



REPORT FROM STATE CIRCLE

Published by the League of Women Voters of Maryland, Inc.
111 Cathedral Street, Suite 201, Annapolis MD 21401
lwvmd.org | 410-269-0232 | stateoffice@lwvmd.org
Follow us on Facebook, Twitter & Instagram @LWVMD



Co-Presidents: Elaine Apter & Richard Willson

Editor: Ruth Crystal
Asst. Editor: Ashley Oleson

February 8, 2019

Issue No. 2

Maryland General Assembly website: <http://mgaleg.maryland.gov>

TABLE OF CONTENTS

Administration of Justice	6	Environment: Stormwater, Bay, Phosphorus, Pesticides, Recycling, Trees & Other	19
Budget	22	Gun Control	9
Campaign Finance	3	Health	15
Census	4	Human Trafficking	10
Children and Families	14	Immigration	10
Corrections	7	Juvenile Justice	11
Domestic Violence	8	Meeting Basic Human Needs & Equality of Opportunity	16
Drug Abuse	8	Redistricting Reform	5
Education	12	Taxes	23
Elections	1	Transparency in Government	6
Environment: Climate Change	18	Transportation	18
Environment: Land Use	18		
Environment: Renewable Energy	18		

To subscribe to *Report from State Circle*, please visit LWVMD [website](http://www.lwvmd.org) or call 410-269-0232.

To see which bills LWVMD is testifying on visit <http://www.lwvmd.org/testimony>

ELECTIONS

HB 237 Election Law - Early Voting Centers - Hours of Operation (Washington) would open the Early Voting Centers at 8:00 AM during general elections and at 10:00 AM for primary elections (currently they open at 10:00 AM for all elections except presidential general elections). The closing time of 8:00 PM would not be changed.
Hrg. 2/5, 1pm W&M

SB 154 Election Law - Election Day - Opening Time for Polling Places (Simonaire) would change the opening time for election polling places from 7:00 AM to 6:00 AM.
Hrg. 2/7, 1pm EHEA

SB 411 Election Law - Polling Places at Continuing Care Retirement Communities (West plus 2) would establish separate precincts on the premises of continuing care retirement communities to serve at least its residents if the retirement community requests it and provides facilities without charge and assistance to recruit election judges to staff it. EHEA

Voter Registration and Party Affiliation

HB 423 Election Law - Voter Registration - High Schools (Kelly plus 13) would allow individuals to register to vote at the high school where they are enrolled or employed. At least twice a year, designated staff would distribute voter registration applications to those who are at least 16 years old; the applications could then be submitted to the staff member or mailed to appropriate election officials.
Hrg. 2/12, 1pm W&M

HB 286 Election Law - Registration and Voting at Precinct Polling Places (Reznik plus 20) would allow voters to apply to register to vote, or change the address of an existing registration, on Election Day at the polling place. After showing proof of residency, the voter would be issued a voter authority card and allowed to vote (the ballot would be provisional if the new residency is at another precinct).
Hrg. 2/12, 1pm W&M

SB 449 Election Law - Election Day Voter Registration (Pinsky) bill text not available as of RSC deadline. EHEA

SB 489 Ballot Access - Voter Registration - Affiliating With a Party (Kagan) would allow voters who have declined to affiliate with a political party to change to a party affiliation at any time that individuals may register to vote, which currently includes early voting (if HB 286 passes, it would also include election day). If an unaffiliated voter changes to affiliate with a party at a polling center on the date of a primary election, that voter would receive a ballot from that political party. EHEA

SB 385 Election Law - Primary Elections - Voting by Unaffiliated Voters (Zirkin) would allow voters who are not affiliated with a political party to vote in primary elections for the candidates of a political party of the voter's choice. Exceptions would be that unaffiliated voters could not vote for members of the local central committee of a

political party, nor could they vote in presidential elections for delegates to the national presidential nominating convention of a political party. EHEA

Absentee Ballots

[HB 119](#) Election Law – Permanent Absentee Ballot List (Washington and Carr) would allow voters to apply for permanent absentee ballot status, and would provide a list of those with this status. At each election, an absentee ballot would be sent to voters with permanent absentee ballot status unless they failed to return the ballot for two consecutive statewide elections, or if mail sent to their address is undeliverable. Hrg. 2/5, 1pm W&M

[SB 333](#) Election Law - Permanent Absentee Ballot List (Kramer) is the same as HB 119 except that the absentee ballot would be sent to voters in the format that they requested (mail, fax or internet). Hrg. 2/14, 1pm EHEA

[HB 269](#) Election Law - Voting by Absentee Ballot - Prepaid Postage for the Return of Ballots (Reznik plus 18) would have absentee ballots include a return envelope with pre-paid postage. The State Board could reimburse local boards for the cost of this postage if they petition for it. Hrg. 2/12, 1pm W&M **[SB 343](#) Election Law - Voting by Absentee Ballot - Prepaid Postage for Return of Ballots** (Kagan) is a similar bill Hrg. 2/21, 1pm EHEA

[SB 230](#) Election Law - Canvassing of Absentee Ballots - Reporting Unofficial Results (Hough) would require that at the end of each day of canvassing, local boards would release a report of the unofficial results of the absentee ballot vote tabulation. Hrg. 2/14, 1pm EHEA

[HB 322](#) Election Law - References to Absentee Voting in Public Communications - Voting by Mail (Carr plus 40) would have the State and local Boards refer to absentee ballots as “Vote-by-mail” ballots, and absentee voting as “Voting-by-mail” when communicating with voters and the public. Hrg. 2/12, 1pm W&M

Voting Rights and Accessibility

[HB 252](#) Election Law - Eligible Detainees - Information on Voting Rights (Washington plus 11) would make citizens detained in correctional facilities eligible to vote if they are awaiting trial or incarcerated for a misdemeanor. Hrg. 2/12, 1pm W&M

[SB 363](#) Election Law - Voting Systems - Accessibility for Voters With Disabilities (Lam plus 10) would change the current requirement that at least one voting system that is accessible to people with disabilities be in place at each polling center on election day, to require that each voter at election day polling places as well as early voting centers would use a ballot-marking device that is accessible to people with disabilities, and that the ballots cast by people with disabilities would be indistinguishable from those cast by others. EHEA

Miscellaneous**HB 85/SB 313 General Assembly – Special Election to Fill a Vacancy in Office**

(Moon plus 11/Lam plus 2) would submit to the voters a state constitutional amendment requiring that a Senator or Delegate appointed by the Governor to fill a vacancy in the General Assembly would serve for the remainder of the term unless the vacancy occurs more than 20 days before the deadline for filing certificates of candidacy for the regular statewide election that is held in the second year of that term. If the vacancy occurs at least 21 days before that deadline, the governor would immediately declare that a special election to fill that vacancy would be held at the same time as the regular statewide primary and general elections. W&M, EHEA

SB 476 Department of Legislative Services - Voting by Mail - Study (Kramer) bill text not available as of the RSC deadline. EHEA

Update on bills previously reported in the RSC:

HB 79/SB 461 Election Law – Early Voting Centers – Establishment and Hours (Luedtke/Waldstreicher) assigned to EHEA ([RSC-1](#))

Dona Sauerberger

CAMPAIGN FINANCE**HB 147 Election Law - Local Public Campaign Financing - Boards of Education**

(Moon) Previously, the General Assembly passed legislation allowing local jurisdictions to establish public campaign finance programs for candidates for the county council and County Executive. Subsequently, the Montgomery County Council passed legislation that established a Public Election Fund which funded approximate 20 candidates in the 2018 election cycle. Howard and Prince George County as well as Baltimore City voted to adopt similar public campaign finance programs. This legislation would allow counties the option to expand public financing programs for candidates for other county positions such as Board of Education, Clerk of the Circuit Court, Register of Wills, Sherriff or State's Attorney. Hrg. 2/5 W&M

