



# REPORT FROM STATE CIRCLE

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## TABLE OF CONTENTS

<a href="#"><u>Administration of Justice</u></a>	6	<a href="#"><u>Equality of Opportunity</u></a>	12
<a href="#"><u>Budget</u></a>	1	<a href="#"><u>Gun Safety</u></a>	9
<a href="#"><u>Campaign Finance</u></a>	5	<a href="#"><u>Health</u></a>	13
<a href="#"><u>Children and Families</u></a>	7	<a href="#"><u>Human Trafficking</u></a>	7
<a href="#"><u>Corrections</u></a>	6	<a href="#"><u>Immigration</u></a>	8
<a href="#"><u>Domestic Violence</u></a>	7	<a href="#"><u>Juvenile Justice</u></a>	6
<a href="#"><u>Education</u></a>	10	<a href="#"><u>Meeting Basic Human Needs</u></a>	13
<a href="#"><u>Education: School Construction</u></a>	11	<a href="#"><u>Police Accountability</u></a>	-
<a href="#"><u>Education: School Discipline</u></a>	12	<a href="#"><u>Redistricting Reform</u></a>	5
<a href="#"><u>Elections</u></a>	3	<a href="#"><u>Substance Abuse</u></a>	8
<a href="#"><u>Environment: Climate Change</u></a>	15	<a href="#"><u>Taxes</u></a>	2
<a href="#"><u>Environment: Land Use</u></a>	-	<a href="#"><u>Transparency</u></a>	6
<a href="#"><u>Environment: Renewable Energy</u></a>	-	<a href="#"><u>Transportation</u></a>	14
<a href="#"><u>Environment: Stormwater, Bay, Phosphorus, Pesticides, Recycling, Trees &amp; Other</u></a>	16		

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The Maryland General Assembly adjourned almost 3 weeks early this year in response to the ongoing public health crisis due to the coronavirus pandemic. It's been reported this is the first time since the Civil War that such an action has been taken. Legislators worked hurriedly to pass more than 650 bills over the course of just 4 days. Below, our volunteer reporters have summarized for you what happened within their respective issue areas - highlighting significant bill passages, and notable failures during this abridged legislative session. Accordingly, this will be our final issue for this legislative session. The General Assembly has spoken of plans to have a special session at the end of May to resolve any outstanding issues, and we will be back then to keep you up to date on what's happening at the State Circle.

## BUDGET

In emergency legislation, **HB 1661/SB 1079 State Budget-Revenue Stabilization Account Transfers – Coronavirus** (Speaker/President by request of the Administration) the governor is authorized to spend up to \$50 million from the state's Rainy Day Fund for various state agencies to respond to the virus. The bill has already been signed by the governor.

All three budget bills for FY 2021, **SB 190 Operating Budget**, **SB 191 Capital Budget** and **SB 192 Budget Reconciliation and Financing Act (BRFA)**, were passed by both houses of the Legislature and sent on to the Governor.

Chronologically, on March 4, the Governor submitted a supplemental budget which would provide \$10 million for emergency coronavirus preparedness expenses, \$14.5 million for the Behavioral Health Administration for medical provider reimbursements, \$11.1 million for foster care maintenance programs, \$6 million for the Maryland Center for School Safety, \$1.1 million in federal funds to enhance the security of the 2020 primary election and the 7<sup>th</sup> District special election and smaller amounts for a number of other programs.

On Wednesday, March 11, the Senate gave preliminary approval to a \$47.9 billion budget for FY 2021. The Senate Budget Committee made 162 amendments to the budget as submitted by the Governor in January. The budget represented 0.6% growth over the current year's budget and maintained more than \$1.3 billion in cash reserves while eliminating a \$37 million structural deficit. State funding for education would be \$7.2 billion including \$362 million to support the Blueprint for Maryland's Future (Kirwan). Changes made by the Senate include a \$1.6 million grant for the Baltimore Symphony Orchestra, \$750,000 to the city of Annapolis for providing services, restoration of \$84.6 million to the legislative priorities not funded by the governor including \$39.5 million for a 4% rate increase for Developmental Disabilities Administration behavioral health providers and service providers. Increases were provided for independent colleges and universities, community colleges and four-year public colleges. Total spending for higher education would be close to \$1.7 billion. Also

included were a 2% salary increase for state employees and an additional bonus if revenues are higher than anticipated. Not included in the Senate budget was \$17.9 million in tax relief proposals proposed by the governor.

On Monday March 16, unusually, the House Appropriations Committee met with the Senate Budget and Taxation Committee in an effort to speed up the budget process since the budgets must be passed before the Legislature could dissolve. The two committees agreed on several amendments so that, if passed by both Houses, there would be no need for a conference committee.

The House passed both the budget and BRFA on Tuesday and the Senate passed the same budget and BRFA on Wednesday. The final budget totaled \$46.6 billion including \$155 million in additional funding for Kirwan.

**[SB 1028](#) Balancing the State Budget** (Rosapepe, et al) also passed both houses, it is a proposed amendment to the state constitution which would modify the current budget process by allowing the General Assembly to increase appropriations proposed by the Governor and add appropriations to executive branch agencies. It would take effect in FY 2024 if approved by the voters in the November 2020 election.

