proof (RSC 2) received no action again this year.

For more details on education legislation which passed, see <http://mgaleg.maryland.gov/Pubs/legislegal/2015rs-90-day-report.pdf>.

Lois Hybl

REDISTRICTING REFORM

None of the bills to reform Maryland's redistricting process were reported out of committee before the General Assembly adjourned.

SB 99, SB 814, HB 427, HB 428 and HB 267 all dealt with establishing a Commission for redistricting, but they had different criteria.

HB 610 would have established a commission to study the redistricting process.

HB 850 and SB 448 would have established the same criteria that the Maryland constitution applies to legislative districts.

HB 906 would have required that members of the House of Delegates be elected from a single member district.

It is anticipated that the Governor will soon create the redistricting reform study commission he promised in his state of the state address.

Ralph Watkins

ELECTIONS

There were approximately 80 bills filed this session dealing with elections, campaign finance and redistricting. Below is a summary of what happened to a number of bills related to the election process.

HB 73 Voters' Rights Protection Act of 2015 (Rosenberg) which was amended before final passage in both houses. The Act becomes effective July 1, 2015. The Act authorizes the Attorney General to institute an action in circuit court for injunctive relief to prohibit a person from committing an imminent violation, or continuing to commit a violation of certain provisions of the Election Law Article which prohibit certain voting-related offenses. As amended, the bill authorizes the State Prosecutor, instead of the Attorney General, to seek injunctive relief if the Attorney General is a candidate in a contest on the ballot in an election and a violation is committed by the Attorney General, a candidate opposing the Attorney General in a contest on the ballot, or a person acting on behalf of the Attorney General or an opposing candidate. Injunctive relief may only be granted pursuant to the bill (1) to prevent a violation from affecting a pending election and (2) based on a showing by clear and convincing evidence that a violation is imminent or is being committed. The League testified in favor of this bill.

SB 204/HB 396 Election Law – Primary Election Dates in the Presidential Election Year (Turner) underwent amendment in the House, it was further amended in the Senate, and the House concurred with the Senate amendments so the bill will now take effect October 1, 2015. The bill sets the date of the primary election in a Presidential election year as the fourth Tuesday in April. Maryland's Presidential primary will be held on the same date as those in Connecticut, Delaware, Pennsylvania and Rhode Island, and it will take place after primaries in twenty-nine other states. A number of other dates relevant to the election calendar were also changed by this bill, including the date by which write-in candidates must file a petition of candidacy. This date was previously set as the Wednesday before an election, and it is now set as the 7th day preceding the start of Early Voting.

SB 97/HB 884 Election Law – Counting of Properly Cast Ballots (Norman/Lisanti) passed both houses. The bill amends Maryland Election Law to require that an absentee ballot that is properly cast by a voter be counted, even if the voter dies before the canvass of absentee ballots. Previously, an absentee ballot had to be rejected if the local election board learned of the voter's death prior to the canvass. The bill has been signed by the Governor and will take effect June 1, 2015.

HB 908/SB 340 Election Law – Voting Rights – Ex-Felons allows ex-felons to register and vote upon completion of their term of incarceration. The bill removes any term of parole or probation from the waiting period. The bill takes effect July 1, 2015. These bills were the subject of interesting hearings, and were heavily amended before final passage. Originally, the bill contained a number of requirements for certain state agencies to notify persons released from incarceration of their right to vote, and required the State Board of Elections to receive reports of those released from the Department of Public Safety and Correctional Services, but those portions of the bill were amended out of the final version.

SB 5 Election Law – Canvass of Votes – Public Observation (Bates) passed and will take effect on July 1, 2015. This bill clarifies that the canvass process for votes cast during Early Voting is open for public inspection, just as the canvass for absentee ballots and votes cast on Election Day. Although the bill specifies certain individuals and entities that have the right to be present during the canvass, it was amended to add "any other individual who wish(es) to be present." The League testified in favor of this bill.

The issues that were the subject of legislation that did not pass this session include changes to Early Voting dates (League did not support), creation of a Blue Ribbon Commission on Voting, Openness, Transparency and Equality in Elections (LWV supported), election audits (LWV Supported), proof of citizenship to register to vote (LWV opposed), and special elections to fill U.S. Senate vacancy and vacancies in General Assembly.

Lu Pierson

TAXES

Passed and signed by Governor:

SB 763/HB 1233 Tax Amnesty Program (RSC 3) requires the Comptroller to declare an amnesty period for delinquent taxpayers from September 1, 2015, through October 31, 2015, for civil penalties plus half the interest attributable to nonpayment, non-reporting, or underreporting. It also authorizes the Comptroller to enter into an agreement to provide a waiver for taxes that are not paid in full during the amnesty period, but that a taxpayer agrees to pay.

