



REPORT FROM STATE CIRCLE

Published by the League of Women Voters of Maryland, Inc.

111 Cathedral Street, Suite 201, Annapolis MD 21401

lwvmd@verizon.net 410-269-0232

www.lwvmd.org / facebook.com/LWVMD

President: Nancy Soreng

Editor: Judith Heimann

April 17, 2012

No. 6

FINAL WRAP-UP ISSUE

Contents

GOVERNMENT

ADMINISTRATION OF JUSTICE	2
BUDGET AND TAXES	1
CAMPAIGN FINANCE	3
DEATH PENALTY	3
DRUGS	3
ELECTION LAWS	4
GUN LAWS	4
JUVENILE JUSTICE	3
REDISTRICTING	5

ENVIRONMENT

TRANSPORTATION	7
OFF-SHORE WIND ENERGY	6
ENVIRONMENT MISC.	7

SOCIAL POLICY

CHILDREN'S ISSUES	8
EDUCATION	8
HEALTH	10
HIGHER EDUCATION/IMMIGRATION	9
MARRIAGE EQUALITY	11
MEETING BASIC HUMAN NEEDS	8

GOVERNMENT

BUDGET AND TAXATION

The General Assembly passed **SB 150**, the budget bill, and **SB 151**, the capital budget, but, because time ran out, failed to pass **SB 152** the Budget Reconciliation and Financing Act or **SB 523**, the State and Local Revenue and Financing Act of 2012. As a result, **SB 150**, the so-called "Doomsday Budget" reduces state expenditures by \$436.3 million because of the failure of **SB 152** and **SB 523** which were the vehicles for revenue raising and cost shifting. Although public education received \$5.8 billion including \$892 million in teacher retirement costs, the Geographic Cost of Education Index, the per pupil foundation grant, the disparity grant and supplemental disparity grant, and local law enforcement grants were either eliminated or reduced due to the failure of SB152. Because of the failure of SB 523, a long list of programs were eliminated or reduced including state aid for state universities and colleges, aid to community colleges, the 2% cost of living adjustment for state employees and 500 state employee positions. The proposed transfer of the employer share of school pension from the state to county school boards was part of **SB 152** and therefore was not authorized either. If called into special session by the governor, before July 1, the General Assembly can make revisions to the budget and can address the need for additional revenues. Currently, news reports indicate that the governor is willing to call a special session if there is agreement between the two houses on budget matters.

SB 151, the capital budget authorizes \$1.12 billion in new State debt. \$332.6 million is allocated to public school construction, \$60.6 million to Project Open Space, \$38 million to the Chesapeake Bay 2010 Trust Fund, \$17.5 million to the Rental Housing Program. The University of Maryland, Baltimore receives \$4.7 million for the design of a new Health Research Facility and University of Maryland at College Park \$5 million to design and construct a new Bioengineering Building.

Of the 30 some tax related bills reported on this Session, only two passed. **HB 764/SB 739** Tax Credit Evaluation Act which would set up a process by which all current tax credits would be reviewed over a period of years for their continued efficacy. **HB 592** Tax Credit for Businesses That Create New Jobs – Enhanced Credit – Extension which continues a tax credit program designed to help create more jobs in Maryland.

Barbara Hankins

ADMINISTRATION OF JUSTICE

Passed, enrolled or signed by the Governor:

SB 335 & HB 249 (Chair B&T by request, Judicial Compensation Committee) Judges Retirement System. With a few minutes left Monday end of session with a conference committee on a House amendment that the Senate did not support, the bill passed and is enrolled to increase the pension contribution from the current 6% to 8%.

HJ R 4 & SJ R 3 - Judicial Compensation - passed both houses with reduced increases.

SB 48 - Baltimore County Orphans' Court Judges - returned passed. Constitutional Amendment General Election.

HB 252 (Burns et al.) & **SB 18** (Peters et al.) Task force on Military Service Members, Veterans and the Courts returned passed 4/2 & SB 18 returned passed 3/27.

