

Annapolis Report



Senator
Nancy J. King



Delegate
Charles Barkley



Delegate
Kirill Reznik



Delegate
Shane Robinson

The General Assembly of Maryland, at its 434th session, January to April 2014, considered over 2,600 bills and resolutions that affect many areas of importance to Maryland citizens. Of these bills, 814 passed both chambers with most expected to become law on October 1, 2014.

MONTGOMERY COUNTY – DISTRICT 39

Montgomery County will receive \$1.0 billion in State support in fiscal 2015, including \$707.4 million in direct aid, \$165.9 million in retirement payments, and \$163.4 million in operating assistance for mass transit programs. This funding is equivalent to the amount of revenue generated from a \$0.61 county property tax rate. Over the last five years, State funding for Montgomery County has increased by \$175.1 million or 25.1%, even though the State was confronted with major fiscal challenges.

Education: Since the General Assembly places a high commitment on adequately funding public schools and providing a quality educational program for all children, a large portion of State aid is targeted to public schools. In fiscal 2015, county public schools will receive \$624.4 million for operations and \$40.0 million for school construction. Montgomery College will receive \$47.4 million for operations as well as \$14.4 million in capital funding for renovations and additions to the science center at the Rockville campus. The University System of Maryland Shady Grove Campus will receive \$4.3 million in capital funds for the design of the Biomedical Sciences and Engineering Education facility. The county library system will receive \$2.8 million in operating funds as well as \$387,000 to renovate the Kensington Park and Twinbrook branch buildings. State funded retirement payments for county teachers, librarians, and community college faculty will total \$165.9 million.

Public Safety: Police protection and fire and rescue aid will total \$17.2 million. Also, the State budget includes \$150,000 for a two-story addition to the Sandy Spring Volunteer Fire Department station.

Social

The State budget includes \$126.9 million for programs focused on health, mental health, developmental disabilities, alcohol and drug abuse treatment, prevention and disease control, and child welfare services.

Quality of Life: Local highway grants will total \$7.6 million in fiscal 2015 and local Program Open Space grants will total \$4.1 million. To support mass transit programs in the county, the State will also provide \$163.4 million in operating assistance for Metrorail, Metrobus, and Ride-On. Additional funds will aid parks and playgrounds, waterway improvement projects, and water quality projects.

Community Initiatives: The budget includes \$200,000 for the long-term equipment needs of a unique, Statewide STEM (Science, Technology, Education and Math) education program operated by the MdBio Foundation. The program provides authentic STEM career experiences for an average of 500 students per week at 35 different high schools each year

Services:

through laboratory education standards. An additional \$50,000 is included for the Sandy Springs Odd Fellows Lodge through the African American Heritage Preservation Grant Program.

BUSINESS AND ECONOMIC ISSUES

Minimum Wages: Starting on January 1, 2015, employers in the State must pay the greater of the federal minimum wage (currently \$7.25 per hour) or a State minimum wage of \$8.00 per hour to employees subject to various federal or State minimum wage requirements. Gradual increases follow through July 1, 2018. The increases are set at \$8.25 per hour on July 1, 2015; \$8.75 per hour on July 1, 2016; \$9.25 per hour on July 1, 2017; and \$10.10 per hour on July 1, 2018.

Developmental Disabilities Administration (DDA) Community Service Providers: For these employees of DDA, beginning in fiscal 2016 through 2019, the State budget for DDA must include a 3.5% rate increase over the level of funding provided in the prior year.

Electric and Gas Utility Customers' Protection: While consumers may choose to purchase their electricity and natural gas from a competitive supplier, their utility company still delivers and bills the customer for the electricity and gas. However, some competitive suppliers have engaged in activities in violation of State law by enrolling customers without their consent, failing to obtain proper licensing, and engaging in misleading marketing and sales practices. PSC, with advice from stakeholders, must report to the General Assembly by next January on their efforts to offer protection to consumers.

Electric Reliability Remediation Fund: Due to several major outage events in recent years, an enhanced focus has been placed on improving electric reliability in the State. A new fund, administered by the PSC, will provide resources for remediation to improve electric service quality and reliability of the worst performing electric distribution lines in the State.

Maryland E-Nnovation Initiative Program and Fund: This program allows public and private nonprofit institutions of higher education in the State to create research endowments and, upon securing matching private donations and approval, receive E-Nnovation Funds distributed to the endowments.

