



2019 MARYLAND GENERAL ASSEMBLY LEGISLATIVE WRAP-UP

FREDERICK COUNTY GOVERNMENT



County Executive Jan H. Gardner

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During the 2019 Maryland General Assembly Legislative Session, over 2,400 bills were introduced in both the House and Senate chambers. The following document provides a summary of bills that Frederick County Executive Jan Gardner supported, opposed, or monitored during the 439th legislative session. The following table gives a comparison of the number of bills introduced and passed in the General Assembly over the last several years.

Table 1: Summary of Bills Introduced 2017 – 2019

	2017	2018	2019
Senate	1,200	1,269	1,051
House	1,661	1,832	1,430
Total Introduced	2,861	3,101	2,481
Total Passed	935	889	864



Blueprint for Maryland's Future - The County Executive's top legislative priority this session was keeping the promise of a quality education for all Frederick County students. An important legislative initiative closely watched and actively supported was the Blueprint for Maryland's Future. The Blueprint for Maryland's Future **SB1030**, implements many of the recommendations of the Kirwan Commission on Innovation and Excellence in Education. It outlines a two-year spending plan to raise the quality of education in the State's schools. The County Executive testified in support of this legislation and lobbied lawmakers to pass the bill. The General Assembly passed the legislation, which included funding for special education, schools with high density of poverty, teacher salary incentives, and a variety of accountability measures.

A key provision of the legislation is the awarding of grants to counties that fund a teacher salary increase of 3% or the equivalent to further enhance teacher pay. If the Legislation is signed into law, \$75 million in grants would be awarded statewide for Fiscal Years 2020 and 2021. The legislation also changes some elements of the longstanding school funding formula. As a result, Frederick County Public Schools is slated to receive an additional \$8,720,000 in FY20, or 3.5% more than the previous formula provided.

See Education Funding to Frederick County in the following table.

Table 2: Education Funding to Frederick County

Longstanding Education Funding Formula	FY19 (000)	FY20 (000)	%Diff
Foundation Aid	\$165,055	\$171,209	3.7
Compensatory Education	35,111	35,632	1.5
Student Transportation	13,015	14,076	8.2
Special Education	17,388	18,226	4.8
Limited English Proficiency Grants	9,914	10,695	7.9
Geographic Cost of Education Index	6,910	7,185	4.0
Prekindergarten Grants	32	74	128
Other Education Aid	1,431	1,434	.2
Kirwan			
Concentration of Poverty Grants		497	
Mental Health Coordinators		83	
Prekindergarten		243	
Special Education		2,965	
Teacher Salary Incentives		4,073	
Transitional Supplemental Instruction		855	
Total Kirwan Funding – Year 1		8,720	n/a
Primary and Secondary Education	\$248,855	\$267,250	7.4%

The Build to Learn Act of 2019 - This legislation would have supercharged school construction across the state, providing \$2.2 billion in state funding for school construction projects..

In Frederick County, this legislation would have allocated an additional \$75 million in state funding for needed school construction projects to address overcrowding. The House of Delegates passed the bill, but it did not pass out of the Senate Budget and Taxation Committee. The County Executive provided oral and written testimony and lobbied in support of this legislation along with all of the state’s other County Executives.

This legislation is expected to be reintroduced in the upcoming 2020 session.



TRANSPORTATION

Paratransit Services – Sponsored by Frederick County Delegate Carol Krimm, HB366 would have established a commission to study possible funding sources for Non-Emergency Medical Transportation (NEMT), such as the paratransit service available to seniors and people with disabilities. County Executive Gardner provided testimony in support of the bill. The legislation was withdrawn after the Maryland Department of Health agreed to establish a workgroup to discuss plans for a statewide transportation broker model. This is not a model Frederick County TransIt or other local transit systems support, but Frederick County will have a seat at the table for the discussion.



NEXT GENERATION 9-1-1

9-1-1 System Standards - The General Assembly passed **HB397**, which establishes an implementation plan and identifies funding for the next generation of 9-1-1 systems. This new interconnected system will allow text to 9-1-1, video and other enhancements. This bill also mandates the Emergency Number Systems Board to establish certain minimum standards for records retention guidelines for 9-1-1 audio, video, text messages, and data.

