



REPORT FROM STATE CIRCLE
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 111 Cathedral Street, Suite 201, Annapolis MD 21401
 410-269-0232



lwvmd.org lwvmd@verizon.net [facebook.com/LWVMD](https://www.facebook.com/LWVMD) [@lwvmd](https://twitter.com/lwvmd)

Co-Presidents: Barbara Schnackenberg & Nancy Soreng
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Editor: Judith Heimann
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TABLE OF CONTENTS

Administration of Justice	13	Environment: Hydraulic Fracturing	10
Budget	4	Gun Control	11
Campaign Finance	5	Health	15
Children and Families	14	Land Use	16
Education	1	Meeting Basic Human Needs	14
Elections	3	Redistricting Reform	6
Environment: Renewable Energy	7	Taxes	5
Environment: Storm Water, Pollution & the Bay	8	Transparency in Government	7
		Transportation	11

EDUCATION

Funding

HB 999/SB 905 Commission on Innovation and Excellence in Education (Kaiser plus 15/King plus 22) Establishes a commission to review and make preliminary recommendations on the findings of the Study on Adequacy of Funding for Education in the State of Maryland to be completed before December 31, 2016. A final report would be due in December 2017. The commission is charged with looking at many issues, for example, the method of counting economically disadvantaged students, the impact of high concentrations of poverty on local school systems, increasing and declining enrollment, expanding publicly funded prekindergarten, local wealth measures, regional cost of education index, reviewing how local districts spend funds, updating funding levels for students with and without special needs, innovative programs for preparing students to be career and college ready and additional or alternative funding models. Hrg. 3/3, 1 pm W&M; 3/1, 8:30 am B&T

HB 1426 Education - Maryland Public Education Fund - Income Tax Checkoff (Hornberger and Ghrist) Provides for an income tax checkoff for contributions to public schools. Hrg. 3/14, 1 pm W&M

Pre-Kindergarten

HB 668/SB 584 Preschool Development Grants - Expansion Grants - Required State Funding (Rosenberg and Platt/King plus 20) In years when the state receives a federal expansion grant, this bill requires the governor to appropriate state funds equal to the amount the state committed to in its application for the grant. Hrg. 2/23, 1 pm APP; 3/2, 3 pm B&T.

Community Schools**HB 1139 The Maryland Community School Strategy for Excellence in Public Education Act**

(M. Washington plus 16) would allocate \$25,000 to community schools for planning and then increase state education aid to fund the community services identified in community school plans. A coordinator would work with community partners to provide year-round out-of-school programs and other resources to help educators tackle the growing number of students living in areas with concentrated poverty. Hrg. 3/10, 1pm W&M

State Aid to Private and Parochial Schools**HB 1213 Education - Broadening Options and Opportunity for Students and Teachers**

(BOOST) Program – Establishment (Haynes plus 7) Provides for an Authority in the Department of Economic Competitiveness and Commerce that establishes a process for corporations to bid for tax credits for contributions to scholarships for students at nonpublic K-8 schools. Eligible schools must agree that the scholarship will cover all tuition and fees. Five percent of a school's enrollment must be eligible students. The school may not discriminate in student admissions on the basis of race, color, national origin or sexual orientation. Students receiving scholarships must be eligible for free and reduced price meals. The maximum scholarship amount may not be more than the statewide average per pupil expenditure. The Governor is directed to transfer \$5 million from the Cigarette Restitution Fund for FY2017, but the bill limits the total state contribution over all years to \$50 million. Hrg. 3/7, 1 pm W&M

HB 1343/SB 706 Maryland Education Credit (Hayes plus 20/DeGrange plus 12) This is similar to HB 453 (RSC 2) in allowing tax credits to businesses for contributions to student assistance organizations which provide assistance to students attending public or nonpublic schools. Both would be administered by the Department of Economic Competitiveness and Commerce. The HB 1343/SB 706 bills do not contain the list of eligible expenses in HB 453, but do require that the school does not discriminate in student admissions on the basis of race, color, national origin or sexual orientation. These bills require that "student assistance organizations" either provide innovative educational programs to public school students or grants to public schools to support innovative educational programs, or provide financial assistance to students attending eligible nonpublic schools in the state - first to students eligible for free and reduced price lunches and then to other students based on financial need. The appropriation for the Reserve Fund for the tax credits may not exceed \$15 million in any year beginning in FY2017, compared to beginning with \$5 million in HB 453. Hrg. 3/7, 1 pm W&M; 3/9 1 pm B&T

SB 948 Nonpublic Elementary and Secondary Schools - Discrimination – Prohibition (Zucker and Madaleno) Prohibits a nonpublic elementary or secondary school that receives state aid from refusing to enroll, expel, withhold privileges from or discriminate against any student or prospective student because of race, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity or disability. The act would not require the school to accept anyone who is not otherwise qualified. Nondiscrimination also applies to non-ministerial employees. If violations cannot be resolved, complaints can be referred to the Commission on Civil Rights and fines levied. Hrg. 3/3, 1 pm JPR

SB 910/HB 1399 Maryland Education Development Collaborative – Established (Ferguson plus 9/Hayes plus 5) Establishes a non-profit semi-governmental organization that advises the Maryland Department of Education on projects to increase diverse and innovative schools. Hrg. 3/17, 1 pm B&T, EHEA; 3/11, 1 pm W&M

Update on Bills Reported Previously

HB1095 Education - Prekindergarten Programs - Notification of Eligibility by Local Departments of Social Services (Platt plus 34) Crossfile for SB 369 ([RSC 2](#)). Hrg. 3/7, 1 pm W&M

HB 1410 Teacher Induction, Retention, and Advancement Act of 2016 (M. Washington) Crossfile for SB 493 ([RSC 2](#)). Hrg. 3/14, 1 pm W&M

HB 1433 Education – Prekindergarten Students – Funding (A. Washington plus 38) Crossfile for SB 461 ([RSC 2](#)). Hrg. 3/7, 1 pm W&M.

