



# REPORT FROM STATE CIRCLE 2011



Published by the League of Women Voters of Maryland, Inc.  
111 Cathedral Street, Annapolis MD 21401  
phone - 410-269-0232 \*\*\* email - [lwvmd@verizon.net](mailto:lwvmd@verizon.net) \*\*\* web page - [lwvmd.org](http://lwvmd.org)

Nancy Soreng, President  
Judith Heimann, Editor

April 20, 2011  
Issue No. 6

## FINAL ISSUE

### TABLE OF CONTENTS

<b>Administration of Justice</b>	<b>9</b>	<b>Health Care</b>	<b>7</b>
<b>Budget</b>	<b>1</b>	<b>Juvenile Justice</b>	<b>4</b>
<b>Campaign Finance</b>	<b>4</b>	<b>Mandatory Minimum Sentencing</b>	<b>8</b>
<b>Children's Services</b>	<b>5</b>	<b>Revenues</b>	<b>2</b>
<b>Death Penalty</b>	<b>3</b>		
<b>Education</b>	<b>5</b>		
<b>Election Laws</b>	<b>2</b>		
<b>Environment</b>	<b>8</b>		
<b>Guns</b>	<b>10</b>		

### BUDGET - Final Wrap-up

**HB 70** The conference committee report on the \$34.1 billion Budget Bill was accepted and passed by both houses on April. The governor does not sign the Budget Bill and it becomes effective immediately. The budget was reduced by \$616 million from the governor's original recommendation. As enacted, the budget and HB72 the Budget Reconciliation and Finance Act of 2011 (BRFA) would reduce the state's structural deficit by 42%.

Major features of the bill include a \$750 bonus for each employee with no furloughs and an increase of \$76.50 million over the governor's recommendation for public education including \$18 million from the passage of SB994, the alcohol sales tax bill. It reduces the Medicaid appropriation by \$58.5 million in general funds from the governor's proposal \$42.1 million of which will be replaced by special funds and reduces the appropriation for the Department of Assessments and Taxation based on BRFA language which requires the counties and Baltimore City to reimburse the State for 90% of the cost of assessing property. Funding for state colleges and universities will be essentially level with FY 2011 and should enable higher education institutions to hold tuition increases to 3%. Aid for community colleges and private colleges is also held level with a special grant program to give community colleges an incentive to limit tuition increases to 3%.

Both houses also passed the conference committee recommendation on **HB 72** the Budget and Reconciliation and Finance Act of 2011. Perhaps the most far reaching part of the 144 page act is in the area of pension reform. Current employees will be required to contribute an additional 2% (from 5%) of their salaries toward their pensions. No changes were made to the multiplier, the number of years required for normal retirement and early retirement. New employees will also have to contribute 7% of salaries and the vesting period would increase from the current five years to ten years. Other changes include a different base for calculation of the

pension and the age and number of years worked for normal and early retirement. The cost of living adjustment for service credit for all retired employees will be capped at 2.5% assuming that the State Retirement System achieves its assumed rate of return and 1% when it does not. BRFA also increases the co-pays for the retirees drug plan, the share of premium increases from 20% to 25% and the out of pocket cap increases from \$700 for retiree and spouse to \$1500 for retirees and \$2000 for retirees and spouse. Several changes were made to the distribution of public education funds. Please see the Education article for the details.

**HB 71** The Capital Budget authorizes \$957.5 million in State general obligation bonds of which \$925 million is new debt to pay for capital projects. The state limits its debt to 8% of revenues, which this year is \$925 million. The Legislature has the power to increase and change the capital budget unlike the operating budgets which it can only reduce. The largest appropriation is for school construction \$240 million in general obligation (GO) bonds. \$146 million in GO bonds and \$180 million in revenue bonds was approved for Enhanced Nutrient Removal. Other large appropriations include \$60.8 million for community college construction, \$59 million for the Inter County Connector, \$41.5 million for a new law school building at the University of Baltimore, \$30 million for a Physical Science complex at University of Maryland at College Park, and \$28 million for Project Open Space.