*Barbara Hankins*

## **TAXES**

**[HB 932](#) 21<sup>st</sup> Century Economy Sales Tax Act** (Korman) imposes a sales tax on specified digital products, codes and services. It requires that all sales and use tax revenues received from the sales of these products be distributed to the Blueprint for Maryland's Future Fund. Passed by both houses and sent to the Governor.

**[HB 621](#) County Tax Fairness Act** (Korman et al) extends the time in which local governments must reimburse the local income tax reserve based on the Wynne case of 2013. Passed by both houses and sent to the Governor.

**[SB 523](#) Income Tax – Pass Through Entities and Corporations** (Guzzone et al) allows a pass-through entity (such as a partnership) to be taxed at the entity level rather than at the individual level. It changes the policies regarding use of a single (sales) tax factor rather than a three-part factor (sales, payroll and property) to allocate Maryland income and also changes the policies regarding deferred tax liabilities. Passed both houses and sent to the Governor.

### **Update on Bills Previously Reported in RSC:**

**[HB 45](#) Economic Development Opportunity Zone – Incentives – Alteration of the More Jobs for Marylanders and Opportunity Zone Enhancement Programs.**  
([RSC 1](#)) Passed by both houses and sent to the Governor.

**[HB 436](#) Talk Force on the Economic Future of Western Maryland ([RSC 4](#))** Passed by both houses and sent to the Governor.

**[HB 1354](#) Sales and Use Tax – Services ([RSC 4](#))** Did not pass

**[HB 1628](#) Sales and Use Tax – Rate Reduction and Services ([RSC 4](#))** Unfavorable Report by Ways and Means.

**[SB 02](#) Digital Advertising Gross Revenues – Taxation ([RSC 1](#))** Did not pass.

*Barbara Hankins*

## ELECTIONS

**Absentee Voting** – With the disruption of the April primary election due to the covid-19 virus, absentee voting became increasingly important for Marylanders. Cross-filed bills **[HB 37](#)** and **[SB 145](#)** require the Board of Elections to use the term “mail-in voting” when describing absentee ballots in order to encourage their use and also require that when a ballot is mailed to a voter a postage paid envelope be included for returning the ballot. Another bill, **[HB 555](#)**, sets a later time for the canvassing of absentee ballots (Friday rather than Wednesday after an election) and prohibits the use of wireless networks for connecting poll books in polling places on election day. Ironically, a bill to authorize a study of voting by mail, **[SB 408](#)**, was defeated in committee.

**Correctional Facilities** – Many people held in jail or prison are eligible to vote as only a felony conviction takes away that right. Bills to establish programs to assist detainees to register and vote, and to ensure that persons released from prison were informed of their right to register to vote, **[HB 51](#)**, **[HB 568](#)**, **[SB 91](#)**, and **[SB 372](#)**, were approved by committees but did not reach final passage.

**Students and Older Voters** – Bills to facilitate voter registration and voting by college students, **[HB 245](#)** and **[SB 647](#)**, and residents of retirement communities, **[HB 1107](#)** and **[SB 22](#)**, did not make it out of committee.

### Update on Bills Previously Reported in RSC:

**[HB 37](#) Election Law - References to Absentee Voting in Communications - Mail-In Voting ([RSC 1](#))** was reported favorably by EHE on 3/16 and passed both the Senate (45-0) and House (97-33) on 3/18 with amendments, clearing the measure for the Governor.

**[HB 555](#) Election Law - Absentee Ballots - Timing of Canvass ([RSC 2](#))** passed 135-0 in the House on 3/6, with an amendment specifically prohibiting the use of wireless communication between poll books on election day. The amended bill was then passed by the Senate 45-0 on 3/18, clearing the measure for the Governor.

**[SB 145](#) Election Law - References to Absentee Voting in Communications - Mail-In Voting ([RSC 1](#))** was reported favorably by W&M on 3/15 and passed the House with

an amendment requiring that absentee ballots include prepaid return envelopes by a vote of 100-33 on 3/17. The Senate concurred with the House amendment 35-10 on 3/18, sending the measure to the Governor.

**[SB 390](#) Election Law – Candidate Defeated in Primary Election – Write-In Candidacy in General Election Prohibited ([RSC 2](#))** was reported favorably by EHE on 3/6 and passed the Senate 40-6 on 3/11. The bill was then reported favorably by W&M on 3/15 and passed the House 125-7 on 3/17, sending the bill to the Governor.

**[HB 142](#) Election Law – Voting Order Priority – Individuals Who Need Extra Assistance ([RSC 1](#))** was reported 3/12 favorably with amendments by W&M and passed the House 133-0 on 3/12.

**[HB 245](#) Election Law – Institutions of Higher Education – Voter Registration and Voting by Students (Student Voter Empowerment Act of 2020) ([RSC 1](#))** was reported favorably with amendments by W&M on 3/13 and passed the House by a vote of 93-36 on 3/14.

**[HB 268](#) Election Law - Deadline for Selection of Lieutenant Governor ([RSC 1](#))** passed the House by a vote of 96-41 on 3/3.

