

The Maryland Voter



Summer 2013

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Protecting the Bay requires money and a willingness by the populace

By Susan Cochran

A stormwater fee or "rain tax" as mandated by the State of Maryland has been the subject of debate, support and consternation by the politicians and residents of the state. The fee for a restricted watershed management and remediation fund must be set up by the 10 largest jurisdictions in Maryland. The purpose is to reach goals for a healthy Chesapeake Bay. Almost everyone agrees the Bay should be cleaned up. But some think the state is going too far with a mandated fee, and some legislators have vowed to work to repeal it.

The Stormwater Management - Watershed Protection and Restoration Program, HB 987 and SB 614, was introduced in the 2012 Legislature by Tom Hucker and Jamie Raskin, respectively. It passed with amendments and is now law.

The law specifically requires the state's 10 largest municipalities or counties to collect a fee related to the impervious surface of a property and set up a restricted fund for stormwater management - protection, remediation and restoration. These 10 already were subject to a municipal storm water permit administered by the Maryland Department of the Environment adhering to requirements by the EPA first issued in 1990. (Continued on next page)

Recently, Maryland and the other five Bay jurisdictions agreed with EPA to adhere to a “Pollution diet” to reach their goal of a Bay irreversibly on the way to recovery by 2025.

The “diet” or program for improvement is called the BayTMDL. That stands for Total Maximum Daily Load of the three pollutants that can render the Bay lifeless—nitrogen, phosphorus and sediment. The Stormwater Bill is part of an important strategy to accomplish the so far elusive goal of substantially improving the Bay and reaching the goals of the Clean Water Act of 1972 for a body of water in which one can swim and fish.

HB 987 can be accessed through the Maryland Legislature site. It contains some exceptions, provisions for hardship considerations for property owners, enables the counties to provide credits for stormwater remediation already done by a property owner and to adjust the rates to provide relief for non-profit organizations.

Some counties have met the July 1 deadline in a creditable way; others have balked or controverted the intent of the law. Some lawmakers have vowed to repeal the law in the 2014 Legislative Session. Seasoned observers have doubts that the effort will succeed.

During discussion of the local ordinances proposed it became evident that Maryland citizens often were not aware of the need for very strong measures if the Bay is going to be restored, even while professing a great desire to see the Bay clean and productive again. They “love” the Bay, they say, while opposing this state measure to clean it up.

The jurisdictions that are subject to the law are Baltimore City, and Anne Arundel, Baltimore, Carroll, Charles, Frederick, Harford, Howard, Prince George’s and Montgomery counties. Montgomery County already had a stormwater fee in place. Frederick County set a flat fee of 1 cent per property and Carroll County declined to set a fee, saying it would designate an item already in their budget as the watershed protection and restoration fund.

Anne Arundel County has one of the most robust funds. County Councilman Chris Trumbauer credits the government’s success to immediately reaching out to the County Executive and gathering a group of community leaders to assess what a reasonable fee structure would be. The group included Republicans, Democrats, developers, environmentalists, the Anne Arundel Chamber of Commerce and householders, some county councilmen and representatives from the Department of Public Works. They agreed on the essentials of a bill to present to the County Council and lent their support to its passage. Key councilmen were sponsors of the bill. The bill was amended and passed 4-3. Upon the new County Executive’s veto, the bill was passed by an override of 5-2. Some of the County Executive’s objections were met in subsequent legislation after the July 1 state deadline. All in all, the effort was pronounced a success. The Department of Public Works is well prepared to put the funds to a very constructive use.

The restoration effort of the Bay was given a great boost in the last four years by Federal action to lead and help with some funds through the EPA.

Calling the Chesapeake Bay a national treasure, President Obama issued an Executive Order on May 12, 2009, to direct the formation of a vigorous program of Bay protection and restoration, with the EPA as the lead agency, in order to meet the goals of the Clean Water Act of 1972 for swimmable, fishable waters.. The order was followed by Congressional action to direct funds to the effort to clean the Chesapeake Bay.