Doreen Rosenthal

CAMPAIGN FINANCE

All of the bills covered in RSC 1-5 failed to get a vote, and thus died in committee with the exception of the 3 listed below.

HB 485 Election Law – Fair Campaign Financing Fund - Income Tax Checkoff will reinstitute a voluntary check-off on the Maryland Income Tax form to provide campaign funding for gubernatorial candidates who qualify for the program.

HB 769 Election Law – Persons Doing Public Business – Statements of Contributions will require an officer of a company that is actively working on a government contract worth at least \$200,000 at the time they make a contribution of \$500 or more to a candidate (or incumbent office holder) to report the name of the candidate (and office they are seeking) or office holder to the Board of Elections.

HB 775 Inaugural Committees – Required Disclosure of Donors and Donor Amounts will require an Inaugural Committee to provide a list of donors to any individual upon request.

Nancy Soreng

TRANSPARENCY IN GOVERNMENT

SB 695/HB 755 General Provisions – Public Information Act – Enforcement, Fees and Exemptions (Raskin/Cullison) This major overhaul of the Maryland Public Information Act, with some previously reported amendments, passed unanimously in both Houses of the legislature. For both the League, and our partners in Marylanders for Open Government, this was a great success. The enrolled bill awaits the Governor's signature. There are two more scheduled bill signing ceremonies; one on April 28th and another on May 12th, 2015.

Update on Other Bills Previously Reported in RSC:

HB 550 Unfavorable report in HGO. Withdrawn.

HB 583/SB 879 The House bill was heard on 3/11/2015 but died in HGO; the Senate bill died in HRU without a hearing.

HB 867 Unfavorable report in HGO.

HB 1073 Passed the House but died in FIN after hearing.

HB 1251 Died in HRU.

Barbara Schnackenberg

ENVIRONMENT: HYDRAULIC FRACTURING

Marcellus Shale Hydraulic Fracturing

HB 449/SB 409 Protect Our Health and Communities Act (RSC 3) the first bill to address the issue of hydraulic fracturing in Maryland, passed the House and the Senate in the 2015 session. The bill was amended a number of times in EHEA and ET, eliminating a requirement for a study of public health and environmental impacts, and shortening the length of the moratorium period. The bill that passed requires MDE to adopt regulations to cover hydraulic fracturing for exploration or production of natural gas by October 1, 2016. The regulations cannot take effect until October 1, 2017 and a permit to drill a well using hydraulic fracturing cannot be issued until October 1, 2017. The League advocated for the original bill and submitted written testimony in support of the bill described in RSC 3, prior to amendments.

The following bills died in committee:

SB 29 Environment – Hydraulic Fracturing – Prohibitions (RSC 1)

HB 883/SB 438 Environment – Well Drilling – Notice to Municipalities (RSC 3)

SB 458 Civil Actions – Hydraulic Fracturing Liability Act (RSC 3)

HB 458 Environment – Exploration and Production Waste and Waste From Hydraulic Fracturing (RSC 3)

HB 952 Public Health – Hydraulic Fracturing Chemicals – Information and Fund (RSC 3)

SB 712 Natural Gas Severance Tax and Impact Account (RSC 3)

Betsy Singer

ENVIRONMENT: LAND USE

Passed

HB 919 Land Use – Plans – Development and Action (Lafferty, et al) increased the power of non-charter counties or municipalities in considering comprehensive land use plans.

Not Passed

SB 134 Open Space Incentive Program – Payments to Counties (Edwards) concerned adjusting payments to counties from activities on state forests or park reserves into the Forest Reserve Fund, and concerning use of the funds. It was reported without recommendation by EHEA, introduced into House by Senator Edwards and passed 46 - 1 with amendments, referred to House Rules and Executive Nominations, not reported out.

Susan Cochran

ENVIRONMENT: RENEWABLE ENERGY STANDARDS

HB 378 Renewable Energy Portfolio Standard – Qualifying Biomass (Young, K.) Withdrawn.

HB 656 Electricity – Energy Storage – Fuel Cells (Stored Energy and Power (StEP) Act) (Korman) Unfavorable.

HB 933 Energy Efficiency and Demand Management Programs and Services – Repeal (Parrott) Withdrawn.

HB 1087/SB 481 Electricity – Community Solar Energy Generating System Program (Clippinger) Passed.

SB 760 Public Utilities – Renewable Energy Portfolio Standard – Combustion Source (Montgomery) Reading in Senate Rules. No further action.

