



REPORT FROM STATE CIRCLE
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BUDGET

The Maryland budget is an executive budget in that the Governor formulates the budget and the Department of Management and Budget (DBM) supervises the executive budget making process and promulgates the rules that guide the process. Final decisions on the budget to be submitted wait until the report of the Spending Affordability Committee (a legislative committee which recommends the maximum amount that can be spent for the fiscal year) which depends on, among other factors the forecasts of the Board of Revenue Estimate.

The governor must submit his/her recommended budget by the third Wednesday of January (or by the 10th day of the session if it is the beginning of a new term of office.) The budget must be balanced. The Senate and House of Delegates alternate in carrying the budget bill. This year the budget bill **SB0190** will be carried by the Senate. The General Assembly does not have the power to increase the Governor's budget. It may decrease budget items and move funds around within the budget. While the General Assembly may not increase the Governor's budget, it may increase the budgets for the Legislature and the Judiciary. The Governor may submit supplemental budgets throughout the session.

The budget must be enacted by the 83rd day of the session. The Governor may not veto the budget enacted by the General Assembly. If revenues are needed to balance a budget, a reconciliation act which is not subject to the rules applying to the budget is introduced.

According to the Spending Affordability Committee, for the first time since 2006, the structural deficit has been eliminated. This means that in fy 2015 revenues exceeded expenditures. This was achieved one year ahead of schedule. The Committee, taking into consideration economic data and revenue projections has thus recommended lifting the growth of the fy 2017 general fund budget to 4.85%.

The Governor did, in fact, introduce his budget on January 20. The budget totals \$17.1 billion. A few highlights of the budget include full funding of the Geographic Cost of education and other mandated expenditures and tax and fee relief of \$480 million over five years with focus on working families, retirees and small businesses. The Governor would rein in capital spending in start to reduce the rapidly escalating debt service related to the increased borrowing for capital projects in recent years. He would also allow formula funding to be reduced during fiscally difficult times. We will have more details in the budget as well as the capital budget in future RSC issues.

Barbara Hankins

TAXES

There are many bills related to Maryland taxes filed in any one year. We will report on those that are significant and/or related to LWVMD positions

HB0071 Tobacco Taxes – Healthy Maryland Initiative (Luetdke and Frush) This bill would raise the tax on cigarettes by \$1 per pack and make comparable increases on other tobacco projects. In FY17, the Governor is ordered to spend at least \$6,000,000 on smoking cessation programs and at least \$21 million in future years

SB0034 Corporations and Business Entities (Young) Prohibits the Department of Assessments and Taxation to impose filing fees on small businesses and, more importantly, requires certain corporations to compute Maryland taxable income by using the combined reporting method. B&T 1/27 at 1 p.m.

HB0116 Motor Fuels Tax Rates – Consumer Price Index Adjustment – Repeal (O'Donnell) This bill would repeal the cost of living adjustment to the motor fuels tax which the League has supported for several years.

Taxpayer Protection Act – State Income Tax – Consumer Price Index Adjustments (Krebs plus 22) Would increase the income tax rate thresholds based on specified cost of living adjustments. W&M 2/2 at 2 pm.

Barbara Hankins

CAMPAIGN FINANCE

SB0002 - Real-Time Transparency Act of 2016 (Young) has been introduced in previous sessions. It would require a political committee to file a campaign finance report within 48 hours of receiving any contribution, loan, or transfer from another political committee that is \$1,000 or more during an election year. The legislation requires the political committee to identify the name of the contributor and the date and amount of the donation or loan. A fine of \$10 per day

(or fraction of a day) would be charged for each day the reporting of such contributions is late. However, the maximum penalty would be \$500. This would not replace any campaign financing reporting requirements that are currently in place. The League supports this bill. Hrg 3pm 2/4 EHEA.