HB 210 Campaign Finance - Campaign Committee of Deceased Elected Official - Transfer to Appointed Spouse (Reilly plus three)

Current law provides for the dispersal of any remaining funds in a candidate or elected official's campaign finance account upon termination of the account to any of the following entities: the state central committee of the official's party, the local central committee of the official's party, the board of education of the county in which the candidate resides, a charitable non-profit organization, a public or private institution of higher education or the Fair Campaign Financing Fund (which provides public funds for gubernatorial candidates). This bill would add to that list the spouse of a deceased elected official if that official's spouse is appointed to serve in the deceased official's place in accordance to the law for filling vacancies for that office. Hrg. 2/5 W&M

HB 208 Campaign Finance - Death of Elected Official - Transfer of Funds to Slate Account (Reilly). This bill is similar to HB 210 (described above) in that it expands the

allowed entities that may receive campaign funds upon the death of an elected official. It would allow for the distribution of up to \$24,000 of assets from the official campaign account, after all outstanding expenditures have been paid, to one or more campaign finance funds that supported states of which the deceased official was a member. Hrg. 2/5 W&M

HB 260/SB 226 Election Law – Campaign Finance Violations – Injunctive Relief

(Cardin/West) Currently, if a candidate wants an injunction for the violation of campaign finance law against a campaign finance entity supporting the candidacy of a candidate for the same office, or a violation by anyone required to file an independent expenditure or electioneering communication report, the injunction would be sought through the Secretary of State. This legislation would assign the authority to seek an injunction to the Chair or Vice Chair of the State Board of Elections. Hrg. 2/12 W&M

HB 261/SB225 Election Law - Campaign Material - Clarification of Definition

(Cardin/West) The current law defines campaign material as any published or otherwise distributed material that relates to a candidate, prospective candidate, a ballot question or a prospective ballot question. This includes paid digital communications and campaign advertisements. According to current law, all such material must contain an authority line that states the name and address of the treasurer of the campaign entity or entities and the campaign finance entity for which the treasurer is acting. Campaign material that is published or distributed by any other person must contain the name and address of the person responsible for the campaign material. The law also provides for the omission of an address if the address is on file with the State or Local Board of Elections. This bill would remove the authority line requirement unless the campaign material is primarily related to campaign activity for an election.

SB 414 Public Funding and Small Donor Act for General Assembly Elections

(Pinsky plus eight) would create a public funding program for candidates running for the House or Senate in the Maryland General Assembly. The candidate would have to prove that he or she is a viable candidate by raising money from small donors in the district. The candidate must raise donations of less than \$250 from at least 350 individuals to qualify and may then apply for a specified amount of matching funds dependent on the type of race he or she is facing. This bill has been introduced many times before. It would have the same funding sources as the current law regarding public funding for gubernatorial candidates. EHEA

Nancy Soreng

CENSUS

HB 320/SB 455 2020 Census Complete Count Commission (Wilkins plus 23/Guzzone) would establish a Commission whose purpose is to ensure a fair and accurate counting of hard-to-count populations. These populations include young children, racial and ethnic minorities, those who don't speak fluent English, low income and homeless individuals, foreign born residents, those who move frequently, lesbian, gay, bisexual, transgender or those who question their sexual orientation and individuals who distrust government authorities. The Commission would be an

independent Commission that would work out to the Department of Planning. Membership would include two members from the Senate and House and the following Secretaries or their designees: The Secretary of Education, Transportation, and Human Services and the State Librarian. The Governor would also appoint two members who would serve as liaisons to State agencies. It would include a member representing municipal governments, a member representing county governments, and a member of the 2020 Census Grant Program. In addition, there would be membership from some of the hard-to-count populations and representatives from other groups such as business and faith communities. Hrg 2/19 ET.

Nancy Soreng

REDISTRICTING REFORM

[HB 67](#) Potomac Compact for Fair Representation (Reznik) proposes a congressional redistricting reform plan based on a compact between Maryland and Virginia to establish substantially similar processes. The process proposed by this bill is to establish a commission composed of individuals who are contracted by a nonpartisan research agency, and who are not selected by the Governor or members of the General Assembly. In Maryland, this agency would be the Department of Legislative Services (Department). The Department would establish the size of the commission and select its members. The commission must include at least one demographer, cartographer, applied mathematician, computer scientist, and a lawyer or legal expert in the field of election and redistricting. Members of the commission will be current fulltime employees of the Department, unless the needs cannot be met by the current staff. In which case, staff will be hired on a contractual basis to serve on the commission. While serving on the commission, members may not be an elected official, an official subject to senate confirmation, nor a candidate for elected office.

The bill calls for congressional district standards that consist of adjoining territory, are compact, and are of substantially equal population, with due regard given to natural and political subdivision boundaries. The bill calls for public hearings prior to preparation of a plan, the plan may not be amended, and a member of the General Assembly may not introduce a different plan. The plan would become law with a majority vote in both houses.

If a compacting state fails in some way to comply with the agreement and process, the other state is no longer required to comply.

Update on Bills Previously Reported in the RSC:

[HB 463/SB 110](#) Congressional Districts - Standards (Anti-Gerrymandering of Maryland's Congressional Districts) (Malone plus 63/Reilly) House cross-file introduced. ([RSC-1](#))

Ashley Oleson

TRANSPARENCY IN GOVERNMENT

[SB 207](#)/HB 232 Transparency Act of 2019 (President for the Governor plus 14/Speaker plus 32) would require the General Assembly to make available to the public live and archived video streaming of all meetings of the Senate, the House, and any hearings or voting sessions held by a standing committee. It would take effect October 1, 2019. Hrg. 2/7, 1pm EHEA

[SB 79](#) Public Ethics - Lobbyist Registration and Reporting - Mandatory Electronic Filing (Pinsky) simplifies reporting by requiring regulated lobbyists to file their registration and lobbying reports electronically directly to the State Ethics Commission. It would take effect July 1, 2019. Passed the Senate, sent to ET.

Update on bills previously reported in the RSC:

[SB 184](#)/HB 71 State Board of Elections - Open Meetings - Video Streaming and Recording (State Board of Elections Transparency Act) (Kagan/Korman and Buckel) Hrgs. 2/7, 1pm EHEA; 2/5, 2pm HGO ([RSC-1](#))

Elaine Apter

ADMINISTRATION OF JUSTICE

Judiciary

[SB 246](#) Circuit Court Judges - Elections (Kramer) A Constitutional Amendment stipulating that a Circuit Court Judge must face a retention election one year after appointment and every 15 years thereafter until mandatory retirement at age 70. Retention elections allow voters to vote yes or no on whether the judge should remain in office. Like other judges in Maryland, Circuit Court Judges would not face an opponent in a contested election. Hrg. 2/4, 12 pm JPR

[HB182](#) Judges - Mandatory Retirement Age (Cardin plus three) A Constitutional Amendment that increases the age of retirement for all judges except District Court Judges from 70 years to 73 years of age. Hrg. 2/6, 2 pm JUD

Criminal Justice Reform

[SB 149](#) Task Force to Study Crime Classification and Penalties (Hough plus six) Establishes a Task Force that would review the penalties for all the civic and criminal violations in the Maryland Code and study the history and legislative intent of the classification of the violations (misdemeanor, felony, etc). It would study classifications and penalties in other states. The Task Force would recommend reclassifications and changes in penalties, and the Task Force would report its findings and recommendations to the Governor and the General Assembly by December 31, 2020. Hrg. 1/31, 1 pm JPR