Capital Public School Construction ([RSC 1](#)) including \$3.5 million for non-public school construction projects. Hrg. 3/1 3 pm Senate Capital Budget Subcommittee, 3 West, Miller; 3/2 4:30 pm- House Capital Budget Subcommittee, Room 120, HOB

Lois Hybl

ELECTIONS

Del. Vogt and 5 other delegates are sponsoring **HB 1209 – General Assembly – Term Limits**, which would limit terms for Senator and Delegate to three consecutive terms. Additionally, under this bill, a person could not be elected to more than five terms as a member of the General Assembly. The League has a position opposing term limits for members of the General Assembly, and will submit testimony opposing this bill.

HB 1301 – Election Law – Political Party – Retention of Status, sponsored by Del. Carter and 4 others, would change the requirement for a political party to retain its status as a recognized political party in Maryland. Currently a political party, once recognized, retains its status until Dec. 31 of the year of the second statewide general election following the party's qualification, but the recognition status is extended if the party nominates a candidate for the highest office on the ballot and the candidate receives 1% of the vote or at least 1% of the registered voters in the state are affiliated with the party. This bill would change this second qualification figure from 1% of voters in the state affiliated with the party to 10,000 voters in the state affiliated with the party. There are approximately 2.8 mil. Registered voters, so 1% of that total would be about 38,000. The League has no position on this issue, but is studying ballot access questions in a current study.

Del. Impallaria has introduced **HB 716 – Election Law – Voting by Felons at Polling Places – Prohibition**, which would require that the a voter registrant indicate on the form whether he is a felon, and also specifies that felons may only vote by absentee ballot and not at a polling place.

Delegate Impallaria has also introduced **HB 1259 – Election Law – Voting by Registered Offenders at Polling Places – Prohibition**, which would prohibit a person who is registered on the Maryland Sex Offender Registry from voting at his/her assigned polling place if it is located in a school or an Early Voting site that is located in a school. The voter would be required to vote instead by absentee ballot. Current law prohibits persons registered on the Sex Offender Registry from entering property used as a public or nonpublic school, but makes an exception for voting if it is the registered offender's assigned polling place. **HB 1186 – Sex Offender Registrants – School Polling Place – Alternative**, sponsored by Del. Angel and 11 other delegates, would also prohibit a person who is registered on the Sex Offender Registry from voting at a polling place located in a school, but would allow the voter to request a reassignment by the local election board to a polling place not located in a school.

SB 938 – Election Law – Voting by Mail (Universal Voting by Mail Act) was introduced by Sen. Manno and co-sponsored by 3 other senators. The bill would repeal the current section of Maryland Election Law relating to Special Elections conducted by mail, and require the State Board of Elections, in consultation with Local Boards of Elections to select a voting system that could tabulate votes cast by mail and to adopt regulations relating to voting by mail. The bill would require that a ballot be mailed to every voter who is registered to vote as of the 21st day preceding an election, and would allow voters to return the ballot by mail, to a specified ballot deposit location, or in person to the local election board office. The bill does not appear to alter the current provision of Election Law that allow for early voting and Election Day polling place voting. Additionally, the Fiscal and Policy Note provided for this bill estimates a cost to the state government of \$500,000 and to local governments of \$3 million to implement the legislation. A hearing was held on this bill on Feb. 18th.

HB 1007 – Freedom to Vote Act, a universal voter registration bill sponsored by Del. Luedtke with 77 co-sponsors, is scheduled for a hearing on March 3. **Sen. Manno’s SB 350**, another universal voter registration bill, was the subject of a spirited hearing on Feb. 18. Quite a number of amendments were offered to the legislation and we will continue following this item of much interest to the League.

Lu Pierson

BUDGET

Operating Budget

Governor Hogan has submitted two supplemental budgets to the operating budget **SB0190/HB0150** since our last report. Supplement #1, submitted on February 5, would provide \$15 million in each of three years to the University of Maryland Medical System for use in operating the new Prince George’s County’s hospital system. Supplement #2, submitted on February 12 would provide an additional \$11 million from the Transportation Trust Fund for watershed protection, \$2.3 million for a 2% increase in contractual rates for HHS providers, \$3 million for the Maryland Early Graduation Scholarship Program and \$17 million to the City of Baltimore for demolition of derelict buildings and \$3.5 million for demolition in other areas of the state. There is a note attached to supplement #2 which states that the intent is to provide a total of \$75 million to Baltimore for demolition in conformance with a memo of understanding.

Capital Budget

This year’s Capital Budget **SB0191/HB0151** is slightly lower than the limits authorized by the Spending Affordability Committee and below last year’s limits. The proposed 5 year capital funding plan is below the previous two plans. Critics in recent years have expressed concern about the impact on the operating fund of interest expense for the ever increasing capital debt.

The total budget is \$1.459 billion of which \$993.8 is in new General Obligation (GO) bonds and \$37.7 in bonds funded from other sources. Pay-Go or pay from this year’s funds equal \$11.4 million in general funds, \$341.1 million from special funds and \$74.9 million from federal funds. 33% of the proceeds will be used to fund state owned projects and 67% will be shared with local jurisdictions and non profits.

By category, the highest area funded is the Environment at \$442.8 million followed by Higher Education at \$367.3 million, Public Education at \$350.1 million and Housing/Economic Development at \$101.1 million. By project, public school construction is the largest at \$280 million followed by the Maryland Water Quality Revolving Loan Fund, the UMD Baltimore Health Sciences Research

Facility and Surge Building, Bay Restoration Fund Wastewater Projects, a Bioengineering Building at UMD College Park and the Community College Facilities Grant Program.

Barbara Hankins

TAXES

HB 162 Comptroller-Taxpayer Protection Act (Chair of Judiciary Committee for Comptroller) makes a number of technical changes to tax administration, the most notable is an increase of the statute of limitations for the time in which a tax return is subject to audit from 3 to 6 years. It also provides protection to some information about state employee salary information. **Jud 2/10 1 p.m.**

HB0227 Income Tax Subtraction Modification – Retirement Income of Law Enforcement, Fire, Rescue and Emergency Services Personnel (Hixon, et al)

Would exempt from income taxes pension income up to \$15,000 per year for the above named professions. **W&M 2/16 1pm**

The following bills have been filed, among others, by the Speaker and the President for the MD Economic Development and Business Climate Commission which had been appointed by the Governor.