HB 1148 (Lee and 21 others) & **SB 1041** (Frosh) Courts -Victims of Crimes –Interpreters - returned passed 3/29.

SB 396 (Forehand) MD Uniform Transfer to Minors Act – Orphans Court - Passed Senate Approved by Governor – Chapter 68 4/10.

Bills withdrawn or failed:

SB 616 (Jennings) Judges - Mandatory Retirement - Bill passed Senate (46-0) Unfavorable JUD 4/9.

SB 280 & HB 265 (Chair, Judicial Proceedings by request Maryland Judicial Conference) Task Force to Study Implementing a Civil Right to Counsel in Maryland. JUP unfavorable 3/12(5-6) HB withdrawn by sponsor.

HB 1386 (F.Turner & Luedke) Estates & Trusts - Register of Wills Fees Unfavorable 3/21.

SB 1055 (Zirkin & Stone) Court Costs - Criminal Cases - Funding for Law Enforcement no action.

HB 1061 (Hough and 4 others) Judiciary Department - Commission on Judicial Disabilities - Powers – JUD unfavorable 3/19 (vote 15-4).

HB 963 (Dumais) Estates & Trusts - Appeal From Orphans' Court & Jurisdiction of Circuit Court - JUD unfavorable report withdrawn 3/5.

HB 703 (Norman & 8 others) Courts - Foreign Language Interpreters - Assessment of Costs - JUD unfavorable 3/6 (Vote 18-2).

SB 416 (Forehand) Orphans' Court - Minor Guardianship of the Person - no action.

HB 453 (Niemann) & **SB 645** (Ramirez, Muse and Rosapepe) Court & Judicial Proceedings - Criminal Injuries Compensation Fund - Court Costs – HB passed 139-0. SB unfavorable JPR 3/19 (5-6).

SB 122 Crime Victims and Witnesses funds - Court Cases unfavorable JPR 3/15 (11-0).

Grace Kubofcik & Marlene Cohn

JUVENILE JUSTICE

HB 1122 crossfiled with **SB 761** requiring the Department of Juvenile Services to report on the progress it is making to ensure that juveniles charged as adults will not be housed with adults passed both houses and is awaiting the Governor's signature.

SB 245 allowing a juvenile in a residential placement to be transferred without a court hearing passed both houses and awaits final approval from the Governor.

Debbie Ehrenstein

DEATH PENALTY

All three bills relating to Maryland's death penalty died in committee this year. **HB 949**, advocating repeal, was withdrawn after receiving an unfavorable report from the Judiciary Committee; and its cross-file, **SB 872**, was heard without report from Judicial Proceedings. Although repeal advocates thought they might win were the bills to reach the floor, neither made it that far. The only other death penalty related bill, **HB 586**, which would have added killing in a correctional institution as a capital offense, was never reported out of the Judiciary Committee.

Marcia Reinke

DRUGS AND MANDATORY SENTENCING

Although the several bills aimed at legalizing medical marijuana eventually failed, the 2012 General Assembly did approve bills to cut the maximum penalty for possessing 10 grams or less of marijuana to 90 days and a \$500 fine. It took a conference committee to arrive at the 10 gram result, as **HB 350** after several amendments passed the House at seven grams; and **SB 214** had passed the Senate at 14 grams. One of the aims of this legislation is to keep less serious drug possession cases out of the circuit courts where they have been clogging the dockets.

Also passed in both Chambers was **HB 96** which authorizes a court to impose probation before judgment for a second controlled substance crime if the court requires the defendant to graduate from drug court or successfully complete a substance abuse treatment program as a condition of probation and the defendant meets the requirement. The House vote was 106-33; and the Senate vote, 33-13.

The first legalization bill filed, **HB 15**, was amended in full, changing its name and its purpose so that it seemed simply to reiterate last year's legislation which would allow a doctor's certificate as an affirmative defense to possession of marijuana. In that form it passed the House 86-41, but went nowhere in the Senate. **SB 995**, which also started out as a legalization bill, was amended to a care givers bill, similar to HB 15. It died in the Judicial Proceedings Committee. **HB 1024** and **HB 1158**, different approaches to legalizing medical marijuana were heard by both the Judiciary and Health and Government Operations, with no reports.