[SB 191](#) Compensation to Individuals Erroneously Convicted, Sentenced and Confined or Whose Conviction or Adjudication is Reversed (Kelley plus 21) Requires, rather than authorizes the Board of Public Works to pay compensation to

those erroneously convicted of a crime. The amount of compensation must be \$50,000 for each year the person was in custody or the actual damage incurred, including fines, fees, costs and restitutions, whichever is greater. In addition, compensations should be provided for counseling, and up to \$10,000 for living expenses. Also, the person may receive housing, education and training, college tuition and health and dental care insurance for five years after release. Hrg. 2/12, 12 pm JPR

HB 88 Criminal Law - Alcohol Offenses - Civil Offenses (Decriminalization of Petty Nonviolent Offenses Act) (Charkoudian plus 18) Consumption of an alcoholic beverage in public or on public land or carrying an alcoholic beverage in an open container would be a civil, not criminal offense and subject to a maximum fine of \$100. Hrg. 2/18 ECM

Sentencing

SB 176/HB 229 State Commission on Sentencing Policy - Annual Report - Crimes of Violence (President for the Governor plus 15/Speaker for the Governor plus 30) Requires the State Commission on Sentencing Policy to submit an annual report to the General Assembly on sentencing and penalties for violent crimes in the past year. The report must include:

1. the crime for which the defendant was convicted;
2. the sentence imposed;
3. the sentencing guidelines range applied;
4. the State recommended sentence;
5. the Court and Judicial Circuit with jurisdiction;
6. the sentencing judge.

Hrgs. 1/31, 1pm JPR; 2/12, 1pm JUD

Marlene Cohn

CORRECTIONS

SB 148 Correctional Services - Murder - Diminution Credits (Hough plus five) prohibits inmates convicted of first or second degree murder from earning diminution credits that would count toward early release. Hrg. 2/5, 12 pm JPR

SB 150 Correctional Services - Eligibility for Parole - Life Imprisonment (Hough plus four) increases the amount of time an inmate sentenced to life imprisonment must serve before becoming eligible for parole from 15 years to 25 years. Hrg. 2/5, 12 pm JPR

HB 116 Public Health - Correctional Services - Opioid Use Disorder - Examinations and Treatment (Barron plus two) repeals the requirement that an inmate addicted to opioids be subject to a program of methadone detoxification. Instead, each state and local correctional facility shall conduct an assessment of the mental health and substance use status of each inmate within 24 hours after incarceration, whether pretrial or post trial. A health care practitioner shall conduct a physical examination of inmates diagnosed with opioid use disorder and medication-assisted treatment shall be provided within 24 hours. The Maryland Department of

Health shall determine whether an inmate received such treatment and determine whether the treatment should be continued, unless the inmate voluntarily discontinues the treatment or a medical practitioner determines that the treatment is no longer appropriate. Before the inmate is released, the correctional facility will develop a plan for reentry, including continued access to medication, other supportive therapy and enrolment in a health insurance plan. The Maryland Commission on Correctional Standards shall submit an annual report to the General Assembly on the number of inmates assessed, the number receiving treatment and the nature of the treatment.
Hrg. 2/18, 1 pm JUD

Update on bills previously reported in the RSC:

SB 121/HB 443 Inmates - Life Imprisonment - Parole Reform (Dumais plus 14/Kelley plus 18) Hrgs. 2/5, 12 pm JPR; 2/19, 1 pm JUD ([RSC-1](#))

HB 12 State Correctional Facilities - Correctional Officers (MacKay and Wivell) cross filed with SB 272, FIN ([RSC-1](#))

HB 78 Correctional Services - Inmates - Labor (Wilkins plus 13) favorable report, JUD ([RSC-1](#))

Marlene Cohn

DOMESTIC VIOLENCE

Update on Bills Previously Reported in the RSC:

HB 122/SB 209 Protective Orders – Relief Eligibility – Rape and Sexual Offenses (Dumais plus 14/Zirkin plus seven) Hrg. 1/31, 1:30pm JUD ([RSC-1](#))

SB 129 Criminal Law – Continuing Course of Conduct With a Child – Unit of Prosecution (Lee) Hrg. 1/18 JPR ([RSC-1](#))

Deborah Mitchell

DRUG ABUSE

HB 139/SB0135 Overdose and Infectious Disease Prevention Site Program (Pena-Melnyk plus 31/Benson plus eight) Provides for a community organization to have a place for the safe consumption of certain drugs, provide sterile needles, administer first aid, and provide certain other services. Allows the Maryland Department of Health to approve up to six separate locations in areas of high incidence drug use. Purpose is to prevent infectious diseases (e.g., HIV, Hepatitis B) and to allow rapid overdose treatment. Hrgs. 2/13, 1pm HGO; 2/14, 1pm FIN

Update on bills previously reported in the RSC:

HB 25/SB 195 Prescription Drug Monitoring Program – Revisions. (Barron plus three/Kelley plus 11) Hrg. 2/14, 1pm FIN ([RSC-1](#))

[SB 28](#) Coverage Requirements for Behavior Health Disorders – Short Term Limited Duration Insurance (Kelley for the Maryland Insurance Administration) Favorable report FIN. ([RSC-1](#))

[HB 116](#) Opioid Use Disorder Examinations and Treatment (Barron plus two) Hrg. 2/19, 1pm JUD ([RSC-1](#))

Chris Hager

GUN CONTROL

[SB 8](#) Criminal Law - Computer-Aided Firearm Fabrication – Prohibitions (Benson) Repeals and adds terms and definitions to clarify the meaning of computer-aided fabrication devices; and stipulates that no person may use computer-aided devices to manufacture a firearm. The bill further adds that a person may not possess, sell, transfer, purchase or receive a firearm produce by a computer-aided fabrication device. A person found guilty of violating this section shall be charged with a misdemeanor and is subject to imprisonment and a fine. Hrg. 2/27, 12pm JPR

[SB166/](#)[HB 236](#) Crimes - Use of Firearms in the Commission of a Crime of Violence or Felony - Penalties (The Repeat Firearms Offender Act of 2019) (President for the Governor plus nine/Speaker for the Governor plus 27) alters the penalties when a firearm is used during a crime of violence or any felony; whether the firearm is operable or inoperable at the time of the crime. A person who violates this section is guilty of a [misdemeanor] FELONY will receive not less than 5 to 20 years; for a second offense, not less than 10 to 20 years; and will not be eligible for parole before the mandatory 5-year sentence is met. Hrgs. 2/07, 12pm JPR; 2/25, 10am JUD

Update on bills previously reported in the RSC:

[HB 92/](#)[SB 113](#) Public Safety – Handgun Permits – Payment of Fees (Dumais/Hough) The fiscal and policy notes indicate that bill does not materially affect State operations or finances. Current law requirements and background relating to the issuance of handgun permits is summarized in the Appendix and the State Police anticipates that an automated system will be operationalized to accept online applications and fees. Hrgs. 2/25, 10am JUD; 2/5, 12pm JPR ([RSC-1](#))

[SB 114](#) Firearms – Handgun Permit – Preliminary (Hough) The fiscal and policy note indicates that an increase in handgun applications and revenue will increase in 2020 with the passage of the bill but will decrease over time. Hrg. 2/05, 12pm JPR ([RSC-1](#))

[SB 118](#) Handgun Permits – Criminal History Records Checks – Fingerprint Submission.(Ready) Hearing cancelled, unfavorable report, withdrawn. ([RSC-1](#))