SB 154/HB 636 Renewable Energy Portfolio Standard – Thermal Energy (Middleton) Unfavorable report out of House EMC. No further action.

SB 353 Electric Companies – Installation of Solar Electric Generating Facility – New Interconnection Agreement (Hershey) Passed.

SB 373/HB 377 Renewable Energy Portfolio Standard – Revisions (Maryland Clean Energy Advancement Act of 2015) (Feldman plus 15/Frick plus 45) Withdrawn.

SB 398 Public Service Commission – Community Solar Projects or Virtual Net Energy Metering – Study (Pugh) Passed.

Hugh Haskell

ENVIRONMENT: STORM WATER, POLLUTION & THE BAY

Update on Bills Previously Reported in RSC:

HB 156/SB 133 Environment – Bay Restoration Fund – Use of Funds Passed.

HB 216/SB 200 Environment – Personal Care Products Containing Synthetic Plastic Microbeads – Prohibition on Manufacturing or Sale Passed. The ban applies to all microbeads made of traditional plastic, as well as any so-called

biodegradable plastics that cannot biodegrade in wastewater treatment *and* marine environments. Products on store shelves will start changing in 2018, with all plastic microbeads off the shelves by the end of 2019.

HB 302/SB 28 Chesapeake and Atlantic Coastal Bays 2010 Trust Fund – Chesapeake and Atlantic Coastal Bays 2010 Trust Fund – Use of Funds Did not pass.

HB 341/SB 401 Underground Utility Damage Prevention – Connecting Buildings to Water Supply Systems and Sewerage Systems – Detectable Wires Passed, approved already by the Governor.

HB 381/SB 257 Agriculture – Nutrient Management – Phosphorus Management Tool the legislature tabled its bills while working with Governor Hogan who released new regulations on 4/3/15 similar to those proposed in the previous administration, but with a somewhat slower timetable.

HB 481/SB 588 Stormwater Management – Watershed Protection and Restoration Program – Repeal also **SB36, SB 42, and HB 874** (RSC 1 & 3) and other bills dealing with stormwater management. The final bill that passed, **SB 863**, balances environmental concerns while giving the counties greater autonomy to decide how to pay for their mitigation efforts. The bill nominally repeals the requirement for counties to charge a fee (the so-called “rain tax”), but still requires the 10 impacted counties to identify how they will address and pay for the stormwater problem in their respective jurisdictions. This legislation was supported by both the environmental community and the business community, and passed with bipartisan support.

HB 514/SB 258 Maryland Commission on Climate Change Passed.

HB 701/SB 463 Agriculture – Cattle, Swine, and Poultry – Use of Antimicrobial Drugs Did not pass.

HB 860 Aquatic Invasive Species – Inspection and Decontamination of Vessels (State Lakes Invasive Species Act of 2015) Passed.

HB 1042 Environment – Nitrogen Oxide Emissions – Pollution and Combustion Control Technologies (the “Healthy Air Act for All”) did not pass. On 4/17/15 the Governor, through the Maryland Department of the Environment, issued "emergency" regulations that initially sound good until you realize that not only are they inadequate, but they also eliminate some critical health protections that had already been in place for cleaning up pollution from coal plants in Maryland. This has, of course, disturbed the environmental community. The state’s press release is available at -- <https://news.maryland.gov/mde/2015/04/17/maryland-moves-forward-on-clean-air-regulations-to-reduce-pollution-from-states-coal-fired-power-plants-and-protect-public-health/>

HB 1158 Lead Risk Reduction Standards – Maintenance of Exemptions Did not pass.

SB 345/HB 536 Income Tax – Subtraction Modification – Enhanced Agricultural Management Did not pass.

SJ 01 Conowingo Dam – Sediment and Nutrient Pollution (National Chesapeake Bay Preservation Act of 2015) renamed Susquehanna River Basin - Sediment and Nutrient Pollution (National Chesapeake Bay Preservation Act of 2015) did not pass.

Additional note: The chair of ET anticipates that the Pollinator Protection Act and a bill restricting agricultural antibiotics will be back next year.

Linda Silversmith

TRANSPORTATION

Bills signed into law:

SB 371/HB 450 (SHA) Bicycle and Pedestrian Priority Areas (RSC 2, 5) gives a one-year deadline to implement a long-shelved program to address SHA bicycle pedestrian priority areas. This program has existed for 20 years and the bill mandates that the SHA put forth plans to improve specific areas for bikes and pedestrians designated by local governments.