HB0112 – Election Law – Campaign Finance Entities – Activity and Forfeiture of Salary (Jackson and seven others) would require that any officer in a campaign be paid only by check. It would also require that the Treasurer of a campaign provide both the candidate and campaign chair a copy of the most recent campaign account bank statement within 30 days of the filing of each Campaign Finance Report. Additionally, the campaign would have to file the compensation agreement for any officer who is receiving compensation with the Board of Elections and if the campaign finance entity is authorized by the candidate the Compensation Agreement would also have to be signed by the candidate. This legislation also makes it the responsibility of the State Administrator of Elections not the State Board of Elections to notify an individual if their campaign finance entity did not file a Campaign Finance Report in a timely manner and for the State Board of Elections to hold a hearing and conduct an investigation. If the matter is not rectified, or the campaign finance entity fails to pay any fines that are levied, and the individual for whom the campaign finance entity was created holds a public office, any salary previously paid to the individual for the public office while the individual was in violation must be returned to the state or local government involved. W&M

HB0156 - Election Law - Campaign Material - Clarification of Definition (West and five others) adds clarity to a very broad statement in election law. Current law states, “Campaign material means any material that contains text, graphics, or other images” and in the following section states, “relates to a candidate, a prospective candidate, or the approval or rejection of a question”. This legislation would add the phrase, “That are primarily related to a campaign activity for an election”. W&M

HB0174 - Election Law - Campaign Finance Violations - Injunctive Relief (West) changes the authority to seek an injunction against a violation of the campaign finance laws from the Secretary of State to the chair or vice chair of the State Board of Elections. It also authorizes a candidate to seek an injunction against the campaign finance entity of the campaign of another candidate seeking the same office, of any person required to file an independent expenditure report if there has been a public communication that related to the candidate or any person required to file an electioneering communications report of the electioneering communication relates to the candidate. W&M.

HB0200 Election Law - Legislative Newsletters - Distribution by Electronic Mail (Krebbs) excludes electronic newsletters from the spending and reporting requirements that are currently in place for newsletters that are sent by an incumbent to disseminate information to a constituent, voter or potential voter about the incumbent’s performance in legislative office or one or more issues of public interest chosen by the incumbent. Rules.

Nancy Soreng

ELECTIONS

The most interesting issue that has arisen in legislation in 2016 is Automatic Voter Registration. Two bills have been filed: **SB 11 – Universal Voter Registration Act** (Sen. Manno sponsor) and **SB 19 – Election Law – Automatic Voter Registration** (Sen. Ramirez). Using the LWVUS position regarding “Citizens Right to Vote: Protect the right of all citizens to vote; encourage all citizens to vote”, the Maryland League is supporting efforts to increase access to voter registration.

SB 11 requires the MVA and certain social service agencies to provide electronic records of persons who are eligible to vote to the State Board of Elections. The State Board of Elections shall determine whether the person is eligible to vote, and if so forward the electronic record to the appropriate local board of elections. The local board is then required to send a notice, by mail, to each eligible individual that tells the person that he/she will be registered to vote unless he/she declines in writing, and that the person may select a political party affiliation. If the person does not decline in writing, his/her name will be added to the voter roll.

SB 19 contains basically the same procedure as SB 11, but adds that an institution of higher education in Maryland is required to provide each student with the opportunity to register to vote through an automated voter registration system when the student registers for coursework.

SB 170 – Voter Registration – Affiliation with Political Party and Participation in Primary Election, Caucus or Convention, (Sen. Kagan) – requires that the statewide voter registration application include a statement that “You must

register with a political party if you want to take part in that political party's primary election, caucus or convention. Check one box only." Year-end voter registration statistics reported by the State Board of Elections indicate that just over 2 million voters are registered as Democrats, about 971,000 voters are registered as Republicans, and 694,000 voters are unaffiliated. This legislation is an effort to make sure that registrants are aware that they cannot participate in party primaries, caucuses or conventions unless they affiliate with a political party. A hearing on this bill is scheduled for February 4 in the Senate EHEA Committee. The League will support this legislation.

The seemingly perennial voter id legislation, **SB 268 – Election Law- Qualification of Voters – Proof of Identity** (Senator Salling and 11 others) requires an election judge to request a voter to present current government –issued photo identification. The League will oppose this legislation.

Lu Pierson

REDISTRICTING REFORM

With the creation of the Maryland Redistricting Reform Commission by Governor Hogan this past August, the League's hopes for its long struggle for redistricting reform were reignited. The Commission, comprised of 11 members, [5 registered Republicans, 5 registered Democrats, and 1 registered unaffiliated](#) (including yours truly), traveled all around Maryland to hear the concerns of citizens and local representatives during 5 public meetings. After two lengthy workshop meetings, where the professionals discussed and debated how best to execute [the Governor's mandate](#) to provide Marylanders with a fairer and more transparent redistricting process in 2020.