[HB 95](#) Public Safety – Firearms Disqualifications – Antique Firearm known as Shadé’s Law (Dumais) Hrg. 2/25, 10am JUD ([RSC-1](#))

[HB 96](#) Public Safety – Regulated Firearms – Transfer House. (Dumais) Hrg. 2/25, 10am JUD ([RSC-1](#))

Gloria Salas Kos

HUMAN TRAFFICKING

Update on Bills Previously Reported in the RSC:

[HB 5/SB 146 Commercial Driver's Licenses – Recognition, Prevention, and Reporting of Human Trafficking](#) (Ebersole/Klausmeier plus four) Hrg 1/30, 2:30pm ET ([RSC-1](#))

Deborah Mitchell

IMMIGRATION

[SB 144/HB 214 Victims and Witnesses – U Nonimmigrant Status – Certification of Victim Helpfulness](#) (Augustine plus 10/Pena-Melnyk plus 45) requires the law enforcement community to file a Form I-918 on behalf of a person who has been helpful, is helpful or will be helpful to law enforcement, such form enabling the helpful person, if undocumented, to obtain U Nonimmigrant Status and what is called a U Visa. It is an affirmative immigration benefit for undocumented individuals including those facing deportation. U Nonimmigrant Status is temporary. It allows victims of crimes to remain in the US, it allows them to obtain employment authorization, it positions them to apply for lawful permanent resident status, and it enables them to help certain family members obtain immigration status also. Hrgs. 1/31 JPR; 2/6 JUD

[HB 224 State and Local Government – Correctional Units – Detention Agreements and Contracting for Privatization of Facilities](#) (Barron plus two) Included in this bill is a statement that an agreement or contract of a state, local or county correctional facility with the federal government for the detention of an alien cannot include reimbursement greater than the per diem rate. It further states that an agreement already entered into before the legislation's effective date cannot extend beyond the effective date of this legislation. Hrg. 2/5 HGO

[HB 262 Higher Education – Tuition Rates – Exemptions](#) (Luedtke plus 60) Individuals (Including specifically “undocumented immigrants”) will be exempt from paying out-of-state tuition at a public institution of higher learning in the State not later than 6 years after graduating from a public or nonpublic secondary school in Maryland or receiving the equivalent of a high school diploma in the State. The student or parent must present to the institution documentation that he/she has filed a Maryland tax return for 3 years prior to entrance to the institution and must also file for permanent residency within 30 days after eligibility. The individual must also comply with any Selective Service requirements and show documentation. This in-state rate also applies to any in-county tuition. Public institutions of higher education must adopt appropriate policies to implement. This bill would be effective July 1, 2019. Hrg. 2/5 APP

[HB 318 Public Institutions of Higher Education – Residency Requirement – Determination of In-State Tuition Status](#) (Sydnor) would be effective July 1, 2019. Public school teachers employed by county boards in MD who have educational requirements related to their teaching occupations and reside in Maryland, and who have been employed as a full-time teacher for less than a year, shall have in-state tuition apply for their education to fulfill teacher employment requirements. If the teacher

resigns his/her teaching position or is terminated, this person shall be responsible for the difference between the in-state cost and that of a non-Maryland resident. With regard to an additional matter, if a student attended a Maryland secondary school, public or non-public, for a least 3 years and graduated or received an equivalent diploma, and registers at a community college in Maryland, provides documentation that the individual or his/her parent or legal guardian had filed MD income tax returns for 3 years during that high school period, will file for permanent residency within 30 days of eligibility, and registers with Selective Service if required, the person is eligible for in-state tuition at a public community college or senior higher education institution if he/she attended a community college and was awarded an associate's degree or achieved 60 credits in Maryland. The applicant also must provide documentation that he/she or parent or legal guardian filed MD income tax return annually while attending a community college. State community colleges and higher education institutions must keep a record of the number of students so admitted. All information must be kept confidential. Additionally, a person who has completed an AmeriCorps Program in Maryland shall be equally eligible. Hrg. 2/12 APP

HR 433 Maryland Police Training and Standards Commission – Police Officer Certification – Eligibility (Freedom to Serve Act) (Fraser-Hidalgo plus six) would require those eligible for certification as police officers be either United States citizens or hold Permanent Residence status plus be honorably discharged US Armed Forces veterans seeking citizenship within 10 years. Those who are already so certified police officers who do not meet these requirements would be uncertified and terminated. Hrg. 2/19 JUD

JUVENILE JUSTICE

SB 197 Juvenile Law - Jurisdiction - Attempted Carjacking and Attempted Armed Carjacking (Cassilly) provides that juvenile court will not have jurisdiction over children accused of carjacking or attempted carjacking, unless the child is under 16 or the court chooses to transfer to juvenile court. Hrg. 2/07, 12 PM JPR

SB 221 Workgroup on Establishing an Independent School Board for the Juvenile Services Education System (Kelley) establishes a workgroup to determine whether an independent school board should be created for Juvenile Services, and how juvenile services education might be reformed. Hrg. 2/06 EHEA

SB 401/HB 495 Juvenile Law - Informal Adjustment (Carter/Valentino-Smith plus four) allows courts to refer certain matters to Juveniles Services for informal adjustment when it is in the best interest of the public and the child, and requires charges to be dismissed if informal adjustment is completed. Hrgs. 2/20 JPR; 2/21 JUD

HB 167 Juvenile Causes - Safe Haven Newborns (Clippinger for Human Services Department) prevents juvenile court from disclosing the identity of the mother of a safe haven child, and requires Social Services to publicly publish notice of voluntary relinquishment. Hrg. 2/7 JUD

[HB 169](#) State Advisory Board for Juvenile Services - Duties and Access to Records (Clippinger for Human Services Department) expands the duties of the State Advisory Board to include reviewing cases of deaths of minors in Juvenile Services custody, allows State Advisory Board to access confidential records. Hrg. 2/7 JUD

[HB 418](#) Juvenile Law - Waiver and Transfer of Jurisdiction (Moon and Sydnor) Repeals the provision that requires the juvenile court to assume that a child committed a delinquent act in order to consider whether to waive its jurisdiction, and alters the process for the transfer of jurisdiction between juvenile and adult court. Hrg. 2/21 JUD

Update on Bills Previously Reported in the RSC:

[SB 72](#) Membership – Department of Juvenile Services State Advisory Board (Zirkin for Department of Juvenile Services) sets requirements for members of the DJS State Advisory Board, and expands the number of members that can serve on the Board. Passed 1/31 ([RSC-1](#))

Jill Muth

EDUCATION

Charter Schools

[HB 156/SB 172](#) Public Charter School Facility Fund (Speaker/President for the Governor) requires the Governor to set aside \$1600 per year per charter school student for a non-lapsing fund for planning, building or maintaining public charter schools. APP; EHEA

Nonpublic Schools

[SB 125/](#)[HB 100](#) Budget Bill (Fiscal Year 2020) (President/Speaker for the Governor) Section **R00A03.04 Aid to Non –Public Schools** is a special appropriation of \$6.04 million for textbooks and computers for nonpublic schools. **R00A03.05 Broadening Options and Opportunities for Students Today** is a Special Fund Appropriation of \$10 million for a Broadening Options and Opportunities for Students Today (BOOST) Program that provides scholarships for students who are eligible for the free or reduced-price lunch program to attend eligible nonpublic schools. This represents an increase over the \$7 million provided in FY2019. B&T; APP