The effort to make the Bay and its tributaries clean enough to foster aquatic life and provide swimmable waters is at least 30 years old. The Chesapeake Bay Commission was started in 1983 with the participation of Maryland, Virginia, and the District of Columbia. Jacques Cousteau spoke at the first big public conference arranged by the Alliance for the

Chesapeake Bay. The first Chesapeake Bay Agreement was signed that year with Pennsylvania, Maryland, Virginia, the District of Columbia and the EPA. The Agreement established the Chesapeake Executive Council of designees of those states and the EPA. The Chesapeake Bay Program was instituted. In the ensuing decades more ambitious agreements were signed as an enthusiastic and anxious public demanded action, more states joined in, and research helped develop improved approaches.

In the year 2000, an expanded effort was instituted with the agreement of all five states in the Bay watershed and the District of Columbia who set up goals in the Chesapeake2000 Agreement. Nevertheless, discernible progress was slow and the Chesapeake Bay Foundation has given the Bay Ds and Fs for health for the past decade.

The great growth of urban and suburban development around the watershed in the last 50 years coincides with dramatic harm to the Bay, say scientists at the Smithsonian Environmental Research Center. Measures to improve the Bay are pushing against the tide of this development.

New or refined goals for improvement of the Bay are being drawn up in the Chesapeake Bay Watershed Agreement of 2013 that is now in draft form, open for public input until August 15. The plan is available through http://www.chesapeakebay.net/blog/post/abridged_draft_of_chesapeake_bay_watershed_agreement_available_for_feedback The site generally is an excellent source for background and news on the Chesapeake Bay Program.

The Chesapeake Bay Watershed comprises 64,000 square miles, and includes West Virginia, Virginia, District of Columbia, Maryland, Delaware, and New York. It is home to over 17 million people. The Chesapeake is the largest estuary in the country and involves an economy valued at over one trillion dollars.

The importance of a healthy bay to our Nation cannot be overestimated.

The League's position:

The League is a strong supporter of measures to fulfill the goals of the Clean Water Act, relying on state and national League positions that urge the attainment of clean water and protection of the ecosphere to support human health and the living things of our natural environment.

For specifics on our positions regarding the environment, go to [LWV.org](http://www.lwv.org) and search for Impact on Issues—Online Edition.

<http://www.lwv.org/content/impact-issues-online-edition>

To find the state League positions and action go to

<http://www.lwvmd.org/n/node/3721>

An updated version will be available soon.

2013 Legislative Season Marked Major Successes

*by Barbara Schnackenberg
LWVMD Action Chair*

The League of Women Voters of Maryland and our various coalition partners can count the 2013 session as a success, even if we did not get everything we wanted. As most people know, progress in Annapolis, as in legislative efforts elsewhere, is never fully successful in any given year.

One major unanticipated achievement of 2013 was the passage of gun control legislation, which was not one of our priorities because no one could have predicted the reaction of the public to the tragedy in Newtown, Connecticut. The League nationally has had a position in favor of restrictions on gun ownership since 1991. Consequently, we actively supported the Governor's proposed legislation which passed and which opponents failed to petition to referendum. We will be watching what happens in the courts.

Here is the remainder of our track record for 2013 in the order of our priorities:

Legislative Priorities for 2013

* Energy use and the environment--Our top priority was "protection of the environment through uses of alternative and renewable energy, energy efficiency, water conservation, protection of the Chesapeake Bay, and a moratorium on fracking." The major accomplishment in this area was the passage of the Maryland Offshore Wind Energy Act of 2013. Similar legislation had failed for several years but finally we had a success. This legislation provides among other things for a 200-megawatt wind project off the coast of Ocean City by requiring electricity suppliers to buy offshore renewable energy credits. This project is scheduled for completion by 2017.