Marcia Reinke

CAMPAIGN FINANCE

SB 918/HB 1103 - Election Law - Campaign Contributors - Occupation and Employer sponsored by Ferguson and three others in the Senate and Cardin and Summers in the House passed both chambers and is waiting for a gubernatorial signature. It requires the treasurer of a campaign to record the occupation and employer for any individual whose combined campaign contributions exceed \$500 to a single campaign in a single election cycle.

SB 919/HB 1098 - Election Law - Campaign Finance Entities - Retention of Records sponsored by Ferguson and Kittleman in the Senate and Cardin in the House clarifies how long campaign finance records must be kept. Current language in the law says that records must be kept until 2 years after a campaign finance entity files its closing report. This bill says records must be preserved for 10 years or 2 years after the account is closed, whichever is less. It passed both chambers and is awaiting the governor's signature.

SB 1033/HB 1285 - Election Law - Campaign Finance - Requirements sponsored by Jennings in the Senate and Summers, Cardin and George in the House would allow notification of campaign finance reporting date by e-mail. It also requires officers of a campaign to notify the State Board of Elections if there is a change in the physical or electronic address for a campaign. It passed and is waiting to be signed.

None of the other bills previously reported on were passed by both chambers.

Nancy Soreng

GUN CONTROL

Perhaps most significant was a US Federal Court opinion on March 5, that loosened restrictions governing fire arms possession by declaring unconstitutional a provision regulating who can carry a handgun. Federal Judge Benson Legg said that the state requirement that applicants for a permit to carry a weapon show they have "good and substantial reason" to do so "infringes on the right to keep and bear arms." According to Judge Legg, the existence of the right is all the reason needed. Based on this judicial decision, proposed legislation that would make the applicant responsible for proving eligibility will not go forward. The State is planning to file an appeal. Meanwhile, the State Police will continue to issue licenses and permits under the old law.

Most of the proposed gun control legislation did not reach the floor.

Those gun-related bills that passed during the 2012 session include:

HB 209 – [cross filed with **SB 640**] – Prohibits a person from possession of a regulated fire arm if he/she was convicted of an offense in another state that would constitute a crime if it had been committed in Maryland.

SB 512 – Strengthens gun dealers' record keeping and reporting requirements

HB 618 – Establishes a task force to study access to fire arms by individuals with mental illness

HB 430 and 488 – Repeals the requirement that a person must have "good and substantial reason to wear, carry, or transport a handgun.

Doreen Rosenthal

ELECTIONS

Although it looked like it was going to be a light year for election legislation in the early days of the session, by the end of the session, a substantial number of bills relating to voting, elections and ballots were filed and heard. The session ended, however, with very few enacted bills dealing with elections.

A number of bills, which would have stiffened Maryland Voter ID law, had one hearing each, and no further action. These include **HB 113**, **HB 705**, and **SB 412**. Inasmuch as the League's position is that tougher voter ID laws disenfranchise voters, the lack of action on these bills is a positive result in the eyes of the League.

It only affects one jurisdiction – Montgomery County – so we did not report on **HB 725** during the session. However, this legislation passed both houses. **HB 725 – Montgomery County – County Council Special Elections – Voting by Mail MC5-12**, sponsored by the Montgomery County Delegation, might be one of the more interesting pieces of successful election legislation this year. The bill authorizes the County Council to require that a special election for the Montgomery

County Council be conducted by mail balloting, and describes limitations and requirements. This is the first time that vote-by-mail elections have been authorized at this level in Maryland. **HB 225 – Election Law – Special Elections – Voting by Mail**, sponsored by Delegates Cardin, Barvre, Gilcrest, Kramer, Luedkte and Simmons, would have allowed voting by mail in a special election for Congressional representatives, members of a local Board of Education, and voting on proposed charters. It was heard in the House Ways & Means Committee, but no further action was taken.