**[HB 392](#) Election Law - Security of Election Systems ([RSC 2](#))**. A hearing scheduled for 3/18 was cancelled as the General Assembly adjourned that day.

**[HB 487](#) Election Law - Early Voting Centers - Accessibility by Public Transportation ([RSC 2](#))** was referred to an interim study (during summer) by W&M on 3/13.

**[HB 568](#) Election Law - Correctional Facilities - Voter Registration and Voting ([RSC 2](#))** was reported favorably with amendments by W&M on 3/14 and passed the House 93-36 on 3/15.

**[HB 627](#) Courts - Prosecution for Election Law Violations - Limitation ([RSC 2](#))** was reported favorably by W&M on 3/9 and passed the House 137-0 on 3/12.

**[HB 873](#) Election Law – Party and Public Offices – Prohibitions ([RSC 3](#))** was reported favorably with amendments by W&M on 3/13 and passed the House 101-29 on 3/14.

**[HB 1094](#) Election Law - Early Voting Centers - Hours of Operation ([RSC 3](#))** reported favorably by W&M on 3/5 and passed the House by a vote of 117-16 on 3/9.

**[HB 1158](#) Election Law - Candidate Defeated in Primary Election - Write-In Candidacy in General Election Prohibited ([RSC 4](#))** was reported favorably by W&M on 3/5 and passed the House by a vote of 121-13 on 3/9.

**[HB 1589](#) Election Law - Time Off for Employee Voting ([RSC 4](#))** was reported favorably by W&M on 3/13 and passed the House 94-35 on 3/15.

**[SB 91](#) Election Law - Individuals Released From Correctional Facilities - Voter Registration ([RSC 1](#))** was reported favorably with amendments by EHE on 3/13.

**[SB 408](#) Department of Legislative Services – Voting by Mail – Study ([RSC 3](#))** was reported unfavorably by EHE on 3/6.

**[SB 647](#) Election Law - Institutions of Higher Education - Voter Registration and Voting by Students (Student Voter Empowerment Act of 2020) ([RSC 3](#))**. Unfavorable report from EHE on 3/2.

**[SB 648](#) Election Law - County Central Committees - Democratic Party Requirements ([RSC 3](#))** was reported favorably by EHE on 3/2, but recommitted to the committee on 3/10.

**[SB 666](#) - Election Law – Time Off For Employee Voting ([RSC 3](#))**. Unfavorable report from EHE on 3/2.

**[SB 1003](#) - Election Law - Eligible Detainees - Information on Voting Rights ([RSC 4](#))**. Unfavorable report from Rules and withdrawn on 3/2.

*Ralph Watkins*

## **CAMPAIGN FINANCE**

Of the 17 Campaign Finance bills that were reported on in *Report from State Circle* this session, five bills passed in their chamber of origin, but were not taken up in the committee of the opposite chamber, or did not receive a vote on the floor of the opposite chamber. In several cases, the lack of action was likely to do the truncated session. Those bills were all reported on in [RSC 4](#).

Three bills: **[HB 216](#) Election Law - Campaign Material - Definition and Authority Line for Telephone Calls ([RSC 1](#))**, **[HB 465](#) Election Law - Campaign Material - Disclosure of the Use of Bots ([RSC 2](#))** and **[HB 1222](#) State Board of Elections – Campaign Finance Enforcement and Compliance – New State Positions ([RSC 3](#))** passed in the House and Senate and were sent to the Governor for his signature.

*Nancy Soreng*

## **REDISTRICTING REFORM**

During the flurry of the final days of this year's session, none of the redistricting bills introduced achieved the priority designation required to be taken up for a vote by either the House or Senate committees. Unless redistricting legislation is advanced during a special session in 2020, this will mean that the redistricting process in Maryland will remain unchanged when the maps are redrawn in 2021 for the following decade of elections.

*Ashley Oleson*

## TRANSPARENCY

[HB 421/SB363](#) State Government – Open Meetings – Requirements and Application of Open Meetings Act (Maryland State Agency Transparency Act) ([RSC 2](#)) passed in the House and Senate and was sent to the Governor for his signature.

*Nancy Soreng*

## ADMINISTRATION OF JUSTICE

### Judiciary

[HB 518/ SB 596](#) Judges - Selection - Election - Tenure and Continuance in Office (Dumais and Cardin) ([RSC 2](#)) provided retention election for Circuit Court and Appellate Court judges but eliminated contested elections. Died in JUD.

*Marlene Cohn*

## CORRECTIONS

The only corrections bill that passed this session was [SB 684/HB 801](#) Correctional Services - Prerelease Unit for Women - Facilities and Services (Gender-Responsive Prerelease Act) (Washington et al.) ([RSC 3](#)) requires a separate prerelease program for women and specifies the services to be provided. Passed both chambers and sent to the Governor.

### Update on Bills Previously Reported in the RSC:

[SB 68/HB 49](#) Criminal Procedure - Pretrial Release - Pretrial Risk Assessment Instruments (Waldstreicher) ([RSC 2](#)) would have required an independent validation study on pretrial risk scoring instruments every three years. Passed the Senate; hearing canceled in the House.