HB1252/SB0842 Corporate Income Tax – Single Sales Factor Apportionment Alters the formula by which corporations that do business in more than one state allocate their income to Maryland. **W&M 3/2 1 pm, B&T 3/2 1pm**

HB1250/SB0841 Income Tax – Pass – Through Entities – Exemption. Allows \$20,000 in nonpassive income passed through from entities such as S corporations, partnerships, and LLCs to be exempted from income taxes for individuals with less than \$200,000 in income for single taxpayers or \$250,000 for couples. **W&M 3/2 1pm, B&T 3/2 1pm**

SB0846 Corporation Income Tax – Rate Reduction –(President only) Would reduce the corporate income tax rate from 8.25% to 7% over the next three years. **B&T 3/2 1pm**

Hearings for Bills Previously Reported on: HB 455/SB387 W&M 2/25 1p.m., B&T 2/24 1pm, SB0386/SB0459 B&T 2/24 1pm, W&M 2/23 1pm

Barbara Hankins

CAMPAIGN FINANCE

HB1164 - Election Law – Contribution to a Candidate for Judicial Office (Buckel and McKay) If this bill passed, anyone who made a contribution to a candidate for judge (or a campaign fund that is supporting a candidate for judge) would be prohibited from appearing before that judge as an attorney or be a formal part of any case or appeal that is before that judge for the next five years after the judge was elected. League will support. Hrg 3/4 W&M

HB1201 – Election Law – Campaign Finance – Coordinated Expenditures (Ebersole plus 8) would more clearly define what is and is not a coordinated expenditure. This is important because coordinated expenditures are subject to contribution limits but independent expenditures have no limits. An independent expenditure occurs when funds are spent on a political campaign communication that expressly advocates the election or defeat of a clearly identified candidate that is not made in cooperation or consultation with the candidate or the candidate's authorized election

committee or political party. Without a clear definition of when coordination has taken place, it is difficult to hold parties accountable for exceeding contribution limits. In addition to a lengthy attempt to define what constitutes coordination, the bill also lays out fines and a procedure for prosecuting violations. The League will support. HRG 3/9 W&M

HB1230 – Departmental Secretaries – Solicitation of Contributions or Donations (Turner plus 7) This legislation would make it unlawful for a Department Head (Secretary) of the executive branch of the state government to solicit campaign donations from a business entity that is doing business with the state. A director or an officer of the business would also be prohibited from making a campaign contribution. The League will support. Hrg 3/9 W&M

SB 973 – Campaign Finance – Public Officials – Solicitation of Contributions or Donations (Madaleno and Conway) This legislation would prohibit a public official (meaning the head of a department, agency, office or any other body of the Executive Branch) from soliciting, transmitting or depositing a contribution or donation for the benefit of a candidate from a person who is subject to the regulatory authority of the public official's governmental unit. In other words, a public official who is in a position to license, certify or impose statutory civil or criminal penalties on someone, may not seek political contributions from that person. The League will support. Hrg 3/9 EHEA

Updates on Bills

Reported on in [RSC 1](#):

HB 112 - Election Law – Campaign Finance Entities – Activity and Forfeiture of Salary. Committee Report: Favorable with Amendments.

HB0156 - Election Law - Campaign Material - Clarification of Definition. Committee Report: Unfavorable

HB0174 - Election Law - Campaign Finance Violations - Injunctive Relief. Committee Report: Unfavorable

Reported on in [RSC 2](#):

HB 241/SB0408 - Election Law - State Elected Officials - Campaign Fund-Raising During General Assembly Session - Civil Penalty. Committee Report: Favorable with Amendments.

Nancy Soreng

REDISTRICTING REFORM

Update from [RSC 2](#)

SB 380/HB 458 General Assembly and Congressional Legislative Redistricting and Apportionment Commission (The President [By Request – Administration] plus 14; The Speaker [By Request – Administration] plus 44) Hrg. 3/3, 1pm EHEA; Hrg. 2/29, *Changed to 1pm R&E*
 SB 474 Congressional Districting Process (Pinsky) (RSC 2) Hrg. 3/03, 1pm EHEA

SJ 3/HJ 4 United States Congress – Call to Congress and the President to Act on Redistricting Reform (Conway/Reznik) This resolution has now been cross-filed in the house. Hrg. 3/03, 1pm EHEA; Hrg 2/29, 1pm R&E

HB 408 Commission to Study Legislative and Congressional Districting (Hill plus 5) (RSC 2) Hrg. 2/29, *Changed to 1pm R&E*

HB 467 Legislative and Congressional Districting – Standards and Processes (Reznik plus 7)
Hrg. 2/29, Changed to 1pm R&E

Ashley Oleson

TRANSPARENCY IN GOVERNMENT

HB 823-General Provisions-Open Meetings Act-Enforcement and Training (Morales plus 23/ Manno and Madaleno) would require the Open Meetings Compliance Board (OMCB) to order corrective actions where public bodies have erred in conducting meetings and allow a civil penalty of \$500 for errors. Public bodies would be required to provide the OMCB with a list of those required to take training and those so designated would be required to take the training within 90 days. The League has submitted testimony in support of this bill. Hrg 2/24, 1 pm, HGO

HB 984/SB 17-Open Meetings Act-Retention of Minutes and Recordings-Revision (Saab plus 13/Reilly) allows for recordings of minutes as well as written minutes, requires these minutes or recordings to be maintained for 5 years (instead of the current 1 year) and provides for posting minutes online. The League has submitted testimony in support of this bill. Hrg 2/24 1 pm, HGO

HB 1088/SB 754-Open Meetings Act-Annual Reporting Requirement, Enforcement and Training(Cullison plus 2/Raskin plus 5) adds to the information which the Open Meetings Compliance Board (OMCB) is required to report annually to the General Assembly, provides for the OMCB to issue an order to public bodies requiring specific action with the possibility of civil penalties and provides for mandated training for members of public bodies as well as reports on the completion of such training which must be posted on the public body's website. The League has submitted testimony in support of this bill. Hrg 2/24 1 pm HGO/ 3/3 1 pm EHEA

Update on Bills Reported in [RSC 2](#)

SB 671 Public Information Act-Personnel and Investigatory Records-Formal Complaints Against Public Employees (RSC 2) Hrg 3/3 1 pm EHEA

Barbara Schnackenberg

ENVIRONMENT: RENEWABLE ENERGY

SB 323/HB 610 - Greenhouse Gas Emissions Reduction Act – Reauthorization ([RSC 2](#)) Passed the Senate with amendments, sent to ECM, Hrg. 2/26, 12 pm. LWVMD testimony submitted in support.

