



The LEGISLATIVE WRAP-UP

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A reintroduction, **SB 205/HB 307** prohibits discrimination based on sexual orientation with respect to public accommodations, housing, and employment. During the 2000 interim, the Governor appointed a study group that recommended adding sexual orientation to the State's antidiscrimination law. Another Administration bill, **SB 208/HB 303**, is a reintroduction of 2000 legislation that requires law enforcement agencies to adopt policies against racial profiling, as well as requires collection and analysis of data on traffic stops.

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This week in the State of the Judiciary address, Court of Appeals Chief Judge Robert M. Bell presented the Judiciary's legislative agenda to a joint session of the General Assembly. Judge Bell indicated that the proposals, which have not yet been introduced, would include:

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- a request for an additional 16 circuit court judgeships and 5 District Court judgeships;
- a constitutional amendment to permit District Court commissioners to issue civil ex parte domestic violence orders when the District Courts are closed, affording 24 hours/7 days a week coverage for these cases;
- a proposal to require the State to pick up the costs of circuit court law clerks' salaries and the leasing of courthouse space for clerks of the court; and
- a Foster Care Court Improvement Project proposal, which has failed the last two sessions, that would revise the current Child In Need of Assistance (CINA) law to separate provisions governing CINA cases from provisions relating to juvenile delinquency cases and to unify procedures and terminology in CINA cases throughout the State.

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CRIMINAL MATTERS AND CORRECTIONS

An Administration proposal (**SB 209/HB 305**) bans the sale, use, and possession of bulletproof body armor. Exceptions would be made for law enforcement and security personnel and others with a reasonable need for such protection. Violation of the ban would be a misdemeanor. The measure also changes to a felony the current misdemeanor crime of wearing bulletproof body armor when committing a crime of violence.

Maryland's new gun safety law, which passed last session, would be stripped of its ballistics "fingerprint" requirement that gives police a tool to track weapons used in crime under **HB 185**. Handgun manufacturers would no longer be required to include a spent shell casing from each new handgun when the gun is shipped for sale in the State. The measure is a response to complaints from handgun dealers that they are running out of new guns to sell because of the unwillingness of manufacturers and distributors to deal with the new Maryland law, resulting, they say, in a de facto handgun ban.

EDUCATION

Recently introduced legislation includes **SB 124**, the John Price Gun Safety Education Program, that establishes a gun safety education program as part of health education in grades K-12. **HB 67**, heard this week, repeals the statewide prohibition on having portable pagers on public school property.

Two bills heard this week by a committee would relieve the current teacher shortage. **HB 94**, the Second Career Teacher Certification Program, enables retirees to become certified teachers quicker than previously. It allows someone with a college degree and 10 years of work experience to teach in a classroom after completing a 6-week training course and any other requirements set by the State superintendent. **HB 105** increases the award of the Maryland State Teacher Scholarship to equal the cost of tuition, books, required fees, and room and board. For every year the scholarship is received, a student would have to teach 2 years in Maryland. The bill would also allow recipients who attend qualified institutions of higher education outside of Maryland to receive the scholarships. Presently, the State Teacher Scholarship Program provides a maximum of \$5,000 a year, requires teaching 1 year in the State, and applies only to Maryland schools.

Also heard this week was **HB 97**, establishing a State Reading Advisory Council on Learning Related Vision Problems. The council would make recommendations to address learning problems caused by visual disabilities.

ENVIRONMENT

HB 99 has been introduced to add the coastal bays of the State to the areas designated as being within the Chesapeake Bay Critical Area, providing the coastal bays the same protection accorded to the Chesapeake Bay Critical Area.

Hearings have been scheduled for three bills which create task forces. Testimony on **SB 174/HB 12**, the emergency bills that create a task force to study the costs of upgrading aging sewerage systems in the State, will be heard by a committee on Feb 6 and Jan 30, respectively. Testimony will be heard on **HB 104**, establishing a task force to study radium contamination in private wells, on Feb 6.

FISCAL MATTERS

Governor Parris Glendening has submitted a \$1.5 billion capital budget to the General Assembly. The capital budget is not one bill, rather it consists of the \$451.5 million Maryland Consolidated Capital Bond Bill (**SB 235/HB 255**), as well as funds contained in the Budget Bill (**SB 125/HB 150**) and revenue bonds for State construction projects. Transportation projects are funded through the Transportation Trust Fund and are not included in this amount. The self-imposed bond authorization limit is \$475 million.

Under the proposed capital improvement program, education projects receive a major portion of the funds. The allocations are \$237.2 million for public school construction, \$348 million for State colleges and universities, and \$44.3 million for community colleges. Environmental programs are also a major beneficiary with \$436.4 million funds being requested. Over half of this amount (\$229.3 million) is earmarked for land preservation programs including Program Open Space. Water and wastewater projects receive \$133.1 million.

Legislation (**HB 8**) providing an income tax credit for the construction and rehabilitation of "green"

buildings was reintroduced this year. Green buildings are buildings that meet energy efficiency and environmental requirements of the Maryland Energy Administration and Department of the Environment and in which appliances, heating, cooling, and water heating systems meet the Administration's energy efficiency standards. Nonresidential and multi-family residential buildings over a certain size are eligible. There is a higher tax credit for buildings in revitalization areas. The bill also provides a tax credit for the installation of nitrogen removal technology in on-site sewerage disposal systems.

HEALTH CARE AND INSURANCE

Legislation was introduced this week (**HB 282**) establishing in the State Department of Education a hearing aid loan bank for children under the age of 4. Similar bills introduced last session failed.

TRANSPORTATION

Several bills introduced last session are once again before the General Assembly. Companion measures (**HB 32/SB 225**) authorize the State Highway Administration or a local authority to prohibit a person from using a controlled access highway to solicit money, donations, employment, business or a ride from a motorist. Unless soliciting help because of a disabled vehicle, the bills further prohibit a person from standing in a roadway, median divider, or intersection to solicit money or donations from an occupant of a vehicle. The bill from last year did not include median dividers or intersections in the prohibition. **HB 32** will be heard by a committee next week.

Also to be heard next week, **SB 5** limits the number of passengers under the age of 21 to two, in a motor vehicle driven by a provisional license holder under age 18. The bill also prohibits a provisional licensee under age 18 from driving if the driver and each passenger are not wearing a seat belt, unless a medical exception applies.

SB 3/HB 49, which will be heard January 30, establishes a State Driver's Education Council to maintain oversight of driver education activities and programs in the State, as well as to examine and evaluate necessary modifications and improvements to driver education. The Council will then develop recommendations based on its evaluations and submit a report to the Governor and General Assembly each year.

NEXT WEEK

Friday, February 2, marks the 24th day, which is the Senate bill introduction date.