Other efforts in this area were not so successful. For example, the League strongly supported legislation to impose a moratorium on hydraulic fracturing (or fracking) but the Senate Committee on Education, Health and Environmental Affairs Committee failed by one vote to report it favorably to the full Senate. A major contention of its opponents was that a legislated moratorium was unnecessary because the Governor declared a moratorium on fracking. The question is, with all of the gas and oil industry pressure to impose fracking and with the President's drive toward energy independence, whether we will sacrifice protection of our water supply to energy independence.

* Reforming the Redistricting Process League members formed a committee which pushed hard for redistricting reform and worked with legislators in both the House of Delegates and the Senate for legislation to create a task force to study redistricting in Maryland. We did find supporters in both houses of the legislature but the Senate proposed legislation failed in the Senate Education, Health and Environmental Affairs Committee. We expect to continue to work with our partners, such as Common Cause Maryland, for the creation of a task force to study the redistricting process and recommend much needed improvement. Maryland now has the reputation for being the worst gerrymandered state in the nation.

* Abolition of the Death Penalty Abolishing the death penalty was a major achievement of the 2013 session of which League members can be very proud because this has been a high

priority of ours for some years. Even better was the fact that opponents were unable to gather enough signatures to petition this legislation to referendum. There is no doubt that this achievement was made possible by the Governor's support of this legislation along with a major push by the National Association for the Advancement of Colored People and strong support by the League and our other coalition partners.

* Fair and Open Government Another important achievement of the 2013 General Assembly session was passage of legislation providing penalties for the failure of public bodies to comply with Maryland's Open Meetings Act. Jurisdictions have been free to violate without penalty the public's right to attend meetings where important decisions are made affecting the daily lives of their citizens. The only redress open to the citizen was to file suit, which most members of the public cannot afford. Now the law provides for a series of increasingly severe penalties for failure of jurisdictions to comply with the Act as determined by the Open Meetings Control Board of the Office of the Attorney General. In addition, for the first time, public bodies are required to provide training to their members on the requirements of the Act.

* Campaign Finance Reform Among other provisions, the legislature closed the longstanding loophole that allowed limited liability corporations and other entities to skirt the campaign contributions limits that regular corporations are required to abide by. It also enacted the strongest reporting requirements in the nation for independent expenditures (a big money pool created by the Citizens United Supreme Court case).

* Sound Election Practices Voters will find that they have even more opportunity to cast their vote under new legislation that passed in the 2013 General Assembly. Beginning in 2016, a person will have the opportunity to register to vote or change their existing registration (such as a change of address) during early voting and then vote a regular ballot at the early voting center as long as they show proof of residency. While the League would have liked to have same day registration on Election Day, we were pleased to have this improvement. Same day voter registration has been shown to be the election reform most relevant to increasing voter turnout.

* Healthcare Coverage for a Basic Level of Quality Health Care The final pieces of legislation to bring equal access to healthcare to all Marylanders and control of healthcare costs were finally put in place in this session of the legislature. Enrollment begins on October 1, 2013, and coverage begins on January 1, 2014. Maryland is ready.

Howard LWV moves

New address;
League of Women Voters of Howard County
Oakland Manor
5430 Vantage Point Road, Suite C
Columbia, MD 21044

Phone and fax number remains the same: 410-730-0142

E-mail address is the same: info@howard.lwvmd.org

Website address remains the same: www.howard.lwvmd.org

Gina Smith is part-time office manager

Shorter session works for LWVMD Annual Convention



Parade of Leagues

County Leagues at LWVMD convention spoke about their activities during the past year.

Claudia Lewis (Carroll County) and Betty Harries (Howard County) are ready for the Convention banquet.

Nancy Soreng and Susan Cochran greet State Senator Bill Ferguson, 46th Legislative District, who was the banquet speaker.



By Carol Blackburn

The abbreviated state convention of the League of Women Voters of Maryland in May seemed to work very well with all vital business conducted. And, organizers were able to include a workshop on Friday evening and a breakfast Saturday that was designed for those with specific interests to get together and network.

