



2023 LEGISLATIVE CONSIDERATIONS

FREDERICK COUNTY GOVERNMENT

October 18, 2022



County Executive Jan Gardner



FREDERICK COUNTY GOVERNMENT

OFFICE OF THE COUNTY EXECUTIVE

Jan H. Gardner
County Executive

Joy Schaefer, Government Affairs Director

TO: Frederick County Council

ds
JC

THROUGH: County Executive Jan Gardner

ds
JS

FROM: Joy Schaefer, Director, Government Affairs

DATE: October 10, 2022

SUBJECT: Frederick County Legislative Package for the 2023 Maryland General Assembly Session

ISSUE:

To present the Frederick County Legislative Package for the 2023 General Assembly Session to the County Council for review and comment.

BACKGROUND:

Under Charter government, it is the County Executive's role to advance the state legislative priorities of the County. Executive Gardner's goal is to submit a single Frederick County Legislative Package for the upcoming General Assembly Session that represents the County's priorities and reflects the outcome of a public outreach process.

Potential legislative ideas were solicited from the general public, county agencies, municipal leaders, and the County Council. The County Executive contacted more than 85 civic organizations, boards, and commissions to request their suggestions for legislative initiatives. Because the County Executive values public participation and an open process, the County Executive hosted a town hall style meeting on September 29, 2022, to receive public comment on proposed legislative initiatives and to hear additional suggestions.

The outcome of this open and transparent process produced both legislation and a position statement, which the incoming County Executive can choose to advance to our Frederick County Delegation on behalf of the County in the upcoming Maryland General Assembly Session. This demonstrates that all levels of government are effectively working together to address the concerns and issues of the citizens of Frederick County.

The final Legislative Package for the 2023 Maryland General Assembly Session is attached (Attachment 1), which includes three (3) bills and one (1) position statement from the County Executive, one (1) bill proposed by the County Council, and 12 (twelve) requests from the public.

The County's Legislative Package includes three (3) proposed bills from the County Executive:

- 1) Forest Mitigation Banks – Forest Conservation Fund
- 2) Labor and Employment - Lie Detector Tests
- 3) Education – Frederick County – Career Exploration & Development Activities – Sale of Coffee

The County's Legislative Package includes a proposed bill from the County Council:
Frederick County – Marriage License Fee Increase

The County's Legislative Package includes the following position statement:
Support for additional reporting requirements to the General Assembly on the Community
Solar Energy Generating Systems Pilot Program.

The County's Legislative Package includes twelve (12) requests from the public:

- 1) Affordable Housing Council
- 2) The Arc of Frederick County
- 3) Career Fire Fighters Association of Frederick Count (Local 3666)
- 4) Common Market Food Coop
- 5) Frederick County Commission for Women
- 6) Frederick County Association of Realtors
- 7) Historic Preservation Commission
- 8) Sierra Club Catoctin Group
- 9) Sustainability Commission
- 10) Town of Emmitsburg
- 11) Town of New Market
- 12) United Way of Frederick County

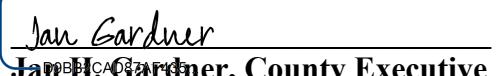
The County Executive received input during and after her Town Hall, which can be found in the last section of the Legislative Package. Notably, this includes an email from the Clerk of the Circuit Court who opposes the Frederick County – Marriage License Fee Increase legislation.

RECOMMENDATION:

The County Executive requests the County Council review, provide feedback, and determine its support of the final Frederick County Legislative Package for the 2023 Maryland General Assembly Session.

Approve? Yes No

DocuSigned by:


Jan H. Gardner, County Executive
Frederick County, Maryland

10/13/2022

Date

FINANCIAL IMPACT: NO

ATTACHMENT(S):

Attachment 1 – Legislative Considerations for the 2023 Maryland General Assembly Session



FREDERICK COUNTY GOVERNMENT

OFFICE OF THE COUNTY EXECUTIVE

Jan H. Gardner
County Executive

Joy Schaefer, Government Affairs Director

Legislative Calendar 2022 - 2023

Date	Activity
Wednesday, July 20, 2022	Seek legislative ideas by letter to 85+ organizations
Tuesday, August 9, 2022	Overview of proposed legislative process/request legislative ideas and proposals from the County Council
Thursday, August 25, 2022	Ask for input and legislative specifics from municipal leaders - Mayors/Burgesses meeting
Tuesday, September 20, 2022	County Council Approval of Council's Legislative Initiatives for 2023 Legislative Package
Thursday, September 29, 2022	County Executive to host a Town Hall meeting (1 st floor Winchester Hall) on proposed 2023 General Assembly Legislative Package – County Council invited to attend
October 18, 2022	County Council considers draft 2023 Legislative Package
Mid-November	Meet with Incoming County Executive
Saturday, December 3, 2022 10:30 a.m. (tentative)	Delegation Public Hearing - Winchester Hall
Wednesday, January 11, 2023 Noon	First day of the 2023 session of the Maryland General Assembly

Proposed Legislation

County Executive Proposed Legislation

Forest Conservation – Forest Conservation Fund

The proposed legislation suggests amendments to the State of Maryland's Natural Resources Article. These amendments would allow local jurisdictions to continue, as they have over the past two decades, to protect existing forests and valuable existing forest ecosystems through the State's forest banking program. At the same time, the suggested amendments will not impact the legislature's ability to evaluate the merits of forest mitigation banking via the study mandated by the General Assembly during the 2021 session. Any changes to the forest banking program recommended by the study can be made upon completion of a technical study by June 30, 2024, pursuant to the 2021 legislation.

To date, Frederick County has preserved over 2,500 acres of existing forest through the forest banking program, which constitutes 40% of the total acreage of existing forest preserved by conservation easements. All of these forest acres are within priority areas for conservation in accordance with state forest conservation regulations. The existing forest saved under this program include forests along the Scenic Monocacy River, habitat for rare, threatened, or endangered species, and miles of buffers along small tributary streams. Restoring the ability to save existing forest under this program will allow Frederick County to continue preserving important forest ecosystems.

Additionally, the amendments would provide flexibility to local jurisdictions in the use of conservation funds. The current timeframe to use the funds within two years or three growing seasons can be challenging for jurisdictions like Frederick County and its twelve municipalities. The process to expend the conservation funding includes planning, permitting, and the development of agreements. Further, smaller jurisdictions often have projects at less frequent intervals than larger cities and towns which are experiencing more rapid growth. Extending the reforestation or afforestation time period from two years/three growing periods to five (5) years or six (6) growing periods after receipt of funding will provide local governments the time needed to adequately and thoughtfully plan and utilize the funding.

Extending the timeframe is especially beneficial should the banking of existing forest continue to be disallowed. The availability of banking credits will quickly diminish, resulting in more payments into the Forest Conservation Fund, which will make it more challenging for local jurisdictions to spend the collected funds within a 2 year period.

A BILL ENTITLED

AN ACT concerning

Natural Resources – Forest Mitigation Banks and the Forest Conservation Fund – Alterations

FOR the purpose of altering the definition of “qualified conservation” for purposes of provisions of law related to forest mitigation banks; clarifying when certain methods can be used to establish certain afforestation standards; extending the deadline for the Department of Natural Resources to accomplish the reforestation or afforestation for which certain money is deposited to the Forest Conservation Fund; and generally relating to forest conservation.

