



# REPORT FROM STATE CIRCLE 2010

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## EDUCATION

A number of bills have been filed that apply to the “maintenance of effort” provisions included in the state funding section of the Education Article. These bills stem from requests made to the State Board of Education (SBE) by several counties last spring that the ‘maintenance of effort’ requirement be waived. This provision, which was first enacted in 1984 as part of the ‘Civiletti’ revisions to state education aid to assure that local school boards would not supplant local funding with state aid, requires the local governing body to appropriate local funds for the school system operating budget that are at least at the same per pupil level as in the prior fiscal year. Specified nonrecurring costs, such as technology enhancement, may be excluded from the calculation.

The counties that requested a waiver cited the poor economy as the main reason for their request, but the SBE denied the waivers on the basis that the counties’ fiscal condition did not significantly impede their ability to fund this requirement. Although the three counties adjusted their budgets,

the SBE ruled that the adjustments made by two of the counties did not meet the law’s standards, and therefore, a penalty, in the form of no additional state aid beyond the prior year’s level, would be imposed, as the law requires.

Among the bills introduced is **SB 476 - Maintenance of Effort - Penalty** (Currie plus 3), which would require that for FY 2010 only, the penalty would not be applied in any jurisdiction. It would also require the Senate B&T Committee and the House W&M Committee to study the appropriate calculation of the penalty and report their findings to the Legislative Policy Committee by December 31, 2010.

**HB 410 Education - Statewide Maintenance of Effort Waiver** ( Hixson plus 28) would eliminate the “maintenance of effort” requirement for FY 2011, but would mandate that it would again be effective in FY 2012.

**SB 310/HB 304 - Education - Maintenance of Effort Requirement - Process and Factors** (Kasemeyer plus 8/Jones plus 7) would establish additional factors for the SBE to consider when a county requests a waiver from the “maintenance of effort” requirement.

These include the loss of a major county employer, rate of inflation relative to student population growth, a county’s history of exceeding the requirement and several other factors. Senator Pinsky and five other senators have introduced **SB 403 - Education - Maintenance of Effort - Penalty**, which would suspend payment of state funds owed to the county governing body if the state superintendent and/or the SBE determine that The county is not meeting “maintenance of effort” provisions. Payment of state education aid to the

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county must continue as the law requires. SB 476 hearing is on 2/10; the other bills will be heard in W&M and B&T on 2/24.

Companion bills have been filed in the House and Senate to enhance the planned application of the SBE in the second round for “Race to the Top” federal funding. **HB 439/SB 452 - Education - Innovative School Scheduling Models - Low-Performing and At-Risk Public Schools** (Kaiser plus 6/Pinsky plus 7) would require the SBE to explore the use of innovative scheduling, such as extended year and year-round schools, that avoid long lapses in instructional time. **HB 440/SB 453 - Education - Teachers - National Board Certified Teacher Pilot Program** (Kaiser/Pinsky plus 3) would require staff development teachers at Title 1 schools to be National Board Certified Teachers. Funding for both programs would be part of the state’s application for federal funding. Additional legislation to qualify for the federal funding may be requested by the State Superintendent of Schools.

Despite the lack of Senate action on the BOAST bill last year, Senator DeGrange and six others have reintroduced **SB 385 - Building Opportunities for All Students and Teachers in Maryland Tax Credit** for the third or fourth consecutive year. The bill would provide publicly funded scholarships to low income students and to teachers at eligible non public schools for graduate work. A 501(c)(3) organization would be set up to provide the scholarships, and businesses that contribute to the organization could claim a tax credit. Businesses and eligible nonpublic schools would have to meet standards set by the State Department of Education. For many years the League has opposed public funding (tax credits here) for vouchers to enable parents to send their children to private elementary and secondary schools.

In reaction to the impact of the poor economy on many families, Delegate Walker and Senator Muse plus 2 have introduced **HB 335/SB264 - State Board of Education - Financial Literacy Curriculum - Graduation Requirement** that would require the SBE to develop and local school boards to implement a mandatory semester-long high school course on Financial Literacy. School boards resist legislative directives on curriculum, believing it is their role to make curriculum decisions. SB 264 hearing is on 2/10 in EHEA.