*Barbara Hankins*

## **REVENUES - Final Wrap-up**

**SB 994 Sales and Use Tax – Alcoholic Beverages – Supplementary Appropriation** has been enrolled. It increases the sales tax on alcoholic beverages from 6% to 9% effective July 1, 2011. It provides for a supplemental appropriation of \$15 million to help reduce the waiting list for the Developmental Disabilities Administration with priority given to the crisis prevention and crisis resolution categories. The balance of the funds go to the General Fund. Although not designated, the additional funds will help to pay for increases in the budget for school funding as compared to the Governor’s budget. **HB1213 Sales and Use Tax – Alcoholic Beverages – Supplementary Appropriation** also increases the sales tax on alcoholic beverages from 6% to 9% and makes an one time appropriation of up to \$47.5 million for certain school construction projects – i.e. those that can be completed within one year.

All other revenue related bills reported on this year failed to pass.

*Barbara Hankins*

## **ELECTIONS**

There was not a large number of election related bills that were enacted in the 2011 General Assembly session, and that is good news and bad news. A number of bills that the League did not support did not pass – which is good. These bills include those which would have limited the dates of Early Voting (**HB 5, HB 126**) or even repealed Early Voting altogether (**HB 850**), and those which would have required or allowed some sort of Voter ID at the polling place (**HB 118, HB 288, HB 701**). On the other hand, a few bills which the League supported did not pass – which is bad. **HB 31 – Voters’ Right Protection Act of 2011** would have allowed a voter to institute an action in circuit court if he/she had reason to believe a person has engaged in or is about to engage in violations of election law. This bill passed the House 94-44, but no committee action was taken on the cross-filed SB 220 after a hearing. The League also testified in favor of **HB 101**, a bill that would have added threat, menace and intimidation to the list of actions prohibited by law relating to an effort by a person to obtain a signature on a petition or to prevent or hinder a person from signing a petition. This bill also passed in the House, but was not acted on after a Senate committee hearing. A major disappointment for the League again during this session was the legislature’s unwillingness to enact same date registration. **HB 732 – Elective Franchise – Registration and Voting at Polling Places**, which would have allowed individuals to register to vote and vote on the same day, either at the polling place or during Early Voting, had a hearing in the House Ways & Means Committee but no further action was taken.

Two bills the League supported did pass, and they will have a positive effect on the process of voter registration in Maryland. **SB 765/HB 561 Election Law – Voter Registration – Exchange of Information** requires state agencies to provide data to the State Board of Elections that is necessary to maintain an accurate statewide voter registration list. Additionally, this bill requires the State Board of Election and the Motor Vehicle Administration to report by October 2011 on the timeline for implementing a full automated voter registration system that eliminates the use of paper voter registration forms at the Motor Vehicle Administration by requiring the applicant to submit all information required for voter registration electronically. **SB 806/HB 740 – Election Law – Online Voter Registration** authorizes the State Board of Elections to operate an online voter registration system that allows a person to apply to register online or make changes to existing voter registration record online. In order to use the online system, the application must provide a Maryland Drivers' license number, a Maryland ID card number and the electronic copy of the voter's signature on file with the MVA will constitute the signature on the voter registration application. Uniformed services voters or overseas voters who do not have a Maryland drivers' license or ID card can provide their Social Security number, which will serve as the voter's signature. The bill requires the MVA to transmit an electronic copy of the signature to SBE within 5 days. LWVUS would like the online voter registration law to allow a voter who has registered online to provide his/her signature at the polling place to complete the registration procedure, thus eliminating the requirement that the online application have a drivers' license or ID card, and the Maryland League will be pursuing this issue before the 2012 legislative session.