The Commission's recommendations included improved districting criteria, utilizing guidelines of substantial equal population, Voting Rights Act compliance, congruence, contiguity, and compactness. The Commission also recommends the formation of an independent redistricting commission; a position the League has long advocated for. Maryland's Redistricting Commission envisions an independent commission made up of 9 members – 3 from the state's largest party, 3 from the second largest party, and 3 from neither of those parties. In order to pass a redistricting plan, the independent commission must have an affirmative vote of at least 6 of the 9 commission members. Importantly, the Redistricting Commission recommended ample public meetings be held even before the plan has been proposed to the legislature. Once in the legislature, the Commission has provided for rejection authority by a supermajority, and the potential for a veto by the Governor. Failure for a redistricting proposal to pass would see the case taken to the Maryland Court of Appeals, who would then create a redistricting plan. (For more specific details on the Commission's recommendations, please go to <https://governor.maryland.gov/wp-content/uploads/2015/11/Final-Redistricting.pdf> to see the full report.)

During this process, the Redistricting Commission also heard a lot of testimony on the rarity that is Maryland's varying standards for delegate districts. It recommended that further study be done on whether a uniform standard should be established for every legislative district to contain three single-member districts, rather than varying at-large and divided districts. It did firmly stand against the division of a legislative district into one single-member district, and one two-member district, except if to meet federal requirements.

This is one of the League's top priorities for the 2016 legislative session, and we will be following this issue closely to see if Maryland's government finally makes real moves forward to reform the egregiously gerrymandered districts within our state. The Governor's Legislation was introduced after the deadline for this report. It will be covered in the next issue of RSC.

Ashley Oleson

TRANSPARENCY IN GOVERNMENT

In 2015 the General Assembly passed and Governor Hogan signed legislation which overhauled the Maryland Public Information Act. This significant achievement was accomplished in part through the efforts of Marylanders for Open Government (MDOG), with which the League is in coalition. This year the coalition is focusing on another aspect of government—namely, the Open Meetings Act (OMA). Our effort is directed toward improving understanding of the provisions of the OMA through improved training requirements. We expect legislation—perhaps several bills—to be introduced on this subject shortly.

HB 217 Open Meetings Act – Requirements for Providing Agendas – (Krebs, et.al.) requires that an agenda be provided for a meeting of a public body if the agenda has been decided at the time the meeting is announced but at least 24 hours in advance of the meeting if the agenda is not decided at the time the meeting is announced. The League will support this legislation. HGO

SB 17 Open Meetings Act – Retention of Minutes and Tape Recordings – Revision (Reilly) changes the current requirement for retention of these records from one year to five years. The League provided written testimony supporting this proposed legislation to EHEA for the committee hearing on this bill on 1/21/16.

Barbara Schnackenberg

ENVIRONMENT: STORMWATER, BAY, PHOSPHORUS, PESTICIDES, RECYCLING, TREES, & OTHER:

For SB0131, see HB0126; for SB0132, see HB0122; for SB0198, see HB0211

HB0010 Transfer Tax Repayment - Use of Funds (Gaines), requires that an appropriation to Program Open Space representing transfers to the General Fund in fiscal year 2006 may be used only for specified capital purposes related to critical maintenance projects in the Department of Natural Resources and Natural Resources Development Fund Projects in the First Reading, APP

HB0061 Environment - Solid Waste, Recycling, and Anaerobic Digestion (Chair E&T for the Governor and the Dept. of the Environment), provides that a person may operate an anaerobic digestion facility only in accordance with specified requirements, regulations, orders, and permits, the Department of the Environment must adopt regulations relating to the design, construction, and operational conditions of recycling facilities, a tiered system of permits or approval for recycling facilities, and exceptions to any requirement to obtain a recycling facility permit or approval; it changes some definitions. Hrg 1/27 1 pm E&T

HB0065 Tree Expert License - Application and Renewal - Repeal of Sunset Provision, (Chair E&T for the Governor and Dept. of Natural Resources), repeals the termination of provisions of law relating to the application for and renewal of a tree expert license. It; requires a licensed tree expert to complete the professional development curriculum established by the Department of Natural Resources after September 1, 2017; etc. Hrg 1/27, E&T