Companion bills, **HB 413/SB 230 - Education - Instruction of Blind and Visually Impaired Students - Use of Braille** (Hixson plus 53/Conway plus 16), would require the SBE to establish standards for the mastery of Braille for use in English, language arts and math instruction for blind and visually impaired students in Pre-K through 12. Many directives already exist for instructing these students, but, with the exception of reading and writing skills, they do not deal with specific subject areas. HB 413 hearing is on 2/17 in W&M; SB 230 hearing on 2/10 in EHEA.

Veterans Day would be added to the current list of public school holidays if **HB 276/SB 410 - Education - Public School Holidays - Veterans Day** (Riley plus 22/Peters plus 7) become law. A similar effort was made two decades ago that resulted in adding Veterans Day to the list of days for which public schools must have appropriate recognition exercises rather than a holiday. HB 276 hearing is on 2/10 in W&M; SB 410 hearing on 2/17 in EHEA.

Also introduced after many years’ absence is a bill that would require the SBE to establish academic standards for students who participate in sports competitions. **HB 505 - Student Participation in High School Sports - Academic Requirements** (Walker) would require these students to have a minimum grade point average (GPA) in specified curricula. Although similar bills failed in the past, their introduction provided an incentive for many local school boards to establish their own standards. And once again a bill raising the age of compulsory attendance has been filed.

**SB 239 - Education - Age of Compulsory Attendance - Exemptions** (Pugh plus 21) would raise the age of compulsory attendance from 16 to 17 with certain exceptions. Hearing is in EHEA on 2/10.

*Lois Stoner*

## BUDGET AND REVENUES

In addition to the Operating Budget, the Governor must file a Capital Budget every year.

Unlike operating expenses, many capital expenditures can be bonded and the Governor has taken full advantage of the opportunity. Of the \$1.6 billion capital budget, \$1.1 billion is proposed to be bonded. Many transportation projects are paid for out of other funds and are not included in the capital budget.

Some specifics:

- \$260.7 million for public school construction and renovation
- \$232.6 million for state universities and \$81.2 million for community colleges
- \$82.8 million for Program Open Space, \$28.3 million for the Rural Legacy Program, \$35.9 million for agricultural land preservation and \$2.5 million for Parks and Playgrounds
- \$452.1 million for water quality improvements grants, \$275 million for wastewater treatment plans, \$110 million for the Water Quality Revolving Loan Fund and \$33.3 million for the Biological Nutrient Removal Program.
- \$77.7 million for housing and neighborhood revitalization
- \$156.9 million for the Inter-County Connector in addition to \$126 million in SB142/HB 152.

Unlike the operating budget which can be reduced but not increased by the Legislature, the capital budget may have projects added, deleted, or reduced. The budget bill must be passed before a bond bill can be passed.

A number of new bills relating to budget and revenues have been filed, including:

**SB 354** (Pinsky et al.) **Corporate Income - Combined Reporting - Pensions Sustainability Trust Fund** would require foreign corporations to use the combined reporting method in computing their income. Proceeds would be transferred to a newly established Pension Sustainability Fund. This bill is similar to HB 10 but does not include the extension of the so called “millionaires tax.” **HB 584** (Ross, et al) would require combined reporting but the resulting funds are not dedicated to a particular use. A hearing has been scheduled for February 25 in W&M.

**HB 244** (Hixson, et al.) **Tax Compliance and Administrative Act of 2010** is an omnibus bill that would make changes to some of the taxes paid by banks and transferors of real property, repeal the sales tax vendor collection credit, require additional vendors to pay estimated sales and use tax, reduce from \$10,000 to \$5,000 the threshold for requiring payment of taxes by electric funds transfer, require certain employers to file an annual use tax return, etc. A hearing is scheduled for February 11, W&M.