[HB 295](#) Nonpublic Elementary and Secondary Schools - Discrimination – Prohibition (Wilkins plus four) prohibits a nonpublic elementary or secondary school that receives State funds from refusing enrollment of, expelling, withholding privileges from, or otherwise discriminating against any student or prospective student because of an individual's race, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, or disability. Employment practices are also covered. Penalties could be \$50,000 to \$300,000 depending on the size of the school. Hrg. 2/14, W&M

[HB 356](#) Primary and Secondary Education - Nonpublic Schools - Required Information (Patterson plus 10) requires that by September 1 of each school year a

nonpublic school must submit a copy of its use and occupancy permit; the approval by the local fire marshal for occupancy; a statement indicating whether the school is accredited or seeking accreditation; and basic information about the school's curricula and courses of study. Local officials must notify MSDE if permits are revoked. MSDE is to publish the accreditation, curricula, and courses of study on the MSDE website. Hrg. 2/14 W&M

School Climate

[HB 256/SB 223](#) State Department of Education - Guidelines on Trauma-Informed Approach (Wilkins plus 12/Nathan-Pulliam plus five) establishes the Trauma-Informed Schools Initiative in the State Department of Education (MSDE) to expand the use of the trauma-informed approach used in schools and intensively train schools on becoming trauma-informed schools. This is a method for understanding and responding to an individual with symptoms of chronic interpersonal trauma or traumatic stress. MSDE is to work intensively with one school each from a metropolitan or urban area, a suburban area, and a rural area beginning in July 2019. The bill provides for a non-lapsing fund for development and evaluation over a 5-year period. Hrgs 2/14 W&M; 2/6 EHEA

[HB 439](#) Public Schools - School Resource Officers - Prohibited Conduct (Washington and Charkoudian) prohibits school administrators from asking school resource officers to participate in routine school discipline. Requires special training for school resource officers in de-escalation; disability awareness; maintaining a positive school climate; constructive interactions with students; implicit bias and disability and diversity awareness with specific attention to racial and ethnic disparities. Hrg. 2/14 W&M

School Buildings

[HB 496](#) Department of the Environment – Public and Nonpublic Schools – Inspections for Environmental Hazards (Healey plus three) requires all schools to be inspected for environmental hazards and details a system for prioritizing and reporting. ET

[SB 126/HB 101](#) Creation of a State Debt - Maryland Consolidated Capital Bond Loan of 2019, and the Maryland Consolidated Capital Bond Loans (President f/Speaker for the Governor). For school buildings, the Interagency Commission on School Construction's budget calls for \$6.1 million for the Aging Schools Program, \$280 million for public school construction and capital projects, \$3.5 million for the Nonpublic Aging Schools Program and \$40 million for local school systems with enrollment growth that over the last 5 years exceeds 150% of the statewide average or with 300 or more relocatable classrooms. B&T; APP

[HB 153/SB 159](#) The Building Opportunity Act (Speaker for the Governor plus 27/President for the Governor plus 12) would take \$125 million each year starting in FY2021 from the Education Trust Fund of lottery proceeds (Question 1-Fix the Fund) and dedicate it to purchasing additional bonds to finance school construction. It also

repeals changes the authority over school construction passed in 2018. APP; Hrg. 2/27 B&T

Update on Bills Previously Reported in the RSC:

HB 45/SB 92 Accountability in Education (Miller plus 33/President for the Governor plus 14) Hrg 2/6 EHEA. ([RSC-1](#))

Lois Hybl

CHILDREN AND FAMILIES

HB 248/SB 181 Education – Child Care Subsidies – Mandatory Funding Level (Jones plus 27/King plus 10) alters the Governor’s required appropriation for child care subsidies, beginning in FY 2021, to increase the Child Care Subsidy Program reimbursement rate to the 60th percentile of the most recent market rate survey or its equivalent. Hrgs. 2/5 APP; 2/5, 2:30pm B&T

HB 338/SB 218 Human Services – Food Supplements (Summer SNAP for Children Act) (Queen plus 46/McCray plus nine) requires the state to provide funds to the counties to offer to families who receive food stamp benefits a \$30 supplement per month in June, July, and August (and \$10 in December) for each child in the family. It also provides requirements for counties to develop and submit for state approval a plan for advertising the program, distributing the funds, and evaluating their effect. Hrg 2/5 APP; 2/6 B&T

SB 231 Family Law – Marriage - Age Requirements (Zirkin) establishes that individuals under the age of 18 may not marry and repeals provisions in current law that provide for exceptions to that standard (e.g., consent of the parent or guardian of an individual of 16 or 17, certification from a licensed physician, physician’s assistant or certified nurse practitioner that the woman to be married is pregnant or has given birth to a child.) Bills on this topic passed both House and Senate in 2017 and 2018, but in different forms, and a conference committee did not resolve the differences. Hrg 2/6, 12pm JPR

SB 264 General Provisions – Age of Majority – Right to Parental Support and Maintenance (Lee) amends current law (which requires parental support until an individual (who is continuously enrolled in high school) graduates, leaves school, or reaches 19) to require parental support of an individual continuously enrolled in secondary school, post-secondary school, or a vocational training program until the student graduates, is no longer continuously enrolled or reaches 21. Hrg 2/13, 12pm JPR

Update on Bills Previously Reported in RSC:

HB 122/SB 209 Protective Orders – Relief Eligibility – Rape and Sexual Offenses (Dumais plus 14/Zirkin plus seven) Hrgs. 1/31 JUD; 2/6, 12pm JPR ([RSC-1](#))

[SB 23](#) Child Support – Lien Against Monetary Award (Zirkin for the Department of Human Services) unfavorable report. JPR ([RSC-1](#))

Judy Morenoff

HEALTH

Attorney General Brian Frosh sought protection for the Affordable Care Act in Federal Court following the Texas ruling that the law is unconstitutional. However, U.S. District Court Judge Ellen Hollander ruled that the state lacked standing to pursue the case because there is a no firm evidence of impending harm. The case was dismissed without prejudice, so it can be brought back to the courts in the future.

[HB 399/SB 311](#) End of Life Option Act (Roger E. Israel and Roger “Pip” Moyer Act), (Pendergrass plus 48/Smith plus 18) This is the bill which conforms to information presented in the League’s Death with Dignity Consensus study just conducted by many leagues. The bill is 23 pages, with 40 sponsors in the House, and delineates the requirements and precautions which a patient must go through before the physician can write a prescription for the patient. The patient must verbally ask as well as ask in writing with witnesses. Hrg. 2/15 HGO; 2/19 JPR

[HB 25/SB 195](#) Prescription Drug Monitoring Program – Revisions (Bannon plus three/Kelley plus 11) The bill would make changes in the Drug Monitoring program making it more a law enforcement tool rather than the current treatment tool. It would allow the DEA access to the program without a subpoena, which they currently must have. The medical community will oppose the changes. They would like to have use of Methadone and Suboxone reported to the program because they can’t tell when someone is on these drugs as a treatment. Hrgs. 2/14 FIN; HGO

[HB 27](#) Clean Indoor Air Act – Use of Electronic Cigarette Devices – Prohibition, (Holmes) would add “escaping vapor” to the statute governing indoor smoking and adding prohibition of electronic cigarette devices to this statute. ECM **[SB 378](#) Tobacco Products and Electronic Nicotine Delivery Systems – Minimum Age and Civil Fines** is a similar bill (Kelley plus 13) FIN; JPR

[HB 49](#) Recoupment of Health Insurance Provider Fee – Calculation (Pendergrass) fixes language in the statute regarding the collection of premium taxes from the carriers to work with the Affordable Care Act. HGO (See also HB 258/SB 239)