HB0082 Stormwater Management - Assessment of Local Fees, Charges, and Excise Taxes - Leasehold Interests, (Carr and 2 others), requires a leasehold or other limited interest in property that is owned by the federal government, the State, a county, a municipality, or an agency or instrumentality of the federal government, the State, a county, or a municipality to be assessed a stormwater remediation fee, a stormwater management charge, or a stormwater management excise tax by a county or municipality under certain circumstances. Hrg 2/3, E&T

HB0090 On-Site Sewage Disposal Systems - Operation and Maintenance Costs - Low-Income Homeowners, (Lafferty), requires the Department of the Environment to assist, with money from the Bay Restoration Fund, low-income homeowners with the cost, up to 50%, of 3-year operation and maintenance contracts for on-site sewage disposal systems that utilize nitrogen removal technology; and requires the Department or a local government to determine applicant eligibility and the amount of assistance to be provided. Hrg 2/3 E&T

HB0132 State Government - Pollinator Habitat Plans, (. Lafferty and 4 others), requiring State agencies that own or manage property or land, in consultation with the Department of Agriculture, to establish pollinator habitat plans by July 1, 2017. State agencies must implement pollinator habitat plans on or before July 1, 2018, and make the pollinator habitat plans available on the State agency's Web site by September 1, 2017 It requires certain State agencies to report to specified committees of the General Assembly by January 1, 2018; etc. First reading, E&T

HB0178 Natural Resources - Roadside Trees - Preservation and Protection (Lafferty and 5 others), authorizes the Department of Natural Resources to issue a permit for roadside tree maintenance or removal only for public health and safety purposes or if the tree is dead or dying. It prohibits the Department from issuing a permit for roadside tree maintenance or removal for aesthetic purposes; A person who removes a roadside tree must replace the roadside tree

within 2 months after its removal. It requires the Department to ensure that all required replacement trees are planted .
First reading, E&T

HB0189 Environment - Liquid Waste Hauler - Vehicle License and Inspection, (Del. Rosenberg and 2), prohibits a person from engaging in business as a liquid waste hauler in the State unless the vehicle used by the person to haul liquid waste is licensed annually by the Department of the Environment. There are specified requirements for the application for and the issuance of a vehicle license; the Department must set reasonable fees for the licensing and inspection of specified vehicles the Department must adopt regulations; providing for criminal penalties; . First reading, E&T

HB0211 Neonicotinoid Pesticides - Labeling, Signage, and Restrictions on Sales and Use (Pollinator Protection Act of 2016), (Healey), prohibits a person from selling at retail in the State specified seeds, material, and plants that have been treated with a neonicotinoid pesticide unless the seeds, material, and plants bear a label with, or are in close proximity to a sign that prominently displays, a statement; prohibiting a person from selling at retail in the State, on or after January 1, 2017, a neonicotinoid pesticide unless the person also sells a restricted use pesticide; etc. First reading, E&T. Cross-filed with **SB0198**, sponsored by Sen. Nathan-Pulliam; senate hrg cancelled, EHEA. (Similar to **SB016** <http://mgaleg.maryland.gov/webmga/frmMain.aspx?pid=billpage&tab=subject3&id=sb0028&stab=01&ys=2015RS3> of 2015). This bill is supported by members of the Smart on Pesticides Coalition, including LWVMD.

SB0004 Natural Resources - Maryland Environmental Trust – Trustees, (Sen. Conway), repeals the requirement that trustees of the Maryland Environmental Trust be elected in a specified manner; requires the Governor to appoint trustees with the advice and consent of the Senate. The terms of appointed trustees are to be 4 years and an appointed trustee may not serve more than two consecutive terms. The terms are staggered, and at the end of a term an appointed trustee continues to serve until a successor is appointed and qualifies; declaring the intent of the General Assembly; . Favorable report, EHEA

SB0045 Chesapeake and Atlantic Coastal Bays 2010 Trust Fund - Use of Funds, (Simonaire,) proposes an amendment to the Maryland Constitution to establish a Chesapeake and Atlantic Coastal Bays 2010 Trust Fund to be used only for nonpoint source pollution control projects except under certain circumstances; prohibits the transfer of funds in the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund to the General Fund or a special fund of the State except under specified circumstances; submits the amendment to the qualified voters of the State for their adoption or rejection; . Bill is a Constitutional Bill. (Similar to **SB0028** of 2015). Hrg 2/19, EHEA; also B&T