*Marlene Cohn*

## JUVENILE JUSTICE

### Update on bills previously reported in RSC:

*These bills passed both houses:*

[HB 673](#) Juvenile Services - Facilities – Garrett Children’s Center ([RSC 2](#))

[SB 314](#) Juveniles Charged as Adults – Confidentiality of Records ([RSC 2](#))

[SB 467](#) State Advisory Board for Juvenile Services – Membership ([RSC 2](#))

*This bill passed in the House, but saw no action in the Senate:*

[HB 272](#) Criminal Law – Obscene Matter –Sexting by Minor ([RSC 2](#))

*Judy Morenoff*

## CHILDREN AND FAMILIES

### Update on bills previously reported in RSC:

With the shortened session, the bills that *passed both houses* were all introduced early enough in the session to be included in [RSC 1](#). They were:

[HB 206/SB 207](#) Unaccompanied Minors in Need of Shelter and Supportive Services

[HB 234](#) child support – Suspension of Payments and Arrears for Incarcerated Obligor – Modification

[HB 246/SB 231](#) Sexual Solicitation of a Minor – Solicitation through Parent, Guardian, or Custodian – Prohibition and Penalties

[HB 250/SB 227](#) Family Law – Final Protective Order – Extension

*These bills passed in their house of origin but saw no action in the other house.*

[HB 1204](#) County Boards and Public and Nonpublic Prekindergarten Programs and Schools – Discrimination – Prohibition ([RSC 3](#)) passed in the House

[HB 1231/SB 949](#) Family Law – Authorization for a Minor to Marry ([RSC 3](#)) HB 1231 passed in the House. Neither bill saw action in the Senate.

[HB 1386](#) Child Care Centers – Employee Qualification – Requirements and Application Review ([RSC 3](#)) passed in the House

[SB 637](#) Children – Therapeutic Nursery Program Funding ([RSC 3](#)) passed in the Senate

*Judy Morenoff*

## DOMESTIC VIOLENCE

[SB 230/ HB 590](#) Criminal Law - Sexual Crimes - Repeal of Spousal Defense ([RSC1](#)), Referred to JPR.

*Deborah Mitchell*

## HUMAN TRAFFICKING

[HB 242/SB 206](#) Criminal Procedure—Criminal Procedure—Motion to Vacate Judgment—Human Trafficking (True Freedom Act of 2020) ([RSC 1](#)), originally introduced as HB 782 during the 2019 Legislative Session—expanding Maryland’s current “vacating convictions” law to allow criminalized survivors/victims of human trafficking to remove crimes other than prostitution from their criminal records—requires that the motion be served on the State’s Attorney and the motion mailed to the victim or victim’s representative if the qualifying offense occurred within five (5) years before the



filing of the motion and requires the court to consider human trafficking-related and other factors prior to acting upon a victim's petition for expungement of certain records. The passage of this bill significantly increases survivors'/victims' ability to access employment and stable housing, as well as heal from the trauma of their trafficking experience. Passed both Chambers. Sent to the Governor for approval.

*Deborah Mitchell*

## **IMMIGRATION**

No immigration bills were enacted, however, there were bills introduced this year to:

- prohibit state and local government employees from asking people questions about place of birth as well as immigration or citizenship status,
- restrict from providing federal agents with information about people or turning people over to federal agents unless there were federal law to do so,
- provide legal assistance to state and local employees if legal action were taken against them for refusing to provide information to federal agents,
- require that no one at MVA provide information related to citizenship or residency status to federal agents,
- prohibit state, local and private facilities from receiving payment for holding anyone related to federal immigration activity,
- provide the help of the Attorney General to public schools, hospitals and courthouses statewide for the development of guidelines and policies to limit immigration enforcement activities on their premises so that all people there can feel a sense of accessibility and safety.

*Carole Conors*

## **SUBSTANCE ABUSE**

**SB 166 Drugs and Devices - Electronic Prescriptions - Controlled Dangerous Substances** (Kelley) ([RSC 1](#)) passed both houses, with amendments to the governor.

**HB455 /SB334 Health Insurance - Coverage for Mental Health Benefits and Substance Use Disorder Benefits - Treatment Criteria** (Kelly/Augustine and Hester) ([RSC 1](#)) Passed by both houses, with amendments to the governor.

**HB512 Drugs and Devices – Electronic Prescriptions – Controlled Dangerous Substances** (Barron) [RSC 1](#). Passed both houses, with amendments and enrolled, to the governor.

**HB 193 Criminal Law - Use or Possession of a Controlled Dangerous Substance - De Minimis Quantity** (Cardin and 6) [RSC 2](#) Unfavorable report by JUD. Withdrawn

*Chris Hager*

**GUN SAFETY**

**[HB 04/SB 208](#) Public Safety – Rifles and Shotguns – Secondary Transactions [RSC-1](#)**). Passed both houses to the Governor.

**Update on bills previously reported in RSC:**

**[HB 35](#) Public Safety – Firearms Telematics – Study ([RSC 1](#))** 3/15 JPR

**[HB 47/SB 327](#) Public Safety – Handgun Qualification License – Training Exemptions ([RSC-1](#))** Unfavorable report by JUD.