Prior to the convention, some league members participated in a docent-led tour of the Hampton National Historic Site in Towson. When first built in 1790 it was the largest home in the United States. The mansion was designated a national historic site in 1948.

The Baltimore County League was host and gave us a warm welcome.

Barbara Schnackenberg recognized the *Report from State Circle (RSC)* reporters who volunteered their energy and time to follow the LWVMD action agenda issues during the legislative session. Diana Haskell briefly talked about the LWVUS Lobby Corps and the action of about 20 League members from the greater DC metro area who volunteer.

Then we had the presentation of proposed state program.

It is always exciting to see what non-recommended items will go forth and this year it was a preliminary study of Coastal and Nearshore Maryland: Using and Protecting our Natural Resources. One of the reasons the LWVMD Board did not recommend this item was there was no chair but by the Saturday morning session Claudia Lewis of Carroll County had volunteered. The committee will look at the issues and present some findings that might lead to a future consensus study.

Friday night's banquet included the roll call of local Leagues with representatives talking briefly about the past year in their county. The speaker for the banquet was State Senator Bill Ferguson, 46th Legislative District (Baltimore City), who is on the joint committee

on transparency and open government. He also noted some of the highlights of the 2013 General Assembly.

After the banquet Alice Giles presented a workshop on *The New Press Release – Promotion in the Digital Age*, using You-Tube, Twitter and Facebook. Many Leagues are using these devices to communicate with each other and the community at large.

Saturday's breakfast had several hosted tables for sharing about the following topics/portfolios: president, membership, voters service, events and fundraising, and treasurers.

The slate of officers was approved and Susan Cochran (Anne Arundel County) became the 28th LWVMD president. The convention also gave Nancy Soreng, our outgoing president, a hardy sendoff.

LWV Council 2013 Report

By Susan Cochran, President LWVMD



Susan and Barbara work on campaign plan at LWVUS Council

The surroundings were green and leafy and the weather delightful, but Barbara Schnackenberg and I were at a Leesburg, Virginia, convention site to work, not enjoy the out-of-doors. We were attending the 2013 League of Women Voters Council, held at the National Conference Center this year from June 14 to 17, where nearly 100 state League leaders gathered with members of the LWV Board of Directors, our national president, Elizabeth MacNamara, and the LWVUS staff to prepare ourselves for the coming year.

Unlike the frantic activity of the biennial Convention, there is a more relaxed pace and an intimacy to Council that is very welcome. It was possible to talk with Elizabeth, directors and staff on issues we had in our states as well as just a little pleasant chitchat.

At the opening session, Barbara and I were seated at a round table with delegates from South Carolina, the District of Columbia and our national liaison, Anne Schink, a board director who hails from Maine. We had a program of evaluations, including of ourselves, with questions we could answer with little keypads in front of each of us. The result could be compiled instantly and projected on the screen at the front of the room. This system was used throughout the Council and was a welcome participation tool.

Over the four-day session a lot of learning took place. We had sessions on communications, leadership, fund raising, advocacy and much more. We heard inspiring stories of effective action by other Leagues, like the Florida League's successful campaign to reverse the restrictions on registering voters.

A feature of the Council activities was working on a campaign for our League. Barbara and I, with concurrence from the LWVMD Board, had determined we would work on a campaign to educate residents of Maryland on the underlying need and principle of Plan Maryland and

Stormwater Management. We had two two-hour sessions to work on our strategy in a room with staff and US Board members to call upon for advice. We turned in our campaign strategies and they were recorded by staff and handed back to us. This review by the staff could result in further help with our plans in the future. You will hear more about what we came up with in the near future.

We had a session on electronic communications to increase the visibility of our League. At present you may follow me on twitter @_suzanwc. However, I intend to start a twitter account with a League logo and a state League handle. We also plan to do more with our Facebook.

Monday morning as we were assembled for our last session, we waited with bated breath for the ten o'clock announcement of the Supreme Court decision on the Arizona v. ITCA case. As the news came in, we cheered the big win for the National Voter Registration Act (NVRA) when the Court rejected Arizona's certain proof-of-citizenship requirement to register to vote. The League of Women Voters of the U.S. submitted an amicus brief and the League of Women Voters of Arizona was a named plaintiff.