SB0061 Natural Resources - Forest Lands and the Chesapeake and Atlantic, (Sen. Simonaire), repeals references to the "Chesapeake 2000 Agreement" in specified provisions of law relating to forest lands and the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund and substitutes references to the "2014 Chesapeake Bay Watershed Agreement"; and repeals references to the term "tributary strategies" in specified provisions of law relating to the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund and substitutes references to the term "watershed implementation plan". Hrg 1/19, EHEA

SB0105 Northeast Maryland Waste Disposal Authority - Name and Authority, (Chair, EHEA for the Governor and Northeast Maryland Waste Disposal Authority), changes the name of the Northeast Maryland Waste Disposal Authority to be the Maryland Regional Resource Management Authority; It authorizes the Authority to acquire, construct, reconstruct, rehabilitate, improve, maintain, equip, lease, repair, and operate a resource recovery park and requires the publishers of the Annotated Code of Maryland, in consultation with the Department of Legislative Services, to replace references in the Code under specified circumstances; Hrg 1/19, EHEA

SB0112 Pest Control Compact – Repeal(Chair, EHEA for Governor and Dept. of Agriculture), repeals the Pest Control Compact and provisions of law relating to the findings of the parties to the compact; repeals provisions of law relating to the Pest Control Insurance Fund and provisions of law relating to the administration of the compact and Fund; It also repeals provisions of law relating to the establishment of advisory and technical committees under the compact . Hrg 1/26 EHEA

SB0113 Department of Agriculture - Bees, Bee Colonies, and Used Bee Equipment - Transportation and Shipment(Chair EHEA for the Governor and Dept. of Agriculture), repeals the requirement that a bee colony or used

bee equipment shipped or transported into the State be accompanied by an entry permit issued by the Department of Agriculture. Requires a specified person to submit specified information to the Department before shipping or transporting a bee colony or used bee equipment into the State; and authorizes the Department to restrict the movement of a bee or bee colony under certain circumstances. Hrg 1/26 EHEA

SB0201 Environment - Paint Stewardship Program, (Conway,) requires specified producers or a representative organization to submit a plan for the establishment of a Paint Stewardship Program to the Department of the Environment on or before April 1, 2017, and in accordance with specified requirements; requires the Department to review and approve specified plans, including a specified assessment, submitted in accordance with the Paint Stewardship Program; prohibits the sale of specified architectural paint under specified circumstances beginning October 1, 2017; Senate hearing cancelled, EHEA

SB0263 Payment in Lieu of Taxes - State Forests, State Parks, and Wildlife Management Areas, (Sen. Edwards and 26) prohibits a county from receiving revenues derived from a State forest or State park reserve and concession operations within a county if the county receives specified payments in a fiscal year; requires payments to counties for State forests, State parks, and wildlife management areas that are exempt from the property tax; providing for a payment of \$250,000 for each open space unit in specified counties beginning in fiscal year 2018; First reading, B&T and EHEA

SJ0001 Patuxent River Watershed - Amendment of Patuxent River Policy Plan (Chair, EHEA for the Governor and Dept. of Planning), approves the 2015 Patuxent River Policy Plan update as an amendment to the Patuxent River Policy Plan; provides, on approval, that the amended Plan will serve as a policy guide for the Patuxent River Commission, State agencies, and local governments in enhancing restoration and protection of the Patuxent River watershed; and resolves that a copy of the resolution be forwarded by the Department of Legislative Services to specified individuals. EHEA favorable report.

Linda Silversmith

TRANSPORTATION

HB 08/SB 126 Task Force to Study Issues Related to the Use of Self-Driving Vehicles (Beidle/Serifini) would establish a task force to study specified information in order to make recommendations to the Governor and General Assembly relating to self-driving vehicles. Introduced in 2015 as **HB172**. Hrg 1/28 1:30 p.m. ET; 2/02 1p.m. JPR

SB56 Transportation – Chesapeake Bay Bridge Crossing – Environmental Impact Study – Cost Estimate and Payment (Mathias) The Maryland Transportation Authority, with other agencies, would develop a cost estimate for an environmental impact study for a third crossing of the Chesapeake Bay with specified funds set aside each year. Hrg 1/20 1 p.m. FIN

SB 168 Real Property – Installation and Use of Electrical Vehicle Recharging Equipment (Feldman) would require home owner associations and condominiums to accommodate the installation of electricity to enable vehicles to be charged on the premises upon request of a tenant. Hrg 2/2 1 p.m. JPR

