



The LEGISLATIVE WRAP-UP

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[Budget and Fiscal Matters](#)

Budget and Fiscal Matters

Governor Parris Glendening has submitted his \$1.26 billion capital budget to the General Assembly. The capital budget consists of the \$438.6 million Maryland Consolidated Capital Bond bill (SB 225/HB 254), as well as funds contained in the budget bill (SB 150/HB 150). Capital budget funds are for construction, renovation, and maintenance of facilities, parks, and farmland.

Approximately one half of the State's proposed capital spending is for education, with \$256 million for public school construction, \$302 million for State universities and colleges, \$38 million for community colleges, and \$24 million for private colleges and universities.

Environmental programs would receive \$264 million, including \$115.6 million for land preservation, \$28 million for Chesapeake Bay restoration, \$92 million for water and wastewater systems, and \$9 million for shore erosion and beach maintenance.

Funds for correctional services include \$16 million for juvenile treatment facilities, \$19 million for an expansion of the Western Correctional Institution, and \$12 million for local jails.

The One Maryland program would receive \$10 million of the \$132 million designated for economic development.

With the large State surplus, several proposals would accelerate the full implementation of the 1997 income tax reduction currently scheduled for calendar year 2002. SB 228 would fully implement the reduction in 2000, and HB 12/SB 227 would fully implement the reduction in 2001.

Under provisions in HB 170/SB 103, Maryland shoppers would enjoy a sales tax-free week in August on the purchase of clothing priced under \$100. Similar legislation was considered last year. SB 221 would permanently exclude the sales tax on clothing costing under \$75.

Other tax reduction measures would eliminate or reduce the inheritance tax. Among those bills introduced are:

- HB 13/SB 160, to repeal the inheritance tax;
- HB 54, to reduce the inheritance tax rate for a nephew or niece of the decedent;
- HB 130, to reduce the inheritance tax rate for a spouse, descendant, or parent of a decedent and accelerate the reduced 5 percent tax rate for siblings by one year; and
- SB 1, to eliminate the inheritance tax for a spouse, descendant, or parent of the decedent.

[Courts](#)

[Criminal Matters and Corrections](#)

[Economic Matters](#)

[Education](#)

[Environment](#)

[Family Law](#)

[Housing](#)

[Sports](#)

[Transportation](#)

Courts

The Judicial Compensation Commission recommended a salary increase of \$10,000 for all State judges in its report to the General Assembly (HJ 5/SJ 3). The legislature may reduce the amount in the joint resolutions but may not increase it (HJ 5/SJ 3). If neither joint resolution gains final

passage within 50 days of its introduction, the recommended salary increases go into effect for fiscal 2001.

SB 69 would increase the number of judgeships in the lower courts. Anne Arundel, Baltimore, Montgomery, Prince George's, and Worcester Counties and Baltimore City would each gain one circuit court judge. An additional judge from either St. Mary's or Calvert County would be appointed in the district court for District 4.

Criminal Matters and Corrections

A measure to reduce gun violence introduced on behalf of the Governor, the Responsible Gun Safety Act of 2000 (SB 211/HB279) would require all handguns sold in Maryland that are manufactured after December 2001 to contain an integrated disabling or locking device. In addition, all handguns sold in Maryland would be required to incorporate "smart gun" technology if the gun was manufactured after May 2003, if such technology is determined to be "commercially available". If the technology is not commercially available by that date, a newly established Commission on Personalized Handgun Technology would determine when the technology would be ready for the marketplace and set the date for the initiation of the mandate accordingly. A "smart gun" allows only the gun's authorized user to fire it. Guns used by police would be exempt from the mandate. The bill also provides for:

- a mandatory five-year jail sentence with no parole consideration for convicted violent felons and drug dealers who have served their time and are later caught possessing a handgun;
- stricter qualifications and requirements on former juvenile offenders for obtaining permits to carry a weapon or to purchase a weapon;
- restrictions on police agency disposal of guns;
- requirements on gun manufacturers and dealers to provide State Police with a discharged bullet and shell casing for each gun sold, in order to fingerprint the gun;
- standards and regulations for a required certified firearms safety training course for gun purchasers; and
- a Cease Fire Council within the Department of State Police to administer a State grant program to support innovative and collaborative firearms violence reduction initiatives.

HB 166 and HB 246 would establish "Project Exile" mandatory minimum sentences without possibility of parole for convicted felons who have served their time but are then caught possessing a firearm. HB 166 would also allow a court to impose additional conditions on pretrial release of a defendant, including employment or search for employment, enrollment in an educational program, curfew, drug or alcohol testing, and a prohibition on firearm possession, alcohol or drug use, and contact with the alleged victim or potential witnesses.

