



REPORT FROM STATE CIRCLE
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TABLE OF CONTENTS

Administration of Justice	6	Environment: Windpower	4
Budget & Taxation	4	Gun Control	2
Children’s Issues	11	Health	8
Campaign Finance	1	Juvenile Justice	11
Education	9	Mandatory Minimum Sentencing	3
Elections & Redistricting	6	Meeting Basic Human Needs	9
Environment: Clean Water/Bay/Land Use	3	Open Government	1
Environment: Hydraulic Fracturing	3	Transportation	5

CAMPAIGN FINANCE

All of the campaign finance bills, except **HB 1499/SB 1039 Campaign Finance Reform Act of 2013**, were allowed to die in committee because most of the reforms proposed by them were incorporated in the aforementioned omnibus bill, which passed on Sine Die when the Conference Committee Report was approved by the House 128-7 and by the Senate 42-2. This bill, which was sponsored by the Administration on behalf of the legislatively created Commission on Campaign Finance Reform, closes the loophole that allowed limited liability corporations and other entities to skirt the campaign contribution limits that regular corporations are required to abide by. It enacts the strongest reporting requirements for independent expenditures (a big money pool that was created by the Citizen’s United Supreme Court case) in the nation. Even though the bill did raise campaign contribution limits, amendments deleted the provision that would have provided automatic increases in those limits via indexing. It tightened up the definition of who could be considered part of a campaign slate by limiting it to candidates who were actively running for office and capped the amount of fund transfers between slate members.

SB 584/HB 1044 Public Funding and Small Donor Act for General Assembly Elections This bill died in Committee, but will be brought back next year as it has been for the last decade or more. One advancement in this arena is that **HB 1499**, described above, allows local jurisdictions to establish their own public financing systems for county-wide elected offices. Many advocates see this provision as a potential stepping stone for eventually getting public financing for General Assembly elections.

SB 1056 Election Law–Independent Expenditures and Electioneering Communications– Disclosure No action.

HB 259 Campaign Finance – Affiliated Business Entities – Attribution of Contributions No action.

SB 583 Election Law - Public Campaign Financing of Local Elections No action.

SB 772 Campaign Finance - Corporate Contributions and Independent Expenditures - Determination of Stockholder Preference This bill died in committee and was not part of **HB 1499**.

Nancy Soreng

OPEN GOVERNMENT

This was a better than usual session for transparency in government. The following bills have passed both houses of the General Assembly and will go to the Governor for his signature.

HB 331 Open Meetings Act - Violations and Penalties Prior to this session of the General Assembly, there were no penalties for violation of the Open Meetings Act. If the Governor signs this bill, there will be penalties for such

violations. The first time a public body willfully violates the Open Meetings Act as determined by the Open Meetings Control Board, a majority of the members of the body will be required to publicly announce the violation and members of the public body will be required to sign a copy of the determination. It is important to note that the legislation does not require that members of the body agree that the Open Meetings Act was violated.

For the second willful violation, the public body may be fined \$100 and for the third, \$1000. In the original version of HB 331, these fines were \$1000 for the second violation and \$10,000 for the second. To further water down the effect of these penalties, the findings of the Open Meetings Control Board cannot be used by a citizen who might file suit against the public body for failure to adhere to the requirements of the Open Meetings Act. Instead the citizen will face the authority of the Office of the Attorney General who shall defend the public body despite the findings of the Open Meetings Control Board which is housed in the Attorney General's office.

HB 139 Training for Public Open Meetings Act Requires public bodies to designate at least one person to receive training on the Open Meetings Act and allows for the training to be provided by one of several different State or local sources.

SB 230 Open Meetings Act-Public Body-Definition Requires meetings of the Maryland Public Secondary Schools Athletic Association to be covered under the Open Meetings Act.

It should be noted that no legislation has even been introduced to provide penalties for the failure of State or local governments who fail to comply with Maryland public information law.

Barbara Schnackenberg

GUN CONTROL

SB 281 The Firearms Safety Act of 2013 (cross-filed with **HB 294**) passed in both the House and the Senate and is scheduled for a ceremonial signing by the Governor in May. It was one of more than 50 gun control bills (both for and against) introduced in the Maryland General Assembly in 2013 in the wake of the Newtown, Connecticut school shootings. **SB 281** was sponsored by the President of the Senate and Speaker of the House at the request of the Governor. The most comprehensive, far-reaching of any Maryland gun legislation, it includes 62 pages of definitions, rules, restrictions, and exceptions governing handgun ownership, sales, transport, and rounds of ammunition. Many of the other proposed gun control bills were either subsumed in **SB 281** or died in committee.