SB 183 School Vehicles - Seat Belts - Requirements (Brochin) would mandate that each school bus be equipped with seat belts and all passengers under the age of sixteen, be required to use them. Hrg 2/2 1 p.m. JPR

Barbara Ditzler

ADMINISTRATION OF JUSTICE

Just before this legislative session, two groups submitted reports concerning the criminal justice system and the relationship of law enforcement officials to the community. The Justice Reinvestment Coordinating Council (JRCC), established by legislation, recommended state-wide policies to reduce the state's prison population and to develop strategies to increase public safety and reduce recidivism. The Public Safety and Policing Workgroup, established by the Senate President and the House Speaker, issued 23 recommendations including Community Policing Programs in each jurisdiction, whistle blower protections and required training in anti-discrimination and use of force de-escalation for police officers. We will be following legislation to address the recommendations of these groups.

HB 153 Law Enforcement Officials' Bill of Rights - Time Period for Filing Administrative Charges - Reduction (Cluster) Changes the time period during which a law enforcement agency must file charges against a law enforcement officer from one year to 90 days. JUD

HB 221 Public Safety - Law Enforcement Officers - Whistleblower Protection (Carter) Protects a police officer who discloses certain information or seeks a remedy related to such information from threats or retaliation by a supervisor or the head of a law enforcement agency. Police officers must receive a copy of this bill and can sue for relief or damages if it is violated.

Three bills were filed concerning the selection process for circuit court judges:

HB 223 Circuit Court Judges - Election (West) Proposes a constitutional amendment providing that the Governor shall fill a vacancy on the circuit court by appointment, with the approval of the Senate. If the Senate approves the appointment by a majority but by less than 80%, the appointee must be elected in a contested election after one year in office. W&M

HB 224 Circuit Court Judges - Election (Kramer) A proposed constitutional amendment requiring retention elections for circuit court judges, after one year in office and every 15 years thereafter. The judge's name would appear on the ballot without opposition. W&M

SB 179 Circuit Court Judges - Selection, Qualifications and Term of Office (Kelley + 29) A proposed constitutional amendment requiring the Governor, with the approval of the Senate, to appoint a qualified person to fill a vacancy on the circuit court, and changing the term of office for a circuit court judge from 15 to 10 years, after which the Governor must reappoint the judge. Would also require that if the Governor appoints a judicial nominating commission, its membership shall reflect the demographic diversity of the state or the judicial circuit district. Hrg. 2/4 JPR

Other court related bills include:

HB 74/SB 117 Judgeships - Circuit Courts and District Courts (Speaker/President at the request of the Maryland Judiciary) Increases the number of judges in the circuit court of seven counties and Baltimore city and the number of judges in the District Courts of Prince Georges and Montgomery counties. Hrgs . 2/3 JUD/JPR

HB 199 Orphans' Court - Change in Name to Probate Court (Bromwell) A proposed constitutional amendment to change the name of Orphans' Court to Probate Court. HGO

SB 194 Ethics Commission, Commission on Judicial Disabilities, Judicial Ethics Committee and Joint Ethics Committee - Duties (Ready) Proposes the Judicial Ethics Committee as an alternative to the Commission on Judicial Disabilities. Hrg. 2/4 EHEA

Marlene Cohn

GUN CONTROL

HB0017 Firearms - Digital Fingerprint Record - Permit Renewal (McConkey) Currently the Secretary of the State Police maintains digital fingerprints for each applicant for a permit to carry, wear, or transport a handgun. HB 17 specifies that fingerprinting would not be required for renewal of permits unless required to resolve a question of the applicant's identity. First Reading JUD

HB 184 Public Safety - Firearm Application (Dumais) Instead of requiring that an application to purchase a firearm include a copy of the applicant's handgun qualification license, it would require inclusion of only that license number. First Reading JUD

SB 176 Public Safety - Firearms - License Fees - (Brochin, et. al.) Reduces the application fee for a handgun qualification license from a maximum of \$50 to a maximum of \$20, and the renewal from a maximum of \$20 to a maximum of \$10. First reading JPR.