This legislation was a major victory for counties throughout Maryland, who need to be able to coordinate emergency calls across jurisdictions. Frederick County provided leadership on the shaping of this legislation, as the first and only jurisdiction in the state to have implemented text to 9-1-1. Jack Markey, Director of Frederick County's Emergency Management Division, was a key member of the workgroup that established the legislation. The County Executive provided testimony in support of this important legislation.



ALCOHOL

Breweries/Distilleries – Legislation that authorizes the holder of a Class 1 distillery license to sell mixed drinks made from liquor manufactured by the license holder for on-premises consumption, **HB549**, passed the General Assembly. Frederick County's many breweries and distilleries will benefit by being able to expand their tasting room offerings.

Beer Franchise Agreements - Legislators passed **HB1080**, which specifies a certain time frame within which a certain franchisor is required to notify a franchisee of an intent to terminate or refuse to renew a beer franchise agreement. This legislation was sponsored by Delegate Carol Krimm.

OTHER LEGISLATION



Support Services for Unaccompanied Homeless Minors – During the 2016-17 school year, Maryland public schools identified 2,337 unaccompanied homeless students who needed stable housing and were not in physical custody of a parent or guardian. Schools in Prince George's County, Baltimore County, Anne Arundel County, Montgomery County, and Frederick County identified the highest number of unaccompanied homeless students.

Legislation, HB911, was proposed to allow an unaccompanied minor in need of shelter to consent to shelter and supportive services, as well as to incentivize non-profit organizations to shelter the vulnerable and underserved youth population.

The final version of the legislation instead established a workgroup to study shelter and supportive services and afterschool programs for unaccompanied homeless minors. The bill passed with bipartisan support in both the Senate and House. The County Executive provided written testimony in support of this legislation, which was initiated by Student Homelessness Initiative Partnership (SHIP) of Frederick County.



Wireless Facilities - Permitting and Siting (5G – Small Cells) – Legislation to establish procedures and requirements for the permitting, installing, and regulating of certain wireless telecommunications facilities throughout the state, **HB1020**, was referred to a summer work study. An opposing bill sponsored by the wireless industry would have allowed the industry to deploy small cells wherever they wanted within the public right-of-way-with no input from the community or local government. The industry proposal would have set a precedent of usurping local zoning authority over local rights-of-way.



Property Tax - Collection of Unpaid Taxes and Tax Sales – HB 1209 – The initial bill would have resulted in significant revenue losses to Frederick County due to the bill’s limitations on the use of tax sales to enforce liens. This bill was heavily amended in the last several days of session.

The amended bill passed both legislative chambers, which includes several provisions to assist homeowners in tax sale proceedings. The bill establishes the State Tax Sale Ombudsman within State Department of Assessments and Taxation (SDAT). The ombudsman is required to (1) help homeowners understand the process for collection of delinquent taxes; (2) actively assist homeowners to apply for tax credits and other programs that may help the homeowners to pay delinquent taxes and improve their financial situation; (3) refer homeowners to legal services, housing services, and other social services; (4) maintain a website that functions as a clearinghouse for information concerning the tax sale process and services and programs that are available to assist homeowners; and (5) maintain a toll-free telephone number that a homeowner may call to obtain individualized personal assistance with delinquent taxes.

A county is authorized to establish a county tax sale ombudsman to fulfill all the responsibilities of the State Tax Sale Ombudsman with respect to homeowners within the county. A county or municipal corporation is authorized to withhold from tax sale a dwelling owned by a homeowner who is low-income, at least 65 years old, or disabled if the homeowner meets eligibility criteria established by the county or municipal corporation.

The local tax collector is required to send to property owners a plain-language summary of the tax sale process and how to retain the property. SDAT is required to survey counties and municipal corporations annually to obtain specified data concerning tax sales and submit a report of the information each year.