**[HB 73/SB 179](#) Firearms – Right to Purchase, Own, Possess and Carry – Medical Cannabis ([RSC 1](#))** Unfavorable Report by JUD.

**[HB 173](#) National Resources – Sunday Hunting ([RSC 1](#))** Third Reading Passed in the House (130-6). Referred to the Senate. Hrg. 3/16 11:00am EHE

**[HB 265/SB 156](#) Handgun Qualification License – Training Requirement – Exemption ([RSC 1](#))** Unfavorable Report by JUD.

**[HB 591/SB 1050](#) Public Safety – Lost or Stolen Regulated Firearm – Reporting (Clipping). ([RSC 2](#))** Third Reading Passed in the House. Referred to JPR. Hrg. 3/12 1pm

**[HB 636/SB 646](#) Public Safety – Access to Firearms – Storage Requirements (Stein, et al; Smith, et al) ([RSC 3](#))** Adopted with favorable amendments in JPR. Motion Special Order until Next Session Adopted in the Senate.

**[SB 290/HB 1288](#) Criminal Procedure – Forfeiture of Firearms – Sale to Dealer (Edwards, et al; Buckel, et al) ([RSC 2](#));** Cross-filed with House bill. Hrgs. 2/11, 1pm JPR; 2/26 1pm JUD

**[HB 1078](#) /([SB 468](#)) Public Safety – Education – Firearm Funding (No Funding for Firearms Act) (Solomon, et al) ([RSC 3](#))** Passed the Third Reading in the House. (91-40) Referred to JPR.

**[HB 1104](#)/([SB 1074](#)) Regulated – Firearms – Transfer (Lopez, et al) ([RSC 3](#))** Cross-filed.

**[HB 1261](#) Weapon Crimes – Assault Long Guns and Copycat Weapons (Speaker, Atterbeary, Luedtke) ([RSC 3](#))** Unfavorable Report by JUD, withdrawn.

**[HB 1267](#) Public Safety – Handgun Permit – Church Property (Worshipper Protection Act of 2020) (McComas, et al)** Hearing cancelled.

*Gloria Salas Kos*

## EDUCATION

**[HB 1300](#)** **Blueprint for Maryland's Future – Implementation** ([RSC 3](#)) passed both chambers with hundreds of amendments. One amendment changed the funding formula to offer reductions in required local funding and increased state aid for 17 jurisdictions: Allegany, Anne Arundel, Baltimore City, Baltimore County, Caroline, Cecil, Dorchester, Garrett, Kent, Montgomery, Prince George's, Queen Anne's, Somerset, Talbot, Washington, Wicomico, and Worcester.

The formulas are based on a per pupil foundation amount, which increases with inflation. For FY21 the foundation is \$7,991, which increases to \$12,138 by 2033, plus inflation. Additional per pupil amounts will fund special education, English language support and concentration of poverty—as a fixed dollar amount or percentage of the foundation amount, multiplied by the number of pupils qualifying for the special programs.

An “Equity” amendment establishes a state goal for all public school students to have equitable access to College and Career Readiness (CCR) and meet the CCR standard at an equal rate regardless of race, ethnicity, gender, address, socioeconomic status or language spoken at home.

Amendments were made concerning the Accountability and Implementation Board (AIB) which is intended to hold state and local governments and boards accountable for implementation and achievement. The governor appoints the seven-member board with the advice and consent of the Senate from a list of nominees submitted by a nominating committee composed of two members appointed by the Governor, two appointed by the President of the Senate and two appointed by the Speaker of the House. Nominees must have at least one vote from each kind of appointee. The AIB establishes guidelines for implementation plans by the state and local boards and reviews the plans submitted, provides technical assistance and establishes a website with information about plans. There is a provision for withholding 25% of the increase in funding (but with an appeals process) if a district is not implementing plans and spending money as intended.

If the AIB reports in 2024 that the Blueprint is not being implemented as intended and not achieving intended outcomes, major education aid increases for FY26 and beyond would be limited to the rate of inflation. Local districts would not be required to appropriate additional funding. However, another amendment says that it is the intent of the General Assembly to take immediate action to adjust the formula and policies to achieve the goals of the Blueprint and to provide the resources, supports and funding to fully implement the Blueprint.

Extensive language was added to establish a Mental Health Consortium to coordinate services to meet students' trauma-informed mental health needs. The Governor is required to appropriate funds for a Coordinated Community Supports Partnership Fund.

The required appropriation begins in FY22 with \$25 million and gradually increases to \$125 million in FY26 and the following years.

Another amendment added six Family Support Centers (known as Patty Centers) in FY21 for providing support to families of children under three, instead of just adding three additional centers per year.

Finally, beginning in December of 2020, if the December 25 General Fund estimate is more than 7.5% below the March General Fund estimate, per pupil increases and other increases required by the Blueprint would be limited to the rate of inflation.

### **Other Updates on Bills Previously Reported in RSC:**

**[SB 190](#) Budget Bill (Fiscal Year 2021) R00A03.05 Broadening Options and Opportunities for Students Today (BOOST) ([RSC 1](#))** originally contained \$10 million for scholarships for students to attend private schools. The House reduced the amount to \$5.5 million, but the final bill passed with a \$10 million appropriation.