SB 229 Firearms - Handgun Qualification License - Live-Fire Component (Cassilly, et. al.) - According to the current law, the Secretary of the State Police shall issue a handgun qualification license to a person who is at least 21 years old, resident of Maryland, and has demonstrated satisfactory completion of an approved firearms safety training course within 3 years prior to the submission of the application. SB 229 adds a clause that the firearms orientation

component of the training course need not include a practice session requiring the person to fire rounds of live ammunition. First Reading, JPR

Doreen Rosenthal

CHILDREN AND FAMILIES/JUVENILE JUSTICE

HB 007/SB 031 Family Law – Child Abuse and Neglect – Expungement of Reports and Records – Time Period (Sophocleus/DeGrange) This bill extends the time period from 120 days to five years before a local department of social services is required to expunge reports and records of suspected child abuse or neglect and all assessments and investigative findings if the report is unsubstantiated and no further reports are received. This would assist local departments in evaluating new reports received more than 120 days apart. Similar bills were passed with amendments in each house in 2015, but they were unable to reconcile differences between them. Hrgs 1/28, 1 pm JUD; 1/27, 1 pm JPR

SB 077 Human Resources – Transition Planning for Foster Youth (Chair JPR at Request of Department of Human Resources) This bill lowers from 116 to 14 the age at which the juvenile court during a permanency planning hearing or a guardianship review hearing is required to determine the services needed to assist the child in transitioning from foster care to successful adulthood. Hrg 1/27, 1 pm JPR

SB189 Juveniles - Restraint and Searches – Limitations (Kelley + 15) This bill restricts the use of mechanical restraints (handcuffs, foot cuffs) on a young person in the custody of the Department of Juvenile Services unless he/she poses an imminent risk of physical harm to self or others or is actively trying to escape; and it bans the use of physical restraints on young women in the 3rd trimester of pregnancy, or in labor, delivery or post partum recovery, and it bans strip searches and limits the use of search by scanners unless there is individualized and reasonable suspicion that the youth is concealing contraband that poses a risk to self or others. JPR

SB 209 Juvenile Law – Adjudication of Delinquency – Collateral Consequences (Kelley + 23) This bill requires that before a young person admits to the commission of a delinquent act, the child's counsel must inform him/her in developmentally and age appropriate language of the consequences that may result from an adjudication of delinquency. JPR

Judy Morenoff

MEETING BASIC HUMAN NEEDS

HB 106 Human Relations – Discrimination in Housing-Reentry-Into Society Status (Del. Fennell & 14 others) This bill adds 're-entry status' (having completed a court-ordered sentence of imprisonment) to the list of criteria that can not be used in refusing to consider an applicant for the rental or sale of housing.

SB223 Human Relations – Discrimination by a Place of Public Accommodation – Enforcement & Remedies (Sen. Lee & 11 others) This bill add 'discrimination by a place of public accommodation' to unlawful employment practice in the statute giving authority to the Commission on Civil Rights, allowing them to award compensatory damages and appropriate affirmative relief when they find discrimination has occurred.

Human Trafficking

HB219 Criminal Law – Human Trafficking – Adult Victim – Penalty (Del. Aumann & 32 others) This bill changes the penalty for the crime of human trafficking an adult for the purpose of prostitution from a misdemeanor to a felony.

SB15 Child Placement – Prohibition on Human Trafficking, Restrictions on Advertising, & Reporting Requirements (Sen. Young) This bill expands prohibitions on human trafficking to include prohibiting the 'rehoming' (transferring physical custody) of a minor by other than a licensed adoption agency or court order, or the advertising of a minor for adoption other than by a licensed agency or attorney.

Ruth Crystal

HEALTH

The Maryland Health Benefit Exchange was a far greater success during the current enrollment period. As of January 11, total enrollment is 169,462 people. More than 91,000 were enrolled in Qualified Health Plans, while more than

78,000 were enrolled in Medicaid. The open enrollment period for qualified health plans ends on February 15. Medicaid enrollment is ongoing. It will be important to watch the discussions on the budget as significant cuts to Medicaid have been proposed. Many of these cuts will affect the reimbursements to physicians. This could affect the number of providers willing to care for Medicaid patients. Governor Hogan proposed more than \$200 million in cuts to the program.

Governor O'Malley appointed Hannah Byron to head the Medical Marijuana Commission. The appointment took effect on January 14. Delegate Dan Morhaim has expressed concern about the continuing medical education requirements for physicians. He is concerned that it will be a deterrent to physicians participating in the program. There will be 15 licensed growers, apparently one for each county. The number of dispensaries has not been determined. The next step is the creation of an IT system to monitor patient and dispensing information.