SB 921/ HB 1106 Clean Energy Jobs – Renewable Energy Portfolio Standard Revisions (Pugh plus 5) (Frick plus 39) increases the renewable energy portfolio to 25 percent of electricity production by 2020. In addition, includes a substantial financial commitment to clean renewable energy jobs training. Establishes the Clean Energy Workforce Account in the Maryland EARN program and provides support for minority and women-owned clean energy business through a Clean Energy Business Development Account. Increases the percentage of the renewable portfolio dedicated to solar to at least 1.15% in 2017, rising to 2.5% by 2020. Hrg. 3/8, 1 pm FIN; Hrg. 3/3, 1 pm ECM. LWVMD supports.

HB 705/SB 726 Maryland Clean Energy Center- Clean Energy Technology Funding (*Green Bank*) gives the Center the authority to provide financing for clean energy technology-based businesses, establishes a clean Energy Technology Financing Fund in the Center with a \$30 million target for public investment from revenue from the Regional Greenhouse Reduction carbon

allowance auction process. Requires the Center to establish a Credit Investment Advisory Committee to review and make recommendations for qualifying applicants. Hrg. 2/25, 1 pm ECM; Hrg. 3/8, 1 pm FIN

HB 405/SB 018 Sales and Use Tax-Exemption- Energy for Homeowners Association (Turner plus 10) (Mathias) Exempts homeowners association from the sales tax and use tax sales of electricity, steam, or artificial or natural gas used in property owned or maintained by the homeowners association. Introduced in prior session (2011) as HB1291. Hrg. 2/24, 1 pm W&M; Hrg. 1/27, 1 pm, B&T

HB 821 Energy Storage Portfolio Standard (Storage Technology and Electric Power (STEP) Act) (Korman plus 16) Establishes an energy storage portfolio standard in Maryland with a credit system and a compliance fee to be paid into the Maryland Strategic Energy Investment Fund, similar to the renewable energy portfolio standard. Energy storage facilities include compressed air, battery, hydrogen for a fuel cell, hot water, a flywheel, a capacitor and a superconducting magnet. Hrg. 2/25, 1 pm, ECM

HB 1354 Gas and Electricity – Smart Meters – Customer Rights and Required Reports (Glass plus 19) requires utility companies to give written notice to customers prior to installing them and prohibiting companies from adding extra charges for opting out. Hrg. 3/11, 1 pm ECM

HB 1412 Real Property – New Residential Property – Information on Renewable Energy Alternatives (Hildago-Fraser plus 8) requires that builders provide the purchaser of a new home information about energy-saving alternatives for the home, including green roofs, solar photovoltaic panels or solar thermal devices, rain gardens, and bayscaping, home weatherization, and energy storage systems. Information about the energy saving alternatives should include cost of installation and maintenance, energy efficiency, long-term savings and the availability of tax credits. Before the home is completed, the builder should be able to install the alternatives that the buyer selects. The fine for not providing the information and service is not to exceed \$7,500. Hrg. 3/8, 1 pm E&T

RSC 2 Update

HB 105/SB 173 –Local Government – Clean Energy Loan Programs-Commercial Property Owners- Renewable Energy Projects (RSC 2)
Passed the House (109-9) ECM. FIN

HB 440/SB 811 Electric Companies - Installation of Solar Electric Generating Facility - Completion of Interconnection. (RSC 2) Passed the House (138-0) Hrg. 2/23, 1 pm FIN

SB 398/HB 820 Reducing Environmental Degradation for the Underserved Through Community Engagement (The REDUCE Act) (RSC 2) Hrg. 2/16, 1 pm EHEA; Hrg. 2/24, 1 pm E&T

Betsy Singer

ENVIRONMENT: STORM WATER, POLLUTION & THE BAY

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

HB 31/SB 57 Community Cleanup and Greening Act of 2016 (the “Bag Bill”), (Lierman; Ramirez) prohibits a store from distributing plastic disposable carryout bags free of charge to a customer at the point of sale and requires a store to charge and collect a 10-cent fee for each paper disposable carryout bag the store provides. It authorizes the store to pay a customer a credit of at least 5 cents for each bag provided by the customer. The store must remit to the Comptroller the money retained

by the Store. Hrg 2/10, ET; 2/2, EHEA.

HB 332/SB 201 Environment - Paint Stewardship Program (Lafferty; Conway) requires 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, with certain requirements. The Department must review and approve specified plans including an assessment, submitted in accordance with the Paint Stewardship Program. The sale of certain architectural paints is prohibited, beginning October 1, 2017. Hrg, 2/17, ET; 2/16, EHEA

HB862/SB 607 Maryland Redeemable Beverage Container Recycling Refund and Litter Reduction Act, (Frush + 40; Ferguson + 9) establishes the Maryland Redeemable Beverage Container Recycling Refund and Litter Reduction Program. It requires the Maryland Environmental Service to develop, implement, and administer the program. Every redeemable beverage container sold in the State must indicate a 5-cent refund value in a specified manner on and after July 1, 2017. A refundable value is to be added to the retail price of a specified container. Hrg. 3/04 ET; 2/18 FIN; EHEA. LWVMD supports this bill.