Both Houses of the General Assembly successfully passed HJ3/SJ2 - **Maryland Ratification of the 17th Amendment to the United States Constitution**. The 17th Amendment specifies that the people of each state elect U.S. Senators. The amendment also specifies that when vacancies occur in the Senate representation of a state, the executive authority has to issue writs of election (requiring that an election be held) to fill such vacancies. The 17th Amendment was ratified by the required three-fourths of states in 1913, and Maryland has now joined them.

Also successful was **HB 173 - Election Law - Voter Registration Agencies - Electronic Signatures**, authorizing an applicant registering to vote at a voter registration agency to consent to the use of an electronic copy of the applicant's signature that is on file with the voter registration agency as the applicant's signature for the application being submitted; and requiring a voter registration agency to transmit an electronic copy of the signature of specified applicants for voter registration to the State Board within 5 days.

Legislation that was not passed by both houses include **HB 657 – Election Law – Subsequent Election Absentee Ballot List**, several pieces of legislation that would have reduced the number of days of Early Voting (**HB 452 and SB 69**), and legislation that would have allowed Election Day voter registration at Early Voting polling Places (**SB 339**).

Lu Pierson

REDISTRICTING

Because 2012 was a redistricting year, and there was substantial opposition to the plan recommended by the Governor, it was expected that the 2012 legislative session would see reform legislation. **HJ 1/SJ1 - Legislative Districting Plan of 2012** passed both houses of the General Assembly without a hearing, and was signed into law by Governor O'Malley. A petition drive is underway to put the enacted plan before the voters on the November 2012 ballot.

There were seven alternative redistricting plans submitted as bills, but none of these received a hearing either.

A number of redistricting reform bills were heard, but none received serious consideration in either house:

HB 451 – Election Law – Legislative Districting and Apportionment Commission would have created an independent redistricting Committee appointed by President and Minority Leader of the Senate and Speaker and Minority Leader of the House, from a pool of candidate nominated by the Court of Appeals.

HB 295 – Legislative and Congressional Districting Process would have required a number of additional public hearings on districting plans presented by the Governor.

HB 599 – Elections – Study Commission on the Redistricting Process in Maryland and **HB 775 – Task Force to Study Redistricting in Maryland** were both heard briefly in the House Ways & Means Committee, but no further action was taken.

HB 748 - Maryland Constitution – Congressional Districts – Requirements as to Territory, Form and Boundaries, was sponsored by Delegate Parrot and 31 other delegates, and cross-filed with **SB 805**, sponsored by Senator Brinkley and nine other senators. This legislation would have required that each Congressional district consist of adjoining territory, be

compact in form and ensure that due regard is given to natural boundaries and the boundaries of political subdivisions. The bill would have added requirements regarding Congressional districting to the Maryland Constitution, which currently has no such requirements. One hearing each was held.

Senator Brochin and others introduced a number of bills which would have completely revamped the legislative and Congressional districting processes in Maryland (**SB 160, SB 161, SB 162**), but each had one hearing with no further action.

Lu Pierson

ENVIRONMENT

OFF-SHORE WINDPOWER

Despite passing 88-47 in the House of Delegates (after passing 13 to 8 in the House Economic Matters Committee), the Governor's offshore wind bill (**HB 441/SB 237**) did not make it out of the Senate Finance Committee before the April 9 end of the regular 2012 legislative session.

Members of the MD-Wind Coalition, of which LWVMD is a member, felt confident that if the bill had reached the floor of the Maryland Senate, it would have passed.

The large "Circle of Support" or rally, around the Maryland State House to support this legislation brought out 400 to 500 people, who encircled the State House. This is the first such encirclement in recent historical memory.

The proposed wind turbines would have been built 10 miles off the shore of Ocean City in areas leased by the federal government. The effect of the decreases in subsidies in the House bill would have decreased the capacity of the wind farm to be built from the 300 to 600 megawatt range to 200 megawatts.

Members of the MD-Wind coalition expect new off-shore wind legislation in early 2013. Meanwhile, Cape Wind, the project approved off the Massachusetts coast, has just selected a construction contractor, so is another year ahead of all other possible east coast wind projects.