With the enactment of the Firearms Safety Act of 2013:

- Purchasing a handgun will require a license and training as well as finger-printing,
- Gun owners will be required to report lost firearms to the police,
- The sale of specific military-style assault weapons will be banned,
- Magazine capacity will be limited to 10 rounds,
- State Police will be empowered to audit gun dealers, and
- More people with mental illnesses will be barred from buying weapons.

However, anyone possessing the banned weapons by Oct 1, 2013 when the bill goes into effect may keep them and companies that manufacture them will be able to sell those that are already manufactured by Oct 1, 2013.

By requiring fingerprints from handgun purchasers and prohibiting people who have been involuntarily committed for mental health reasons from owning firearms, the bill is among the strongest in the US. Although research shows that states with strong gun laws have significantly fewer per capita gun deaths, it also shows that most firearms used in these states were purchased elsewhere. Several states have passed laws that do not recognize firearm licenses issued in other states. Maryland does not have such a law.

Opponents of the **Firearms Safety Act of 2013** were unsuccessful in efforts to remove items from the banned assault weapon list, remove licensing from the bill, exempt competitive shooters from the assault weapons ban, and delete the portions of the bill that dealt with guns.

Opponents were also unsuccessful in proposing legislation to (1) require the State Police to issue a handgun permit to a person who is otherwise qualified and who has been designated as a school guardian, creating an exception to the prohibition against carrying a deadly weapon on public school property, (2) prohibit a person who sells ammunition from

requiring the purchaser to provide personal information as a condition of purchase, (3) allow a county board to authorize school employees, who are otherwise qualified, to carry a handgun on school property, (4) establish a task force to study the impact of assault weapons, and (5) prohibit a state official from enforcing a federal law relating to firearms or ammunition owned or manufactured within the state and remaining within the state.

Some opponents plan to petition the **Firearms Safety Act of 2013** to referendum or take it to court as unconstitutional.

Doreen Rosenthal

MANDATORY MINIMUM SENTENCING

SB 281 The Firearms Safety Act of 2013 includes a provision that a person who uses an assault weapon with a magazine that has a capacity of more than 10 rounds of ammunition, in the commission of a felony or a crime of violence, is guilty of a misdemeanor and, on conviction, in addition to any other sentence imposed for the felony or crime of violence, the person will be sentenced to (1) for a first violation, imprisonment for not less than 5 years and not exceeding 20 years, and (2) for each subsequent violation, imprisonment for not less than 10 years and not exceeding 20 years.

Doreen Rosenthal

ENVIRONMENT: HYDRAULIC FRACTURING

Passed

SB 766/HB 828 Business Occupations - Oil and Gas Land Professionals - Registration (Edwards) prohibits a person from operating as an oil or gas land professional in the State unless the person registers with and obtains a registration certificate **HB 828** (Beitzel). The bills were passed by both Chambers without amendments.

Not Passed

SB 601/HB 1274 Maryland Hydraulic Fracturing Moratorium and Right to Know Act of 2013 (Zirkin et al.) failed to get out of EHEA by one vote. **SB 601** received an Unfavorable Report by the Committee. **HB 1274** received an Unfavorable Report in ENV and was withdrawn.

HB 337/SB 514 Natural Gas-Hydraulic Fracturing Prohibition received an Unfavorable Report by ENV and was withdrawn. **SB 514** received an Unfavorable Report by EHEA and was withdrawn.

HB 341/SB 513 - Hydraulic Fracturing Wastewater Prohibited Acts received an Unfavorable Report by ENV and was withdrawn. **SB 513** received an Unfavorable Report by EHEA and was withdrawn.

Betsy Singer

ENVIRONMENT: CLEAN AIR, THE BAY, PESTICIDES & LAND USE

There was not as much progress as hoped for in the 2013 Legislative Session for bills protecting the environment. The great exception is the passage of a wind power bill after three years of effort. In the clean water and land use area, only slight progress was made. Of the bills we followed, partial success could be claimed for the pesticide reporting bill as it was transformed into a reasonably constituted work group to report in 2014. We accomplished defensive success as the stormwater management bill we previously supported was amended in a harmful fashion that led environment groups and the League to successfully advocate its defeat. Specifics follow below:

Passed

SB 1029 Maryland Agricultural Certainty Program (Middleton et al.) The Chesapeake Bay Foundation supported this controversial bill but almost all other environmental groups, including the League, vigorously opposed it. It is a ten-year program during which farmers who volunteer for a program of conservation measures now will be exempt from further regulations. The League thought it was not constructive to allow the farmers a free pass and did not see enough transparency and safeguards in the measure to ensure farmers' full compliance.