Several bills passed the first house but were in committee in the opposite house when the General Assembly adjourned early. These included **[SB 287](#) Maryland Arts Capital Grant Program ([RSC 2](#))**, **[HB 476](#) Education - Certification in Secondary Education Content Areas - Expanded Grade Range ([RSC 2](#))** and **[HB 718](#) State Department of Education - Early Literacy and Dyslexia Practices - Guidance and Assistance ([RSC 2](#))**. **[HB 1375](#) Public School Students - Vision Services and the Vision for Maryland Program ([RSC 4](#))** had a committee hearing only.

*Lois Hybl*

### **EDUCATION: SCHOOL CONSTRUCTION**

**[HB 01](#) Built to Learn Act of 2020** was a significant piece of legislation introduced in this issue area during the 2020 session ([RSC 1](#)). It has passed enrolled. As per the Fiscal and Policy Note, this bill authorizes the Maryland Stadium Authority (MSA) to issue up to \$2.2 billion in revenue bonds, backed by annual payments from the Education Trust Fund (ETF) beginning in fiscal 2022 that phase up to \$125 million annually by fiscal 2024, for public school construction projects in the State, including to support a possible public-private partnership (P3) agreement for Prince George's County. It also increases or extends mandated State funding for supplemental public school construction programs, and establishes a new special fund and mandate for the highest priority school facilities. The bill takes effect July 1, 2020, except the priority funding mandate takes effect July 1, 2022, and additional contingent provisions take effect July 1, 2026.

### **Update on bills previously reported in RSC:**

**[HB 615](#) Education - School Construction - Pedestrian Safety Plans ([RSC 2](#))** In the House -Third Reading Passed 112-20. In the Senate - referred to EHE.

**[SB 655](#) Capital Projects – High Performance and Green Buildings – Alterations (Green Building Restoration Act) ([RSC 3](#))** In the Senate – Third Reading passed 37-9. In the House – referred to APP.

*Kathy Vanston*

## **EDUCATION: SCHOOL DISCIPLINE**

**[HB 277](#) State Department of Education - Guidelines on Trauma-Informed Approach ([RSC 2](#))** In the House – Third Reading Passed 134-0. In the Senate Third Reading Passed 45-0. Returned to the House passed. Sent to the Governor.

**[HB 328](#) State Department of Education-School Discipline-Data Collection ([RSC 2](#))** In the House - Third Reading Passed 132-1. In the Senate - referred to EHE.

**[HB 802](#) Civil Actions - Civil Immunity - Educator Intervention in Student Violence (Good Teacher Protection Act) ([RSC 3](#))** In the House -Third Reading passed 134-2. In the Senate – referred to JPR.

**[HB 1022](#) Education – Alternative Schools – Reporting Requirements and Restrictions ([RSC 3](#))** In the House-Third Reading passed 133-0. In the Senate – referred to EHE.

**[HB 1078](#) Public Safety - Education - Firearm Funding (No Funding for Firearms Act) ([RSC 3](#))** In the House – Third Reading passed 91-40. In the Senate – referred JPR.

**[SB 1052](#) Criminal Procedure - Registered Sex Offenders - Entry Onto School Property ([RSC 4](#))** In the Senate – Third Reading passed 45-0. In the House – referred to JUD.

*Kathy Vanston*

## **EQUALITY OF OPPORTUNITY**

**[HB 123](#) Labor and Employment - Wage History and Wage Range ([RSC 1](#))** passed both houses and awaits the Governor’s signature. It requires an employer to provide an applicant with a wage range for the position they applied for and prohibits an employer from retaliating against an applicant for not providing their wage history.

**[HB 231/SB 530](#) Housing Opportunities Made Equal Act (HOME Act) ([RSC 1](#))** passed both houses with veto-proof votes. It prohibits discrimination in housing based on source of income, a landlord cannot refuse to consider a potential tenant based on the fact that they will be using a federal housing voucher.

*Ruth Crystal*

## MEETING BASIC HUMAN NEEDS

**[SB 452](#) Family Investment Program – Temporary Cash Assistance-Funding ([RSC-3](#))** passed both houses and awaits the Governor’s signature. This bill 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 61.25% of the State minimum living level (MLL) beginning fiscal 2022, and each fiscal year thereafter.

**[SB 539](#)/[HB 839](#) Labor and Employment – Family and Medical Leave Insurance Program ([RSC-2](#))** did not make it out of committee in either house. It would have created a state fund, paid for by employers and employees, to provide up to 12 weeks of benefits to an employee taking leave for a health condition or to care for a family member.

*Ruth Crystal*

## HEALTH

Most of the Health bills this session were left hanging in limbo at the end session. One of the casualties was **[HB 643](#)/[SB 701](#) The End of Life Option Act (Richard E. Israel and Roger “Pip” Moyer Act)** (Pendergrass/Waldstreicher) ([RSC 3](#)). Neither bill received a committee vote prior to adjournment.

**[HB 1563](#)/[SB 879](#) Public Health – Maryland Infant Lifetime Trust Care Funded by HSCRC and the Maryland Patient Safety Center Duties** (Cullison/Kelley) ([RSC 4](#)) also died in committee.