HB 9/SB 105 Maryland Home Birth Safety Act (Kelly/Middleton) delineates a new category of midwives in the Health Occupations Article as a "Direct Entry Midwife." The bill would allow the Board of Nursing to license and regulate the Direct Entry Midwives, and clearly delineates the difference between a Certified Nurse-Midwife and a Direct Entry Midwife. It also spells out the practice parameters of a Direct Entry Midwife and the educational and licensing requirements for continued practice. This bill is similar to last year's **HB 1211** but more extensive and is cross filed in the Senate. Having Senator Middleton as a sponsor will help the bill although it is not in his committee. HGO/EHEA

HB 56 Tanning Devices – Use by Minors – Prohibition (Reznik) forbids minors from using commercial tanning salons. This is similar to **HB 310** filed last year, which did not receive a favorable committee report. Hrg. 2/5 HGO

SB 7 Electronic Cigarettes – Sale to Minors – Components, Supplies, and Enforcement (Middleton) would prohibit the sale of any component of electronic cigarettes to minors. It spells out the components of these cigarettes and the penalties for selling to minors. FIN

Neilson Andrews

EDUCATION

Funding K- 12 Education

In the **Budget Bill (SB 190/HB 150)**, State aid for education increases \$140 million above FY16 funding levels. However, increases in wealth or declining enrollment can reduce the amount received by individual districts. For FY17 the State's share of the formulas for the operating budget are fully funded, including the Geographic Cost of Education Index (GCEI) which gives more funds to districts with higher than average costs. \$5.6 million targets some schools with declining enrollment. There is \$429.3 million in funds for school lunch and breakfast programs, an increase of \$74.4 million; \$2 million and 20 positions to enhance services in the Juvenile Services Education Program; \$18.5 million in state and federal funds for pre-kindergarten expansion and \$704,000 over two years to launch the development of four P-TECH schools (Pathways in Technology Early College High School) which provide mentors, paid internships and academic courses to prepare students for jobs with hi-tech companies. B&T, APP

HB 45 State Education Aid - Real Property Valuation - Tax Increment Financing (McIntosh and M. Washington) For the purpose of calculating property wealth calculations for the state education aid formula, the original assessed value of the property would be used instead of the value of the developed property for which the owner received a tax break because of Tax Increment Financing (TIF). The Adequacy of Education Funding Study, due to be completed in December 2016, has looked at the issue of local tax revenue lost because of TIFs. APP

State Aid to Private and Parochial Schools

The Budget Bill continues \$6 million in public funding to purchase textbooks and technology for non-public schools.

Student Assistance Organization Business Entity Grants \$5 million is allocated in the Budget Bill to create a new grant program to reimburse business entities up to 50% of the amount they contribute to a student assistance organization to provide financial assistance to students attending non-public schools. Students receiving aid must be attending nonpublic schools that meet the eligibility requirements to participate in the Aid to Non-Public Schools Program for Textbooks and Computer Hardware and Software. The program would be administered by the Commerce Department.

Nonpublic Aging Schools Program The Capital Budget (**SB 191/HB 151**) allocates \$3.5 for capital improvement

grants to nonpublic schools eligible to receive aid for the purchase of textbooks or computer hardware and software. Three criteria are that at least 20% of the school's students are eligible for the free or reduced price meals program; (2) tuition charged to students is less than the statewide average per pupil; and (3) the school has a facility with an average age of 50 years or more. A school meeting one of the criteria can receive up to \$25,000, two of the criteria up to \$75,000 or all criteria up to \$100,000. The Maryland State Department of Education (MSDE) and the Interagency Committee on School Construction (IAC) administer these funds.

Public School Construction

\$310 million is allocated for the state's public school construction program (**Capital Budget, SB 191/HB151**) including \$6.1 million for the public Aging Schools Program and \$3.5 million for the Nonpublic Aging Schools Program described above. B&T, APP

Testing

HB 141 Education - Education Accountability Program - Limits on Testing (Luedtke et al.) requires the State Board of Education to adopt regulations limiting the amount of time that may be devoted to federal, State, and locally mandated tests for each grade to 2% of the specified minimum required annual instructional hours. Teacher classroom assessments would not be included in this limit. This bill reflects the widespread concern about the amount of time spent taking mandated tests. The Commission to Review Maryland's Use of Assessments and Testing in Public Schools is scheduled to report in July 2016. W&M

Lois Hybl