Bills passed with signing expected:

SB 44/HB 194 Vehicle Laws – Maximum Speed Limits on Highways (RSC 1, 3, 4) allows, but does not mandate, the

SHA to increase the speed limit from 65mph to 70mph on specific highways.

SB 413/HB 339 Vehicle Laws – Race-Based Traffic Stops – Policy and Reporting Requirements (RSC 2, 5) requires local traffic enforcers to report all traffic stops using specified data. The bill restores this data collection for five years and the data will be used for law enforcement agencies.

SB 868/HB 1231 Public Utilities – Transportation Network Services (RSC 4) will allow services such as Uber and Lyft to operate in Maryland, and builds in measures to assure passengers of safer rides through vehicle inspections, driver background checks, fare information and disclosure, receipts, insurance requirements, and web accessibility.

HB 300 Department of Transportation – Washington Metropolitan Transit Authority Services – Utilization Study (RSC 2, 5) added amendments so that MDOT and WMATA will work in cooperation to study and issue a report every five years as to how the bus, rail, and subway governed by WMATA are used. The first study report will be due December 1, 2015.

Bills not passed, but expected to be seen another year:

SB 778/HB 172 Task Force to Study Issues Related to the Use of Self-Driving Vehicles (RSC 3, 4) Many states have passed laws about self-driving cars, and this task force would have studied those laws, as well as current Maryland law. Since implementing this bill would cost an addition of \$100,000 to the budget, it was not considered crucial at this time.

Driving under the influence and mandated use of Ignition Interlock System Program were part of a number of bills this year. None passed, but they may return in a similar form.

Barbara Ditzler

ADMINISTRATION OF JUSTICE

Bills Passed but not signed:

HB 346 Altering References from Master to Magistrate (RSC 2)

SB 482 Public Safety – Law Enforcement Officers – Body-Worn Cameras (RSC 3)

HB 121 Criminal Procedure – Drug Related Offenses – Repeal of Mandatory Minimum Sentences (RSC 3)

Bills not passed but likely to be proposed again:

A series of bills were introduced to change the selection process for Circuit Court judges by eliminating contested elections. None received favorable reports from the House JUD committee.

The Senate president indicated that these bills should be considered in the next session, since they involved Constitutional amendments that would not come up for voter approval until 2016.

These bills included:

HB 582/SB 367 Circuit Court Judges – Selection, Qualifications and Term of Office (RSC 2) Gubernatorial appointment of Circuit Court Judges.

HB 548 Circuit Court Judges – Selection, Qualifications and Term of Office (RSC 3) Retention elections for Circuit Court Judges after appointment by governor.

SB 679 Election of Circuit Court Judges – Non-Partisan General Election (RSC 3)

HB 1071 Circuit Court Judges – Election, Qualifications and Term of Office (RSC 4) Appointment followed by retention elections.

Another series of bills were proposed to implement the Court of Appeals ruling requirement that indigent defendants must be provided with counsel at an initial appearance. None of these bills were passed, despite a last minute order by the Senate President to find a way to reform the system. These include:

HB 361 Criminal Procedure – Government-Funded Legal Representation – Initial Appearance (RSC 2) The courts and statutes would determine the right of defendants to counsel, not the Constitution.

HB 496 Criminal Procedure – Government-Funded Legal Representation – (RSC 3) Overturns the Appeals Court decision by removing the right to counsel from the Constitution's Declaration of Rights.

HB 596 Criminal Procedure – Maryland Appointed Attorney's Program Corporation (RSC 3)

Marlene Cohn

GUN CONTROL

One gun-related bill was passed during the 2015 session. It defies the label "gun control". The bill repeals a requirement that would increase the chances of identifying the source of a weapon used to commit a crime, thus weakening Maryland's strong gun control laws.

SB 736/HB 39 Public Safety – Handgun Identification Requirements – Repeal (RSC 3) repeals the requirement that a manufacturer that transports a handgun for sale, rent, or transfer in Maryland, include in the box with the handgun in a separate, sealed container: a shell casing of a projectile discharged from the handgun, and additional information required to identify the type of handgun and shell casing.

Doreen Rosenthal

CHILDREN AND FAMILIES

Update on Bills Reported previously reported in RSC:

HB 163 Child Support – Adjusted Annual Income – Multifamily Adjustment Adopted.

HB 171/SB 150 Courts – Child Abuse and Neglect – Waiver of Reunification Efforts HB 171 was adopted with amendments, returned passed; SB 150 was adopted with amendments. The amendments do not appear to significantly affect intent or scope.

HB 225/SB 269 Domestic Violence – Additional Relief HB 225 was adopted (135-0) with amendments that limit scope to final protective orders, passed enrolled; SB 269, JPR favorable with amendments, returned passed.