The Council was a good way to understand League better, learn and network with fellow leaders. I hope it will enable me to be a more effective leader of our state League.

Let's Celebrate United Nations Day, October 24

By Andrea Morris Gruhl, LWVMD Director

When we hear the phrase "We the People," we automatically think of the preamble to the *U.S. Constitution*. But another great 20th century document, the *United Nations Charter*, begins with the same phrase. Verbally stunning in its scope, the *UN Charter's* preamble essentially strove for peace. And the charter's 19 chapters describe processes facilitating peace in its various aspects.

United Nations Day, October 24, 2013, marks exactly 68 years since the *UN Charter* was put into effect via ratification by a majority of the 51 original member nations whose representatives signed the charter in San Francisco on June 26, 1945. Now 193 countries around the planet are UN members.

The LWVUS Public Policy Positions 2012-2014 cover four broad areas: Representative Government, International Relations, Natural Resources and Social Policy. One of the longest and strongest components of the International Relations section is the 2002 dated position on the United Nations. The LWV of Montgomery County spearheaded the national study leading to its LWVUS position inclusion.

Let us use United Nations Day as an opportunity to educate our citizens about the United Nations. Here are some ideas: a UN Day Potluck Dinner where each attendee shared one dish reflecting her or his ethnic heritage, writing an article or Letter to the Editor about the United Nations to be published on or slightly before October 24 in their local newspaper, panel programs. Other local Leagues have marked UN Day by hosting programs featuring international singing, instrumental concerts, poetry readings, or drama.

"We the People" have the opportunity October 24, UN Day, to promote world consciousness leading to a more peaceful planet.

SEVENTH ANNUAL CONSTITUTION DAY PROGRAM

Tuesday, September 17, 2013

Program 4:00 p.m.

Reception 5:00 p.m.

Ceremonial Court Room,
University of Maryland
Francis King Carey School of Law
500 W. Baltimore St., Baltimore, MD 21201



Come meet and hear
LWVUS President
Elisabeth MacNamara
on the Constitution
Day panel and then
join her at dinner
("Dutch treat") at Gertrude's Restaurant
in the Baltimore Museum of Art.

Presented By

LEAGUE OF WOMEN VOTERS OF MARYLAND

UNIVERSITY OF MARYLAND FRANCIS KING CAREY SCHOOL OF LAW

UNIVERSITY OF MARYLAND, BALTIMORE

THE SUPREME COURT IN TRANSITION: NEW RULINGS ON AFFIRMATIVE ACTION, THE VOTING RIGHTS ACT AND SAME SEX MARRIAGE

**Moderator: Maxwell Stearns, J.D. - Professor of Law and Marbury Research Professor,
University of Maryland Carey School of Law**

**Panelists: Phoebe Haddon, J.D. - Dean, University of Maryland Carey School of Law
Jana Singer, J.D. - Professor, University of Maryland Carey School of Law
Elisabeth MacNamara, J. D. - President, League of Women Voters of the
United States**

**RSVP by September 12 to reserve seating and parking
and to sign up for dinner after the reception**

Email your name, email address, phone and local League to
andreagruhl@aol.com

Please indicate if you need to reserve a parking space for your car.
(\$7.00 for two hours. Carpooling encouraged)

Questions? 301.596.5460

Directions and Parking:

From Route I-95 (North or South) take Route 395 (downtown Baltimore). Exit onto Martin Luther King, Jr. Blvd., staying in right lane. At fourth traffic light, turn right onto Baltimore St; pass law school on left side of street. Turn left at second traffic light onto N. Paca St.; turn right into entrance for Baltimore Grande Garage, which is across street from east side of law school. Parking building is for UMB Hospital patients/staff and law school faculty, but Constitution Day attendees who reserved a space will be accommodated.