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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

2017 End of Session Report

After a demanding 90 days, the General Assembly's 2017 legislative session has ended. From January 11th-April 10th, the General Assembly met to debate and pass bills that affect residents across the State, including the FY18 operating and capital budgets. I have continued to advocate for causes important to Baltimore, including more efficient and effective transportation, criminal justice reform, environmental issues, and support for Baltimore City and its schools. I am excited to share my third **End of Session Report** to keep you updated on my work in Annapolis this year.

In this report, I'll provide updates and summaries on the major issues from this session. With limited space, I cannot report on all of the bills that we worked on (1600+ this year). To read more, please sign up for my email updates and visit my blog at www.brookelierman.com for more information. If at any time you have questions or concerns, don't hesitate to contact my office at (410) 841-3319 or brooke.lierman@house.state.md.us.

2017 Baltimore City Initiatives

City Schools Funding: One of the biggest challenges facing our City this year was the City Schools' deficit. The deficit was initially determined to be \$130 million, and now over \$100 million has been identified to help close this gap. As a member of the Appropriations Committee, I worked closely with leaders to help identify creative strategies for sending additional funding to City Schools and implementing spending relief. Although the state was facing a large deficit of its own, we worked hard to help fix the gap. Over the next year, the "Kirwan Commission" will meet to review the state's school funding formula and to make suggestions for a new formula. This year we passed bills to provide funding until the new formula is in place in 3 years. In the end, we were able to identify some innovative ways to help secure additional funding:

The City Schools deficit is not due to fiscal mismanagement. City Schools is audited every year and its clean audit & CAFR are available on its website. Its deficit is the result of declining enrollment, increasing property wealth in Baltimore City, decreased funding from the state, and strategic investments by City Schools.

- **HB 684:** Originally a bill introduced simply to help fund school districts with declining enrollment, we amended the bill to add aid for school districts - like Baltimore City - that provide full-day PreK for 4-year olds. Currently, the state only reimburses jurisdictions for half-day PreK. But because the investment is so important, Baltimore City Schools funds full-day PreK. This bill will yield nearly \$70 million over the next three years - including \$23.7 m this year - and requires that Baltimore City also contribute \$22 m in additional funding each of the next 3 years.

- **Cost Savings for City Schools:** We also implemented several cost-saving measures for City Schools so they can divert those dollars towards the classrooms. I was happy to help usher through the House and be the House floor leader for **SB 1149**, a bill that will require MTA to provide free transportation to eligible students through FY21. This cost savings will equal up to \$7.5 million per year for BCPS. The City will also pay for City School nurses, the state will cover extra pension costs, and the state is allowing City Schools to keep an unused \$4.6 m that it had previously not had access to.

The Baltimore Package: Last year, the General Assembly approved a series of bills that made up the “Baltimore Package” and included over \$300 million in spending over 5 years to aid institutions and communities in Baltimore. The Governor zeroed out nearly every penny of that money in his budget this year. Through hard work on the budget and much negotiation, we were able to restore most of this funding.

BRNI: The Baltimore Regional Neighborhood Initiative was supposed to be funded at \$12m this year, and the Governor cut it to \$3m. We restored funding to \$8m. This important program makes targeted capital investments to leverage private dollars in selected neighborhoods in Baltimore City, including in Southeast Baltimore and in Brooklyn/Curtis Bay.

- **Strategic Demolition:** The General Assembly ensured that full funding for the CORE Demolition program was appropriated so that the program can continue to demolish or deconstruct vacant homes in Baltimore.
- **Enoch Pratt Funding:** The Governor’s budget repealed \$3 m for the Enoch Pratt to increase its hours; the General Assembly restored that funding.
- **Seed Community Development Anchor Institution Fund:** The Governor’s budget repealed the mandated funding of \$5 m. The General Assembly restored that funding.
- **Other Baltimore Funding:** A variety of other projects and programs are funded through the budget, including \$2 m for the City to implement the DOJ-BPD Consent Decree and

\$5.4 m in new funding for road repairs and improvements. Baltimore City also received \$79.1 million in disparity grant funding this year.