HB 1110/SB 645, Chesapeake and Atlantic Coastal Bays 2010 Trust Fund – Allocation of Funds, (Frush + 23; King) Beginning in fiscal year 2017 money in the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund must be allocated in accordance with certain provisions of law. A minimum of \$5,000,000 in the Trust Fund has to be allocated to the Department of Agriculture annually for distribution to soil conservation districts to assist farmers and counties with nonpoint source pollution control projects. Hrg 3/09 ET; 3/01 EHEA; B&T

HB1409/SB 236 Payment in Lieu of Taxes - State Forests, State Parks, and Wildlife Management Areas, (Otto + 1; Edwards) prohibits a county from receiving specified 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. It requires payments to counties for each open space unit. Hrg ET cancelled; Hrg 2/10; B&T

SB348/HB 189 Environment - Liquid Waste Hauler - Vehicle License and Inspection, (Gladden) 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. It establishes specified requirements for the application for and the issuance of a specified vehicle license. The Department must set reasonable fees for the licensing and inspection of vehicles. Hrg 2/17, EHEA; 2/10, ET

Updates

HB0010 Transfer Tax Repayment - Use of Funds (Gaines). Unfavorable report, APP; withdrawn.

HB0122 Critical Area Commission for the Chesapeake and Atlantic Coastal Bays - Membership From Ocean City (Stein). Favorable with amendments, ET. **SB0132** in House first reading.

HB0126 Worcester County - Recycling at Special Events – Exemptions (Carozza). Unfavorable report, ET; withdrawn.

HB0189 Environment - Liquid Waste Hauler - Vehicle License and Inspection (Rosenberg). Unfavorable report, ET; withdrawn.

HB0797 Nontidal Wetlands – Nontidal Wetland Mitigation Bank (chair, ET, for Governor and MDE), hrg 3/02 ET

HB0820 Reducing Environmental Degradation for the Underserved Through Community Engagement (The REDUCE Act) (Lan), hrg 2/24, EHEA

HB0829 Agriculture – Cattle, Swine, and Poultry – Use of Antimicrobial Drugs (S. Robinson) Hrg 3/02, ET (Note that in RSC 2, this was accidentally called HB0820)

SB0105 Northeast Maryland Waste Disposal Authority - Name and Authority (chair, EHEA). In House, first reading, ET

SB0198 Neonicotinoid Pesticides - Labeling, Signage, and Restrictions on Sales and Use (Pollinator Protection Act of 2016) (Nathan-Pulliam). Hrg 2/16, EHEA. LWVMD testimony supports this bill.

SB0688 Task Force to Develop a Strategic Plan for State Park Development (Middleton), hrg 3/01, EHEA

Linda Silversmith

ENVIRONMENT: HYDRAULIC FRACTURING

HB 394 Public Health – Hydraulic Fracturing Chemicals – Information and Fund (Morheim and 6) This bill requires that those with a permit for the hydraulic fracturing of a well for the exploration or production of natural gas to submit information on chemicals used in the fracking process. It establishes the Hydraulic Fracturing Chemical Education and Impact Fund to address the potential health risks associated with chemicals used in hydraulic fracturing. Finally, it sets a maximum civil penalty of \$100,000 for each specified violation of the Act. This bill was introduced in 2104 and received a House hearing but no action was taken. It was introduced in 2015, received a House hearing, but was withdrawn after an unfavorable E&T report. Hrg, 2/17, 1 p.m. E&T

HB 1112 Environment - Gas Storage Wells and Facilities - Safety Regulations (Platt) Currently, the Department of the Environment does not require the owner or operator of a natural gas storage well to inspect the gas well or the well's machinery. This bill requires owner or operator inspections. Maryland has only one gas storage well that this bill would apply to. This well, owned by Spectra Energy, is in Accident, a town in Western Maryland. A similar well, the Aliso Canyon/Porter Ranch underground gas storage well in California, had a massive leak for 110 days. The leak was estimated to have released 80,000 metric tons of methane and other petroleum gases, making it the worst natural gas leak in U.S. history. These gases are major climate change pollutants and can be dangerous to human health. The intent of this bill to add state regulation of the Maryland facility to help protect us from a disaster similar to the one in Aliso Canyon California. Hrg, 3/2, 1 p.m. E&T

SB 361 Civil Actions – Hydraulic Fracturing Liability Act (Raskin and Zirkin) This bill holds those with permits for hydraulic fracking strictly liable for for injury, death, or loss to person or property from their hydraulic fracturing activities. A similar bill introduced by Zirkin passed the Senate in 2015, and had a hearing in E&T. Hrg, 2/16, 1 p.m. JP

Ruth Alice White

TRANSPORTATION

HB 672 / SB 907 – Transportation - Harry W. Nice Memorial Potomac River Bridge (Jameson &

2 delegates / Middleton & 23 senators) establishes a replacement fund with annual contributions going towards the replacement of this bridge with annual reports submitted to substantiate the progress. No target replacement date was specified. Hrg. 3/1 APP / 3/2 FIN

HB 723 / SB 585 - Transportation – Highway User Revenues – Distribution to Municipalities (Beidle & 41 delegates / King & 19 senators) are bipartisan bills to alter proportionally the distribution of transportation funds to local jurisdictions. Currently, there is a 90%/10% split between the state and localities distribution of revenues and previously there had been a 70%/30% split. The bill would reallocate the transportation funds distribution. Hrg. 2/25 ET 3/2 B&T

HB 1010 – Maryland Transit Administration Oversight and Planning Board (Lierman & 28 delegates) establishes an oversight board that would ensure a planning document from the MTA every three years to enhance continuity of transportation planning. Previously submitted in 2015 as **HB 546**. Hrg. 3/4 ET

HB 1013 / SB 908 – Maryland Open Transportation Investment Decision Act of 2016 (Beidle & 22 delegates, DeGrange & 20 senators) requires the state to develop transportation goals and a scoring system based on set criteria that would encourage those projects with the highest scores to be implemented. This system would provide more continuity across administrations and possibly less waste of funds for unbuilt projects. Hrg. 3/1 APP 3/14 B&T