**HB 653** (Impallaria, et al.) **Taxes – Limitations** would add a section to the Maryland Constitution to provide that the tax on real property may not exceed the rate in effect on November 2, 2010 applied to the full cash value of the property. It would also require 2/3 of the members to each House of the General Assembly in order to increase taxes or impose new taxes. A hearing has been scheduled for February 25 (W & M).

*Barbara Hankins*

## CAMPAIGN FINANCE

There are several bills concerning affiliated business entities which attempt to close the loophole that allows businesses to have multiple entities, enabling them to exceed the candidate campaign contribution limits.

- **[HB 373](#)** (Bobo +8) **Affiliated Business Entities – Attribution of Contributions** (Last year **[HB 170/09](#)**) W&M, Hrg 2/ 23.
- **[SB 216](#)** (Frosh + 5) **Affiliated Business Entities – Attribution of Contributions** (Last year **[SB 157/09](#)**) EHEA, Hrg 2/ 11.
- **[SB 601](#)** (Raskin and Pinsky) **Prohibition of Contributions and Expenditures by Business Entities.** EHEA.

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Other Bills:

**HB 380** (Simmons) **Campaign Contributions by Persons Engaged in Gaming Activity in the State** (Last year **HB 1170**) Prohibits people engaged in gaming activity in the State from making campaign contributions. W&M Hrg. 2/23.

**HB 725** (Impallaria +23) **Contributions by Foreign Nationals.** Prohibits foreign nationals from making contributions to a campaign finance entity.

**SB 102** (Stone) **Campaign Advertisements – Close Captioning.** Requires closed captioning in campaign ads. EHE Hrg 2/4.

In response to the most recent US Supreme Court ruling *Citizens United v. FEC*- governing corporate and union spending, several bills have been introduced.

- **SB 570** (Frosh +19) **Campaign Material - Stockholder Approval**, This bill requires corporate campaign contributions materials to be true. The corporate Board of Directors will have to determine that it is in the best interest of the corporation and the campaign material and the expenditure of funds have to be specifically approved by the stockholders.
- **HB 616** (Ali) **Independent Campaign Expenditures Restriction Act.** This bill requires that independent campaign expenditures of at least \$10,000 have stockholders approval. W&M.

*Marjie Slater-Kaplan*

## ADMINISTRATION OF JUSTICE

**HB 106** (Dumais and 16 others) XFB248 (Frosh and 7 others) **Civil Cases - Maryland Legal Services Corporation Fund - Surcharges** proposes to increase the surcharges on civil cases filed in Circuit Court from a maximum of \$25 to a maximum of \$70. District Court fee would increase from \$5 to \$10 for summary ejection cases and from \$10 to \$20 for all other civil cases. The surcharge money is deposited into the Maryland Legal Services Corporation used to finance legal services to indigent persons. (JUD 1/27 &JP 2/4).

**HB 332** (Simmons) **Orphans' Court Judges-Qualifications**, constitutional amendment proposes that the Legislature may prescribe additional qualifications for Judges of the Orphan's Court but not stricter than the requirements for Judges of Circuit and District Courts. (JUD2/17).

**HB 417** (Rosenberg and 2 others) **Baltimore City-Orphans' Court Judges-Qualifications**, constitutional amendment proposes the judges have been admitted to practice law in Maryland and in good standing with the Maryland Bar. (JUD 2/17)

**HB 769** (Levi/Vallario) **Orphans' Court – Minors - Guardianship of Person**, deletes the requirement that the presiding Orphans' Court Judge be a member of the bar in exercising jurisdiction over guardianship of a minor. (JUD 2/17)

**SB 220** (By Request - Maryland Judicial Conference) **Circuit Court Real Property Records Improvement – Funding** proposes an increase to the current surcharge fee of \$20 to \$40 for each type of recordable instrument to be recorded among the land records and the financing statement records. (B&T 2/10).