**HB 671 – Federal Military and Overseas Voter Empowerment Act (MOVE) Compliance** passed the House (139-0) and the Senate (46-0). This bill changes the date of Maryland's primary elections to the last Tuesday in June for gubernatorial election years and the First Tuesday in April for presidential election years. These changes were required in order to comply with the MOVE Act passed by Congress in 2009 which requires states to, among other things, send absentee ballots to military and overseas voters no later than 45 days before an election for federal office if a request is received prior to that time. The bill also makes procedural changes, including altering deadlines related to candidacy and the establishment of the content and arrangement of ballots.

It was a budget problem, and not legislation, that caused a big disappointment for many election reform advocates in Maryland this year. The budget submitted by Governor O'Malley, and the final budget passed by the General Assembly, did not contain money for the replacement of the DRE voting machines with optical scan voting equipment. **SB 21 – Election Law – Delay in Replacement of Voting System** would have delayed the conversion to optical scan equipment until the DRE's were fully paid for or until January 2016, whichever is later. There was a committee hearing on the bill but no further action; the same fate met the cross-filed HB 174. This means that current law still requires the use of optical scan equipment, but the conversion awaits funding.

*Lu Pierson*

## DEATH PENALTY

Although no bills relating to the Maryland Death Penalty even made it out of committee this year, LWVMD nevertheless received a "thank you" from Jane Henderson, executive director of Maryland Citizens Against State Executions (MDCASE), for testifying at the House Judiciary Committee hearing on March 15. "Your presence greatly enhanced the line-up of witnesses for repeal, among the most impressive the Committee has ever seen," she said in an email to Carter Cochran. "Please know that you have been instrumental this session in solidifying a majority vote for repeal in both Houses. Unfortunately, having the votes does not mean we get a vote! I look forward to ongoing collaboration with you and the League of Women Voters as we continue to fight for full and fair votes and ultimately pass full repeal of the death penalty," she said.

The only death penalty related bill to get committee action was **HB 1040**, the now perennial so-called "Personhood Amendment", which would tie capital punishment to abortion by eliminating both. Opposed by LWVMD, this bill was reported unfavorably by the Health and Government Operations committee.

*Marcia Reinke*

## CAMPAIGN FINANCE

As usual, the W&M and EHEA committees sounded the death knell for almost all Campaign Finance proposals: two of the 22 bills filed passed the General Assembly.; the others did not receive votes in committee.

### Bills Passed:

The League strongly supported **HB 93/SB 592** which requires that independent expenditures be subject to disclosure. Amendments made during the legislative process defined “independent expenditures” as uncoordinated expenditures which “expressly advocate” the success or defeat of a “clearly identified” candidate or ballot issue.

Corporations and other organizations that make independent expenditures of \$10,000 must now file detailed reports, as do all other contributors. The reports will be audited by the State Board of Elections and non-compliance will be subject to penalties.

We did not testify on **HJ 7/SB 4** which creates a study commission to review campaign financing laws, including public funding of campaigns. The study commission is a “been there, done that” undertaking. The Study Commission on Funding of Campaigns in Maryland (on which the League was represented) recommended a public funding system for candidates for the General Assembly in 2002. And, just this year, the Attorney General’s Advisory Committee on Campaign Finance submitted its report on numerous other issues, including Limited Liability Corporations (LLCs), slates, loans, out-of-state contributions and enforcement. **The HJ 7/SB 4** commission’s report is due to the General Assembly in the 2013 Session.

### League Priorities Not Acted Upon by W&M or EHEA:

**HB 723/SB 663** would have closed a loophole in current law that allows contributors who own LLCs to circumvent contribution limits. The bills were supported by the League, followed recommendations of the Attorney General’s Commission and had bipartisan support plus editorial support in major newspapers.

**HB 159/SB 657** proposed pilot tests of public funding for General Assembly candidates. The League supported the bill reluctantly because we felt going directly to pilot tests rather than offering a bill for full public funding was a premature concession. Ironically, the defeat of this bill means that the study commission established under **HB 4/SB 7** will have no local experience on which to base its recommendations.

Kay Terry

## JUVENILE JUSTICE

**HB 511** requiring the Dept. of Juvenile Services to provide equivalent services for males and females passed both Houses and should become law.