HB 554/SB 563 Environment and Public Utilities - Notice to Neighboring Jurisdictions of Applications (Schuh/Simonaire) This bill requires State departments to give notice to officials of jurisdictions within one mile of an application for a landfill, incinerator or power plant. The League supported this bill.

Not Passed

HB 508 Local Stormwater Management Charges-State Property (Carr et al.) At the 11th hour, the bill was denied passage to the relief of its former supporters. The League withdrew its support and worked to kill the bill when it was amended to delay implementing localities' compliance with stormwater management requirements until July 1, 2014. Another weakening addition would have mandated the amount of reduction in the fee for industrial and business properties considered point sources of pollution operating under National Pollutant Discharge Elimination System permits instead of leaving it up to the counties and municipalities.

HB 1086/SB 576 Community Clean Up and Greening Act of 2013 (Washington et al./Raskin). "The Bag Bill" required stores that provide carry out bags for products sold in the store to charge 5 cents per carry out plastic bag. The bill did not receive a favorable report in the Economic Matters Committee. A similar bill is expected to be introduced again next year.

HB 1085/SB 642 Recycle for Real (McIntosh/ Frosh) The "Bottle Bill" called for a deposit on bottles and beverage cans to be reimbursed upon return. It received an unfavorable report in committee. A similar bill will probably be seen again next year.

SB 799 Solid Waste Management Practices - Maryland Recycling and Landfill Diversion Task Force (Middleton) This bill originally proposed a law to facilitate incineration for energy, but was amended to require a task force to study the matter. The opposition considered the task force poorly composed and instructed by the bill. The bill was rereferred to a House Committee and did not emerge for passage.

HB 1102/SB 684 Renewable Energy Portfolio Standard - Biomass (Olszewski et al./Garagiola) The "Black Liquor Bill" passed the Senate, but was defeated in House committee. "Black liquor" is biomass waste from paper milling. The bill would reduce the amount of renewable energy credits going to inefficient biomass-to-energy incineration out of state instead of cleaner renewable energy sources. The bill would require greater efficiency and less harmful emissions for a facility to qualify for the credits. Despite an amendment exempting Luke Mills, the only Maryland facility burning wood waste, the bill was narrowly defeated in House Committee. The League supported this bill.

Susan Cochran

ENVIRONMENT: WIND POWER**Update on bills previously reported in RSC 1-5**

HB 226/SB 275 Maryland Off-Shore Wind Energy Act of 2013 One day after the end of the legislative session, on Tuesday, April 9, Governor Martin O'Malley signed the Off-Shore Wind Energy Act into law. As reported in the previous issue, this act will help develop a 200-megawatt wind project off the coast of Ocean City by requiring electricity suppliers to buy offshore renewable energy credits. The current estimated time for seeing construction completed is 2017. The siting will be about 10 miles out in the mid-Atlantic bight.

Putting this into a national context, a recent newspaper article reported that wind turbines accounted for 5.6 percent of U.S. electricity generating capacity in 2012, up from about 3 percent in 2011. Developers installed 13.1 gigawatts of wind capacity in 2012, more than natural gas-fired power plant construction, to become the largest new source of electricity. More than 6,700 new wind turbines were erected in 2012, which produce enough electricity to power the equivalent of 3.5 million homes.

Iowa added 614 megawatts of electricity from wind energy in 2012. That state ranks third in the nation in terms of installed wind power capacity, and gets 24.5 percent of its power from wind, the most of any state. About 3.5 percent of the nation's electricity is produced by 45,100 wind turbines, enough to power 15.2 million homes. With the renewal of the production and investment tax credits, many wind projects put on hold are expected to resurface in the coming months.

Linda Silversmith

BUDGET AND TAXATION

HB 100 The Budget Bill (\$36.9 billion) was passed by both houses. State spending is increased by 2.3% excluding federal funds and additions to the Rainy Day Fund. The governor's proposal was reduced by \$561.8 million. The Budget Bill becomes effective when it is passed by the General Assembly. It does not require the governor's signature.

Also passed were **HB 101 Maryland Consolidated Capital Bond Loan Act of 2013**, which authorizes \$1.1 billion in general obligation bonds, of which \$308 million will be used for public school construction, \$253.4 for state universities and colleges, \$32.9 million for Project Open Space and \$34.3 million for Agricultural Land Preservation along a number of other governmental projects, and **HB 102 Budget Reconciliation and Financing Act (BRFA)** which reallocates revenue, transfers money from a special fund to the general funds and makes changes to reduce expenditures in the current and future years.