By Renumbering

Article – Natural Resources

Section 5- 1601(hh) through (qq), respectively
to be Section 5- 1601 (ii) Through (Rr), Respectively
Annotated Code Of Maryland
(2018 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, without amendments,

Article – Natural Resources
Section 5-1601 (a) and 5-1610(b)
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources
Section 5-1601(gg), 5-1607(b)(2), and 5-1610(e),
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

EXPLANATION: CAPITAL OR UNDERLINING INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law

By adding to

Article – Natural Resources
Section 5-1601(hh)
Annotated Code of Maryland
(2018 replacement volume and 2021 supplement)

By repealing and reenacting, with amendments,

Chapter 645 of the Acts of the General Assembly 2021
Section 11.

**SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
SECTION(S) 5-1601(hh) THROUGH (qq), RESPECTIVELY, OF ARTICLE – NATURAL
RESOURCES OF THE ANNOTATED CODE OF MARYLAND BE RENUMBERED TO
BE SECTION(S) 5-1601 (ii) THROUGH (rr), RESPECTIVELY.**

**SECTION 2. AND BE IT FURTHER ENACTED, THAT THE LAWS OF
MARYLAND READ AS FOLLOWS:**

Article – Natural Resources

5-1601.

(a) In this subtitle the following words have the meanings indicated.

(gg) “Qualified conservation” means the conservation of all or a part of an existing forest that:

(1) [Was] **HAS BEEN** approved [on or before December 31, 2020,] by the appropriate State or local forest conservation program for the purpose of establishing a forest mitigation bank; and

EXPLANATION: CAPITAL OR UNDERLINING INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law

(2) Is encumbered in perpetuity by a restrictive easement, covenant, or another similar mechanism recorded in the county land records to conserve its character as a forest.

(hh) “QUALIFIED PROJECT” MEANS A PROJECT:

(1) USING QUALIFIED CONSERVATION FOR WHICH AN APPLICATION WAS SUBMITTED OR APPROVED ON OR BEFORE DECEMBER 31, 2020; OR

(2) ACHIEVING EQUAL OR GREATER ACREAGE OF MITIGATION FOR EACH ACRE OR PROPORTION OF FOREST REMOVED FROM THE SITE.

5-1607.

(b) Standards for meeting afforestation or reforestation requirements shall be established by the state or local program using one or more of the following methods:

(2) FOR A QUALIFIED PROJECT, the use of qualified conservation completed in a forest mitigation bank, in which case, the afforestation or reforestation credit granted may not exceed 50% of the forest area encumbered in perpetuity.

5-1610.

(b) There is a Forest Conservation Fund in the Department.

(e) (1) The Department shall accomplish the reforestation or afforestation for which the money is deposited within [2] 5 years or [3] 6 growing seasons, as appropriate, after receipt of the money.

(2) Money deposited in the Fund under subsection (c) of this section shall remain in the Fund for a period of [2] 5 years or [3] 6 growing seasons, and at the end of that time period, any portion that has not been used **OR ENCUMBERED** to meet the afforestation or reforestation requirements shall be returned to the person who provided the money to be used for documented tree planting in the same county or watershed beyond that required by this subtitle or other applicable statutes.

Chapter 645 of the Acts of 2021

SECTION 11. AND BE IT FURTHER ENACTED, That, except as provided in Section 10 of this Act, this Act shall take effect on June 1, 2021. Sections 1[**, 2,]** and 7 of this act shall remain effective for a period of 3 years and 1 month and, at the end of June 30, 2024, sections 1[**, 2,]** and 7 of this act, with no further action required by the general assembly, shall be abrogated and of no further force and effect. Subject to section 10 of this act, sections, 3, 4 and 5 of this act shall remain effective for a period of 10 years and 1 month and, at the end of June 30, 2031, sections 3, 4, and 5 of this act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect. Section 6 of this Act shall remain effective for a period of 2 years and 1 month and, at the end of June 30, 2023, Section 6 of this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2023.

County Executive Proposed Legislation

Maryland Labor and Employment - Standards and Conditions - Lie Detector Tests

The proposed bill suggests amendments to the State of Maryland's Labor and Employment Article specific to the Employment Standards and Conditions. These amendments would allow the Frederick County Sheriff's Office to require any employee, in addition to those serving as a correctional officer, to submit to or take a polygraph upon condition of employment if they have direct personal contact with an inmate of the Frederick County Adult Detention Center (ADC).

Allowing the administration of a polygraph test as a condition of employment for staff who have direct contact with the individuals incarcerated at the ADC, as currently permitted under state law for correctional officers, is critical to improving overall security and safety at this facility.

(House Bill _____)

AN ACT concerning

Labor and Employment – Lie Detector Tests

FOR the purpose of

BY amending

Article – Labor and Employment

Section 3-702

Annotated Code of Maryland

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the laws of Maryland read as follows:

Article – Labor and Employment

§ 3-702. Lie detector tests.

(a) In this section, “employer” means:

(1) a person engaged in a business, industry, profession, trade, or other enterprise in the State;

(2) the State;

(3) a county; and

(4) a municipal corporation in the State.

(b) (1) This section does not apply to the federal government or any of its units.

(2) This section does not apply to an individual who is an employee of or applies for assignment to the Intelligence and Investigative Division of the Department of Public Safety and Correctional Services.

(3) This section does not apply to an individual who applies for employment or is employed:

EXPLANATION: CAPITAL OR UNDERLINING INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

- (i) as a law enforcement officer, as defined in § 3-101 of the Public Safety Article;
- (ii) as an employee of a law enforcement agency of the State, a county, or a municipal corporation;
- (iii) as a communications officer of the Calvert County Control Center;
- (iv) as a correctional officer of a State correctional facility;
- (v) as an employee of a State correctional facility in any capacity that involves direct contact with an inmate in a State correctional facility;
- (vi) as a correctional officer of the Calvert County Detention Center or in any other capacity that involves direct personal contact with an inmate in the Detention Center;
- (vii) as a correctional officer of the Carroll County Detention Center or in any other capacity that involves direct personal contact with an inmate in the Detention Center;
- (viii) as a correctional officer of the Washington County Detention Center or in any other capacity that involves direct personal contact with an inmate in the Center; [or]
- (ix) as a correctional officer of the Frederick County Adult Detention Center or in any other capacity that involves direct personal contact with an inmate in the Detention Center; or
 - [(ix)](x) as a correctional officer of:
 1. the Baltimore County Detention Center;
 2. the Cecil County Detention Center;
 3. the Charles County Detention Center;
 4. [the Frederick County Adult Detention Center;]
 - [5.] the Harford County Detention Center; or
 - [6.]5. the St. Mary's County Detention Center.

(4) This section does not apply to an applicant for employment as a correctional officer of a local correctional facility.

(5) This section does not apply to an applicant for employment with either the Anne Arundel County Department of Detention Facilities or the Caroline County Department of Corrections in any capacity that involves direct contact with an inmate in either the Anne Arundel County Department of Detention Facilities or the Caroline County Department of Corrections.

(6) This section does not apply to an applicant for employment with the Washington County Emergency Communications Center.

(c) An employer may not require or demand, as a condition of employment, prospective employment, or continued employment, that an individual submit to or take a polygraph examination or similar test.

(d)

(1) Each application for employment shall set out, in bold-faced upper case type, the following notice:

“Under Maryland law, an employer may not require or demand, as a condition of employment, prospective employment, or continued employment, that an individual submit to or take a polygraph examination or similar test. An employer who violates this law is guilty of a misdemeanor and subject to a fine not exceeding \$100.”

(2) Each application shall provide a space for an applicant to sign an acknowledgment of the notice required under this subsection.

(e) An applicant shall sign the acknowledgment of the notice required under subsection (d) of this section.

(f) If an employer violates subsection (c) or (d) of this section, an applicant for employment or prospective employment or an employee may submit to the Commissioner a written complaint.