HB 1342 / SB 945 – Drunk Driving Reduction Act of 2016 (Kramer & 77 delegates / Raskin & 10 senators) commonly known as “Noah’s law” increases the penalties and adds stricter provisions for the Ignition Interlock System Program for infractions of driving under the influence of alcohol or other impairment. Hrg. 2/24 JUD 3/10 JP

Updates on Bills Previously Reported

HB 547 Motor Vehicles – Tires, Exterior Lights, Windshield Wipers – Biennial Inspection
Unfavorable Report by ET. Withdrawn ([RSC 2](#))

Barbara Ditzler

GUN CONTROL

SB 944/HB 1340 Firearms - Applications - Notification and Reporting (Raskin et al; Rosenberg)
A person may not sell, rent, or transfer a handgun to someone unless the purchaser or lessee presents a valid handgun qualification license. Each law enforcement agency in the State will provide an annual report to the State Police that includes an explanation for each denial notice.
Hrg 3/15 JPR; 3/15 JUD

SB 947 Public Safety - Rifles and Shotguns - Secondary Transactions (Raskin, et. al.) A license is required to sell rifles and shotguns. If one person wants to sell a rifle or shotgun to another, it will be necessary to have a licensee present to facilitate the transfer. First Reading JPR

HB 879/SB 742 Public Safety - Imitation Firearms - Prohibition (Carter; Muse)
Prohibits the sale, possession, or use of an imitation firearm. Gives detailed descriptions of toy or antique firearms that are included or excluded, and establishes penalties including a temporary restraining order or a preliminary or permanent injunction.
Hrg 3/15 JUD

HB 846 Public Safety - Crime Gun Reporting and Analysis (Rey) Requires law enforcement agencies to report information to the State Police within 24 hours after the seizure or recovery of a firearm relating to a crime. Requires the State Police to submit to the General Assembly an annual report, including statistical analysis, on all firearms recovered in the State, relating to a crime, during the previous calendar year.

Hrg 3/15 JUD

HB 1000 Public Safety - Firearms - Terrorist Watchlist (Clippinger) cross-filed with **SB1040** (Rosapepe) Prohibits (1) the sale, rental, or transfer of a regulated firearm, rifle, or shotgun to a person who is on the FBI Terrorist Watchlist; (2) issuing a permit to carry, wear, or transport a handgun to a person listed on the FBI Terrorist Watchlist

Hrg 2/26 JUD, Referred to JPR

HB 1002 Weapon-Free Higher Education Zones (Barnes, et. al.) Prohibits the carrying or possession of firearms, knives, or deadly weapons on the property of public institutions of higher education. Exceptions include law enforcement officers, a person hired for the purpose of guarding the institution's property, a person engaged in organized shooting activity for educational purposes, or a person who has a written invitation from the president of the institution to engage in an historical demonstration.

Cross-filed with: **SB 906** (Madaleno)

Hrgs 3/09 JPR; 3/16 APP

Note: Introduced in a 2011 session as: **SB 311**

HB 1263 Possession of Loaded Handgun or Regulated Firearm - Enhanced Penalties (Clippinger, et. al.) Relates to illegal possession. For the first offence the person is guilty of a misdemeanor, and on conviction is subject to imprisonment for not less than 1 year and not exceeding 5 years. For the second or subsequent offenses a person is guilty of a felony, and on conviction is subject to imprisonment for not less than 5 years and not to exceed 20 years.

Hrg 3/15 JUD

HB 1326 Public Safety - Handgun Permits - Application Report (Howard, et. al.) Requires the State Police to provide a report to the General Assembly every 6 months that includes the number of permit applications received and processed to carry, wear, or transport a handgun.

Hrg 3/15 JUD

Updates on bills reported in RSC 1 - 2

SB 229 (HB 1019) Firearms - Handgun Qualification License - Live-Fire Component ([RSC 1](#))

Hrg 3/15 JPR

HB0573 (SB 638) Possession of Loaded Handgun or Regulated Firearm - Enhanced Penalties ([RSC 2](#))

Unfavorable Report by Judiciary; Withdrawn

Doreen Rosenthal

ADMINISTRATION OF JUSTICE**HB 341 Commission to Study the Disproportionate Justice Impact on Minorities**

(Valentino- Smith +17) Establishes a commission to study the disproportionate impact of the justice system on minorities. The commission will be made up of two members each of the House and Senate, judges, correctional officials and three members of the community. It will hold at least two public hearings and make recommendations for legislative and policy changes to address the impact of criminal laws and sentencing provisions on minorities. A report of findings will be made by December 1 to the Governor and the General Assembly. Hrg. 2/23 JUD

HB 1180/ SB 946 Correctional Services - Restrictive Housing - Report (Carter + 9, Gladden + 8) Requires the Department of Public Safety and Correctional Services to submit yearly reports to the Governor's Office of Crime Control on the numbers, age, race, and ethnicity of inmates held in restrictive housing (e.g. solitary confinement) and the reason for the placement. The report should also include the number of inmates in solitary with serious mental illness and those who were known to be pregnant in the previous year and any incidents of death, self-harm or attempts at self-harm. The report is to be available on the Department's web site. The LWVMD supports this bill. Hrgs. 2/26 JUD, 3/2 JPR

HB 1046 Criminal Procedure - Pretrial Release (Dumais + 2) A judge shall order the pretrial release, without bond, of a person charged with one or more misdemeanors unless the person has previously failed to appear in court. A judge shall release a person accused of a felony if the judge determines that the person can reasonably be expected to appear in court and is not a danger to anyone or to the community. Hrg. 3/10 JUD

HB 1173 Criminal Law - Sentencing - Subsequent Offenders (Career Criminal Truth in Sentencing Act) (Buckel + 15) A person shall be sentenced to imprisonment for the maximum allowed by law, without parole, if the person has been convicted of three other crimes within the last 15 years, at least two of which are felonies. Hrg. 3/10 JUD

HB 857 Law Enforcement Officers - Alcohol and Drug and Drug Testing - Required (Carter + Glenn) Requires a law enforcement agency to order a law enforcement officer to submit to blood, breath and urine tests for controlled substances if the officer discharged a weapon or electronic control device or casuse a moror vehicle accident. Hrg. 2/23 JUD