[HB 124/SB 229](#) Tanning Devices – Use by Minors (Young plus 16/Benson plus three) this bill would repeal the parental consent provisions in the law governing tanning facilities. It would forbid tanning for minors under the age of 18. It also would require the Health Department to develop a sign for display in tanning facilities indicating that those under 18 are not be allowed to use the tanning devices. HGO; FIN

[HB 86](#) Health Insurance – Continuation Coverage – Change of Employment Status (Wilkins plus two) extends the time from 18 months to 36 months for an employee,

whose employment ends, to continue health insurance coverage. If the employee loses the employment for cause the coverage will not continue. Hrg. 2/7 HGO

[HB 139/SB135 Public Health – Overdose and Infectious Disease Prevention Site](#) (Pena-Melnyk plus 31/Feldman plus nine) would allow Community Based Organizations to establish, with the approval of the local health department, safe sites for opioid users. The site would provide first aid, testing services and treatment and educational opportunities for the drug user. There would be a limit to the number of sites in any one area. Hrgs. 2/13 HGO; 2/13 FIN

[HB 258/SB 239 Health Insurance – Individual Market Stabilization – Provider Fee](#) (Pena-Melnyk and Pendergrass/Feldman) would continue the tax on the carriers which is being used to stabilize the individual health care market in Maryland. The tax is used for a state reinsurance pool, which helps to lower the premiums. There is a safety clause if the Federal Government taxes the carriers, the state will not collect the tax. Hrgs. 2/14 HGO; 2/6 FIN

Update on bills previously reported in the RSC:

[HB 33 – Medical Cannabis, Provider Applications - Opioid Disorder Use](#) (Glenn) Hrg. 1/29 HGO ([RSC-1](#))

[HB 15 – Pediatric Autoimmune Neuropsychiatric Disorders](#) (Sydnor) Hrg. 2/7 HGO ([RSC-1](#))

[SB 28 – Health Insurance – Coverage Requirements for Behavioral Health Disorders - Short-Term Limited Duration Insurance](#) (Kelly) Hrg. 1/30 FIN ([RSC-1](#))

[SB 36/HB 127 - Health Insurance – Health Benefits Plans – Special Enrollment for Pregnancy](#) (Lam/Kelly) Hrg. 1/30 FIN ([RSC-1](#))

Nielson Andrews

MEETING BASIC HUMAN NEEDS & EQUALITY OF OPPORTUNITY

[HB 166/SB 280 Labor and Employment-Payment of Wages-Minimum Wage and Enforcement \(Fight for Fifteen\)](#) (Fennell plus 76/McCray plus 20) increases the state minimum wage annually reaching \$15/hour in July 2023 and increases annually after that by the percent that the Consumer Price Index (CPI) increases. The bill would also increase the minimum wage for tipped workers annually (by reducing the tip credit) to \$15/hour by July 2026. After that date, no tip credit can be calculated as part of the wage amount. The wages of Community Service Providers would increase 7% in FY2020; 5.5% annually for the following 3 years and after that by the percent the CPI increases. The bill also identifies penalties for not following the law on wages. Hrg. 2/8 ECM; FIN

Maryland Earned Income Tax Credits (EITC) is a program that allows low income individuals to claim a credit against their state income tax that is a percent of the allowable federal EITC.

SB 262 Earned Income Tax Credit-Individuals without Qualifying Children - Calculation and Refundability (Ferguson plus 13) allows a credit against the state income tax equal to 100% of the federal EITC and allows the individual to claim a refund if the allowable amount is greater than the total tax the individual owes. Hrg. 2/6 B&T

SB 263 Earned Income Tax Credit- Individuals Without Qualifying Children- Eligibility and Refundability (Ferguson plus 14) modifies the state EITC program by replacing the income limits used in the federal EITC program for individuals without children to begin at \$6,920 and phase out at \$16,630. The bill also requires that these dollar amounts be increased annually by the cost of living. Hrg 2/6 B&T

HB 339 Family Investment Program – Temporary Cash Assistance – Funding (Valentino–Smith plus 11) requires the Governor to provide sufficient funds in the budget to ensure that the value of temporary cash assistance (TCA), combined with federal food stamps, is equal to at least 61% of the State minimum living level for FY2020 and increases annually to FY2025 when it equals 71% of the State minimum living level. APP

HB 451 Fair Housing Opportunities Act of 2019 (Lafferty plus seven) 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. It prohibits discrimination based on source of income for the rental of a unit only if the building contains 6 or more units. The bill explicitly does not limit rights or remedies otherwise available to landlords in selecting tenants (like determining sufficient income). It was introduced in 2017 as HB2017. Hrg 2/19 ET

HB 473 Residential Leases - Definition of "Rent" (Lafferty plus six) narrowly define 'rent' as the amount paid for use and possession of the premises and does not include any additional payments due from the tenant to the landlord. It further states that this definition of rent would take precedence over any local laws that define rent. This is important as this limits which payments can be used to take a tenant to rent court for nonpayment of rent. ET

HB 226 Food Stamp Program – Minimum Benefit for Disabled Individuals – State Supplement (Lopez plus 16) The state provides supplements to the Federal food stamp program for certain low income individuals. This bill would supplement benefits of disabled individuals who receive less than \$30/month so that their total benefit would equal \$30/month. Hrg. 2/5 APP

SB 433 Responsible Workforce Development Percentage Price Preference Act (Zucker plus 13) Because the State and the State's political subdivisions incur substantial direct and indirect expenses when employers do not pay for employee health care expenses, it makes economic sense for State agencies to offer a bid

preference to contractors that pay for Maryland employees' health care expenses. This bill allows a percentage price preference (i.e. the bid can be awarded to a bidder higher than the lowest bid) of 4% for bidders (and all their subcontractors on the bid) who pay their employees' health care benefits in an amount equal to at least 10% of the relevant employees' aggregate social security wages. EHEA

Ruth Crystal

TRANSPORTATION

[HB 277/SB 249](#) Regional Initiative to Limit or Reduce Greenhouse Gas Emissions in Transportation Sector – Authorization (Regional Transportation and Climate Protection Act of 2019 (Korman/Lam) Since the transportation sector is the largest contributor to greenhouse gas emissions, this bill authorizes the Governor to have certain powers to curb emissions. The Governor has verbally agreed to act with other states in curbing emissions and this authority would allow an imposition of an emissions' fee on the sale or distribution of gasoline under certain circumstances as well as requiring a report from the Department of the Environment and the Department of Transportation. Hrg. 2/12, 1pm EHEA

Update on bills previously reported in the RSC:

[HB 102/SB 442](#) Toll Roads, Highways, and Bridges – County Government Consent Requirement – Expansion (Lierman plus 21/Smith plus nine). Hrg. 2/7, 1pm ET ([RSC-1](#))

Bee Ditzler

ENVIRONMENT: CLIMATE CHANGE

[HB 472](#) Constitutional Amendment - Environmental Rights (Lafferty plus 12) establishes a provision within the Maryland Bill of Rights for a constitutionally protected right to a safe, healthy environment in order to create lasting protections for breathable air and drinkable water. This amendment would make the state a fiduciary for equal access to a healthy environment for present and future generations of Marylanders. ET

Betsy Singer

ENVIRONMENT: LAND USE

[HB 272/SB 234](#) Natural Resources – State and Local Forest Conservation Funds (Lafferty plus 13/Young plus 11) would require the local government to replant the same amount of forest that a developer would have had to replant, prevent the local government from collecting the fee unless the local government has identified a project to fully satisfy replanting requirements, prioritize the use of forest mitigation banks, and increase transparency around the fee-in-lieu programs. Hrgs. 2/13 ET; 2/12 EHEA