(g)

(1) Whenever the Commissioner determines that this section has been violated, the Commissioner may:

- (i) try to resolve any issue involved in the violation informally by mediation; or
- (ii) ask the Attorney General to bring an action on behalf of the applicant or employee.

(2) The Attorney General may bring an action under this section in the county where the violation allegedly occurred, for injunctive relief, damages, or other relief.

(h) An employer who violates any provision of this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$100.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2023.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.

EXPLANATION: CAPITAL OR UNDERLINING INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

County Executive Proposed Legislation

Education – Frederick County – Career Exploration and Development Activities – Sale of Coffee

The proposed legislation suggests amendments to the State of Maryland's Education Article specific to Frederick County and would prevent an Executive Branch agency from banning or regulating the sale of coffee in conjunction with a career exploration and development activity in a public high school. This bill applies only if the activity is directed at or organized by students who have an Individualized Education Program (IEP).

Based on a model program in some Baltimore County high schools, students with IEPs organize and run a coffee shop, open only to fellow students, teachers and staff, for a limited number of hours during the school week. While other commodities have been tested, coffee has been the most successful due to the relatively small number of supplies required and the popularity of coffee among students and school staff. The program has been successful in providing students with activities that align to the academic goals of their IEPs, as well as providing opportunities to achieve IEP goals related to building social-emotional skills. An added observed benefit is the heightened interaction among students who might otherwise not have the opportunity to come together in traditional activities or settings.

The proposed legislation would repeal a certain exception that prohibits the sale of coffee in certain high schools in Frederick County except under certain circumstances.

(House Bill _____)

AN ACT concerning

Education – Frederick County – Career Exploration and Development Activities – Sale of Coffee

FOR the purpose of prohibiting an Executive Branch agency from banning or regulating the sale of coffee in conjunction with a career exploration and development activity directed at or organized by students with individualized education programs in a public high school in Baltimore County or Frederick County; repealing a certain exception that prohibited the sale of coffee in certain public high schools in Baltimore County except under certain circumstances; and generally relating to the sale of coffee in conjunction with a career exploration and development activity in public high schools in Baltimore County and Frederick County.

BY amending

Article – Education
Section 7-423.1
Annotated Code of Maryland

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the laws of Maryland read as follows:

Article – Education

§ 7-423.1. Banning or regulating sale of coffee at career exploration and development activity prohibited.

(a) This section applies only in Baltimore County and Frederick County.

(b) [Except as provided in subsection (c) of this section,] [a]An Executive Branch agency may not ban or regulate the sale of coffee in conjunction with a career exploration and development activity directed at or organized by students with individualized education programs in a public high school.

[(c) An Executive Branch agency may not ban or regulate the sale of coffee in conjunction with a career exploration and development activity in a public high school that sold coffee on or before June 30, 2018.]

EXPLANATION: CAPITAL OR UNDERLINING INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2023.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.

EXPLANATION: CAPITAL OR UNDERLINING INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

County Council Proposed Legislation

Frederick County – Marriage License Fee – Increase

The proposed legislation suggests amendments to the State of Maryland's Family Law Article. These amendments would allow Frederick County to increase the surcharge fee for a marriage license by \$10. The current surcharge in Frederick County is \$65; the proposed legislation would increase this surcharge to \$75, making the total marriage license fee in Frederick County \$85.

The fee for a marriage license is set by State law at \$10 per license. Five dollars of this mandatory fee is retained by the clerk of the circuit court, and five dollars is paid to the general fund of the County. Counties and the City of Baltimore are given the authority to set an additional fee – or surcharge – for each license. If they do, they are required to direct these proceeds toward programs that address domestic violence in the community.

As required by law, the full amount of this surcharge will be directed to support programs that address the issue of domestic violence in the County. In Frederick County, there is one non-profit organization that provides these programs, and it is Heartly House. In FY22, the current surcharge of \$65 represented approximately 18% of the organization's operating costs. These funds allow Heartly House to pay for basic operating expenses related to running the organization. Often, these expenses – for support staff, facility and maintenance, office supplies and administrative functions – are not eligible for grant funding. Over the last two years, the organization reports an increase of 57% in the number of clients served.

(House Bill _____)

AN ACT concerning

Frederick County – Marriage License Fee – Increase

FOR the purpose of increasing the maximum amount of the additional marriage license fee that the Frederick County Council is authorized to set; and generally related to marriage license fees in Frederick County.

BY amending

Article – Family Law
Section 2-404
Annotated Code of Maryland

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the laws of Maryland read as follows:

Article – Family Law

§ 2-404. Fees.

- (a) (1) The fee for a license is \$10.
(2) The clerk shall:
 - (i) retain \$5 of the fee; and
 - (ii) pay \$5 of the fee into the general fund of the county.
(3) (i) A party to be married may obtain a replacement for a valid marriage license while the license is valid.
 - (ii) The fee for a replacement license is \$10, payable into the General Fund of the State.
- (b) Except as otherwise provided in this section:
 - (1) any county or group of 2 or more counties may set an additional fee of up to \$25 for each license; and
 - (2) the proceeds shall be used to fund domestic violence programs.

EXPLANATION: CAPITAL OR UNDERLINING INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

(i) In Frederick County:

(1) the [Board of County Commissioners] **COUNTY COUNCIL** may set an additional fee, in an amount not to exceed \$[65] **75**, for each license;

(2) the clerk shall pay the proceeds from the additional fee to the County [Commissioners] each month; and

(3) the proceeds, in addition to designated Federal, State, and County funds, shall be used to fund domestic violence programs established under Title 4, Subtitle 5 of this article.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2023.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.

Position Statement



POSITION STATEMENT

Community Solar Energy Generating Systems Pilot Program – Additional Reporting Requirements

County Position: SUPPORT

Frederick County Executive Jan Gardner requests that the Frederick County Delegation continue to monitor the effectiveness of the Community Solar Energy Generating Pilot Program (Pilot) and support the collection of data and information that will inform any future legislation to make the program permanent.

The County Executive is appreciative of the 2015 legislation that established the Community Solar Energy Generating Systems Pilot Program, as well as the 2019 legislation to extend the pilot. Importantly, the 2019 legislation required a report by the Maryland Public Service Commission (PSC) that considered various issues, including the costs and benefits to participating subscribers and to nonsubscriber rate payers, how community solar project developers can increase participation by low- and moderate-income retail customers, and whether the community solar energy generating systems are an overall net benefit to helping the State achieve its distributed generation and renewable energy goals.

In its mandated July 2022 report, the PSC recommended a “full benefit-cost analysis be conducted at the end of the Pilot in a similar manner to other state programs, such as EmPOWER Maryland.” Additionally, there are recommendations that would have impact on local governments and be important for the General Assembly to consider, such as addressing local planning and development requirements relative to the development of community solar energy generating projects.

The County Executive respectfully requests the Frederick County Delegation’s continued attention to the ongoing outcomes of the Pilot and that, well in advance of the 2024 sunset of the Pilot, legislation be considered to require a final report prior to the enactment of subsequent legislation.

Requests from the Public

2023 Legislative Package

Public Requests for Legislation and Position Statements

As of September 30, 2022

In response to a solicitation sent to over 85 organizations, board, commissions and associations, the following organizations sent a variety of requests related to legislative changes or suggestions. Some asked for new legislation, while others requested modifications to existing legislation passed in previous sessions. Many requests were in relation to the need for increased funding in order to meet growing needs for services. Still others provided input to any potential legislation that might be proposed during session.