Linda Silversmith

ENVIRONMENT

HB 446/SB 240 – Bay Restoration Funds - Uses and Fees. Under this Administration bill the statewide residential wastewater and sewage fees are doubled and a method is established for calculating the fee for nonresidential users. In addition the legislation clarifies uses of the Bay Restoration Fund and restores fees to current levels in 2030. The fee increases will be critical to upgrade our current inadequate sewage systems. The House passed the legislation 89-48; the Senate also passed it with amendments; the House concurred with the Senate amendments 89-18. This legislation awaits the Governor's signature.

Update on bills previously reported on

HB 1123 - Presumptive Impact Areas - Damage Caused by Gas Wells in Deep Shale Deposits - Passed the House and Senate with amendments. Awaits the Governor's signature.

HB 987 - Stormwater Management - Watershed Protection and Restoration Program- Passed the House and the Senate with amendments. Awaits the Governor's signature.

SB 236 - The Sustainable Growth and Agricultural Preservation Act of 2012. Passed the House and the Senate with amendments. Awaits the Governor's signature.

HB 1170 - Fracking Records Transparency Act - unfav

SB 798 - The Marcellus Shale Safe Drilling Fee - Passed House, Died without action, EHEA

HB 441 - Maryland Offshore Wind Energy Act of 2012 - Passed House, Died without action, FIN

Barbara Schnackenberg

TRANSPORTATION

Final Updates:

Bills enacted into law:

HB 67/SB177 – requires all drivers approaching a nonfunctioning traffic signal to yield to any vehicle or pedestrian in the intersection and to remain stopped until it is safe to continue.

HB 313/SB 185 – requires children under age 8 to ride in a car safety seat regardless of weight, but children 4 feet 9 inches or taller are exempt.

Bills passed:

HB 55/SB 529 – strengthens and clarifies that use of a text messaging device by a driver is a primary offense for all drivers and applies an administrative penalty for drivers younger than 18.

HB 431 – permits a school bus camera to monitor and record images of both the front and rear license plate when bus red lights are flashing.

HB 329 – requires that one of the appointees from Montgomery County and one from Prince Georges County serve as alternate members of the Washington Metropolitan Area Transit Authority Board of Directors.

SB 820 – stipulates that there must be public review and comment time allowed before tolls, fees and other charges dealing with transportation are implemented.

SB 111 – allows the MVA to make identification cards and drivers' licenses valid for eight years rather than five.

HB 1278/SB 977 – mandates that institutions of higher learning must include pedestrian and bicycle access when facility master plans are revised.

Referred to interim study:

HB 944/ SB 486 – allows authorization of individuals other than police to swear in court about an image that monitors or enforces speed on roads.

Barbara Ditzler

SOCIAL POLICY

BASIC HUMAN NEEDS

HB 331/SB 943 Income Tax-Refundable Earned Income Tax Credit which the League testified in support of (*RSC 3*) never got out of Ways and Means or Budget and Tax.

HB 607/SB 352 National Human Trafficking Resource Center Hotline Information (Hucker and 37 others/Forehand and 4 others) passed both Houses. This was one of 4 bills on human trafficking introduced this session, and the only one that passed. It requires bus stations and truck stops to post a sign on the inside of each stall door in their restrooms and on the back of the entrance door of the restroom that provides National Human Trafficking Resource Center Hotline information. A civil penalty of up to \$1000 per restroom is assigned for noncompliance.

Ruth Crystal

CHILDREN'S ISSUES

HB 699 cross filed with **SB 566** requiring the legislature to support only evidenced-based home visiting services passed the legislature and was signed by the governor.

Child safety issues did not fare well in this session. Thus, all the failure-to-report bills, **SB 63**, **SB 140** and **HB 1102** died in the session. **SB 613**, training school employees to report sex abuse also died. However, **HB 860**, expanding the definition of sex abuse, passed.