Susan Cochran

ENVIRONMENT: RENEWABLE ENERGY

[HB 151/SB 168](#) Clean Cars Act of 2019 (Speaker/President for the Governor) proposes to increase the annual funding (from \$3M - \$6M through 2020) and expand

the electric vehicle excise tax credit for electric vehicles to include the purchase of fuel cell electric vehicles. This act would alter the role and reconfigure the membership of the Maryland Electric Vehicle Infrastructure Council (EVIC) to additionally promote fuel cell electric vehicles (FCEVs) and hydrogen fueling infrastructure. The EVIC, created by legislation in 2011, is tasked with helping to increase the number of plug-in electric vehicles registered in the state and to increase the size of the publicly available EV charging network in order to help the state reach its clean air and greenhouse gas reduction goals. This act would rename the EVIC to the Maryland Zero Emission Vehicle Infrastructure Council. Three new members would be appointed by the Governor including representatives of manufacturers of fuel cell electric vehicle infrastructure equipment, manufacturers of fuel cell electric vehicles and a representative of the business community in the state. Hrgs. 2/13 ET; 2/12 FIN

SB 100/HB 499 Civil Actions - Interstate Pipeline Liability Act (Zirkin/Fraser-Hidalgo) establishes that a pipeline operator is strictly liable for certain damages resulting from or occurring in connection with the operation of an interstate pipeline facility in the State. Hrg 1/30 JPR

Update on bills previously reported in the RSC:

SB 387 Environment - Water Quality Certifications (Pipeline and Water Protection Act of 2019) (Zirkin) Hrg. 2/19 EHEA ([RSC-1](#))

Shari Glenn

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

HB 125 Solar Photovoltaic Recycling (Miller plus six) would establish a solar photovoltaic recycling fee and fund; the fund would promote ways to recycle photovoltaics. Hrg 1/31 ECM

HB 170 Jane E. Lawton Conservation Loan Program - Eligible Borrowers (Chair, EMC, for Maryland Energy Administration) would add certain state agencies as eligible borrowers. Hrg. 2/7, 1pm ECM

HB 190 Environment - Failing On-Site Sewage Disposal System – Definition (Lafferty) would require counties to adopt a definition of failing on-site sewage disposal systems that makes clear that they threaten public health. Hrg 2/13, 1pm ET

HB 213/SB 143 Cownose Ray Fishery Management Plan and Moratorium on Contests (Stein plus 22/Young plus 13) This bill extends the date by which the Dept. of Natural Resources must have a fishery management plan for this fish while also extending the date for the end of fishing contests using the cownose ray. Hrgs. 2/13, 1pm ET; 2/5, 1pm EHEA

HB 255/SB 407 Public Schools - Agricultural Education Programs (Shoemaker plus eight/Gallion plus 19) would encourage county boards of education to introduce broad agricultural education programs. Hrgs. 2/14, 1pm W&M; 2/13, 1pm EHEA

HB 275/ SB 270 Pesticides - Use of Chlorpyrifos – Prohibition (Stein plus 16/Nathan-Pulliam plus five) Use of chlorpyrifos in insecticides or on seeds would be prohibited in the State as of 1/1/2020, and the Dept. of Agriculture would educate the farmers, pesticide applicators, and other potential users of other options and advise on integrated pest management. Hrgs 2/13, 1pm ET; EHEA

HB 377 Natural Resources - Submerged Aquatic Vegetation Protection Zones – Revisions (Gilchrist plus eight) addresses ways to be more protective of submerged aquatic vegetation. Hrg. 2/13, 1 pm ET

HB 405/SB 213 Natural Resources - State Lakes Protection and Restoration Fund - Mandatory Funding and Repeal of Termination Date (Beitzel plus nine/Edwards) increases the amount of money budgeted for protection of state lakes and lengthens the length of time for the existence of this fund. Hrgs. 2/20, 1 pm ET; 2/12, 1pm EHEA

HB 406 Wetlands and Waterways Program - State-Owned Lands - Structural Shoreline Stabilization (Beitzel) limits the fee to be charged for carrying out shoreline stabilization projects and requires the Depts. of Environment and Natural Resources to identify at least three appropriate methods of stabilization. Hrg. 2/20, 1pm ET

HB 408 Natural Resources - Chesapeake and Atlantic Coastal Bays Trust Fund (Beitzel) would rename the fund to include state waters and would expand the fund's uses to include projects to improve and protect the health of state waters. Hrg. 2/20, 1pm ET

HB 410/SB 267 Task Force on Prohibiting Debris From Entering Storm Drains or Stormwater Inlets (Impallaria plus two/Klausmeier) The task force that this bill would create would recommend ways to prevent plastic bottles and other debris from getting into storm drains and stormwater inlets. Hrg. 2/20, 1pm ET; EHEA

HB 411 Environment - Sale and Application of Coal Tar and Coal Tar Pavement Products – Prohibition (Lafferty and Ebersole) would limit the sales and uses of coal tar. ET, ECM

HB 417 Water Pollution Control - Public Notification of Sewer Overflows and Treatment Plant Bypasses – Alteration (Hill plus 21) specifies a process for the public announcements of overflows and bypasses. Hrg 2/20, 1pm ET

HB 428/SB 269 Comprehensive Flood Management Grant Program - Awards for Flood Damage and Mandatory Funding (Watson plus 19/Hester plus eight) would set up a mechanism by which the Dept. of the Environment could provide grants to local governments to help with recovery from flood damages. Hrgs. 2/20, 1pm ET; 2/27, 1pm B&T; APP

[HB 496](#) Department of the Environment - Public and Nonpublic Schools - Inspections for Environmental Hazards (Healey plus three) would require the state to adopt relevant regulations and require regular inspections of schools to identify environmental hazards. ET

[SB 183](#) Recycling - Lodging Establishments - Notification to Guests (Kagan) would authorize lodging establishments to provide recycling facilities for guests, which they could discretely inform the guests about. Hrg 2/5, EHEA

[SB 353](#) On-Site Sewage Disposal Systems - Construction and Inspection Licenses (Young) An individual building, installing, or inspecting an on-site septic system must have the appropriate license(s). Hrg. 2/19, 1pm EHEA

[SB 370](#) Environment - Recycling - Commercial Properties (West plus two) Counties would have to include in their recycling plans the collection and recycling of materials from industrial facilities of a certain size (e.g., with 200 employees) and such facilities must make sure that their employees have access to recycling. Hrg 2/19, 1pm EHEA

[SB 387](#) Environment - Water Quality Certifications (Pipeline and Water Protection Act of 2019) (Zirkin) Persons building natural gas pipelines would have to pay nonrefundable fees for water quality certifications. The Dept. of the Environment would administer this program. Hrg 2/19, 1pm EHEA

[Bills Referring to Shellfish](#)

[HB 1](#)/[SB 145](#) Natural Resources - Prohibition on Dredging Buried Oyster Shells on Man-O-War Shoals (Lafferty/ Klausmeier) would be an emergency measure to prohibit the dredging of the oyster shells buried on these shoals. Hrgs. 1/29, ET; 2/5, 1pm EHEA; also see **[HB 40](#) Dredging on Man-O-War Shoals – Prohibition** (Grammar) which mentions that blocking this dredging will help oyster productivity.