Requests for Legislation

Commission for Women

Submitted by: Chelsea Kadish, President, Frederick County Commission for Women

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The Commission for Women requests legislation to increase the marriage surcharge fee for a marriage license in Frederick County, from \$65 in Frederick County to \$75. Per statute, the full amount of this surcharge is directed towards progress that address domestic violence programs.

Common Market Food Coop

Submitted by: John Beutler, Chair, Advocacy Committee, Common Market Food Coop Board

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The Common Market Food Coop requests legislation that would permit the Common Market the ability to sell local and organic beer and wine.

Frederick County Department of Public Works/Frederick County Sheriff's Office

Submitted by: Jason Stitt, Director, Division of Public Works

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The Division requests amending State law to allow the Frederick County Sheriff's Office to require any employee, in addition to those serving as a correctional officer, to submit to or take a polygraph upon condition of employment if they have direct personal contact with an inmate of the Frederick County Adult Detention Center (ADC).

Town of Emmitsburg

Submitted by: Don Briggs, Mayor, City of Emmitsburg

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Town requests legislation to change a requirement in the forest conservation law. Current law requires the use of forest conservation fee in-lieu funds within two years or the monies must be given back to the developer. Town would like consideration given to extending the two years to five or ten years.

Town of New Market

Submitted by: Winslow Burhans, Mayor, Town of New Market

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Request the ability to create an exception to motor vehicle registration requirements for golf carts operating on certain, specified county roads in Frederick County and to authorize the County to designate county highways on which a person may operate a golf cart.

Requests for Legislative Positions or Advocacy

Affordable Housing Council

Submitted by: Hugh Gordon, Chair, Affordable Housing Council

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The Affordable Housing Council requests the following: 1) promote housing stability by examining and prioritizing ways to prevent evictions; 2) focus the Qualified Allocation Plan (QAP) and associated low-income housing tax (LITHC) credits on senior housing in 2023.

The Arc of Frederick County, Inc.

Submitted by: Shauna Mulcahy, Executive Director

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The Arc of Frederick County requests support and advocacy for 1) recommendations from Frederick County Public Schools (FCPS) related to the reduction of seclusion and restraint; and 2) keep the general Assembly committed to research, funding and next steps for SB636/CH464 - End the Wait Act, requiring plans to reduce waiting lists and registries for services for people with developmental disabilities.

Career Fire Fighters Association of Frederick County MD Inc. (IIAF) Local 3666

Submitted by: Stephen Jones, President

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The Association requests for advocacy for legislation that implements statewide binding arbitration for public safety professionals.

Frederick County Association of Realtors

Submitted by: Hugh Gordon, Association Executive

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The Association asks the County Executive to request the legislature provide assistance to the Maryland Department of the Environment to enhance the effectiveness of the agency in responding to property owners building or making improvements to their homes. The Association notes specifically the need for more staff and modernized database technology.

Historic Preservation Commission

Submitted by: C. Beau Lockard, Staff to the Historic Preservation Commission

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The Commission requests include support for the following 1) support the creation of the Maryland Smart Growth Investment Fund, proposed in the 2018 legislative session; 2) increasing or, at the minimum, maintaining current funding levels to the State's historic preservation grant programs; 3) funding the State's Barn Preservation Fund; 4) support an amendment to allow historic state tax credits to go to locally designated sites without the need for National Registry designation/eligibility; 5) support increasing acquisition funding for the Historic Preservation Training Center in Frederick County; and 6) support recommendations outlined by the 2022 Historic African American Cemeteries Report.

Sierra Club Catoctin Group

Submitted by: Paul Walker, Group Chair, Sierra Club Catoctin Group

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The Sierra Club Catoctin Group request support for the following: 1) reauthorization and improvement of the Community Solar Program; 2) reform EmPOWER Maryland and support electrification for low-income residence, refocus on reducing greenhouse gas emissions rather than kilowatt hours, and end subsidies for gas appliances; 3) join other states in adopting policy to promote increased sales of medium/heavy duty trucks through 2035; 4) passage of Maryland the Beautiful Act 2022 (SB0791); and 5) state legislation to enact bottle deposits.

Sustainability Commission

Submitted by: Dawn Ashbacher, OSER and Staff Liaison to the Sustainability Commission

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The Frederick County Sustainability Commission have nine recommendations to advance two goals. With regard to the goal of building resilience and protecting natural assets, they suggest providing funding so counties can accelerate the upgrading of stormwater and wastewater surge-conveyance and storage systems. To achieve the goal of advancing clean technologies to reduce greenhouse gas (GHG) Emissions, suggestions include 1) support investigations into mitigation strategies to reduce barriers to cleaner technologies for the grid, including distributed energy technologies; 2) direct all counties to accelerate the installation of solar systems at 25% of its public schools by advising school systems that this can be done at low cost; 3) accelerate support for community solar projects among local jurisdictions by leveraging State dollars with Federal funds; 4) leverage State funding with Federal funds and initiatives to rapidly deploy clean technologies in publicly accessible county and municipal facilities; and 5) direct the MD Department of Transportation to investigate installing a rail-or bus rapidtransit system between Frederick City and the Shady-grove Metro Station.

United Way of Frederick County

Submitted by: Ken Oldham, President and CEO

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The United Way of Frederick County proposes five recommendations to advance equity and access to basic needs for working families in Frederick County – households known as “ALICE” (Asset Limited, Income Constrained, Employed). 1) Support legislation for viable, long-lasting transportation solutions that provide safe, affordable and flexible transportation. 2) Support legislation that promotes affordable housing and protects families from eviction. 3) Support legislation that increases equitable access to healthcare and immunizations. 4) Support continued State investment in the Volunteer Income Tax Assistance (VITA) program, ensuring all qualifying families receive the earned income tax credit and the child care tax credit. 5) Support increased access to broadband to remove barriers to online learning, telehealth, and telework. 6) Support policies that provide affordable childcare, enabling parents and guardians to work while children attend school.

Considerations Submitted by the Public

Letters and Emails
(In Alphabetical Order)

August 22, 2022

Jan H. Gardner
County Executive
Winchester Hall
12 East Church Street
Frederick, Maryland 21701

Re: 2023 Legislative Considerations

Your Honorable County Executive,

At the most recent meeting of the Frederick County Affordable Housing Council, two items were discussed as suggestions for the legislative package for the 2023 General Assembly Session:

- 1.) Promote housing stability by examining and prioritizing ways to prevent evictions:** Federal and State programs that provided rental assistance during the pandemic have ended. Many individuals and families have not fully recovered from the financial stress that occurred during that time and continue to struggle with housing stability.
- 2.) Focus the Qualified Allocation Plan (QAP) and associated low-income housing tax credits on senior housing in 2023:** It has been several years since the QAP has focused on LITHC for senior housing. The need for affordable housing for seniors in communities is dramatically increasing as the end of the “baby boomer” generation reaches their golden years.

The Affordable Housing Council stands ready to provide additional information that might be useful promoting these two important areas that affect affordable housing and housing stability for the residents of Frederick County.