**HB 1190** which set up a pilot Children in Need of Supervision program, which would use the court to keep pre-delinquent children out of the juvenile justice system also passed. The amendment that made the State Contribution voluntary was retained in the bill.

**HB 448**, providing funding for up to 400 at-risk youth at the SEED school also passed both the House and Senate.

Debbie Ehrenstein

## CHILDREN'S SERVICES

Despite vigorous efforts by children's advocates to prevent its passage, HB 162/ SB 178, which make child neglect a crime similar to child abuse was adopted by both Houses.

A bill to establish a fund to receive voluntary contributions from income taxes for out-of-school activity died in both Houses. A bill to distinguish reasonable corporal punishment from child abuse was not heard in the Senate and died.

*Debbie Ehrenstein*

## EDUCATION

Very few of the K-12 education bills filed this session passed, as is evident in the list below. However, the primary concern of education lobbyists dealt with state funding decreases proposed in the Governor's budget. As a result, in addition to the many budgetary changes included in HB 72 - Budget Reconciliation and Financing Act (BRFA) that are described in the Budget section of this publication, several provisions increased state aid to public education in FY 2012. First, the per pupil target amount, on which the foundation program (Thornton) is based, was restored to \$6694, last year's level, for the next three fiscal years. As a result, all jurisdictions will receive more state aid than originally proposed. Secondly, although SB 495/HB 937 limiting the permitted decrease in state aid to any one jurisdiction failed, BRFA includes a provision limiting such a drop to 6.5% in FY 2012. Thirdly, certain federal aid will be distributed in June 2011 prorated according to the funding formulas applicable to FY 2012. Finally, the one-year delay in the application of the Maintenance of Effort penalty, also incorporated in HB 869 (see below), is included in BRFA.

As listed below, the education bills are described substantively rather than by their exact title.

### RSC 1

SB 41 - Compulsory Attendance Age - Unfavorable

SB 53 - New factors for waiver of Maintenance of Effort requirement - No Action

HB 1 - Guidelines for handling concussions in youth athletes - No Action (see SB 771)

HB 26 - Changed average daily attendance in funding formula - No Action

HB 44 - New factors for waiver of Maintenance of Effort requirement - Passed House; No Action in Senate

### RSC 2

SB 262 - Financial Literacy course changed to examination in Senate - No Action in House

SB 284 - Conforms graduation rate formula to federal regulations - Chapter 51

SB 315 - BOAST, otherwise known as vouchers for a tax credit - No Action

HB127 - Financial literacy - No Action

HB 168 - Student health and fitness - No Action

HB 191 - Preventing chronic absenteeism - No Action

HB 202 - Prevents discrimination for specified reasons in employment of all public school employees, not just teachers - Passed

HB 224 - Financial literacy curriculum - No Action

HB 364 - Academic requirements to participate in sports amended to require State Board of Education to report on recommended minimum standards - Passed Enrolled

### RSC 3

SB 474 - Preventing chronic absenteeism - Unfavorable

SB 492 - More transparency in local school board budgets - Unfavorable

SB 495 - Limited drop in state aid to school systems - No Action; ( see HB 72 BRFA above)