HB 227 Family Law – Domestic Violence – Definition of Abuse JUD unfavorable report.

HB 439/SB 685 Family Law – Information and Services for Foster Children and Former Foster Children HB 439 was adopted with amendments which do not appear to significantly affect intent or scope, returned passed; SB 685 adopted, approved by Governor.

HB 575/SB 524 Family Law – Protecting the Resources of Children in State Custody HB 575 JUD unfavorable report; SB 524 was adopted with amendments that do not appear to significantly affect intent or scope, JUD unfavorable report.

HB 641/SB 487 Family Child Care – Registration Requirements for Participants in the Maryland Child Care Subsidy Program HB 641; SB 487 was adopted with amendments that focus on expanding supply and use of licensed child care.

HB 643/SB 567 Department of Human Resources – State Child Welfare System – Report HB 643 was adopted (139-0) with amendments that do not appear to significantly affect intent or scope, returned passed; SB 567 was adopted with amendments, returned passed.

HB 807/SB 277 Family Law – Protective Orders – Additional Relief HB 807 adopted (137-0)

HB 1022/SB 609 State Government – Office of the Child Welfare Ombudsman – Establishment SB 609 was adopted with floor amendments.

Judy Morenoff

MEETING BASIC HUMAN NEEDS

Of the many bills concerning basic human needs that were followed this legislative term, only the two bills on human trafficking passed.

HB 456 Workgroup to Study Safe Harbor Policy for Youth Victims of Human Trafficking was signed by the Governor.

SB 520 Criminal Law – Human Trafficking – Affirmative Defense is awaiting the Governor's signature.

The bill that was the League's priority among human needs issues was **SB 40 Maryland Healthy Working Families Act**. While it did not make it out of committee, Chairman Davis and Middleton urged parties interested in the bill to work together over the summer, and committed to a committee hearing for them to report back on proposed language.

Ruth Crystal

HEALTH

The money for Medicaid remained in the budget when it went to the Governor; however Governor Hogan has indicated that he will not spend the allotted funds. This has caused quite a stir among the legislators and there has been talk of a special session to force his hand. Only the Governor may call a special session unless it is requested by a majority of both chambers, so time will tell.

SB 69 State Board of Pharmacy – Sterile Compounding – Compliance by Nonresident Pharmacies and Repeal of Permit Requirement (Hill and Conway) (RSC 2, 3, 4) signed by the Governor, April 14.

HB 230 Health Insurance – Assignment of Benefits and Reimbursement of Nonpreferred Providers – Repeal of Termination Date (Hammen and Middleton) (RSC 2) signed by the Governor, April 14.

HB 1021 Richard E. Israel and Roger (Pip) Moyer Death with Dignity Act (Pendergrass and Young) (RSC 3) failed in both committees.

SB 723/HB 999 Nurse Practitioner Full Practice Authority Act of 2015 (Conway) (RSC 3, 4) passed and are waiting for the Governor's signature.

HB 9 Maryland Home Birth Safety Act (Kelly and Middleton) (RSC 1, 2, 4) was amended by the Senate and enrolled by the House so Direct Entry Midwives will not be allowed to do a delivery after a C-section (VBAC). It is awaiting the Governor's signature.

HB 949/SB 471 Task Force to Study the Provision of Health Care Coverage for the Uninsured (Kelly and Nathan-Pulliam) (RSC 3, 4) has passed the Senate, but died in HGO. The House bill was withdrawn.

SB 599 Public Health – Expedited Partner Therapy for Chlamydia and Gonorrhea (RSC 3, 4) was amended by the House, enrolled by the Senate and is waiting for the Governor's signature.

SB 612 Vehicle Laws – Protective Headgear Requirement for Motorcycle Riders – Exemption (Astle) (RSC 3) died in committee.

SB 399 Health Care Malpractice Claims – Use of Clinical Practice Guidelines (Pugh and Muse) (RSC 4), **SB 479 Civil Actions – Noneconomic Damages – Catastrophic Injury** (Ramirez) (RSC 4) and **HB 553/SB 585 Maryland No-Fault Injured Baby Fund** (Morhaim and Pugh) (RSC 4) all died in committee. However the Baby Fund bill is likely to come back because the hospitals want it and it would aid in providing obstetrical coverage in high-risk areas.

HB 375/SB 403 Maryland Council on Advancement of School-Based Health Centers (Cullison and Maldenaro) was amended and passed both Houses, is enrolled in both and has been sent to the Governor.

Neilson Andrews