Thank you very much for soliciting our input,



Hugh Gordon
Chair
Frederick County Affordable Housing Council

From: [Shauna Mulcahy](#)
To: [Schaefer, Joy](#)
Cc: [Aaron Stephens](#); [Gardner, Jan](#)
Subject: 2023 Legislative Considerations - The Arc of Frederick County
Date: Wednesday, August 3, 2022 2:15:28 PM

[EXTERNAL EMAIL]

Dear Ms. Schaefer,

The Arc of Frederick County is responding to County Executive Jan Gardner's request for suggestions for Frederick County's legislative package for the 2023 General Assembly. There are two critical issues that The Arc would like to bring to your attention for Frederick County Government's advocacy with the 2023 General Assembly as follows:

1. The Arc of Frederick County would like to ask that local government support and advocate for any recommendations from Frederick County Public Schools (FCPS) related to the reduction of seclusion and restraints. The Arc supports more funding for training, additional staff, environmental modifications, and other related items that can reduce seclusion and restraints.
2. The 2022 General Assembly **passed** HB1403 / SB 0636 - Maryland Department of Health - Waiver Programs - Waitlist and Registry Reduction (End the Wait Act) last spring. The legislation requires the department to develop plans to reduce waiting lists and registries for people with developmental disabilities by 50% in FY24. Among the various populations this would help are the 310 FCPS students, out of the 6,141 students across Maryland, who are on the Autism Waiver Registry. Currently, the wait to access Autism Waiver services is 10 years. This service was originally intended to serve students early in life, as research demonstrates that greater individual independence can be achieved the earlier the interventions are accessed. Advocacy from the local government to keep the General Assembly committed to the research, funding, and next steps of this legislation is critical for students on the various waiting lists and registries for people with developmental disabilities in Maryland.

Thank you for your partnership! If you have any questions, please feel free to contact me at smulcahy@arcfc.org.

Sincerely,

Shauna Mulcahy
Executive Director

Shauna Mulcahy

Executive Director
The Arc of Frederick County
620-A Research Court
Frederick, MD 21703
smulcahy@arcfc.org



Career Fire Fighters Association of Frederick County, MD Inc.

International Association of Fire Fighters Local 3666

Affiliated with:

Maryland State Professional Fire Fighters Association and The Central Maryland Labor Council / AFL-CIO



September 6, 2022

Dear Madam County Executive, Frederick County Council, and Staff,

Thank you for the opportunity to provide our ideas for the County's legislative package on behalf of Career Firefighters Association of Frederick County, Maryland.

As Frederick County's public employee organization that represents the over 500 men and women employed with the Frederick County Division of Fire and Rescue, our request this year focuses on one consideration: we ask that you advocate for legislation that implements statewide binding arbitration for public safety professionals.

Collective bargaining has a long and successful history in the fire service. When firefighters and fire chiefs work together to address issues, it makes for a more productive workplace and improves public safety. Communities that promote labor-management cooperation enjoy more effective and more efficient delivery of emergency services. Given the County's challenges with implementing collective bargaining with binding arbitration, we are asking that you now advocate in Annapolis for statewide legislation.

We are proud to serve every day and our members will continue to dedicate their tireless efforts for a better Frederick County. Please contact me or Katie Nash (katie@fiastroconsulting.com/301.524.9142) with any questions.

Respectfully Yours,

Stephen Jones
President of Local 3666, Frederick County Career Firefighters

Cc: Frederick County 2022 General Election Candidates for Senate/Delegate
CAO Harcum
Chief Tom Coe
Career Fire Fighters Association of Frederick County IAFF Local 3666 Executive Board
2022 General Election County Executive Candidates

From: [John Beutler](#)
To: [Schaefe, Joy](#); [Gardner, Jan](#)
Cc: [Megan Schneebaum](#); [Román Diaz](#)
Subject: Re: Public Input on legislative priorities
Date: Thursday, September 29, 2022 2:49 PM
Attachments: [Proposed text 09292022.docx](#)

> [EXTERNAL EMAIL]

Dear Jan & Joy:

> As a director of the Common Market Food Coop, I lead the Advocacy Committee of our Board of Directors. One of our highest priorities is to support local agriculture and food and beverage production. As you know, there are about 16 breweries and a similar number of wineries in Frederick County.

>

> We have attempted to get legislation to permit the Common Market to sell local and organic beer and wine for several years. We hope to have a local bill submitted in the upcoming session, and we have drafted what we think is a reasonable bill with help of lawyers familiar with Maryland liquor laws.

>

> Would it be possible to include this in the County's list of legislative priorities? We plan to seek concurrence with the Frederick County delegation, County Council and Executive, and the Liquor Board once the election is over. We also plan to activate our 8300 owners to support the bill.

>

> I can certainly give you more details of our draft if you are interested.

> Cheers

> John Beutler

A2

9lr1870
CF 9lr1914

Bill No.: _____

Drafted by: Lantner

Requested: _____

Committee: _____

By: Frederick County Delegation

A BILL ENTITLED

AN ACT concerning

Frederick County – Alcoholic Beverages – Co-Op License

FOR the purpose of creating in Frederick County a consumer cooperative license; authorizing the Board of License Commissioners for Frederick County to issue the license to an establishment primarily engaged in the sale of food and incorporated under the Maryland Consumer Cooperative Act; providing that the license authorizes the sale of beer and wine for on- and off-premises consumption, subject to certain conditions; specifying the hours of sale, prohibiting the average daily receipts from the sale of beer and wine from exceeding a certain percentage of the average daily receipts of the business; prohibiting the area devoted to the display of beer and wine from exceeding a certain percentage of the floor space of the licensed premises; providing for an annual fee; and generally relating to alcoholic beverages licenses in Frederick County.

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 20-102

Annotated Code of Maryland

(2016 Volume and 2018 Supplement)

BY adding to

Article – Alcoholic Beverages

Section 20-1004.1

Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

1r1870

(2016 Volume and 2018 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Alcoholic Beverages

20–102.

This title applies only in Frederick County.

20–1004.1.

(A) THERE IS A CLASS CC (CONSUMER COOPERATIVE) LICENSE.

(B) THE BOARD MAY ISSUE THE LICENSE TO AN ESTABLISHMENT PRIMARILY ENGAGED IN THE SALE OF FOOD AND INCORPORATED UNDER THE MARYLAND CONSUMER COOPERATIVE ACT, AT TITLE 5, SUBTITLE 5A OF THE CORPORATIONS AND ASSOCIATIONS ARTICLE.

(C) SUBJECT TO SUBSECTION (D) OF THIS SECTION, THE LICENSE AUTHORIZES THE SALE OF BEER AND WINE FOR ON- AND OFF-PREMISES CONSUMPTION.

(D) TO BE SOLD UNDER THE LICENSE, BEER AND WINE SHALL BE:

(1) MADE WITH FOOD LOCALLY SOURCED IN THE STATE; OR

(2) CERTIFIED AS ORGANIC OR CONTAIN FOOD PRODUCTS THAT ARE CERTIFIED AS ORGANIC:

**(I) BY THE UNITED STATES DEPARTMENT OF AGRICULTURE;
OR**

(II) IF IMPORTED, BY A RECOGNIZED ORGANIZATION THAT CERTIFIES FOOD PRODUCTS AS ORGANIC IN THE COUNTRY OF ORIGIN.

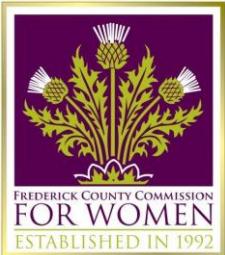
(E) THE LICENSE HOLDER MAY SELL BEER AND WINE FROM 7 A.M. TO 11 P.M., MONDAY THROUGH SUNDAY.

(F) THE AVERAGE DAILY RECEIPTS FROM THE SALE OF BEER AND WINE, MAY NOT EXCEED 10% OF THE AVERAGE DAILY RECEIPTS OF THE BUSINESS.

(G) THE AREA DEVOTED TO THE DISPLAY OF BEER AND WINE MAY NOT EXCEED 5% OF THE FLOOR SPACE OF THE LICENSED PREMISES.

(H) THE ANNUAL LICENSE FEE IS \$1,700.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2023.