In addition to the budgets, the major tax legislation is **HB 1515 The Transportation Infrastructure Act** (see *RSC 5*). Accompanying it is **SB 829**, a proposed amendment to the Maryland Constitution which establishes the Transportation Trust Fund (TTF) in the state constitution, and dedicates it to transportation related projects. TTF funds cannot be used for other purposes or transferred to the general fund without the governor declaring an emergency and three-fifths of both Houses voting to do so. **SB 829** will appear on the November 2014 ballot.

HB 1190, reported on in *RSC 3*, also passed the General Assembly. It authorizes county governments to set a personal property rate that is no more than 2.5 times the county real property rate. Currently, the rate is set at 2.5 times the real property rate. **HB 1190** gives the counties more flexibility in setting the property tax rate.

All other previously reported bills did not pass out of their respective committees.

Barbara Hankins

TRANSPORTATION

Bills that have been signed into law

HB 420 Vehicle Laws – Maryland Transportation Authority – Payment of Tolls (*RSC 5*) creates a greater penalty for motorists who drive through E-Z Pass lanes at Maryland toll plazas without an E-Z Pass transponder and do not pay toll by mail. The state will issue \$50 civil citations for toll bills unpaid after 30 days. Nonpayment will mean the vehicle's registration may not be renewed until the debt is paid which could lead to suspension of registration.

Bills that have been passed but not yet signed into law

SB 25/HB 725 Vehicle Laws – Title and Registration – Transfer to Surviving Spouse (*RSC 3*) establishes that joint ownership of a vehicle may have certification pass to a surviving spouse. The surviving spouse is not required to apply for a new certificate of title and registration until a specified time and the vehicle may be legally operated.

SB 715/HB789 Vehicle Laws – Lawful Status Requirement – Repeal (*RSC 3*) allows issuance of drivers' licenses to individuals without a social security number or proof of lawful status. Individuals must show proof of paying Maryland taxes for two years or be claimed as a dependent of someone who has filed Maryland taxes; the license does not allow one to purchase a firearm.

HB 753/SB 339 Vehicle Laws – Use of Wireless Communication Device – Prohibited Acts, Enforcement and Penalties (*RSC 3*) authorizes primary instead of secondary enforcement of drivers if: any wireless communication device is used by a minor operating a motor vehicle; a handheld telephone is used by an adult driver while the vehicle is in motion, except to initiate or terminate a wireless phone call or to turn on or off the handheld telephone. For adult drivers the maximum fine for a first offense increases from \$40 to \$75, for a second offense, from \$100 to \$125. A maximum penalty of \$175 for a third or subsequent offense and also specifies that points may not be assessed against the driving record of any offender over 18 unless the violation contributes to an accident.

Bills that were not passed but will likely be proposed again

SB 30/HB 528 Vehicle Laws – Prohibition Against Smoking in Vehicle Containing Young Child (*RSC 2*) would have prohibited anyone in a motor vehicle from smoking tobacco if a child younger than the age of eight is a passenger. Not considered a moving violation, this offense would have carried a maximum penalty of a \$50 fine.

HB 339 Vehicle Laws – Bicycles – Required Use of Protective Headgear (*RSC 2*) would have mandated wearing a bicycle helmet, whether driver or passenger, when riding on a bicycle on any highway, bicycle way, or other property open to or used by the public.

HB 1346 Vehicle Laws – Maximum Speed Limits on Highways (*RSC 4*) would have increased from 65 miles per hour to 70 miles per hour the maximum speed limit on certain highways in the State.

Barbara Ditzler

ADMINISTRATION OF JUSTICE

Passed

HB 83/SB 239 Judgeships – Court of Special Appeals, Circuit Courts and District Court (RSC 4) increases the number of resident judges of the Circuit Courts by adding one judgeship each in Calvert, Carroll, Cecil, Frederick and Wicomico counties. It also adds one additional District Court judge in Baltimore City, District 4 (Charles, St. Mary's, Calvert, Prince George's and Montgomery counties and two judges to the Court of Special Appeals.

HB 129/SB 262 Task Force to Study Implementing a Civil Right to Counsel in Maryland (RSC 4) sets up a Task Force to study the implementation of a civil right to counsel in Maryland with a report of findings and recommendations due to specified public officials by October 1, 2014. Currently, state law does not generally provide for a right to counsel in civil cases. This study will investigate costs, resources, alternatives and implementation including whether low-income individuals have a right to free counsel in cases related to the provision of basic human needs.

Not Passed

HB 163/SB 172 Circuit Court for Anne Arundel County – Judges Sitting as Orphans' Court (RSC 1) called for a constitutional amendment to require judges of the Circuit Court to serve as the Anne Arundel County Orphans' Court.