Cybersecurity Investment Fund: The Maryland Technology Development Corporation (TEDCO), which fosters private-sector investment in early-stage, innovative Maryland startups, will administer a new fund to provide seed and early-stage funding for emerging technology companies in the State focused on cybersecurity and cybersecurity technology product development.

Research and Development Tax Credit: Available to individuals and corporations that incur qualified research and development expenses in Maryland, is increased from \$8 to \$9 million as the aggregate amount of credits that can be approved in each calendar year along with an increase in the amount of basic credits and growth credits that may be awarded annually from \$4 to \$4.5 million for each credit.

Energy-Efficient Homes Loan Program:

This program provides low-interest loans for the construction of “low-energy” and “net-zero” homes. A “low-energy” home achieves a Home Energy Rating System Index rating of 50 or lower, while a “net-zero” home produces an amount of energy in one year that is equal to the amount of energy that the home uses in one year.

Leave Policies: Employers with 15 to 49 employees in the State will be required to provide employees with unpaid parental leave benefits up to a total of six weeks in a 12-month period for the birth, adoption, or foster placement of a child.

Beer and Breweries/Alcohol: A number of measures were passed related to an off-site permit for brewing companies, the retail sale of prepackaged beer, farm breweries, and festival licenses, as well as establishing a farmers’ market permit for alcoholic beverages.

Maximum Alcohol Content: An alcoholic beverage containing 95% alcohol (190 proof) or more is often referred to as “grain alcohol.” New law prohibits a person from selling at retail an alcoholic beverage with alcohol content by volume of 95% (190 proof) or more.

EDUCATION

State Aid to Public Schools – K-12: State aid for primary and secondary education will increase by \$144.8 million in fiscal 2015 to almost \$6.1 billion, 2.4% more than fiscal 2014 aid. State aid provided directly to the local boards of education increases by \$134.4 million, or 2.6%, and the State’s share of teachers’ retirement costs, which is paid on behalf of the

local school systems, increases from \$728.1 million to \$738.6 million, representing an increase of 1.4%. Appropriations to support teachers’ retirement costs are paid directly into the State’s pension fund and do not pass through local school system budgets.

Prevailing Wage: Legislation passed that effectively requires all school construction contracts valued at more than \$500,000 to pay prevailing wages.

Prekindergarten Expansion Grants:

Publicly funded prekindergarten has been available to all economically disadvantaged or homeless four-year-old children in the State beginning with the 2007-2008 school years. Legislation in 2014 expands prekindergarten services to additional eligible four-year-old children from families whose income is no more than 300% of federal poverty guidelines through a new competitive grant program for qualified public and private prekindergarten providers.

Healthy School Hours: A study of safe and healthy school hours for Maryland public schools will include, among other factors, a review of the science on the sleep needs of children and adolescents, including the effects of sleep deprivation on academic performance and



The District 39 team, pictured in Annapolis, are, from left, Delegate Charles Barkley, Senator Nancy J. King, Delegate Kirill Reznik, and Delegate Shane Robinson.

benefits of sufficient sleep. A report is due by the close of the year.

Libraries -- Funding: The General Assembly increased the per capita funding amount that must be provided to Library Regional Resource Centers and County Public Libraries beginning in fiscal 2016. Future incremental increases in State funding are aimed at restoring the library funding that the State necessarily reduced during the recession.

Higher Education Funding: State support for higher education in the fiscal 2015 budget totals nearly \$1.9 billion, an increase of \$117.8 million, or 6.7%, over fiscal 2014. Public four-year institutions receive the bulk of the new State funds, totaling approximately \$113.7 million, which include new general funds and Higher Education Investment Funds.

Community Colleges: Overall, funding for community colleges increases \$16 million over fiscal 2014.

HEALTH AND HUMAN SERVICES

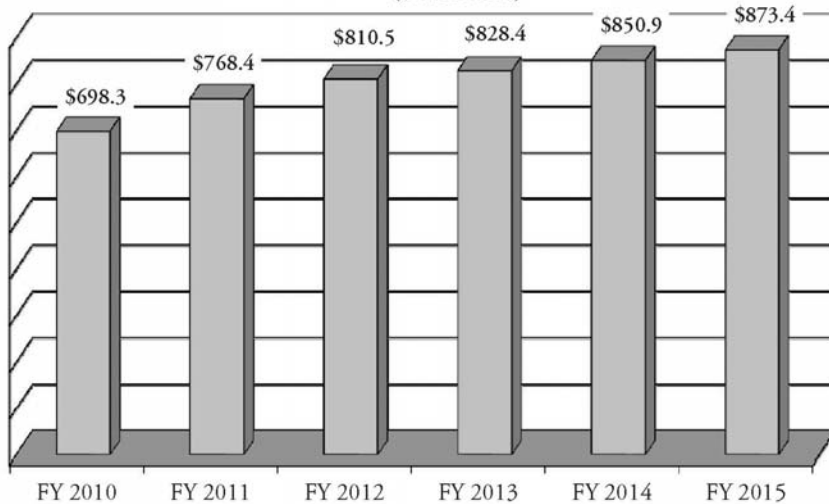
Medicaid: The 2015 budget for Medicaid, after adjusting for cost containment, increases by almost \$839 million (11.5%) over the fiscal 2014 working appropriation of just over \$7.3 billion. The expansion of Medicaid to 138% of the federal poverty level, effective January 1, 2014, added \$495 million, all from federal funds.