COMMISSIONERS

Chelsea Kadish

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Kaitlin Moore

Vice President

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*The Commission for
Women is affiliated with
Frederick County
Government*

Frederick County Commission For Women

401 Sagner Avenue

Frederick, MD 21701

(301) 600-1066

CFW@FrederickCountyMD.gov

www.FrederickCountyMD.gov/fccfw www.Facebook.com/fccfw



Frederick County Council
Winchester Hall
12 East Church Street
Frederick, MD 21701

September 13, 2022

Re: Marriage License Fee

Dear County Council Members:

We are writing you today to encourage the Frederick County Council to include in its legislative requests the proposed marriage surcharge fee increase. This legislation came about during discussions of the Frederick County Domestic Violence Coordinating Council.

Per statute, \$65 of every \$75 paid for a marriage license in Frederick County goes towards domestic violence programs. Currently, the community partner receiving these funds is Heartly House who provides the required programmatic services. The number of victims for whom Heartly House provides services and the cost of those services has significantly increased since 2005, the last time the marriage license fee was increased.

Based on most recent the data provided County Council staff, Heartly House received \$142,220 in FY 2017 through this surcharge- roughly 2,188 marriage licenses. Increasing the set aside by \$10 would increase the allocation to Heartly House by \$21,880 in this scenario.

As you consider the legislative requests for the 2023 Maryland General Assembly, please include this needed legislation.

Sincerely,

Chelsea Kadish

Chelsea Kadish, President

CC: County Executive, Frederick County

Our Mission: To create a stronger community by addressing challenges and fostering unlimited opportunities for all women.

The FCCFW is a non-partisan organization that does not discriminate on the basis of gender, age, race, ethnicity, sexual orientation, religion, education, employment, economic standing, political affiliation or national origin. © 1993-2019 FCCFW

Rev. 02/05/20

From: [Hugh Gordon](#)
To: [Schaefers, Joy](#)
Subject: 2023 Legislative Considerations
Date: Monday, September 12, 2022 2:04:35 PM
Attachments: [image002.png](#)
[image003.png](#)

[EXTERNAL EMAIL]

Good afternoon,

FCAR would like to request that the County Executive ask the State legislature to provide assistance to the Maryland Department of the Environment so that the agency can become more effective. The Department is understaffed and is lacking current database technology. As a result, responses are lengthy and inconsistent.

This is critically important for property owners that are attempting to either build a home or improve their current homes. . .

If there are any questions as to this request, please do not hesitate to reach out for additional information.

Thank you,



Hugh Gordon
Association Executive



Frederick County Association of REALTORS®
478 Prospect Blvd., Frederick, MD 21701
301-663-0757 (ext. 1002) lhugh@fcar.org





FREDERICK COUNTY GOVERNMENT

DIVISION OF PLANNING & PERMITTING

Livable Frederick Planning & Design Office

Jan H. Gardner
County Executive

Steven C. Horn, Division Director
Kimberly Golden Brandt, Director

September 15, 2022

Jan H. Gardner, County Executive
Winchester Hall
12 E. Church Street
Frederick, MD 21701

Re: 2023 State Legislative Initiatives

Dear County Executive Gardner,

At their September 7, 2022 regular meeting, the Historic Preservation Commission approved forwarding the following for your consideration regarding the County's legislative package for the 2023 General Assembly Session.

- Support the creation of the *Maryland Smart Growth Investment Fund*, which was proposed in the 2018 legislative session (SB3/HB117) but did not pass, and the funding needed to support its execution.
- Support increasing or, at the minimum, maintaining current funding levels to the State's historic preservation grant programs. These grant programs are important for preserving and interpreting historic sites throughout the State. However, the amount of grant requests far outweighs the amount of funding available. Typically, Frederick County averages about one awardee per program per year.

The Historic Preservation Capital Grant Program is currently funded at \$600,000 to support capital upgrade projects on certified historic structures state-wide with each applicant able to request up to \$100,000.

The Historic Preservation Non-Capital Research and Survey Grant Program is currently funded at \$300,000 to support architectural and archeological research, survey and documentation, public education, and planning and feasibility projects state-wide with each applicant able to request up to \$75,000.

The African American Heritage Grant Program is currently funded at \$1 million to support capital upgrade projects on sites representing African American historical experiences with each applicant able to request up to \$100,000.

- Support funding the State's Barn Preservation Fund. The bill to create this fund was passed in 2006 and amended in 2015, but has yet to be allocated any funding. This fund would be used to preserve historic barns and agricultural structures in the State. The Fiscal and Policy

Frederick County: Rich History, Bright Future

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www.FrederickCountyMD.gov

Notes for House Bill 699 indicate that the fund would require approximately \$300,000 to begin to address the demand for barn preservation. While Frederick County has recently created the Rural Historic Preservation Grant Program to support preservation of historic resources such as barns and other agricultural outbuildings, the Barn Preservation Fund would provide an additional funding source to meet the needs of preserving these historic resources.

- Support maintaining current funding levels for the Maryland Heritage Areas Program. This program supports capital and non-capital projects within the boundaries of a heritage area and with a clear heritage tourism component. Funding for this program was recently increased from \$3 million to \$6 million. Parts of Frederick County are included within the boundary of the Heart of the Civil War Heritage Area (HCWHA), which encompasses areas of Washington, Frederick, and Carroll Counties. The HCWHA routinely has one of the largest applicant pools of all the heritage areas seeking funding from this program.
- Supports an amendment that allows historic state tax credits to go to locally designated sites, without the need for National Register designation/eligibility.
- Support increasing acquisition funding for the Historic Preservation Training Center in Frederick County.
- Support recommendations outlined by the 2022 Historic African American Cemeteries Report, including providing funding for African American cemetery maintenance, rehabilitation, and restoration activities, create statutory requirements to strengthen cemetery protection, and increase penalties for violation of Maryland cemetery law.

Thank you for the opportunity to participate in the legislative process.

Sincerely,



C. Beau Lockard
Staff to the Historic Preservation Commission
Historic Preservation Planner
Livable Frederick Planning & Design Office
30 N. Market Street
Frederick, MD 21701
301-600-1149
CLockard@FrederickCountyMD.gov

From: [paul walker](#)
To: [Schafer, Joy](#); [Gardner, Jan](#)
Cc: [Patti Fredericks](#); [Kerri Hesley](#)
Subject: Sierra Club Catoctin Group input to County Executive 2023 Legislative Package
Date: Wednesday, September 14, 2022 2:21:50 PM

[EXTERNAL EMAIL]



To: Frederick County Executive, Jan Gardner;
Director of Governments Affairs, Joy Schaefer

Date: September 14, 2022

Subject: Sierra Club Catoctin Group input to County Executive's 2023 Legislative Package

Dear Ms Schaefer and Madam County Executive:

Thank you for this opportunity to share the Sierra Club Maryland Chapter and Sierra Club Catoctin Group's (SCCG) initial summary of environmental priorities for inclusion in the legislative package for the 2023 Frederick County General Assembly delegation. High level areas of focus for us are :

- Implementation of policies identified in the Climate Solutions Now Act of 2022.
- Strengthening policies to reduce greenhouse gas (GHG) emissions by vehicles
- Promoting protection of Maryland's forests, waters, and other natural places.
- Reducing unnecessary waste flows through a statewide bottle bill and other actions.

We hope you'll include and support these five items:

I.

Reauthorize/Improve Community Solar Program Climate/renewable energy

A.

Authorization for this program expires in 2025; last allocation of capacity occurs in 2023. Goal is to make program permanent in 2023.

II.

Reform EmPOWER Maryland: Climate/electrify & reduce building emissions

A.

HB108/SB524 passed in 2022 but was vetoed.

B.

Support electrification for low-income residences, refocus on reducing GHG emissions (rather than kilowatt hours).