**[HB 1475](#)/[SB 992](#) School Buildings – Drinking Water Outlets – Elevated Levels of Lead (Safe School Drinking Water Act)** (Solomon & McCray) ([RSC 3](#) & [4](#)) crossed from the Senate to the House and died there.

**[HB 448](#)/[SB 402](#) Health Care Practitioners – Telemedicine** (Rosenberg/Kagan & Lam) ([RSC 3](#) & [4](#)) Passed both Houses and is enrolled. Telemedicine has been discussed several times in the last few weeks as the President has eliminated some Medicare constraints on its use in this time of the coronavirus.

**[SB 124](#)/[HB 196](#) - Maryland Health Benefit Exchange, Establishment of State-Based Health Insurance Subsidies Program** (Feldman/Pena-Melnyk) ([RSC 1](#) & [3](#)) Passed and enrolled. It will stabilize the health insurance marketplace and benefit citizens in the individual marketplace.

*Neilson Andrews*

## TRANSPORTATION

*Bills that passed both the House and Senate and are being sent to the Governor:*

**[HB 56](#) Chesapeake Bay Bridge – Reconstruction Advisory Group and Traffic Study ([RSC 2](#))** is a greatly amended bill that defines who will be part of an advisory group with various term limits to meet and suggest plans about the upcoming construction of a new bridge span.

**[HB 1236](#) Transit – Maryland Area Regional Commuter Train – Expansion of Service ([RSC 3](#))** may affect commuters particularly as they take a train from the Baltimore or Montgomery County area journeying to Virginia for work. It entails the cooperation of D.C., Virginia, and Maryland.

*Bills that passed the House, but not the Senate and will not become law:*

**[HB 72](#) Maryland Transportation Authority – Video Streaming and Archiving – Open Meetings ([RSC 1](#), [RSC 2](#), [RSC 3](#))** was to provide more transparency to MTA meetings.

**[HB 111](#) Electric Vehicle Recharging Equipment for Multifamily Units Act ([RSC 1](#))** has been proposed and defeated several times as more electric vehicle owners need accessibility to electrical charging stations from their multifamily homes.

**[HB 368](#) Maryland Transit Administration – Funding (Transit Safety and Investment Act) ([RSC 2](#))** would have provided more needed funding for transit in greater Baltimore and other areas of the state.

**[HB 432](#) Maryland Transit Administration – Conversion to Electric Buses (Electric Bus Transition Act) ([RSC 2](#))** suggested how the state could convert its buses to more efficient electric buses over time.

**[HB 1220](#) Public-Private Partnerships – Highway and Bridge Toll Facilities – Rates (No Lexus Lane Act) ([RSC 3](#))** allowed the legislative body to influence the toll rates for P3 projects within Maryland. This bill was in reaction to the proposed expansion of I-495 and I-270.

**[HB 1249](#) I-495 and I-270 Public-Private Partnership – Partnership Agreement – Requirements (Maryland State Department of Transportation Promises Act of 2020) ([RSC 3](#))** set in writing many of the statements made at a Board of Public Works meeting before voting for a P3 project. It was based on experience that promises made during negotiation, weren't necessarily adhered to.

**[HB 1367](#) Transportation – Western Maryland MARC Rail Extension – Study ([RSC 3](#))** was a proposed rail project study that used abandoned rail lines to extend the MARC system. This non-partisan bill will probably be proposed in another session.

**[HB 1424](#) Public-Private Partnerships – Process and Oversight ([RSC 3](#))** was to help clarify and make applicable legal regulations that were created for the Purple Line to any P3 project.

*Bills that did not pass either the House or Senate:*

**[HB 292](#) Toll Roads, Highways, and Bridges – County Government Consent Requirement – Expansion ([RSC 1](#))** cross filed with SB 229 was to give all counties in Maryland the same opportunity to veto certain proposed projects. The bill was contentious and an opposite proposal was made to take away the veto powers of counties so all counties would have only state mandates.

*Bee Ditzler*

## **ENVIRONMENT: CLIMATE CHANGE**

*Summary of significant bills that failed to pass:*

**[SB 926](#)/[HB 1425](#) Climate Solutions Act of 2020 – Greenhouse Gas Emissions Reduction Act** (Pinsky/Stein) ([RSC 3](#)) passed both the EHE and B&T committees in the Senate but did not get out of ENT in the House, due to time constraints. The bill would have increased the goals in the fight for climate change protections in the state of Maryland. It calls for reducing greenhouse gases emissions by 60% by 2030 and moves toward 100% reduction by 2045. It sought to establish scientifically sound methods to calculate emissions savings by prohibiting the use of highway widening as a method to reduce emissions; correcting the method for counting methane emissions; and requiring use of “best available scientific information.” The bill also proposed that one million trees be planted annually for the next ten years; increased energy efficiency requirements for state buildings; required 50 percent of state buses and 100% of state light fleet to be electric vehicles by 2030; required all new buildings with 25% or more state funding to be zero emissions starting in 2021; required all state agencies to consider climate impact in decision making.