SB 549 - Parent information re: Bullying - Unfavorable  
SB 608 - Added ineffectiveness as reason for teacher dismissal - Unfavorable  
SB 609 - Notifies public charter schools of school site or building availability amended by Senate to involve the county government earlier in the process - Passed  
SB 610 - Required school system and charter school operator to agree on personnel - No Action  
SB 617 - Dating violence required reporting - Unfavorable  
SB 667 - Tween/Teen education re: dating violence - Unfavorable  
SB 679 - School bus cameras for cars passing buses in violation of law; amendments gave primary authority to law enforcement agencies rather than school boards and set citation issuance on the same level as that for speed cameras - Passed Enrolled  
SB 683 - Changed calculation of net taxable income for school funding - No Action  
SB 771 - Public schools and youth sports programs regulations re: student and youth concussions; amendments broadened information requirements - Passed Enrolled (see HB 858 below)  
SB 791 - Planting gardens on public school property - Unfavorable  
HB 386 - Tween/Teen education re: dating violence - No Action  
HB 462 - School bus cameras for cars passing buses in violation of the law - Passed House; No Action in Senate (see SB 679 above)  
HB 525 - Added ineffectiveness as reason for teacher dismissal - Unfavorable  
HB 526 - Required school system and charter school operator to agree on personnel - No Action  
HB 528 - Plant gardens at schools - Passed House; Unfavorable in Senate  
HB 530 - Notified charter school of site or building availability - Passed House amended; No Action in Senate (see SB 609 above)  
HB 644 - Transparency in school board budgets - No Action  
HB 685 - Parent information re: bullying - Passed House amended; No Action in Senate  
HB 704 - Changed calculation of net taxable income for school funding - No Action  
HB 751 - Requires school boards to report on farm products bought from in state farms - Passed  
HB 812 - Dating violence required reporting - Passed House amended; Unfavorable in Senate  
HB 858 - Public schools and youth sports programs regulations re: concussions - Passed enrolled (see SB 771)  
HB 869 - Delays penalty application for violation of Maintenance of Effort for one year - Passed  
HB 932 - BOAST - No Action  
HB 937 - Limit on decrease in state aid funding - No Action (see HB 72 BRFA above)  
HB 1067 - Required State board to adopt regulations re: approval of charter schools - Passed House; No Action

#### RSC 4

HB 977 - Parent Involvement in student transfer to another school - No Action  
HB 1062- Nutrition information in public schools - No Action

#### RSC 5

HB 1352 - Permitted local school boards to raise property taxes - No Action

*Lois Stoner*

## HEALTH CARE

All of the bills recommended by Lt. Governor Anthony Brown's The Maryland Health Care Reform Coordinating Council were quickly signed into law by Governor O'Malley the day after the session ended. Maryland will be steps ahead of other states in enacting legislation to meet the requirements of the Federal health care reform.

The Governor signed **both HB 166/SB 182 and HB 170/SB 183**. It therefore appears that HB 166, **Maryland Health Benefit Exchange**, will take precedent over SB 182 as the Senate bill was signed first. SB 183, **Health Insurance - Conformity with Federal Law**, will take precedent over HB 170. Once the Exchange is operational it will have to come back to the General Assembly for additional authority to operate. This is probably for a decision on whether it should be non-profit.

**HB 165/SB 175, Maryland Health Quality and Cost Council**, died in committee probably due to the cost.

**HB 784/SB 723, Medical Records – Health Information Exchanges**, passed ensuring that medical records moving through the State's health information exchange will be protected from sale by the exchange. The exchange will be a network used to transmit records from one physician to another or one hospital to another. (Physicians and hospitals already use similar networks for billing purposes.)

**HB 736/SB 722, Electronic Health Records – Incentives for Providers**, passed and has gone to the Governor. This will provide funds for physicians to convert their record systems to electronic medical records.

**SB 994, the Alcohol Tax**, passed with the House amendments. It will raise the alcohol tax to 9 percent in July. The funds will go to the General Fund designated for the developmentally disabled and the Baltimore City and Prince George's County Public Schools.

**SB 883/HB 1229 (Prescription Drug Monitoring)** has been sent to the Governor, but more than 11 amendments were added to the bill by the medical community who were very worried about the chilling effect of the bills. Schedule II, III, IV, and V drugs will now be monitored by the Prescription Drug Monitoring Program (PDMP) at the Department of Health and Mental Hygiene. The law enforcement aspects of the bill for physicians have been limited, but not the licensing aspects. Since the PDMP was not funded in the budget, to become operational it must obtain Federal funds.

**HB 818**, which would have prohibited physicians from accepting anything from pharmaceutical and medical device manufacturers, was withdrawn when it quickly became obvious that it had too many flaws as drafted. A similar, corrected bill is likely to come back next year.