Mental Health: Legislation alters the standard for approval to administer involuntary medication to individuals. The bills establish stringent criteria including a determination that the individual would be relapsing.

Licensure of Behavioral Analysts: By January 1, 2015, A Board Certified Behavioral Analyst can become licensed to practice helping to produce socially significant improvements in human behavior, including autism.

Timely Access to Sexual Assault Medical

**State Aid to Montgomery County
Fiscal 2010 to 2015**
(\$ in Millions)



Note: These totals include retirement payments paid by the State on behalf of the county for teachers, librarians, community college faculty, and other local officials.

Forensic Examinations: By July 1, 2014, each hospital that provides emergency medical services must have a protocol to provide timely access to a sexual assault medical forensic examination to a victim of an alleged rape or sexual offense who arrives at the hospital for treatment.

Senior Prescription Drug Assistance Program (SPDAP): This program provides Medicare Part D premium and coverage gap assistance to moderate-income Maryland residents who are eligible for Medicare and are enrolled in a Medicare Part D prescription drug plan. New law extends the termination date of SPDAP to December 31, 2016. The current \$14 million cap on the subsidy required is extended through fiscal 2017.

Financial Abuse and Exploitation of the Elderly: A licensee that engages in money transmission must provide training materials to agents on how to recognize financial abuse and exploitation of elder adults and how to respond appropriately if the agent suspects that he or she is being asked to engage in a fraudulent transaction or financial exploitation.

COURTS, CRIMES, AND PUBLIC SAFETY

Personal Injury or Death Caused by Dog – Eliminating Breed Specific Dog Laws: The General Assembly reached agreement on the liability of a dog owner for an attack by the owner's dog. Maryland law now establishes a rebuttable presumption that the owner of a dog that caused personal injury or death knew or should have known that the dog, regardless of the dog's breed or heritage, had vicious or dangerous propensities. The owner of a dog is strictly liable for any injury, death, or loss to person or property that is caused by the dog while the dog was running at large.

Burden of Proof: Significant legislation passed this session alters, from "clear and convincing evidence" to a "preponderance of the evidence", the standard of proof by which a judge must make specified findings in peace and protective orders.

Child Witnesses to Domestic Violence: A person who commits a crime of violence in the presence a minor is subject to up to five years imprisonment, in addition to any other sentence imposed for the crime of violence.

Child Support Intercept: The State operates several intercept programs to collect delinquent child support including the interception of tax refunds, lottery prizes, and vendor payments. New law extends the application to payouts from casinos.

Discrimination Based on Gender Identity: Maryland joins seventeen states, the District of Columbia, and over 140 local jurisdictions in prohibiting discrimination based on gender identity.

Possession of Marijuana as a Civil

Offense: While marijuana is still illegal in the State, the legislature reclassified the use or possession of less than 10 grams of marijuana by an adult over the age of 21 from a criminal offense to a civil offense, subject to a fine of up to \$100 for a first offense, \$250 for a second offense, and \$500 for a third or subsequent offense.

Harassment by Interactive Computer Service: A person may not maliciously use an "interactive computer service" (a service that provides computer access to a computer server by multiple users) to disclose or assist in disclosing personal information such as a driver's license number, bank or other financial institution account number, credit card number, payment device number, Social Security number, or employee identification number of an individual, without the consent of the individual, in order to annoy, threaten, embarrass, or harass the individual. A violator is guilty of a misdemeanor and subject to imprisonment for up to 18 months and/or a \$500 maximum fine.

Underage Gaming: The law now provides penalties for a person under the age of 21 from entering or playing a table game or slot machine in a casino.