**HJR 3 & SJR 4** (Speaker and President by Request-Judicial Compensation Commission) **Judicial Compensation Commission - Recommendations.** A resubmit by the 7 member Judicial Compensation Commission of their January 2009 report recommending salaries for fiscal years 2011 through 2014. The General Assembly may amend to decrease the recommendations. If the Commission recommendations are not

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amended or adopted within 50 days of introduction, 1/29/10, the salaries recommended shall apply. The salaries of the Appeals Court, Circuit Court and District Court Judges and the State Prosecutor and Public Defender, State's Attorneys' in 17 counties and Workers' Compensation Commission salaries would be increased. FY 2011 impact \$4.2 million for 302 judges. (APP 2/9 &B&T 2/5)

Update from RSC 1:

HB 208 hearing JUD 2/9, JPR 2/16  
SB 118 hearing JPR 2/2, JUD 2/4  
SB 119 hearing JUD 2/2.

*Grace Kubofcik*

## DEATH PENALTY

Two bills relating to the Maryland death penalty have been filed, both aimed at increasing the likelihood of capital sentences. **HB 306 Crimes - Death Penalty - Murder of a Child During a Sexual Offense (Smigiel plus 30)** appears in reaction to the horrific rape and murder of a young Eastern Shore girl in December. It would require a court or jury, in determining whether to impose the death penalty when the defendant has been convicted of first degree murder, to first consider whether the victim was a child murdered while the defendant was committing or attempting to commit a sexual offense against the child. Assigned to the Judiciary Committee; no hearing date set.

**SB 494 Criminal Law- Death Penalty – Evidence (Stone plus 14)** would increase the kinds of evidence needed for prosecutors to bring a capital case to include fingerprint or photographic evidence conclusively linking the defendant to the murder. The legislation which emerged from last year's death penalty debates required prosecutors to have either DNA evidence, a videotaped confession by the killer or a video recording of the crime itself, hurdles which would make death penalty prosecutions very difficult. Assigned to Judicial Proceeding; no hearing date set.

Both the Maryland League and the League of Women Voters of the United States oppose capital punishment.

*Marcia Reinke*

## JUVENILE JUSTICE

**HB 173 – Quality Care – Juvenile Facilities**, sponsored by Del. Morhaim, et.al. cross file **SB 330** (Zirkin et. al) requires facilities licensed by the Department of Juvenile Services (DJS) have no more than 48 beds. At present the State does not operate any facilities that have more than 48 beds. One larger facility was closed. However, a private contractor, Right of Passage, would like permission to reopen the facility and opposes any limitation on the number of young people it could serve. The contractor believes that 48 is an arbitrary number and if their services are acceptable the State should not interfere with the size of their program. In 2009, a similar bill passed the Senate unanimously, was voted out of the House committee but was not considered by the full House because the session ended before the bill could be considered. Juvenile Services does not oppose this bill.

**HB 394 - Programming and Services for Females** (Dumais, et.al.) requires that the Department of Juvenile Services provides on a regional basis, the same quality of services to females as to males. The first hearing on this bill will be in the Judiciary Committee on 2/11 at 1pm.

**SB 575 - Juvenile Services - Maryland Rising Program - Volunteer Mentors** (Zirkin) requires DJS to provide a volunteer mentor for children who have spent at least 30 days in a placement. The bill states that the mentor shall provide such services as: informal counseling, tutoring, assisting the child with life skills training,

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working with the child's family or guardian, and other support services. Regulations regarding this program are left to DJS. The duties described appear to be those usually assumed by trained professionals. How the volunteer service would interact with whatever professional services, such as personal and vocational counseling DJS provides for children in its care is not clear from the bill.

**HB 75 - Criminal Law - Escape from Juvenile Facility** requested by DJS, makes it a crime to escape from a "privately operated physically secure facility" A "secure facility" is one where access is restricted to those authorized to be there. At present, escape from facilities run by DJS is a crime, and DJS does not have any facilities run by a private vendor, but the Department would like to be prepared in case such a facility is opened.

*Deborah Ehrenstein*

## TRANSPORTATION

**SB 299 Blue Ribbon Commission of Maryland's Funding of Transportation.** See RSC1. (hrg B&T 2/10). The companion bill has been filed as HB710 (Howard, plus 60 other), assigned to W&M, ENV.

**HB 479** (Barkley, Bronrott) **Motor Fuel Tax Increase** (W&M) increases motor fuels other than aviation fuel by two cents a gallon.