SB 234 would eliminate the requirement of a "good and substantial reason" to be granted a permit to carry a gun, but the bill would increase the eligibility age from 18 to 21 and require an applicant to have completed a handgun instruction course, pass a firing range test, and be certified by a qualified handgun instructor.

SB 200/HB 278, introduced on behalf of the Governor and a part of the Technology 2000 Agenda, expands the criminal provisions concerning computer piracy. Computer crimes resulting in an aggregate loss of money, property, or services in the amount of \$5,000 or more would be a felony, with a maximum penalty of a \$10,000 fine and 15 years in jail.

SB 25, allowing judges to impose a sentence of confinement, including home detention or house arrest, as a condition of probation before judgment and post-conviction probation, passed the Senate.

Economic Matters

Established recently by the President, the Speaker, and the Governor, Technology Agenda 2000

initiatives are aimed at making Maryland a powerhouse in the country's rapidly developing high-technology sector and at creating the most advanced electronic business environment in the nation. Two bills would establish a CEO Board of Advisors to provide advice for e-commerce activities and for the University of Maryland College Park's pilot eMaryland ASP (Application Service Provider) consortium (SB196/HB 276). The consortium, also established by SB196/HB276, would promote deployment of Internet-based technology in Maryland.

Other Technology 2000 initiatives (SB 197/HB 274) would expand incrementally the availability of executive agency government services that are offered on-line from the present 15 percent to a target availability of 80 percent by 2004. Public institutions of higher education would be exempt. Additional bills would codify existing privacy principles to protect the rights of citizens and to inform citizens of those rights, as State agencies expand their government services via the Internet (SB 199/HB 277). The membership of the State's Information Technology Board will be restructured under SB 198/HB 275 to include additional private sector leadership, including representatives from high-technology and telecommunications firms, and other individuals with expertise in technology issues.

The extension of Maryland's prevailing wage law to include school construction projects is the purpose of SB 202/HB 288. Current law applies to construction projects where the State pays 50 percent or more of the costs, but school construction projects are exempt, unless the State pays 75 percent of the cost, which is rare. Opponents of the bills say that paying the prevailing wage would inflate the costs of school construction and cost money that could be better spent on other school needs.

Education

Passing third reading in the Senate, SB 24 would require student teachers and interns who work in a classroom to fill out a criminal disclosure form.

Proposed bill SB 220 would allow retired principals and other school administrators to work in schools without losing retirement benefits.

Another recently introduced bill, SB 205, would increase the amount of the maximum teacher scholarship award from \$1,000 to \$2,000, if enrolled at a two-year school, and from \$3,000 to \$5,000, if a student is enrolled at a four-year institution.

Environment

SB 210, aimed at reducing the amount of nitrogen that enters the Chesapeake Bay, was introduced this week. The bill would require counties to identify sensitive areas where nitrogen removal technology must be included on newly installed septic systems and provide a tax credit for the extra costs incurred.

Family Law

The subject of a domestic violence restraining order would be required to surrender any firearms under SB 224. Police would be required to store the confiscated guns and return them when the ex parte or protective order expires.

Housing

Smart Codes bills were introduced this week as an extension of the Governor's Smart Growth initiative. SB 207/HB 284 would allow for a statewide rehabilitation code to spur redevelopment of existing communities. SB 208/HB 285 deals with land-use codes to encourage infill and smart neighborhood developments. The bills would allow for funding incentives if adopted without amendments by local jurisdictions.

SB 206/HB 282 would provide low interest rate mortgages to teachers who are first-time homebuyers and buy in priority funding areas. This legislation would promote both community development and retention of teachers in Maryland.

Sports

SB 8 was introduced to amend the current bicycle helmet law to include in-line skates. The legislation would give police officers authority to stop and warn in-line skaters under 16 who are not wearing an approved helmet.

Transportation

A measure has been proposed that would provide additional money to the Maryland Emergency Medical System Operations Fund by increasing the motor vehicle registration fee surcharge from \$8 to \$11 annually. The \$3 increase provided for in SB 154 would help with the cost of flying State helicopters that transport critically injured patients to trauma centers around the State. The money would also help local fire and Emergency Medical Service Agencies and provide training for emergency medical technicians and firefighters. In addition, SB 154 would establish a low interest revolving loan fund for volunteer ambulance, fire, and rescue companies to purchase and refurbish equipment and to upgrade or replace facilities to store equipment. Another portion of the budget would go to the University of Maryland Shock Trauma Center in Baltimore.