Prescription Drug Affordability Board – Marylanders across the state are struggling to afford prescription drugs they need, often having to choose between their medication and other necessities, like rent and groceries. As prescription drug costs continue to soar, the Maryland General Assembly took a first step this legislative session to help ensure that all Marylanders have access to affordable medications.

The original intent of the proposed legislation, **HB768**, was to establish a Prescription Drug Affordability Board, an independent body with the authority to evaluate high-cost drugs and set reasonable rates for Marylanders to pay. Ultimately, what the General Assembly passed was the creation of a board with authority to set upper payment limits on what state and local governments pay for high-cost drugs, with the approval of the Legislative Policy Committee. The initiative creates the first Prescription Drug Affordability Board in the nation.

This legislation will also establish a process by which the Board can go back to the General Assembly for expanded authority to set upper payment limits for high-cost drugs for all drug purchasers in Maryland. The County Executive provided public testimony, participated in a press conference that included numerous elected officials from around the state, and participated in a radio advertisement in support of this legislation.



Mental Health – Legislation to allow for inmates in Correctional Facilities to receive mental health services in state facilities, **HB 306**, passed out of the Senate chamber, but did not move out of the House committee. The intent of this legislation was to repeal the requirement that an inmate in a local jail who qualifies for mental health treatment can only be admitted if the Department of Health (DOH) agrees to pay for it. Additionally, it would have allowed for privately paid evaluations and certifications, as well as authorized the DOH to accept federal, public, or private grants to comply. It also would have required that inmates be placed within 12 hours of certification for mental health treatment and provided a process for judicial oversight as well as remedies and sanctions against the DOH for failing to meet these requirements.

Frederick County would have benefitted from the legislation because it would have established a process for inmates in need of mental health services to be promptly placed in state facilities to obtain the care they need, instead of allowing their mental condition worsening in the county jail.



Solar Energy. A bill entitled “Protecting Natural Resources and Preserving Productive Farms -- Commission on the Development of a Blueprint for Solar Energy in Maryland,” **HB 532**, would have established a commission to identify areas where community or utility-scale solar projects should be encouraged and areas where such projects should be restricted or discouraged. Working alongside MACo, the County Executive supported amendments to: (1) acknowledge the role of local zoning and land use planning in the siting of community and utility scale solubility-scale and (2) allow MACo to select a county representative to serve on the commission as opposed to the General Assembly leadership selecting a county representative.

This legislation passed in the Senate with amendments, but the House took no action this session. This legislation may be considered again in next year’s legislative session

State Capital Budget

The following Frederick County organizations received state grants to support local projects.

Table 3: FY 2020 – State Capital Budget – Frederick County

Project	Amount
<i>Bond Bills</i>	
Federated Charities District Building	\$75k
Frederick Bocce Ball Courts	\$50k
Heritage Frederick Capital Improvements	\$25k
Sophie and Madigan Lillard Memorial Playground	\$50k
YMCA of Frederick County	\$200k
Yourtee Springs	\$100k
<i>Capital Budget</i>	
YMCA of Frederick County – New South County Complex	\$400k
Frederick Community College – Bldg L	\$502k
Hood College	\$2.9m
Mount St Mary’s University	\$2.9m
Frederick County Detox Facility	\$500k
Frederick County ROOT	\$250k
City of Brunswick – New Emergency Operations Center	\$483k
City of Brunswick – New Public Works Repair Building	\$100k
City of Brunswick – Stormwater Tunnel Repairs	\$100k
City of Frederick – Public Amenities	\$5m

Note: See Attached State Aid to Local Governments – Frederick County

Frederick County Delegation Members – Status

Del. Krimm, Carol (Chair)
Appropriations Committee

Bill #	Bill Description	Status
HB0474	Joint Use of Utility and Telecommunications Infrastructure	Referred to interim study by Economic Matters
HB0911 (SB0930)	Joint Committee on Ending Homelessness – Unaccompanied Minors in Need of Shelter	PASSED
HB1080 (SB0704)	Alcoholic Beverages - Beer Franchise Agreements - Notice of Nonrenewal or Termination	PASSED