As a result of the fiscal mess in Annapolis at the end of the session, the amount of child care subsidy funds is unclear. It seems that the state program known as Purchase of Care (POC) has not been assigned a set amount of money. If sufficient POC funding is put back into the budget, child-care subsidies at the present rate will continue, but the state waiting list for subsidies will continue to grow. Otherwise, it may be necessary to reduce the number of families already on child-care subsidies. The supplemental budget did include money to restore home visiting funds to the seven counties that lost funds in the budget.

Debbie Ehrenstein

EDUCATION

As mentioned in *RSC 5*, the most important change in education bills was the incorporation of **SB 848** - Maintenance of Effort (MOE) into the Senate Budget package. This was done by incorporating most of the provisions of **HB 1412** - Maintenance of Effort (see *RSC 4*) into **SB 848** by amendment. Changes are made in the MOE waiver process that allow income tax collections from counties that don't keep up with MOE levels to be withheld and sent to the local school board to be spent on education only. Although the four bill Senate budget package did not pass before Sine Die, **SB 848** - Maintenance of Effort remains in effect because it passed both houses in March and has been signed by the Governor.

UPDATE

RSC 1

HB 118 - Retiree health Savings (MOE) –No Action

RSC 2

HB 191 - Financial Literacy -No Action

HB 542 -School Attendance - No Action

SB 293 - Core Content Areas - Amended to require the State Board of Education to implement assessment programs in all subject common core curricula and provide feedback to teachers and schools in middle and high school levels

SB 307 Financial Literacy - Unfavorable Committee Report

RSC 3

- HB 497** - Epinephrine Availability - Passed amended with more sponsors in both Houses and including policy requirement for a school nurse to store auto-injectable epinephrine for an emergency
- HB 308** - Tobacco Free Schools - No Action
- HB 660** - Limit Decrease in Funding - No Action
- HB 1215** - On line Courses - No Action
- HB 1219** - Online Courses - Development and Approval (RSC3 and 5) (see SB 674)
- HB 1227** Core Content Areas - see SB 293
- SB 564** - Student health and Fitness - Unfavorable Committee Report
- SB 586** - Limit Decrease in funding - NA
- SB 621** - Epinephrine Availability - Passed with Amendments (see HB 497)
- SB 625** - Tobacco Free Schools - Unfavorable committee Report
- SB 674** - Online Courses - Passed Senate Amended, requiring County School Board to ask the SBOE to review and approve online courses or delegate its authority to County Boards within 120 days of the request; board may charge vendor for reviewing the course; county board must get approval of state board when it finishes review of proposed online course; courses must allow accessibility for students with disabilities.
- HB 1214** - Maximum public high school enrollment - bill amended by totally gutting and turned into a study under auspices of State Department of Education to include best practices in other states, academic and extracurricular impact of school sizes, ideal size for elementary, middle and high school and alternative schools, whether models exist for creation of smaller schools on same campus to share common areas, how school boundaries affect school size. Complete study by December 1, 2016.
- SB 736** - Online Courses - No Action
- SB 740** - Charter County Education - Property Tax - No Action
- SB 848** - Maintenance of Effort - Favorable with Amendments - see above
- SB 851** - Maintenance of Effort - No Action

RSC 4

- HB 1214** - Maximum Student Enrollment - No Action
- HB 1217** - Charter Schools - No Action
- HB 1218** - Charter Schools - No Action
- HB 1412** - Maintenance of Effort - Passed House Amended, identical SB 848

Lois Stoner

HIGHER EDUCATION/PETITIONS

At the end of the General Assembly session, none of the bills in these categories were signed into law:

- HB 27** (Parrott)/**SB 91** (Jacobs plus 2) **Election Law – Petitions – Confidentiality** – HB 27 W&M 2/1, unfav. Report; SB 91 EHEA 2/16 no action
- HB 41** (Smigiel plus 9) **Election Law – Petitions – Public Verification and Counting of Signatures** – hrg W&M 1/25. 3rd reader, enrolled.
- HB 42** (Smigiel plus 9) **Election Law – Petitions – Resubmission of Signatures** – hrg W&M 1/25, 3rd reader, enrolled.
- HB 127** (Luedtke plus 3) **Maryland Referendum Integrity Act** - hrg W&M 3/7, 3rd reader, enrolled.
- HB 388** (O'Donnell) **Public Benefits – Requirement of Proof of Lawful Presence** – hrg Approp 2/21 unfav. report
- SB 608** (Benson) **Maryland Higher Education Commission – Employees and Children – Tuition Waiver** received fav rpt from EHEA but failed on the Senate floor 12-33.