Two bills are repeats from last year:

- **HB367** (Krebs, et al.) **Transportation Trust Fund - Dedicated Highway Funds** (W&M) requires motor fuel taxes, vehicle excise taxes and vehicle registration fees to be used for highway purposes only.
- **HB 383** (Krebs, et al.) **Transportation Trust Fund Protection Act** (hrg APP 2/16) requires that no transfer of transportation funds to the general fund be made unless legislation is enacted first for repayment within five years.

On a transportation planning note:

- **HB 732** (Stifler, et al.) **State Government – Priority Funding for Transportation Projects for BRAC** (W&M) says all projects to support the Defense Base Realignment and Closure facilities will be considered priority projects.
- **HB 282** (Pena-Melnyk) **Transportation Projects – Bicycle and Pedestrian Access – Funding and Reporting** (W&M). This bill calls for a balance in funding between pedestrian and bicycle projects and new highway construction projects in the development of the annual Consolidated Transportation Program. It further requires revision of the Pedestrian Master Plan each year.

Two bills deal with bicycle safety:

- **SB 51** (Raskin)/ **HB 461** (Cardin, et al.) **Vehicle Laws – Bicycles, EPAMDs and Motor Scooters – Rules of the Road** (JPR favorable without a hrg, hrg ENV 2/16) requires a driver to pass with at least three feet distance from a bicycle, electronic personal assistive mobility device (EPAMD) or a motor scooter.
- **SB624** (Frosh) **Vehicle Laws – Bicycles and Motor Scooters – Rules of the Road** (JPR) assert rights to use road shoulders and crosswalks by bicycles and motor scooters.

*Carol Filipczak*

## MEETING BASIC HUMAN NEEDS/AFFORDABLE HOUSING

**HB 746 Procurement – Living Wage – Repeal** (Bates et al.) During the 2007 legislative session, the League was one of many advocacy groups that supported the successful passage of living wage legislation (HB430) that requires contractors and subcontractors to pay employees minimum wage rates under State procurement contracts. The minimum wage for workers in urban areas (Montgomery, Prince George’s, Howard, Anne Arundel, and Baltimore Counties and Baltimore City) was set at \$11.30 per hour and in other areas of the State it was set at \$8.50 per hour. The LWVMD testified in support of this legislation based on the position of supporting self-sufficiency for families and individuals

The purpose of HB 746 is to repeal that requirement. The LWVMD will oppose this legislation, no hearing date has been set.

**HB472/SB276 Real property – Residential Property Foreclosure Procedures – Foreclosure Mediation** (The Speaker and The President by request of the Administration) The purpose of this bills is to use the period prior to filing of foreclose action more productively to achieve loan modifications where possible. It requires lenders to conduct meaningful efforts to ascertain whether an alternative to foreclosure is possible with the goal of keeping more people in their homes. The language of the bill includes a loss mitigation application with instructions for completion and follow-up by the borrower. Borrowers who have been denied a loan modification can file a ‘Request for Foreclosure Mediation’, which the clerk of the court will schedule prior to the date of a foreclosure sale. The hearing for the bill in both the House Environmental Matters Committee and the Senate Judicial Proceedings Committee has been scheduled for February 16<sup>th</sup>.

*Ruth Crystal*

## MARRIAGE EQUALITY

The **Religious Freedom and Civil Marriage Protection Act SB582** (Madaleno, et al.) which changes the definition of marriage in Maryland as between “a man and a woman” to between “two individuals” was introduced in the Senate Judicial Proceedings Committee. The first reading occurred on February 5, 2010. A hearing has not yet been scheduled nor has a cross bill been filed in the House Judiciary Committee.

On Wednesday, February 3, 2010 the House Judiciary Committee defeated **HB 90, Same Sex Marriages-Foreign Jurisdictions-Invalidity** by a vote of 12-8. The bill would have not only invalidated marriages between same-sex couples entered into in other states but also declared that “marriages between individuals of the same sex are against the public policy of the State.”