[HB 28](#) Natural Resources - Shellfish Nursery Operations - Wetlands License Requirements (Clark for the Governor) would exempt shellfish nursery operations from some licensing requirements of the Dept. of the Environment and the Board of Public Works. Hrg. 1/30, ET

[HB 298](#)/[SB 448](#) Oysters - Tributary-Scale Sanctuaries - Protection and Restoration (Busch plus 16/Pinsky plus 28) This bill would establish a network of oyster sanctuaries in five tributaries designated by the Dept. of Natural Resources, with DNR reporting on progress to the General Assembly by December 2019. ET; EHEA

[HB 348](#)/[SB 362](#) Natural Resources - Oyster Planting - Substrate Material (Jacobs plus nine/ Hershey plus three) Only certain types of oyster shells may be used as substrates for oyster restoration, propagation, or replenishment projects unless the Dept. of Natural Resources properly supervises studies showing other options are suitable. Hrgs. 2/12, 1pm ET; 2/19, 1pm EHEA

[HB 384](#) Soft-Shell Clams and Razor Clams - Fishery Management Plans (Gilchrist plus three) would require the sustainable management of our clams by adding soft shell and razor clams to the fishery management plan species list for greater protection. Hrg. 2/13, 1pm ET

Update on bills previously reported in the RSC:

[HB 36](#) Surface Mining - Zone of Dewatering Influence - Water Supply Replacement (Wivell) Hrg. 1/30 ET ([RSC-1](#))

[HB 50](#) Department of Agriculture - Maryland Produce Safety Program (Barve for the Department of Agriculture) Hrg. 2/6, 1:30pm ET ([RSC-1](#))

[HB 109/SB0285](#) Environment - Expanded Polystyrene Food Service Products – Prohibition (Lierman plus 41/Kagan plus 26) Senate bill now available too. Hrgs. 2/6 1:30pm ET; 2/12, 1pm EHEA ([RSC-1](#))

[HB 117/SB 03](#) Maryland Smart Growth Investment Fund (Lafferty/ Rosapepe) Hrgs. 2/05, 1pm FIN; 2/12, 1pm ET ([RSC-1](#))

[HB 134](#) Environment - Single-Use Plastic Straws - Use in Restaurants (Love plus 10) Hrg cancelled, ET; Hrg 2/13, 1 pm ECM ([RSC-1](#))

[SB 54](#) Surface Mining - Zone of Dewatering Influence - Contested Case Hearing (Pinsky for Department of Environment), favorable with amendments, EHEA ([RSC-1](#))

Linda Silversmith

BUDGET

The Governor has proposed a total budget for fiscal 2020 of \$46.6 billion, a \$1.8 billion (3.0%) increase over the revised fiscal 2019 spending plan. Proposed general fund spending would increase by \$1.6 billion (8.9%) to \$19.5 billion. As noted in our last report, the Spending Affordability Committee suggested that the part of the budget subject to affordability limits should increase by no more than 3.75%. The governor's budget limits spending subject to the affordability limit to 3.68%. This will leave a structural deficit of \$62 million. The projected Capital Budget, not including transportation, is proposed to be \$1.854 billion (**[HB 101/SB 126](#)**). The capital budget will be discussed in more detail in the next Report from State Circle.

Some of the key features of the bill for the operating budget, **[HB 100/SB 125](#)** include:

Tuition for in-state students at state universities and colleges is proposed to increase by 2%. Student financial aid is proposed to increase by \$27 million.

Rates for most health and human service providers are proposed to increase by 3%. Rate increases for behavioral health and developmental disability providers are proposed to increase by 3.5%. The budget also includes a 20% increase for substance

use disorder services. Funding for the Child Care Subsidy program would increase by \$34 million. Nurses at state facilities and hospitals would receive an automatic jump in pay grade and an additional pay increase of 6%.

K-12 education formulas are fully funded with an additional \$11.9 million for Baltimore City and Cecil County to make up for declining numbers of students. A constitutional amendment passed in November 2018 mandates that revenues from the Education Trust Fund (funded by revenues from casinos) should provide an additional \$125 million in state funding for public education. While \$65 million will be used for school capital budget items, \$24.3 million will be used to implement some of the recommendations of the Commission on Innovation and Excellence in Education (Kirwan Commission) and another \$35.8 million for currently unspecified programs. \$200 million is to be reserved for future costs associated with the Kirwan Commission.

A 3% general salary increase for state employees would be effective July 1, 2019. Salaries for members of the State Law Enforcement Officers Labor Alliance would increase by 5%.

Correctional officers will receive an additional across the board 4% increase with the addition of a new personal classification.

\$125 million for Washington Metropolitan Area Transit Authority's \$167 million appropriation will come from the operating budget rather than from the Transportation Trust Fund.

Environmental programs (including the Maryland Park Service) would be funded at \$267 million from the Transfer Tax. . In addition \$54 million is proposed for the Chesapeake & Atlantic Coastal Bays 2010 Fund for restoration efforts in the Chesapeake. The governor would also double the tax credit available for zero emission vehicles from \$3 million to \$6 million.

The governor has proposed \$16 million for a new Maryland Technology Infrastructure Fund and \$13 million for efforts to combat violent crimes in Baltimore City. The budget also includes \$56.5 million to encourage investments in Opportunity Zones.

All mandated state aid to local governments is funded.

According to the Office of Policy Analysis, Department of Legislative Services. There is reason to believe that the March 2019 revenue forecast will be lower than the one used for the operating budget. This would necessitate a reduction in appropriations. Other risks they point out is the possibility of a recession in calendar 2020 or 2021 and the possibility that the Affordable Care Act will be found unconstitutional.

Barbara Hankins

TAXES

[HB 149/SB 170 Retirement Fairness Act of 2019](#) (Speaker/President for the Governor) would allow public safety employees, persons over the age of 65 and

disabled persons to exempt more of their retirement income from the Maryland income tax than is currently allowed. Hrg. 2/27 B&T; W&M

[HB 150/SB 174 More Opportunities for Marylanders Act of 2019](#) (Speaker/President for the Governor) extends benefits for companies that locate in opportunity zones in the State. Increases the amount of tax credits that can be issued by the Department of Commerce. Hrg. 2/27 B&T; W&M

[HB 151/SB 168 Clean Cars Act of 2019](#) (Speaker/President for the Governor) expands the vehicle excise tax credit to include fuel cell electric vehicles with a maximum per vehicle of \$3000. Renames and reorganizes Maryland Electrical Vehicle Infrastructure Council. Hrgs. 2/13 ET; 2/12 FIN

[HB 154/SB 171 Income Tax Subtraction Modification – Qualified Retired Public Safety Employee \(Hometown Heroes Act of 2019\)](#) (Speaker/President for the Governor) would allow public safety employees over the age of 50 or if disabled to reduce the amount of taxable retirement income on the Maryland Income Tax. Hrg 2/27 B&T; W&M

[HB 175 Maryland Research and Development Tax Credit – Sunset Extension](#) (Kaiser for the Department of Commerce). Extends the termination date for the Research and Development Tax Credit to June 30, 2028 and extends the applicability of the tax credit to years beginning before January 1, 2027. Hrg 2/26 W&M

[HB 231/SB 161 Income Tax Subtraction Modification – Volunteer Fire, Rescue and Emergency Medical Services Members.](#) (Speaker/President for the Governor). For taxable years beginning after December 31, 2020, would allow a reduction for volunteer public safety personnel of the amount of retirement income is taxable. Hrg 2/27 B&T; W&M

Update on bills previously reported in the RSC:

[HB 104 Income Tax - Subtraction Modification for Qualified Higher Education Expenses - Annual Limitation](#) (Malone) Hrg 2/6 W&M ([RSC-1](#))

[SB 88 Student Debt Relief Act of 2019](#) (President for the Governor) Hrg. 2/20 EHEA ([RSC-1](#))

Barbara Hankins