Update on Bills Previously Reported in RSC # 1

SB 117 Judgeships - Circuit Courts and District Courts - favorable report JPR

HB 119 Orphans' Court - Change Name to Probate Court - Hrg. 3/2 JUD

HB 496 Ethics Commission, Commission on Judicial Disabilities, Judicial Ethics Committee and Joint Ethics Committee - Duties- cross-filed with **SB 194**, favorable report JUD

Update on Bills Previously Reported in RSC #2

SB 590 Correctional Services - Solitary Confinement - Restrictions - unfavorable report JPR, withdrawn

SB 531 Inmates - Life Imprisonment - Parole Reform - Hrg. 3/2 JPR, cross-filed with **HB 882** - Hrg. 3/10 JUD

HB 518/SB 259 Criminal Procedure -Life without Parole - Imposition - unfavorable report JPR

HB 629 Criminal Law - Law Enforcement Officers - Misconduct - Hrg. cancelled

Marlene Cohn

CHILDREN AND FAMILIES

HB 245/SB 310 Child Abuse and Neglect – Failure to Report (Dumais+9/Raskin+4) These bills require that when an agency participating in a child abuse or neglect investigation has substantial reason to believe that a mandatory reporter knowingly failed to report that abuse or neglect, it must file a complaint with that reporter's licensing board and employer. Hrgs 3/3 1:00 JUD, 2/18 1:00 JPR

HB 825/SB 577 Child Protection – Reporting – Threat of Harm (Valentino-Smith+2/Ramirez) These bills add "a verbal threat of imminent serious bodily harm or death to a child" to what mandatory reporters are authorized to report. Their passage would help to keep children safe before they are actually injured. Hrgs 3/3 1:00 JUD, 2/18 1:00 JPR

Update on Bills Reported in RSC 1 & 2

HB 261 Juvenile Causes – Disposition on Delinquency Petition – Required Considerations (RSC 2 , reported incorrectly as HB 216) Hrg 2/18 1:00 JUD

SB 031 Family Law – Child Abuse and Neglect – Expungement of Reports and Records – Time Period (RSC 1) in the House, 1st reading, JUD

SB 209/HB 634 Juvenile Law – Adjudication of Delinquency – Collateral Consequences (RSC 1) unfavorable reports in both JPR and JUD, withdrawn

Judy Morenoff

MEETING BASIC HUMAN NEEDS**ECONOMIC OPPORTUNITY**

HB759 Home Act of 2016 (Lafferty & McIntosh) This bill, which has been introduced in similar form in many prior years, is an attempt to deconcentrate poverty by providing additional opportunities for tenants utilizing public subsidies to live in neighborhoods other than the neighborhoods in which those individuals are currently and disproportionately residing by expanding the housing policy of the State regarding the provision of fair housing to include providing for fair housing regardless of source of income. The bill prohibits discriminatory practices in residential real estate transactions and the sale or rental of a dwelling because of a person's source of income. LWVMD supports this bill. Hearing 2/23 E&T

HB1003/SB481 Labor and Employment – Equal Pay for Equal Work (Valderrama et al/ Lee et al) This bill prohibits discrimination on the basis of gender identity. It prohibits an employer from discriminating between employees by providing less favorable employment opportunities based on sex or gender identity, and also prohibits an employer from taking any adverse employment action against an employee because of the disclosure or discussion of an employee's wages. LWVMD supports this bill. Hearing 3.1 E&M, 3.3 Finance

HB1047/SB294 Earned Income Tax Credit – Expansion (Hixson et al/Madaleno et al) This bill would increase the eligibility income threshold for childless individuals, permit childless individuals (who are eligible for a smaller amount of Earned Income Tax Credit) to earn a State tax credit equal to 100% of the Federal tax credit and to claim a refund of the amount that exceeds the

total tax payable by the individual. It also moves from 2018 to 2016, the date when the state EITC increases for other individuals from 26% to 28%. LWVMD supports this bill. Hearing 3.1 W&M, 3.17 Finance

HB1372/SB940 Labor and Employment – Payment of Wages – Minimum Wage and Repeal of Tip Credit (Waldstreicher et al/Madaleno) This bill would increase the State minimum wage to \$10.10 in July 2016, with annual increase to \$15 on 2020. It would link further increases to the Consumer Price Index. It also repeals authority to include tips as part of wages. Hearing 3.7 EM, 3.17 Finance

SB758 Food Stamp Program- Minimum Benefits – State Supplement (Madaleno et al) This is the Senate equivalent of HB 445 reported on in RSC 2016-2

HB1175/SB664 Fair scheduling, wages and benefits act (Waldstreicher et al/Benson) This legislation would ensure that workers receive adequate time to plan for their work and family lives by requiring employers to provide workers with advance written notice of their schedule. It also guarantees employees will only be required to work the hours on their schedule and requires that schedule changes must be made 24 hours in advance with written notice and employee consent. Hearing 3.9 EM, 3.17 Finance

UPDATES

[RSC 1](#)

HB106 Discrimination in Housing – Re-entry into society status Unfavorable report by E&T

HB219 Criminal Law-Human Trafficking-Adult victim-penalty Unfavorable report by Judiciary – withdrawn

Ruth Crystal

HEALTH

Governor Hogan announced his plan to combat the increased use of heroin and he and the task force looking into the issue have taken a different tactic than Del. Morhaim's, which is aimed at treatment. Their recommendations take a two pronged attack one would move the state's gang laws in the direction of the federal Racketeer and Corrupt Organization Act known as the RICO act. Several State Attorneys have recommended this change. The other bill would mandate the use of the Maryland Prescription Drug Monitoring Program by physicians and pharmacists. This data base tracks scheduled prescriptions by physician, patient and pharmacists. Its use is currently is not mandatory. It would provide a clearer picture of prescribing in the state.