*Sherry Hyman*

## HEALTH CARE

Health Care Reform at the Federal level seems to have moved to the back burner for the time being. It appears that the Democrats are trying to decide if they should take the bill apart and try to pass smaller portions of the bill. The real crux of the problem is the significant increase in the use of Medicaid and Medicare during this recession. A non-partisan accounting firm issued a report last week indicating that health care consumed 17.3 percent of all spending in the US economy. This indicates a significant jump in both Federal and State spending on health care and is adding to the deficit. In 2008, 47 percent of the \$2.34 trillion spent on health care were Federal dollars. This proportion is expected to rise to 50.4 percent by 2011, five years sooner than previously expected.

There appears to be a significant battle heating up over the **Assignment of Benefits** bills. There will be three or four bill dropped before the deadline, two of which are the crossfiled bills **HB 147 – Assignment of Benefits**

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**and Reimbursements of Non-Preferred Providers and SB 314, and HB 594 – Assignment of Benefits.** **HB 147 and SB 314** have been filed by Delegate Dan Morhaim and Senator Robert Garigiola. They chaired the Joint Committee on Health Care Delivery and Financing which studied the issue this summer and developed what they consider a compromise on the issue.

Basically, this bill would mandate that the carriers send the check to non-participating physicians when patients assign their insurance benefits. The compromise bill would cap the payments to these non-par physicians. **HB 594** is a straight prohibition of the practice of sending the check to the patient when treated by a non-participating physician. The carriers, particularly CareFirst, are opposed to all bills.

The increase in Nurse Practitioners independent practice bills were filed this week. They are **SB 484 – Nurse Practitioners – Certification Requirements and Authority to Practice** and **HB 319**. They are asking to practice independently without a collaborative agreement with a physician.

**SB 279 – Maryland False Health Claims** and **HB 525** are the Governor's bills on False Claims. Lt. Governor Anthony Brown has been chairing a work group discussing the bills and trying to reach some compromise over the bills. There may be room for compromise on the potential exposure fines and the time frame, 30 to 60 days, for providers to produce information. The medical community remains opposed to the qui tam provision in the bill, which allows a whistle blower to benefit from reporting a case. They are also opposed to the amount a court may assess for damages. There is another meeting of the workgroup scheduled for February 8. Senator Lenett has also dropped **SB 187**, which is a little different on this issue.

*Neilson Andrews*

## ELECTIONS

Senators Forehand, Garigiola, King Kramer, Madaleno, Raskin and Robey have sponsored **SB 258 – Elections – Special Elections – Voting by Mail**, which would authorize special elections to be conducted by voting by mail and requires the State Board of Elections to adopt regulations relating to uniformity of the voting-by-mail process, the use of a voting system, the voter's responsibilities and the criteria for the designation of places of deposit for ballots. A hearing is scheduled for February 11, 2010 in the EHEA Committee. At the time of its 1999-2000 Election Process Study, LWVMD did not reach consensus on all-mail balloting.

**SB 293 – Elections – Permanent Absentee Ballot List** is sponsored by Senator Raskin and 8 other senators. This bill would require the State Board of Elections to establish guidelines for a permanent absentee ballot list and authorize any voter to apply to be on the list. Voters on the permanent absentee ballot list would be automatically sent an absentee ballot for every election. LWVMD supports a permanent absentee ballot list for disabled voters, but our support is for automatically sending an absentee ballot application, rather than a ballot, to each person on the list. No hearing is scheduled on this bill.

Thirty-two delegates are sponsoring **HB 322 – Elective Franchise – Registration and Voting at Polling Places**. Fifteen senators are sponsoring the cross-filed **SB 417**. This legislation proposes a Constitutional Amendment that would authorize the General Assembly to provide for enactment of a process to allow a qualified voter to register and vote on Election Day at the polling place where the voter resides or during early voting at a polling place in which the voter is authorized to vote. A Hearing scheduled on the House bill for February 16, 2010 has been cancelled and no hearing is set on the cross-filed Senate bill. LWVUS supports same-day voter registration, and LWVMD has supported this reform in Maryland in recent years.