### **Updates on other bills Previously Reported in RSC:**

**[HB 517](#) Constitutional Amendment – Environmental Rights** (Stewart) ([RSC 2](#)) Hrg 2/19 ENT, Unfavorable

**[HB 531](#)/[SB 656](#) Utility Regulation – Consideration of Climate and Labor** (Charkoudian/Kramer) ([RSC 2](#)) Hrg. 2/27 ECM & ENT; 2/25 FIN

**[SB 538](#)/[HB1214](#) Public Service Commission – Application for Certificate of Public Convenience and Necessity – Preservation of Environmental Quality and the Climate** (Kelley/Lierman) ([RSC 2](#)) Hrg. 2/25 FIN; 3/5 ECM Hrg cancelled

**[HJ 01](#) Declaration of a Climate Emergency and Implementation of a Climate Mobilization Effort** (Hill) ([RSC 2](#)) Hrg. 2/24 HRU

*Betsy Singer*



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

*Successful legislation:*

**[HB 78/SB 172](#) Bay Restoration Fund - Authorized Uses** (Watson/Hester) ([RSC 1](#), [RSC 4](#)) Passed both houses, sent to the Governor.

**[HB 161](#) Nutrient Management - Professional Fertilizer Applicators - Requirements and Penalties** (Chair, E&T, for Dept. of Agriculture) ([RSC 1](#), [RSC 4](#)) Passed both houses, sent to the Governor.

**[HB 177](#) Environment - Water Infrastructure Assets - Authorization of Emergency Actions and Establishment of Emergency Reserve** (Chair, ENT, Del. Barve) ([RSC 1](#)) Passed both houses, sent to the Governor.

**[HB 229/SB 300](#) Pesticides - Use of Chlorpyrifos – Prohibition** (Stein plus 30; Lam plus 10) ([RSC 1](#)) Senate bill passed both houses and sent to the Governor with an amendment requiring sunset in 4 years (and start date is in 2 years).

**[HB 619](#) Environment - Use of Fire-Fighting Foam Containing Perfluoroalkyl and Polyfluoroalkyl Substances – Prohibition** (P. Young plus 11) ([RSC 2](#)) Passed both houses sent to the Governor.

**[HB 687/SB 597](#) Agriculture - Cost-Sharing Program - Fixed Natural Filter Practices** (Stein plus six; Young plus five) Passed both houses and sent to the Governor.

**[SB 07](#) Maryland Green Building Council – Membership** (chair, B&T, for Dept. of General Services) ([RSC 1](#), [RSC 2](#), [RSC 4](#)) Passed both houses and sent to the Governor.

**[SB 18](#) Environment - Lead Poisoning Prevention Commission** (Chair, EHEA, for the Dept. of the Environment) ([RSC 1](#), [RSC 4](#)) Passed both houses and sent to the Governor.

**[SB 92](#) Secretary of Agriculture - Weed Control Law** (Chair, EHEA, for Dept. of Agriculture) ([RSC 1](#), [RSC 4](#)) Passed both houses and sent to the Governor.

**[SB 114](#) Natural Resources - Nuisance Organisms - Pilot Projects and Northern Snakeheads** (Chair, EHE, for Dept. of Natural Resources) ([RSC 1](#)) Passed both houses and sent to the Governor.

**[SB 242](#) Natural Resources - Wild Waterfowl Policy – Repeal** (Bailey) ([RSC 2](#)) Passed both houses and sent to the Governor.

**[SB 510](#) Natural Resources - Commercial Fishing - Use of Haul Seines** (Bailey plus six) ([RSC 3](#), [RSC 4](#)) Passed both houses and sent to the Governor.

*A veto override:*

The 2020 Maryland General Assembly overrode Governor Hogan's veto of [House Bill 720/Senate Bill 830](#) of 2019. These bills establish a new Oyster Advisory Commission. This new commission includes more representation from the environmental community and provides a process for developing consensus-based recommendations for oyster management.

*Bills that were not passed by both houses:*

[HB 1312/SB 841](#) **Water Pollution Control - Discharge Permits - Industrial Poultry Operations** (Stewart plus 16/Lam plus two) ([RSC-3](#)) ENT – unfavorable report.

[SB 491](#) **Regulation of Invasive Plants - Bamboo – Prohibitions** (Kramer) ([RSC-2](#), [RSC-4](#)) EHE – unfavorable report.

[HB 165](#) **Solar Photovoltaic Recycling** (Del. Miller plus five) ([RSC-1](#)) ECM -- unfavorable report.

[HB 179](#) **Maryland Recycling Act - Recyclable Materials and Resource Recovery Facilities – Alterations** (Charkoudian plus 20) ([RSC-1](#)) Unfavorable report by ENT.

[HB 209/SB 313](#) **Plastics and Packaging Reduction Act** (Lierman plus 43/Augustine plus 23) ([RSC-1](#)) Passed House; died in Senate.

[HB 854](#) **Department of the Environment - Nontidal Wetlands - Study of Vernal Pools** (Kim) ([RSC-3](#)) ENT -- unfavorable report; withdrawn.

[SB 928](#) **Environment – Concentrated Animal Feeding Operation Construction or Expansion – Manure Transport Plan Requirement** (Pinsky) ([RSC-3](#)) EHE – unfavorable report; withdrawn.

*Linda Silversmith*