The Governor's bills two bills are:

HB 456/SB382 – Prescription Drug Monitoring Program – Revisions, (Speaker Busch and President of the Senate M. Miller) mandates the use of the Prescription Drug Monitoring Program (PDMP) by physicians and pharmacists. The hearing in HGO was 2/18 and is scheduled for Senate Finance 2/24.

HB 461/SB 97 – Crime – Criminal Gangs – Prohibition and Funding, (Speaker Busch and President of the Senate M. Miller) changes current law to the RICO act. It was heard in Judiciary 2/16 and in Senate JP on 2/17.

HB 724/SB 462, Public Health – Copies of Medical Records – Fees (Del. C. West and Sen. J.C. Conway) would cap the fee for electronic preparation of medical records at \$15 and would repeal the current cost of living increase for copying. It will be heard in the Senate Finance (F) on 2/25 and 3/1 in (HGO).

SB 806, State Board of Physicians – Naturopathic doctors – Establishment of Naturopathic Doctors Formulary Council and Naturopathic Formulary, (Sen. C. Pugh) would establish and define the membership of a Naturopathic Formulary Council in the Board of Physicians. The Council would establish a formulary. It has been assigned to Education, Health and Environmental Affairs (EHEA). Hearing was 2/19.

HB 715/SB 644, Early Identification of Autism Act, (Del. B. Kramer, Sen. N. King) would require pediatricians to use an autism tool, established by the Secretary of Health, to test for autism at 18 month and 24 months and refer for treatment. Assigned to HGO, hearing on 3/1, and Senate Finance, hearing 3/9.

HB 814/SB 849, Task Force to Study the Establishment of Health Courts, (Del. S. Rosenberg and Sen. D. Kelley) would establish a task force to study the efficacy of health courts to hear medical malpractice cases. The carriers have advocated for this for some time. Assigned to House J. and Senate Judicial Proceedings (JP)

Update from [RSC 1](#)

HB 104, Medical Cannabis – Written Certification – Certifying Providers, (Del. D. Morhaim) Favorable report in HGO 2/2. There is no Senate assignment.

HB 6, Criminal Law – Improper Prescription of Controlled Dangerous Substance Resulting in Death, (Del. K. Young) Unfavorable vote in Judiciary.

Update from [RSC 2](#)

SB 91 – State Identified HIV Priorities, (Finance Com for DHMH), (Sen. T. Middleton) passed the Senate, no action in HGO.

HB 1119 – Criminal Law – Use or Possession of a Controlled Dangerous Substance – De Minimis Quantity (RSC 2) would change the possession of marijuana and controlled drugs in small amounts to a civil offense rather than a misdemeanor. It will be heard in Judiciary on 3/1.

HB1212 – Public Health – Overdose and Infectious Disease Prevention Safer Drug Use Facility Program (RSC 2) would allow the establishment of approved facilities where drugs could be used under supervision and where treatment can be offered. It will be heard 3/3 in HGO.

HB 1267 – Poly-Morphone - Assisted Treatment Pilot Program (RSC 2) would establish a pilot program or study of the treatment with pharmaceutical grade opioids a small group of addicts who have failed other treatments. It has a four year sunset. Hearing is 3/3 in HGO.

Neilson Andrews

LAND USE

SB 927/ HB 1464 Program Open Space Trust Fund Act of 2016 (Senator Middleton plus 12 and Delegate Gaines plus 36) would establish a dedicated trust fund to support Maryland Program Open Space (POS). POS was created in 1969 to create State and local parks and preserve natural

areas. POS is funded by a 0.5 percent fee on real estate transactions. Over the years, the uses for these funds were expanded to include other land conservation programs including the Maryland Heritage Areas Authority Financing Funds, the Rural Legacy Programs and the Maryland Agricultural Land Preservation Fund. Also, the funds may be used to help support other uses including development and use of State-owned land, indoor recreational facilities and park maintenance. In recent years, funds were diverted to the General Fund from POS to help balance the state's operating budget. This new legislation creates a dedicated trust fund for these programs and establishes a repayment plan for recent diversions from the fund. Any future diversions from the fund would be repaid within three years. Senate HRG 3/9, 1 p.m. and House HRG 2/23, 1 p.m.

HB1413 State Government - Legislation Impacting Local Government Land Use Decisions - Economic Impact Analysis (McKay plus 13) requires the Department of Legislative Services (DLS) or the Executive Branch agency submitting a bill to conduct an economic impact analysis of any bill that would affect local land use decisions. This bill was also submitted in the 2015 session (HB989) but was not reported out of committee. According to the fiscal and policy note prepared for HB989, DLS prepares fiscal and policy notes for about 2,000 bills during a legislative session. Executive Branch agencies also provide information if requested by DLS. HB1413 would require a more detailed economic impact analysis that may require more time and additional DLS staff and/or consultants. This may delay consideration of bills and action by the legislature because the longer analyses would have to be conducted during legislative interims. Last year, the Maryland Department of Planning noted the bill's language was broad and could cover all legislation dealing with zoning, planning, growth management, economic development, infrastructure financing, environmental protections and natural resource conservation. HRG 2/29, 1 p.m. Rules and Executive Nominations Committee.

SB 137/HB276 Income Tax Credit - Preservation and Conservation Easements (RSC#2) passed third reading in Senate B&T (47-0)

SB181/HB 531 Maryland Strong Manufacturing Development (RSC #2) cross-filed with HB 531 (Beidel plus 17)

SB559/HB686 Establishing the Strategic Demolition and Smart Growth Impact Fund (RSC #2) House Appropriations passed the second reading with substitute committee amendments. The amendments require grantees to provide local matching funds equal to \$1 for each \$4 in State funding. Local matching funds may come from any source including federal, state, or local funds, real property, in-kind contributions and funds previously expended by the grantee. Matching funds are required for grants in FY2017 through FY2019. In FY 2020 and beyond, no local match is required. The amendments require the governor to include set amounts in the annual budget bills with specific allocations for Baltimore and statewide (\$21.5 million in FY2017; \$25.65 million in FY 2018; \$28.5 million in FY2019). Senate HRG 2/23, 1 p.m. EHEA

Susan Knisely