SB 294 Election of Circuit Court Judges – Nonpartisan General Elections and **SB 295 Circuit Court Judges – Election, Qualifications And Term of Office (RSC 2)** would have provided for non-partisan general elections for Circuit Court judges and made the process of selecting Circuit Court judges the same as those for appeals court judges, that is appointment by the Governor and retention elections in ten years. Non-appointed candidates would no longer be able to run in those elections. These bills did not get past the JPR committee.

HB 515/SB 327 Elections for Judges of the Orphans' Courts – Nonpartisan Elections (RSC 4) would have instituted nonpartisan elections for Orphans' Court judges (an LWVMD position). After an original favorable report with amendments, it was recommitted to EHEA.

Marlene Cohn

ELECTIONS AND REDISTRICTING

The General Assembly took a big step towards improving access to voting this year with the passage of the Administration-sponsored **SB 279/HB 224 Election Law – Improving Access to Voting**. Although the bills were amended in both houses, the final passed legislation offers voters in Maryland their first chance to register and vote on the same day. Beginning in 2016, a person will be able to register to vote or change their existing registration (address change, etc.) during early voting, and then vote a regular ballot at the early voting center as long as they can show proof of residency. The League position is that voter registration should be allowed during early voting and on Election Day, but we are pleased that the Maryland legislature has taken the first steps to bring this important election reform to Maryland. Same Day Registration has consistently been shown to be the election reform most relevant to increasing voter turnout.

This same legislation increases the number of locations and the number of days for early voting. Recognizing that 16% of Maryland voters voted during early voting in the 2012 general election, resulting in long lines for those voters, legislators approved increasing the number of days of early voting from the second Thursday before an election through the Thursday before the election, including Saturday and Sunday. The population-based formula for determining the number of early voting locations in a jurisdiction was also expanded, with jurisdictions of less than 125,000 registered voters having the minimum number of one early voting center, and the largest jurisdictions, with over 450,000 registered voters, having eight centers. In addition, a county is able to establish one additional early voting center if the State Board of Elections and the county's governing body agree to the expansion.

SB 279/HB 224 also expanded the methods by which a voter can receive an absentee ballot. In addition to the current methods of by mail, by fax or in person, a voter may now receive an absentee ballot over the Internet, by submitting an online application and specific identifying information. The bill authorizes the State Board of Elections to offer an online ballot marking tool for absentee ballots, provided the tool meets specified voting system certification standards. Although the ballot is marked on a computer, the marked ballot must be printed by the voter and mailed back to a local election board. This is not online voting or Internet voting, which has raised so many security concerns in the election community.

Having received so many complaints and comments from constituents about long waiting times to vote in the 2012 elections, both houses adopted amendments to **SB 279/HB 244** that require the State Board of Elections to perform various studies and analyses, including looking at potential impacts of increased early voting days up to the Sunday before an election, examining the causes for wait times in the 2010 and 2012 elections and proposing target maximum wait times, and reviewing the deployment of voting equipment and staff at early voting centers and Election Day polling places. SBE must also evaluate the accessibility and usability of the online ballot marking tool to assess its use by disabled voters. A study of the security of the online absentee ballot delivery system must also be conducted by an independent consultant.

Finally, this bill also increased the security of the currently-operating online voter registration system by requiring the inclusion of the last four digits of a voter's Social Security number at the time of registration. The online voter registration system has only been operating in Maryland since July 2012, and already over 100,000 transactions, including initial registration and change of name or address, have been processed. Security concerns were raised after it was discovered that the information required to register online, including the drivers' license number of an application, may be available via online sources, and the requirement for additional identifying information will address these concerns.

In 2007 and 2009 the General Assembly passed legislation requiring the state's voting equipment to provide a voter-verifiable paper record of votes cast. Unfortunately, the Governor has not included in each subsequent budget the necessary funds. The 2014 budget includes \$1.2 million from the Fair Campaign Financing Fund to plan for the transition to the optical scan voting system, and the budget contains language that full funding for procuring the optical scan voting equipment be in the 2015 budget.

A bill that passed both houses unanimously, **SB 840 Voting – Notice of Election by Specimen Ballot**, requires that specimen ballots should be mailed to voters at least one week before the first day of the early voting period of a general election. Previously, local elections boards were required to mail the specimen ballot one week prior to the date of the general election. Having the specimen ballot, which includes the wording of ballot questions, prior to early voting should assist voters in preparing to vote and cut down on wait times at early voting centers.