Several Public Health bills passed and are on their way to the Governor. **HB 858/SB 771, Education – Public Schools and Youth Sports Programs – Concussions**, passed on the last Monday of the session. It mandates the development of a concussion awareness program in public schools throughout the state. Additionally, students who are removed from a game or practice may not return without written clearance from a licensed health care professional trained in evaluation and management of concussions.

**SB 743/HB 778, Family Planning Works**, extends benefits for family planning to all women and families with income at or below 200 percent of the poverty level. SB 786/HB 714 mandates the adoption of Federal guidelines for screening newborns for congenital heart disease.

**SB 424/HB 196** strengthens the text messaging law passed last year to include the reading, writing, and sending of messages. Of the four ignition lock bills, **HB 1276/SB 803**, survived and will require the use of ignition interlock devices when a driver is convicted of driving under the influence alcohol greater than 0.15. The bill increases the length of time for the use of the device according to the percentage of alcohol and the number of tickets.

The Tanning Bill, **HB 1111/SB 604**, failed in the Senate, but was amended in the House Committee. However, the proponents asked the committee to vote down the amended bill, so they could try again next year.

*Neilson Andrews*

## **ENVIRONMENT**

The 2011 Legislature has failed to enact most of the important bills for improving the environment, but did better than at first expected in funding established environment funds. Chesapeake Bay and Atlantic Coastal Bays Trust Fund received 24 million and most of the funds for Program Open Space were preserved. In general, the legislature favored putting off decisions for more study, and declined to invest in our environmental future by adopting more of the very important environment bills submitted.

The League testified on three environment bills, none of which were adopted. The Administration's wind power bill was suggested for further study and is expected to be resubmitted next session. The Marcellus Shale Safe Drilling Act failed, but the provisions for thorough study before issuing permits will likely be carried out administratively by the MDE. The industry-sponsored counter measure to have drilling permits issued starting in 2012 with industry financed study did not pass. We testified on Del. Lafferty's bill to require nitrogen removing septic systems on new construction, but it died in the House along with the cross-filed bill in the Senate by Senator Frosh. We supported that bill rather than the more stringent measure the Administration presented which would have required developer-provided sewage treatment systems on certain size housing developments not on a county or municipal system.

Another bill we followed was the successfully adopted measure to regulate nitrogen and phosphorus lawn fertilizer and its application, the Fertilizer Use Act of 2011 sponsored by Del. Hubbard. It establishes an education and certification program for lawn care professionals as recommended by the Chesapeake Bay Commission. The bill requiring stores to charge 5 cents for plastic and paper bags did not pass.

Many failed environment bills will be back again in the 2012 session. Will the legislators profit by the studying?

*Susan Cochran*

## **MANDATORY MINIMUM SENTENCING**

**HB 353**, a bill of interest to those involved in the current LWVMD Drug Study, never was reported out of the Judiciary Committee despite an early February hearing. The bill would have repealed mandatory minimum sentencing for certain drug related crimes and allowed for more drug treatment programs.

*Marcia Reinke*



## ADMINISTRATION OF JUSTICE

Two Bills emerged. One a Constitutional Amendment and the other amended to significantly alter the sponsor's intent.

**SB 281** (Miller, Currie, Muse, Peters & Ramirez) Baltimore County & Prince George's County-Orphans' Court Judges - Qualifications a Maryland constitutional amendment. The amendment requires that the judges be admitted to practice law and are in good standing at the Maryland Bar. 4/6 passed House 105-29. Enrolled

**HB 22** Courts – Attorneys - Subpoena Procedures & Forms for Circuit Court Judges criminal. Favorable w/amend JUD Passed House 1 3/24. Passed Senate 4/7 43-2. Enrolled. (Deleted by amend. The requirement for the design of uniform subpoena procedures and forms.)

### Previous reports:

**SB 17**, Chair, Judicial Proceedings Committee (by Request-Maryland Judicial Conference) Courts-Sentence Review-Review Panel proposes to limit criminal sentence review panel to 3 judges, one of whom can not be the sentencing judge. Passed Senate 2/10 46-0. Sent to House 2/11 no action. Crossfile **HB312** Passed House 3/10 137-0. Sent to Senate. Bills did not emerge from committees.