However, the DREAM (Development, Relief and Education for Alien Minors) Act, a law providing in-state tuition rates to undocumented immigrant individuals that was signed into law on May 10, 2011 will appear on the November 6, 2012 as a referendum issue.

Diana Haskell

HEALTH

The Health Benefit Exchange bill (**SB 238/HB 443**) passed and has been signed by the Governor. The bills create marketplace rules for the operation of the Health Insurance Exchange. Maryland will be the first state to establish the Exchange required by the Accountable Care Act. Maryland is moving faster than most states on complying with the ACA.

SB 234/HB 439 - Maryland Health Improvement and Disparities Reduction Act of 2012, has also been signed by the Governor. It will be instrumental in addressing health disparities and underserved areas. The purpose of the bill will be to reduce disparities, improve outcomes, and reduce hospital admissions, readmissions and reduce cost. The bill will establish Health Enterprise Zone (HEZ) and the funding is not dependent on passage of the budget. Health care entities will be eligible for loan reductions, income tax credits under certain conditions and criteria. Both the Maryland Health Care Commission (MHCC) and the Maryland Health Quality and Cost Council (MHQCC) will have to develop performance criteria and standards. This bill could have significant impact throughout the state and is likely to bring \$4 million into the state's health care market.

Wrapped up in the funding part of the budget that was not passed was increased funding for Medicaid reimbursement of the E&M codes. At Sine Die, the House had agreed to the Senate version of the bill, so the increased reimbursement will only benefit primary care physicians. However, unless there is a special session to fully fund the budget, there will be no increase. The increase would have brought matching funds from the Federal government.

HB 470/SB 540, MHCC – Preauthorization of Medical Services and Pharmaceuticals was the foremost bill on the MedChi legislative agenda this year, as physicians find the process of preauthorization not just onerous but expensive. The bill is on the Governor's desk ready for his signature. Carriers and Prescription Benefit Managers will have to move steadily toward electronic preauthorization by 2016. The bill gives the MHCC the authority to impose regulations, if necessary, and to enforce the compliance dates. The MHCC must also submit progress reports each year to the legislature with the first report due next March. The MHCC must also convene a stakeholders meeting by this October to review progress in reaching the benchmarks in the MHCC report on preauthorization and in the bill.

SB 179/HB 243 – Kathleen A. Mathias Chemotherapy Parity Act of 2012, passed and has been signed by the Governor. The co-pays for chemotherapy drugs purchased in the pharmacy will now be the same as those given in the oncologist's office.

There were several public health issues on the agenda this year. The child safety seat bill, **HB 313/SB 185** passed with only the height requirements remaining. Rear facing seats for children until two years of age will go into effect in Maryland when the National Highway Traffic Safety Administration regulations are revised. They are currently in the process of revising these regulations.

The Tanning bill, **SB 213/HB 207**, died in the Senate Finance Committee on a tie vote of five to five. This is actually closer than the bill has progressed in past several years.

Neilson Andrews

MARRIAGE EQUALITY

Maryland became the eighth state to approve same sex marriage when Governor O'Malley signed the Civil Marriage Protection Act on March 1, 2012. The law is scheduled to take effect in January 2013. The opposition is already at work gathering signatures to place the issue on the November 2012 ballot. LWVMD is a coalition partner with Marylanders for Marriage Equality which will continue its work to get the vote out and make sure the law takes effect.

Sherry Hyman

If there is a special session, we expect to publish an addendum reporting
on the budget and perhaps whatever else is accomplished.