Attempting to address the high cost of, and often dismal turnout in, special elections, the General Assembly passed **SB 171/HB 196 Election Law – Special Elections – Voting by Mail** which allow for voting by mail in a special election to fill a vacancy in the Congressional House of Representatives and in certain local special elections, including county council or county commissioners, school board and charter board members or charter amendment. Ballots will be mailed to each registered voter eligible to participate in the election, and no application for a ballot will be required. Only in Montgomery County will postage-paid return envelopes be provided. Additionally, a local board involved in a special election must establish at least one voting center where voters can cast a ballot in person.

HB 270 Election Law – Polling Places – Electioneering, which also passed both houses of the legislature unanimously, details the exact times and dates when campaign signs may be posted at early voting centers and polling places and also provides that polling places may not be located in a privately owned building unless the owner of the building allows electioneering and sign placement equal to those in public buildings. Campaign signs are allowed to be in place near polling places and early voting centers from 7:00 p.m. the day before an election or early voting period until 8:00 a.m. the day after an election or early voting period.

A number of bills which would have limited access to voting by imposing additional identification requirements, and which the League testified against, failed during the 2013 General Assembly session, including **HB 137 Election Law-Polling Places-Proof of Identify** and **HB 325 Election Law-Qualification of Voters-Proof of Identity**. Additionally, there were a number of bills introduced that dealt with petitions, including **SB 367/HB 729 Petitions-Confidentiality** and **HB 49 Petitions-Confidentiality**, **SB 706 Referendum Petitions**, and **HB 493/SB 673 Referendum Integrity Act**. None of these bills made it out of their respective committees after hearing. The only petition-related bill to make it from one house to the other was Delegate Rosenberg's **HB 221 Petitions – Prohibited Actions**. This bill prohibiting a person from willfully and knowingly preventing, hindering, or delaying a person who has a lawful right to sign a petition from signing a petition through the use of fraud, duress, force, threat, menace, or intimidation, passed the house 135-1, but did not come out of the Senate EHEA Committee after a late session hearing.

If the number of bills introduced into this year's session relating to the redistricting process in Maryland is any guide, there is interest by at least some Maryland legislators in improving that process. Alas, the vast majority of legislators are not yet ready to address this important reform, as judged by the actions taken – or not – on the filed bills.

SB 240 Task Force to Study Redistricting in Maryland, sponsored by Senator Kelly, received an unfavorable report after a hearing in the Senate EHEA Committee, after which the cross-filed bill **HB 1269**, was withdrawn by sponsor Delegate Braveboy. Senator Pinsky's **SB 361 Congressional Districting Process**, which would have created a temporary redistricting commission to redraw Congressional district boundaries, received a hearing but never came out of the Senate EHEA Committee. The cross-filed **HB 832** received a hearing in the House Rules and Executive Nominations Committee, but died there. **HB 236 Election Law - Districting Plan Questions - Inclusion of Map** (requiring that any districting plan petitioned to referendum require the inclusion of a map of districts to be placed on ballot as part of the ballot question), **HB 1199 Citizens' Congressional Redistricting Commission**, which would create a commission process similar to the one in California, received a hearing in the House Rules and Executive Nominations Committee but there was no further action. An identical fate met **HB 233 Elections - Study Commission on the Redistricting Process in Maryland**.

The League is encouraged by the continued interest in redistricting reform on the part of several other advocacy organizations, and we plan to continue meeting throughout the year to identify ways in which the success of this reform can be moved forward in Maryland.

Lu Pierson

HEALTH

SB274/HB 288 Maryland Health Progress Act of 2013 was followed closely and testified on by the League this year. The bill passed and will be signed by the Governor. This is the third and final legislative step in implementing the Affordable Care Act and establishing the new Exchange, the Maryland Health Connection. The carriers are already submitting their proposed plans to the Maryland Insurance Administration and the Exchange is planning a PR campaign and grass roots education.

In addition to implementation of the Exchange, the Department of Health and Mental Hygiene (DHMH) submitted a new draft plan for renewal of the Medicare waiver under which Maryland Hospitals function to the Centers for Medicare and Medicaid (CMS). The Maryland Health Services Cost Review Commission sets the rates for hospitals in the State but those rates have not been keeping the cost of Medicare admission low enough. The new plan encourages more outpatient preventive care to keep patients out of the hospital. There is also an emphasis on elimination of readmissions to the hospitals. Development of the plan will bear watching in the future. Hospitals are concerned about the implementation.

SB 760/HB 1151 State Board of Nursing – Certified Nurse Midwives – Standards and Practice Guidelines, **SB 1293/HB 647 Higher Education and Health Occupations – Nurse Midwifery Program – Study**, and **HB 1202, Health Occupations – Certified Professional Midwives – Pilot Project**, were all withdrawn by their sponsors at the request of the House and Senate leadership. However, leadership asked that the DHMH convene two interim workgroups to look at certified midwifery practice and home birth options and the regulation of lay midwives.