**SB832** (Stone) **HB930** (Cardin)&**HB1165** (Lafferty7Minnick) Baltimore County Orphans' Court Judges Qualifications same provisions as SB281. JPR3/21 SB832 withdrawn unfavorable 11-0. HB930 JUD unfavorable 3/25. HB1165 remained in House Rules.

**HB 135**, Chair, Judiciary Committee (by request Department of Public Safety and Correctional Services) Courts and Judicial Proceedings- Crime Victims and Witnesses Funds-Court Costs proposes to increase existing fines. Passed House 3/24. Unfavorable JPR 4/8 7-4.

**HB 351**(Carter, Anderson & Vallario)& **SB 853** (Getty) Orphans' Courts - Minors-Guardianship of Person proposes to delete the requirement if the presiding judge of the orphans' court is a member of the bar in exercising jurisdiction over guardianship of a minor. Passed House 3/3 128-7 JPR 3/4 SB853 hearing 3/22. Bills died in committees.

**HB955** (Myers) Election for County Treasurers, Clerks of Court and Register of Wills-Non Partisan Elections. Ways & Means Unfavorable report 3/23 withdrawn 21-0-2.

**HB 956**(Myers) Election of Sheriffs - Non Partisan Elections. Way& Means unfavorable report 3/23 withdrawn 21-0-2.

**HB 834** & **HB 885** Orphans' Court-Change of Name to Estate Court & Constitutional amendment. JUD Unfavorable 2/24 .

**HB 375** Circuit Court Judges-Election, Qualifications, and Term of Office, Constitutional Amendment. JUD 2 /26 Unfavorable Bill withdrawn.

**HB 309** Circuit Court Judges-Election and Term of Office, Constitutional Amendment same provisions as HB375. JUD 2 /26 Unfavorable. Bill withdrawn.

**HB 434** District Court-Small Claim Actions proposes to change the amount from \$5,000 to \$10,000 for civil actions JUD unfavorable 2/24 18-1.

**SB 52** Elections - Candidates for Judicial Offices-Certificates of Candidacy & Campaign Finance Entities. [ED, H&En hrg 1/25, no action]

*Grace Kubofcik*

## GUNS

The General Assembly did not pay a lot of attention to gun legislation this year. **HB 370**, arising out of the shootings in Tucson and entitled (by amendment) **Task Force to Study Access of Individuals with Mental Illness to Regulated Firearms**, passed in the House 95-42 only to receive an unfavorable report from the Senate's Judicial Proceedings Committee. The bill would have created a study group to look at limiting or prohibiting gun licenses to persons treated within the previous five years for a mental disorder. Other Tucson-related bills, **HB 330** and **HB 1108**, concerning the maximum capacity for ammunition in detachable magazines, both received unfavorable reports from the Judiciary Committee.

Bills echoing back to the shootings at Virginia Tech died again this year. **HB 803**, which would have prohibited handguns at institutions of higher learning or at hospitals received an unfavorable report from the Judiciary Committee. Similar in intent but confined to colleges, **SB 311 Weapons Free Higher Education Zones**, never emerged from Judicial Proceedings.

Surviving from among bills filed by the Baltimore City delegation, aimed at decreasing gun crimes in the city, is **HB 241 Criminal Law – Restrictions Against Use and Possession of Firearms**, which increases to 15 years the maximum term of imprisonment for persons possessing guns who were previously convicted of a crime of violence. This legislation was passed in the Senate 28-18 and in the House, 138-0. Meanwhile, **SB 173**, entitled **Task Force on Diminution Credits**, passed 46-0 in the Senate but never was heard by the House Judiciary Committee.

No action was taken on **HB 9**, which would have allowed firearms licensing reciprocity with Delaware, Virginia and Pennsylvania.

*Marcia Reinke*