Del. Young, Karen
Health and Government Operations Committee

Bill #	Bill Description	Status
HB0124 (SB0299)	Tanning Devices - Use by Minors	PASSED
HB0145 (SB0301)	Hospitals - Patient's Bill of Rights	PASSED
HB0471 (SB0447)	Health Occupations - Requirements for the Practice of Optometry - Miscellaneous Revisions	PASSED

Del. Kerr, Ken

Health and Government Operations Committee

Bill #	Bill Description	Status
HB0137 (SB0035)	State Personnel - Professional Service - Maryland School for the Deaf - Teachers	PASSED
HB0466 (SB0342)	Prescription Drug Monitoring Program - Program Evaluation	PASSED

Del. Cox, Daniel

Judiciary Committee

Bill #	Bill Description	Status
HB0542 (SB0149)	Task Force to Study Crime Classification and Penalties	PASSED
HB1198	Human Trafficking – Required Posting	PASSED

Del. Pippy, Jesse

Judiciary Committee

Bill #	Bill Description	Status
HB0673 (SB0921)	Frederick County - Ethics and Campaign Activity - County Board and Commission Members and Board of License Commissioners	PASSED
HB0871 (SB0690)	Criminal Law - Human Trafficking and Prostitution Offenses	PASSED
HB1136	Task Force to Study the Frederick County Public School System's Elementary School Social-Emotional Learning Pilot Program	PASSED

Del. Ciliberti, Barrie

Environment and Transportation Committee

Note: No sponsored legislation passed for the 2019 General Assembly Session

Sen. Young, RonEducation, Health, and Environment Affairs Committee
Chair, Executive Nominations Committee

Bill #	Bill Description	Status
<u>SB0035</u> <u>(HB0137)</u>	State Personnel - Professional Service - Maryland School for the Deaf - Teachers	PASSED
<u>SB0143</u> <u>(HB0213)</u>	Cownose Ray Fishery Management Plan and Moratorium on Contests	PASSED
<u>SB0204</u> <u>(HB0293)</u>	Frederick County - Alcoholic Beverages - Volunteer Fire Company or Volunteer Ambulance Company License	PASSED
<u>SB0224</u> <u>(HB0314)</u>	Frederick County - Alcoholic Beverages License Applications - Repeal of Petition of Support - Notice	PASSED
<u>SB0234</u> <u>(HB0272)</u>	Natural Resources - State and Local Forest Conservation Funds	PASSED
<u>SB0273</u> <u>(HB0289)</u>	Frederick County - Alcoholic Beverages - Cinema/Theater License	PASSED
<u>SB0274</u> <u>(HB0288)</u>	Frederick County - Alcoholic Beverages Licenses - Sunday Sales	PASSED
<u>SB0275</u> <u>(HB0287)</u>	Frederick County - Alcoholic Beverages - Promoter's Permit	PASSED
<u>SB0276</u> <u>(HB0312)</u>	Frederick County - Alcoholic Beverages - Multiple Licenses Allowed	PASSED
<u>SB0325</u> <u>(HB0447)</u>	Frederick County - Alcoholic Beverages - Basket of Cheer	PASSED
<u>SB0651</u>	Election Law - Local Boards of Elections - Membership	PASSED
<u>SB0652</u> <u>(HB0648)</u>	Interstate Physical Therapy Licensure Compact	PASSED
<u>SB0952</u> <u>(HB0353)</u>	Frederick County - Alcoholic Beverages - Theater Licenses - Seating Capacity	PASSED

Sen. Hough, Michael
 Judicial Proceedings Committee

Bill #	Bill Description	Status
<u>SB0113</u> (<u>HB0092</u>)	Public Safety - Handgun Permits - Payment of Fees	PASSED
<u>SB0198</u>	Crimes - Solicitation and Conspiracy to Commit Murder Resulting in Death (Stacey's Law)	PASSED
<u>SB0230</u>	Election Law - Canvassing of Absentee Ballots - Reporting Unofficial Results	PASSED
<u>SB0334</u>	County Boards of Education - Appointment to Fill a Vacancy of an Elected Member - Candidate Information Requests	PASSED
<u>SB1043</u>	Children in Need of Assistance - Qualified Residential Treatment Programs (Family First Prevention Services Act)	PASSED