SB 541/HB 746 Health Occupations – Licensed Podiatrists – Scope of Practice failed in the Senate Education, Health and Environmental Affairs Committee.

SB 121/HB 67 Health Care Decisions Act – Incapacity to Make Informed Decision – Certification by Psychologist was withdrawn in the House Health Government Operations Committee (HGO).

HB 630 Rules of Interpretations – Interpretation of ‘Physician’ – Inclusion of Advanced Practice Nurse and Physician Assistant, which would have included advance practice nurses and physician assistants in the description of physician in the Annotated Code of Maryland, was given an unfavorable report by the HGO Committee.

HB 1356/SB 512 Health Care Practitioners - Identification Badge passed. It requires that licensed practitioners wear badges displaying their name and license in medical offices, ambulatory care and urgent care facilities.

HB 1496 Mental Hygiene Administration - Psychiatric Bed Registry – Report failed but Delegate Peter Hammen, chair of HGO, has asked Secretary Joshua Sharfstein to review the status of the registry and report back in December.

The review will be conducted by the Mental Hygiene Administration and the Maryland Institute of Emergency Medical Services System (MIEMS).

HB 1101 Medical Marijuana – Academic Medical Centers – Natalie M. LaPrade Medical Marijuana Commission, was enacted. The legislation will allow for clinical trials at the academic medical institutions, the University of Maryland and Johns Hopkins Hospital. The Governor has said he will sign it if it will not endanger State employees at the University of Maryland.

SB 700 Tobacco Taxes - Healthy Maryland Initiative, failed but is likely to come back in a future session.

HB 225 The Veterans’ Full Employment Act of 2013, passed and will facilitate expedited professional licenses, registrations and certifications to active duty military, veterans and their spouses who are settling in Maryland. This legislation will allow them to more readily qualify for jobs. *Neilson Andrews*

MEETING BASIC HUMAN NEEDS

Neither of the bills in this area for which LWVMD submitted testimony was successful this year. We can expect to see them both back next year.

Passed

HB 227/SB 278 Maryland Employment Advancement Right Now (EARN) Program has been signed into law by the Governor. This bill provides funds for a workforce training collaboration between businesses, local governments, community colleges and non-profits to train and prepare workers for the jobs that are needed in the private sector.

Not Passed

HB 735/SB 698 Maryland Earned Sick and Safe Leave Act received an unfavorable report from the Economic Matters Committee.

HB 603/SB 487 Home Act of 2013/Housing Discrimination - Source of Income made it to the Senate floor for a long debate but then was recommitted to the Judicial Proceedings Committee. *Ruth Crystal*

EDUCATION

Funding

HB 229 State Aid for Public Education - Certification of Net Taxable Income (NTI) passed. The income tax component of the school aid formula will be calculated based on taxes filed by September 1 and November 1. If the state aid calculated with the November 1 date is higher, an increasing percentage of the difference would be phased in over five years.

There was no action on **HB 1474 Education - State Funding - Operating and Capital Funds** which would have required applying the original inflation factor from the Thornton legislation, funding the Geographical Cost of Education Index (GCEI) and establishing a goal of \$350 million per year for school construction.

HB 925/SB 572 Maryland Early Learning Challenge and School Readiness Act (Race to the Tots), a proposal to establish a competitive grant program for early learning programs, received no action.

This year's proposed budget increased by \$1.1 million the funding for private schools for textbooks and other materials. The Governor also added an additional \$500,000 in a final week supplemental budget. In the last days of the General Assembly, the Conference Committee on the Capital Budget designated \$3.5 million from the Aging Schools Program for private schools eligible for the textbook program.

Other bills related to state funding for private schools received no action: **HB 1033 Education -Taxpayers’ Savings Act** and **HB 1441 Public Schools - Extracurricular Activities - Students Not Enrolled in Public School**.

Charter Schools

SB 194 Education - Charter Schools-Study to Recommend Improvements to the Maryland Public Charter School Program requiring the Maryland Department of Education to study charter school programs and recommend

improvements passed after extensive amendments to require more in depth analysis of strengths and weaknesses.

School Safety

HB 983/SB 143 Public Schools-Emergency Management Plans - Evaluations passed. These bills require each county board of education to evaluate the effectiveness of emergency management plans and to recommend improvements and determine their cost.

HB 453 Education-Maryland Center for School Safety passed. The bill establishes the MD Center for School Safety at Bowie State University to provide information on best practices, programs and resources for improving school safety.