C.

End Subsidies for gas appliances

III.

Advanced Clean Trucks Rule: Climate/reduce transportation emissions

A.

Join other states in adopting policy to promote increased sales of electric medium/heavy duty trucks through 2035.

IV.

Forest/land conservation: Tree solutions now, Maryland the Beautiful Act

<https://mgaleg.maryland.gov/mgawebsite/Legislation/Details/sb0791?ys=2022RS>

V.

Enacting Statewide Bottle Deposits: Zero Waste

A.

Beverage container deposit bills markedly increase recycling rates.

Thank you again for initiating this dialogue and outreach. Should you desire additional information, please contact me at the mobile number, below. Thank you for all you've accomplished and done to lead Frederick County these past eight years.

Sincerely,

Paul Walker, Acting Political Chair
Sierra Club Catoctin Group
Cellular: 301-318-7995
Alternate email: pwsccg@yahoo.com
Web site: <https://www.sierraclub.org/maryland/catoctin-group>

Patti Fredericks, Group Chair
Sierra Club Catoctin Group
Vice Chair, Sierra Club Maryland Chapter
pattithrmnt1@aol.com



COMMISSION MEMBERS

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Kai Hagen
Frederick County Council
Liaison

COUNTY EXECUTIVE, OFFICE OF SUSTAINABILITY & ENVIRONMENTAL RESOURCES

Dawn Ashbacher
Manager, Climate
& Energy, &
Commission Liaison



FREDERICK COUNTY SUSTAINABILITY COMMISSION

TO: OFFICE OF THE COUNTY EXECUTIVE

DATE: SEPTEMBER 22, 2022

SUBMITTED: BY THE CHAIR ON BEHALF OF THE COMMISSION

RE: LEGISLATIVE RECOMMENDATIONS

Thank you for the opportunity to submit to you the legislative recommendations of the Commission. While we understand that some ideas may be in process, we are asking for consideration of their expansion. There are many factors pressing on the need for action—not the least of which is an availability of Federal funds that may not be duplicated again across a wide range of sectors, technologies and alternative financing options. We appreciate being able to contribute to this vital dialog and your consideration of our recommendations.

Purpose: *Building Resilience and Protecting Natural Assets*

Suggestion: Provide funding so counties can accelerate the upgrading of stormwater and wastewater surge-conveyance and storage systems to accommodate the anticipated increases in localized storm intensity and cumulative rainfall volume produced as a known consequence of climate change. Recent experience in Frederick and other counties demonstrate that existing infrastructure has outgrown its capacity to prevent damage to buildings, infrastructure, and agricultural assets.

Purpose: *Advancing Clean Technologies to Reduce GHG Emissions*

Suggestion: *Support investigations into mitigation strategies to reduce barriers to cleaner technologies for the grid*, including distributed energy technologies.

- A. Seek testimony from the Public Utilities Commission (PUC) on needed legislative actions to reduce barriers of entry for these technologies
- B. Identify utility actions that could provide the more rapid issuance of utility permits for interconnection of both large and small solar, on-shore and off-shore wind, battery, and combined-heat-and-power (CHP) generators.
- C. Recommend strategies for the Public Utility Commission to: 1) determine whether current MW limits (stated in current legislation) that need to be increased or other means to accelerate technology entry, and 2) the extent to which the load-carrying capability of existing utility power lines needs to be increased to accommodate a doubling, tripling, and quadrupling of the installed capacity of these “clean” sources of electricity in Maryland, how much these increases would cost, and how long it would take to make these increases.

Suggestion: *Direct all counties to accelerate the installation of solar systems at 25% of its public schools* by advising school systems that this can be done at low cost by: 1) requesting grants from the Maryland Energy Commission, and 2) using 3rd-Party financing whereby more than 85% of the cost is borne by an organization that owns the solar systems and is responsible for all maintenance, and because it can take advantage of federal tax credits and other incentives, and this 3rd-party gets repaid from the electricity-bill savings the school experiences.

Suggestion: *Accelerate support for community solar projects among local jurisdictions* by leveraging State dollars with Federal funds. Building the infrastructure for clean energy requires the use of various technologies and business models at the highest rate of investment feasible. Expanding community solar provides an important approach to increasing access to technology – constrained communities.

Suggestion: Leverage State funding with Federal funds and initiatives to rapidly deploy clean technologies such as EV charging stations and solar powered lighting in publicly – accessible county facilities such as parking lots, transportation hubs, parks and other municipal facilities.

Suggestion: Direct the MD Department of Transportation to investigate installing a rail-or bus rapid-transit system between Frederick City and the Shady-grove Metro Station.

From: [Zach Gulden](#)
To: [Schaefer, Joy](#)
Cc: [Cathy Willets](#); [Mayor Briggs](#)
Subject: 2023 Legislative Considerations
Date: Friday, July 29, 2022 12:01:41 PM

[EXTERNAL EMAIL]

Hello Joy,

This is in response to Executive Gardner's letter dated July 25, 2022 for 2023 considerations. I would recommend we try again on the Forest Conservation Law update in order to give us more time to spend forest fee in-lieu money.

Thanks,

Zach Gulden, MPA

Town Planner & Zoning Administrator
Town of Emmitsburg
300A South Seton Avenue
Emmitsburg, MD 21727
Phone: 301-600-6309

From: [Michelle Mitchell](#)
To: [Gardner, Jan](#); [Schaefer, Joy](#)
Cc: [ronald.young@senate.state.md.us](#); [michael.hough@senate.state.md.us](#); [carol.krimm@house.state.md.us](#); [ken.kerr@house.state.md.us](#); [dan.cox@house.state.md.us](#); [Karen.Young@house.state.md.us](#); [barrie.ciliberti@house.state.md.us](#); [Jesse.pippy@house.state.md.us](#)
Subject: 2023 Legislative Consideration Suggestion from the Town of New Market - Mayor Burhans
Date: Thursday, September 15, 2022 4:54:01 PM

[EXTERNAL EMAIL]

September 15, 2022 – via E-mail

Jan H. Gardner, County Executive
Office of the County Executive
Winchester Hall, 12 East Church Street
Frederick, MD 21701

Re: 2023 Legislative Considerations

Dear Ms. Gardner,

At the Town Council Meeting on September 8, 2022, there was discussion on Maryland Senate Bill 703 <https://mgaleg.maryland.gov/2022RS/bills/sb/sb0703t.pdf>. The Town would like to suggest that this Bill be added to the list of legislative ideas for the 2023 General Assembly Session.

Thank you.

Winslow F. Burhans, III
Mayor, Town of New Market
40 South Alley | P.O. Box 27
New Market, MD 21774
(301) 865-5544x1 - Town Hall
(301) 748-6517 - cell phone

cc: Frederick County Delegation
Joy Schaefer, Government Affairs Director

--

Michelle Mitchell
Town Clerk
Town of New Market
40 South Alley / P.O. Box 27
New Market, MD 21744
P: 301.865.5544 x 1
E: michelle@townofnewmarket.org
Website: townofnewmarket.org

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LIVE UNITED



**United Way
of Frederick County**

September 13, 2022

The Honorable Jan H. Gardner
County Executive
Winchester Hall
12 East Church Street
Frederick, Maryland 21701

Re: 2023 Legislative Considerations

Dear County Executive Gardner:

Thank you for the opportunity to share United Way of Frederick County's (UWFC) input for the upcoming 2023 Maryland General Assembly Session.

According to the most recent ALICE (Asset Limited, Income Constrained, Employed) Report, 37% of households in Frederick County struggle to afford the cost of basic needs. ALICE families are those who are forced to make the difficult choices between paying for housing, childcare, food, health care or transportation.