Immunity for Good Samaritans: Individuals who summon aid for an overdose will be granted immunity from criminal prosecution for possession of drugs or drug paraphernalia, underage consumption of alcohol, or related violations, if the evidence for the prosecution was obtained solely as a result of the person's seeking medical assistance for a person experiencing a medical emergency after using alcohol or drugs.

NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT

Wildlands: The Maryland wildlands preservation system, established in 1971, secures the benefits of an enduring resource of State wildlands for present and future generations. During this session legislation passed to add 9 new wildland areas and to expand 14 existing areas of the current 29 areas, adding 21,887 acres to the current 44,000 acres.

Water Pollution Enforcement: A person, who violates the State's water pollution control laws, or any regulation, order, or permit issued under these laws, is subject to injunctive actions and administrative, civil, and criminal penalties.

TRANSPORTATION AND MOTOR VEHICLES

Distracted Driving: A new offense prohibits use of a handheld telephone or the writing, sending, or reading of a text message or electronic mail while driving and thereby causing an accident that directly results in the death or serious bodily injury of another. If a

person commits this offense, MVA must assess 12 points against the driver's license and the violator is subject to imprisonment for up to one year or a maximum fine of \$5,000 or both.

Impaired Driving - Repeat Offenders: New law increases the penalties for a third or subsequent violation of driving while impaired by alcohol; driving while so far impaired by any drug, or drugs and alcohol, that the person cannot drive a vehicle safely; and committing either of these offenses while transporting a minor. The penalty for a third or subsequent violation of the first two offenses is a maximum of three years imprisonment or a fine of up to \$3,000 or both. If either of these offenses is committed while transporting a minor, the maximum fine increases to a maximum of four years' imprisonment or a fine up to \$4,000 or both.

Speed Cameras in Local Jurisdictions: Two passed measures alter requirements and restrictions pertaining to the issuance of citations and warnings, the calibration and self-testing of systems, and the use and placement of systems in school zones. The bills also establish a statewide training program concerning the oversight and administration of local programs. The bills address the common complaints that there is insufficient review of recorded images, resulting in erroneously generated citations, and that the contracts with vendors are structured to establish an incentive to generate more citations and revenues, thereby casting doubt on the integrity or purpose of speed cameras.

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Delegate Charles Barkley has served in the House of Delegates since 1999. He is a member of the Economic Matters Committee where he serves on the Public Utilities Subcommittee and is Chairman of the Alcoholic Beverages Subcommittee. He also serves on the Joint Audit Committee. Delegate Barkley is an outspoken advocate on the floor of the House on issues affecting Montgomery County and public education. Retired after 30 years as a mathematics teacher in Montgomery County Public Schools, he lives in the Seneca Park area of Germantown with his wife Nancy and their dog Sophie. Delegate Barkley has two grown sons, Matthew and Joseph.

Delegate Kirill Reznik has served in the House of Delegates since 2007. He is a member of the Health and Government Operations Committee and two Subcommittees: Government Operations and Facilities and Occupations. He is Chair of the Montgomery County Local Affairs Committee and the Montgomery County Democratic Caucus. Additionally, Delegate Reznik serves on a number of statewide Commissions dealing with addiction, mental health and developmental disabilities. He is an advocate for children's health care, small business expansion, and the protection of civil rights. Delegate Reznik is an attorney and international development consultant. He lives with his wife, Jennifer, and daughter Caitlyn, in Germantown.

Delegate Shane Robinson has served in the House of Delegates since 2011. He is a member of the Environmental Matters Committee and its Subcommittees on Land Use and Ethics, and Environment. He also sits on the Chesapeake Bay Trust, the Oyster Advisory Committee, and the Maryland Botanical Heritage Workgroup. He is an advocate for issues pertaining to the environmental sustainability, renewable energy, civil rights, and animal protection. A former Peace Corps Volunteer, he works in nonprofit management and lives in Montgomery Village with his wife Mary, his son Gordon and daughter Paige.

Senator Nancy J. King serves on the Budget and Taxation Committee and its Education, Business and Administration Subcommittee. She is also a member of the Capitol Budget Subcommittee and is Senate Chair of the Joint Committee on Children, Youth, and Families. She is Past President of the Women's Caucus and Vice-Chair of the Montgomery County Senate Delegation. She represents Maryland on the Education Committee of the National Conference of State Legislatures (NCSL) and also represents Maryland on the Southern Regional Education Board (SREB). Senator King and her husband, Jim, have been residents of Montgomery Village for over 30 years. She is a former president of the Montgomery County School Board, where she served as a member for eight years.

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Your Legislators from District 39 • Montgomery County



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