Bills to designate money from the Education Trust Fund from video lottery proceeds for security and mental health services in schools (**HB 138** and **SB 450**), School Resource Officers (**HB 165/SB 807**) or tasers for school personnel (**HB 394**) failed. **HB 269 Public Schools - Requirements for Controlled Access** for new and renovated schools funded by the state did not get through the Senate.

School Construction

HB103/SB245 School Buildings - Solar Technology passed. This legislation requires the Board of Public Works to adopt regulations requiring design development documents for the construction or renovation of school buildings to include information relating to the use of solar technology.

Truancy

HB 207 Education - Truant Students passed with many amendments to require active interventions by schools for each K to 12 student who is unlawfully absent for a specified number of days, but not to prevent interventions for students who are absent for either lawful or unlawful reasons.

However, **HB 657 Truancy Education Program - Parents and Guardians of Students** failed. It would have authorized mandatory participation by parents and guardians in a Truancy Education Program as a condition for suspending a fine or prison sentence of a person who fails to see that a child attends school.

Curriculum and Teaching

SB 740 College Readiness and Completion Act of 2013 passed. This bill aims to require testing of high school students for college readiness, require certain math classes, improve access to community college classes for high school students, improve completion of associates' degrees by community college students, and streamline transfers from community colleges to four-year colleges and universities.

However, other curriculum legislation failed: **HB 532/SB 537 Education - Maryland Advisory Council for Virtual Learning - Responsibilities**, **HB 843 State Board of Education - Financial Literacy Curriculum - Graduation Requirement**, **HB 855 Student Health and Fitness Act**, **HB 1153 Task Force to Study the Need for Recess**, **HB 1376/SB 734 State Board of Education - Mathematics - Graduation Requirement** and **HB 1417/SB 929 Public Schools - Cardiopulmonary Resuscitation and Automated External Defibrillator Instruction - Graduation Requirement**.

SB 461/HB 1176 Primary and Secondary Education - Online Courses and Services - Accessibility passed, requiring the development, review, and approval of online courses and services to include an assessment regarding the accessibility of the online course or service to individuals with disabilities, including the blind.

In addition, **HB 1161 Commission on Special Education Access and Equity** passed. It establishes the Commission on Special Education Access and Equity to study the extent to which parents and guardians of students with disabilities are made aware of their rights and potential ways to improve the awareness of these rights.

There was no action on **HB 661/SB 995 Teaching Techniques - Students with Special Needs and Limited English Proficiency**, requiring the State Department of Education to ensure that certified teachers receive adequate instruction in techniques for teaching students with special needs and students with limited English proficiency and in appropriate behavior interventions.

SB 691/HB 1286 Education-Due Process Hearings for Children with Disabilities-Burden of Proof, requiring state and local agencies to bear the burden of proof in due process hearings relating to disputes involving children with disabilities received unfavorable reports.

Adult Education

HB 830 Alternatives to the General Educational Development Tests-Study, requiring a study about alternatives to the GED, passed. **SB 58 Adult Education and Literacy Services-High School Diploma by Examination-Eligibility Requirements**, repealed a three-month residency requirement for people to take the GED test. However, **SB 433 Task Force to Study the Establishment of Educational Programs for Adult Learners**, did not make it through the House.

Lois Hybl

CHILDREN'S ISSUES

HB 396/SB 1052 Misuse of Interactive Computer Service passed both House and Senate.

HB 245 Family Law – Substance Exposed Newborns has been signed by the Governor.

SB 414 Higher Education-Tuition–Waiver-Foster Care Recipients passed both House and Senate.

HB 897/SB 570 Professional Licensing and Certification Governing Bodies-Child Abuse, no action beyond a hearing in the House or Senate.

SB 215 Criminal Law – Human Trafficking –Victims Under Age 21 passed the Senate but the cross-filed **HB 1188** did not get out of committee.

SB 861 Committing a Crime of Violence in the Presence of a Minor passed the Senate, and the cross-filed **HB 478** was reported favorably by JPR but was not voted by the House.

HB 1480 Unattended Child Under the Age of Three received an unfavorable report by the House Rules Committee.

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JUVENILE JUSTICE

SB 536/HB 604 Department of Juvenile Services Graduated Response was passed by both Houses.

SB 818 Community Juvenile Services Program did not receive a vote.

SB 732/HB 711 Juvenile Law – Prohibition Against Continued Detention did not receive a vote in JPR or JUD.

SB 791 Juvenile Law – Dispositions – Placement Guidance passed the Senate but the cross-filed bill **HB 916** was re-referred to Judiciary where it died.

SB 648 Juvenile Law – Jurisdiction and Detention died in the JPR.

HB 711/SB 732 Juvenile Law – Prohibition Against Continued Detention were heard by JPR and JUD, and both died in their respective committees.

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