LWVMD President Nancy Soreng provided testimony this week supporting with amendments, **SB 114 – Voter's Right Protection Act of 2010** sponsored by Senator Gladden. This bill, cross-filed with Delegates Rosenberg and Cardin's **HB 266**, would authorize the Attorney General or any registered voter to ask a circuit court judge for preventive relief when a person has engaged in, or may engage in specified violations of election law, such as distributing false information about polling places or election times. Under current law a candidate in an election has this ability, but not a registered voter.

*Lu Pierson*



## ENVIRONMENT

**SB 285** (the President at request of the Administration and Della + 14) **Smart, Green, and Growing - Sustainable Communities Act of 2010**. This bill is a large and complicated one that seeks to make more money available for smart growth including transit-oriented development, Main Street projects and BRAC-related projects. Funding will be available from greater flexibility in the use of the successful Historic-Credit Tax Structure. It will also better coordinate the efforts of various programs to revitalize communities. The first of three major parts is the authorization of the Sustainable Communities Tax Credit which would make 40 per cent of the Heritage Structure Tax Credit available to non-historic structures in established areas, such as Main Street business districts, Transit-Oriented Development areas near light-rail or train stations, and BRAC enterprise zones. Community Legacy and designated Neighborhood Business Development Program would be allowed to apply for designation as “Sustainable Communities” so they would be eligible for tax credit as well. The Smart Growth Subcabinet would be expanded to include three more entities--the Dept. of Health and Mental Hygiene, Dept. Of Labor, Licensing and Regulation and the Md Energy Administration to the present 11 member departments and the National Center for Smart Growth Research & Education, University of Maryland. Crossfiled as HB 475. Env Matters, Speaker, Bartlett and 25 others. Hearing Senate B&T 2/17

**SB 156** (Brochin, Conway, Frosh and Raskin) **Environment – Recycling – Apartment Buildings and Condominium** This bill requires owners or managers of apartment buildings or condominiums that contain 10 or more dwelling units to provide for recycling for residents on or before October 1, 2014. It requires that the recycling mandated by the act be done in accordance with county recycling plans. It also provides for civil penalties where the violation took place. EHEA.

*Susan Cochran*

## GUNS

Nineteen bills relating to firearms have been filed at this writing, of which three appear of most interest to the League. Back again this year is an assault weapons bill, **SB 516** (Lenett plus 14) **Maryland Assault Weapons Ban of 2010** which would designate specified firearms as assault weapons and require the Handgun Roster Board to compile and maintain a roster of prohibited assault weapons. The bill would prohibit possessing, transporting, selling, offering to sell, transferring or receiving an assault weapon. Prior federal and state bans on assault weapons have expired and not been renewed. Assigned to Judicial Proceedings; no hearing date yet. Prior bans on assault weapons have been supported by the League.

**HB 52** (Smigiel) **Regulated Firearms – Licenses Issued by Delaware, Pennsylvania or Virginia –** Reciprocity would allow a license to carry a regulated firearm, including a concealed regulated firearm, issued in Delaware, Pennsylvania or Virginia be valid in Maryland. The bill was heard by Judiciary January 26; no report yet. Given its positions on gun control, LWVMD would oppose this bill.

Legislation which would prohibit weapons at Maryland colleges, **SB 191 Weapons-Free Higher Education Zones** (See RSC 1) is assigned to Judicial Proceedings but no hearing date has been set.

*Marcia Reinke*

## OPEN GOVERNMENT

Both the House and Senate bills have been entered (dropped) and have enough sponsors to pass them in a floor vote. Neither has been scheduled for a hearing and both are in the rules committee in their respective houses. **SB 407**( King + 30) **Maryland Open Government Act** and cross filed **HB 344** (Mizeur +75), require that individuals be allowed to sign up on the General Assembly website to present testimony on a bill; that committee votes to be posted on the General Assembly website; that bill hearings to be broadcast on the General Assembly website and that the Board of Public Works session be broadcast on the Board's website and archived. Both bills eliminate Up-To-The-Minute fees.

*Marjie Slater-Kaplan*