STATE AID TO LOCAL GOVERNMENTS -- FREDERICK COUNTY

	<u>FY 2019</u>	<u>FY 2020</u>	<u>\$ Difference</u>	<u>% Difference</u>
Direct Aid				
Foundation Aid	\$162,097,117	\$167,766,572	\$5,669,455	3.5
Geographic Cost of Education Index	6,909,909	7,185,295	275,386	4.0
Net Taxable Income Education Grants	2,957,873	3,441,992	484,119	16.4
Compensatory Education	35,110,744	35,631,886	521,142	1.5
Student Transportation - Regular	11,988,551	13,003,246	1,014,695	8.5
Student Transportation - Special Education	1,026,000	1,073,000	47,000	4.6
Special Education - Formula	12,780,038	13,618,413	838,375	6.6
Special Education - Nonpublic Placements	4,243,764	4,243,764	0	0.0
Special Education - Infants and Toddlers	363,866	363,866	0	0.0
Limited English Proficiency Grants	9,914,361	10,695,312	780,951	7.9
Teacher Development Grants	111,076	111,076	0	0.0
Food Service	288,908	288,908	0	0.0
Innovative Programs	587,017	587,017	0	0.0
Out-of-County Foster Placements	1,847	4,705	2,858	154.7
Head Start	65,540	65,540	0	0.0
Judy Hoyer Centers	376,529	376,529	0	0.0
Prekindergarten Expansion Program	32,167	73,605	41,438	128.8
Kirwan - Concentration of Poverty	0	497,666	497,666	0.0
Kirwan - Mental Health Coordinators	0	83,333	83,333	0.0
Kirwan - Prekindergarten	0	243,557	243,557	0.0
Kirwan - Special Education	0	2,965,727	2,965,727	0.0
Kirwan - Teacher Salary Incentives	0	4,073,708	4,073,708	0.0
Kirwan - Transitional Supplemental Instruction	0	855,705	855,705	0.0
Education	\$248,855,307	\$267,250,422	\$18,395,115	7.4
Library Formula	1,492,874	1,563,352	70,478	4.7
Libraries	\$1,492,874	\$1,563,352	\$70,478	4.7
Community College Formula	10,295,437	11,154,005	858,568	8.3
Grants for ESOL Programs	271,536	292,048	20,512	7.6
Optional Retirement	736,933	923,381	186,448	25.3
Other Community College Aid	89,308	0	-89,308	-100.0
Community Colleges	\$11,393,214	\$12,369,434	\$976,220	8.6
Local Health Formula	2,246,068	2,391,487	145,419	6.5
Health	\$2,246,068	\$2,391,487	\$145,419	6.5
Highway User Revenue	2,203,663	7,259,572	5,055,909	229.4
Elderly & Disabled Transportation Grants	159,159	159,159	0	0.0
Municipal Transportation Grants	2,515,095	0	-2,515,095	-100.0
County Transportation Grants	1,474,857	0	-1,474,857	-100.0
Transportation	\$6,352,774	\$7,418,731	\$1,065,957	16.8
Police Aid	2,460,987	2,495,443	34,456	1.4

STATE AID TO LOCAL GOVERNMENTS -- FREDERICK COUNTY

	<u>FY 2019</u>	<u>FY 2020</u>	<u>\$ Difference</u>	<u>% Difference</u>
Direct Aid				
Fire and Rescue Aid	572,654	572,654	0	0.0
Public Safety	\$3,033,641	\$3,068,097	\$34,456	1.1
Total Direct Aid	\$273,373,878	\$294,061,523	\$20,687,645	7.6
Payments in Behalf				
Retirement - Teachers	\$30,546,998	\$33,080,188	\$2,533,190	8.3
Retirement - Libraries	917,750	948,279	30,529	3.3
Retirement - Community College	1,670,466	1,847,821	177,355	10.6
Total Payments in Behalf	\$33,135,214	\$35,876,288	\$2,741,074	8.3
 Total State Aid	 \$306,509,092	 \$329,937,811	 \$23,428,719	 7.6