Before the COVID-19 pandemic, the number of ALICE households had increased from 34,688 in 2018 to 35,291 in 2020. Although the newest ALICE report has not yet been published due to delays with the U.S. Census, we can most assuredly intuit that the number of ALICE households has increased yet again. The COVID-19 pandemic placed unprecedented stress on ALICE households. Low-income employees suffered job loss creating a ripple effect of negativity throughout all aspects of life. Consequently, ALICE households became most vulnerable to being unable to afford basic needs such as paying their rent and subsequently facing eviction.

To continue to best serve and advocate on behalf of ALICE families, UWFC respectfully submits the following legislative considerations:

- Transportation: UWFC is calling this the year of transportation because we can now be certain (given the recent Ausherman Transportation Study and Ride United preliminary data analysis) that transportation barriers in Frederick County prevent our low-to-moderate income families from accessing basic services and resources. This exacerbates the already existing struggles experienced by ALICE families. The need for safe, affordable, flexible, and real-time transportation is more critical than ever. Micro-transit solutions pose an interesting and complementary supplement to already-existing fixed public transit routes. UWFC is in support of legislation which promotes viable, long-lasting transportation solutions for Frederick County residents.

- Housing: UWFC is in favor of legislation which promotes affordable housing, including mixed-use, high-density housing. This type of housing is ideal for ALICE households including veterans, working families, seniors, and those struggling with disabilities. Moreover, Federal and State programs which provided rental assistance during the pandemic have now ended. Yet, many ALICE households have not fully recovered from the financial strain of the pandemic. Thus, initiatives and funding which aim to create more affordable housing and continue to protect families from eviction are paramount.
- Equitable access to healthcare and immunizations: Access to healthcare services and immunizations must be made available to every Frederick County resident. Although it is merely speculative, COVID-19 is likely here to stay for the foreseeable future, meaning Frederick County residents – especially ALICE households – will need to remain vigilant around protecting their health. Vaccines, testing, and at-home test kits must remain readily available. Moreover, with the onset of Human Monkeypox, new systems must be developed to ensure that ALICE households have access to healthcare and immunizations at the same rate as their wealthier neighbors regardless of their ability to pay. Therefore, we are in support of legislative plans which support public health in this manner.
- Volunteer Income Tax Assistance (VITA): VITA assists ALICE households with tax preparation services each year. During this past tax season, UWFC's VITA program recovered over \$700,000 in tax refunds. That means more money in ALICE household's pockets, and more money circulating in the Frederick economy. State funds are an important part of support for VITA programs as they are leveraged with federal and private dollars. For every dollar the state invests, it results in an additional four dollars. The VITA program in Frederick County cannot expand to meet demand without continued state investment.
- Broadband Access: Now more than ever, ALICE families will need greater access to broadband to utilize online learning platforms, take advantage of telemedicine appointments, and work remotely. Therefore, we support current and future (expansion of) efforts such as the MD State Broadband Emergency Benefit Program, which directly serve ALICE households.
- Availability of quality childcare: UWFC advocates for policies that provide affordable childcare that enable parents to work while their children attend virtual school.

If you or any member of the Frederick County Delegation would like to discuss any of these positions in further detail, we are more than happy to make ourselves available.

Thank you for your consideration.

Sincerely,



Ken Oldham
President & CEO

Input from the Public

Emails, Phone Messages

(In Date Order)

From: Sandra Dalton <Sandra.Dalton@mdcourts.gov>
Sent: Monday, October 3, 2022 4:50 PM
To: Gardner, Jan <JGardner@FrederickCountyMD.gov>
Cc: Pamela Harris <Pamela.Harris@mdcourts.gov>; Lewis, Gloria <Gloria.Lewis@mdcourts.gov>
Subject: Marriage license fee

[EXTERNAL EMAIL]

Hi Jan,

I know that Heartly House has moved forward to you a proposal to increase the marriage license fee to 75.00\$.

As you know the base fee for a license is 10.00\$. Five dollars to the County and five dollars to the State.

Currently the fee for a marriage license in Frederick County is 75.00\$. This is the highest fee in the State of Maryland.

To increase this fee by another 10.00\$, will thereby increase the fee to the public to 85.00\$. Not that Heartly House isn't a needed service in our county but why should this fee on a court service?

Chief Judge Bell was vocal during his term that Court services should be kept reasonable for all those in need of Court services.

Additionally, we already field the question of "why" are our fee is so high.

Jan, I am opposed to this legislation and ask that you reconsider adding this fee to an already high amount.

Sincerely,
Sandy

Sandy Dalton
Clerk of the Circuit Court for Frederick County MD
100 West Patrick St
Frederick, MD 21701

Input received for Legislative Town Hall, September 29, 2022

Voice-mail was received for "2023 Legislative Session"

To: +18559252801

From: + [REDACTED]

Message Transcription: Kevin Hluch. I was wondering what is budgeted for bike and trailways in Frederick County. The county did an extensive study on implementing bike and trailways, and I'd like to know what the budget amount is allocated for that purpose. My name is Kevin Hluch. My number is [REDACTED]. I appreciate a call back. Thank you.

Voice-mail was received for the "2023 Legislative Session"

To: +13016003333

From: [REDACTED]

Message Transcription: Stanley Demich, Spout Spring Road, Frederick. My concern is the real estate taxes for elderly. I'm eighty-six years old, and I'm still paying \$3,000 a year for my real estate taxes, and I get no services. However, if there's some way somebody could introduce a bill to get the delegates to introduce the elderly stop paying real estate taxes. I'm sure there's enough money there that they can afford do to that. My telephone number is [REDACTED], telephone number again is [REDACTED]. Thank you.

Voice-mail was received for "2023 Legislative Session"

To: +18559252801

From: + [REDACTED]

Message Transcription: Patrick Shemp, 11777 Rowe Court, Monrovia, Maryland. I'm just wondering why when you discuss domestic violence, it's a kind of man on woman only. There's never a mention of a violence directed towards men, and I think it's very unfair, so God bless you. Have a good day.

Voice-mail was received for "2023 Legislative Session"

To: +18559252801

From: + [REDACTED]

Message Transcription: This is Patrick Shemp, 11777 Rowe Court, Monroe View, Maryland. One of the laws that I think, excuse me, need to be strengthened is the posting of signs for new development. Every time I, It's an issue that's been going on your whole administration, and not that you're responsible for it, but as a chief executive officer of our government, I expect something to be done about this. It's like every planning commission meeting, I see people come up and testify that they've never seen the posted sign that's announcing the development that's going in or the business is going in. And I think that's highly unfair to the citizens of Frederick County because there's so much development going on. It's terrible to be surprised by something that you never knew was going to occur. And it unfortunately, developers should have workshops prior to being allowed to build with, even with posting, they should meet with the community and just explain what's going on. That would be very helpful. Thank you very much.

Voicemail was received for "2023 Legislative Session"

To: +18559252801

From: [REDACTED]

Message Transcription: Good evening. My name is Nicholas Carrera. I live at 2602 Thurston Road. My proposal, my proposals deal with transparency in our government bodies. I think our, our county executive should propose to the general assembly one a, a bill that would ban any state or local government entity from entering into a non-disclosure agreement. The second type of legislation I'd like to see proposed would be to enact some meaningful penalties for violation of Maryland's Open Meetings Act, and also, also meaningful penalty for any, any government body that is in non-compliance with Maryland's Public Information Act. So those, those would be to strengthen the, the strengthen, the effectiveness of Marilyn's Open Meetings Act and Marilyn's Public Information Act. Thank you very much.