FY18 Operating and Capital Budgets

I serve on the Appropriations Committee and two of its subcommittees – the Transportation and Environment Subcommittee and the Pensions Subcommittee. Much of my time and effort during session involved work in these committees on our state’s FY18 operating and capital budgets. Under the Maryland Constitution, the General Assembly must pass a balanced budget each year. Maryland has a strong executive model: the Governor proposes the initial budget early in session and the Assembly can then only cut or restrict funds in the operating budget (although it can add to the capital budget). This year, because we were facing a large deficit, the Governor also introduced a bill to accompany the budget- the Budget Reconciliation and Financing Act (BRFA). This bill, unlike other bills, is not a single-subject bill and allows for the Governor to amend previously-passed funding legislation to help balance the budget. The General Assembly can amend this bill like any other. This year, the Governor cut every new initiative passed last year as part of the Baltimore City Package. Fortunately, we were able to identify other savings so that we could restore funding to those bills and to other important programs.

A few highlights of the FY18 budgets include...

<p>Fiscally prudent budget The operating budget has a \$100 m fund balance and \$860 m in the Rainy Day Fund. It also reduces the structural deficit in FY18 by 50%. We fully funded the actuarial amount required</p>	<p>Continues Vital Health Care Services Medicaid funding totals \$10 bn, allowing the State to provide coverage to almost 1.4 m of our residents. Expenditures grow by about \$151 m to support enrollment and provider rate increases. The budget</p>
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<p>for our pension plan. The budget also constrains growth in spending to .5%.</p>	<p>includes a \$16.5 m increase in dedicated funding responding to the opioid epidemic.</p>
<p>Increases Funds Rate for Providers Serving Children and Vulnerable Populations A deal was struck during the last Administration to ensure that the Developmental Disabilities Administration (DDA) community providers would receive a 3.5% annual increase in salary to ensure that they did not become minimum wage employees (as the minimum wage increases). This year, although the Governor cut that back to a 2% increase, we were able to restore it to 3.5%.</p>	<p>Committed to Education In addition to the funding provided to BCPS as explained above, this budget includes \$6.4 bn for public schools.</p> <p>The budget caps in-state tuition increases at public universities at 2% for next year.</p> <p>Community colleges limited tuition growth to 2% will share \$4 m in incentive payments as well.</p>
<p>The FY17 Capital Budget – Local Projects The District 46 team secured funding for multiple projects in our district, including the following: Baybrook Park athletic field lighting - \$250,000; Rash Field improvements - \$1,000,000; Creative Alliance Arts Education Center - \$125,000; Meals on Wheels kitchen improvements - \$125,000; Cross Street Market - \$200,000; Ronald McDonald House (soon to be constructed in Jonestown) - \$1,000,000.</p> <p>Other important projects funded in Baltimore include: Baltimore Zoo - \$4,000,000; Baltimore Museum of Art - \$2,000,000; Kennedy Krieger Institute - Comprehensive Autism Center- \$1,000,000; Lexington Mark Revitalization - \$2,000,000; Baltimore Food Hub - \$900,000</p>	

Budget Narrative - Another important aspect of the budget is our ability to include budget “narrative”- or verbiage in the budget requiring reporting from agencies. This reporting is essential to ensure agencies are performing their statutorily required roles or to help understand why they are not. Important budget language included this year in the budget is:

- **Agency Enforcement:** I feel strongly about ensuring that we are enforcing laws passed by previous and current General Assemblies. Unfortunately, in recent years we have witnessed a downward trend of enforcement actions by the Maryland Departments of the Environment, Agriculture, and Labor. To ensure this lack of enforcement is acknowledged (and hopefully dealt with), I requested language requiring MDE, MDA and DLLR to report on their enforcement staffing and actions on cleaning the Bay and enforcing wage & hour laws, as well as health & safety inspections at work places.
- **Transportation:** I included a number of transportation reports and narrative this year, including requesting that MDOT explore alternative and additional ways of funding large-scale bikeway projects in the state, that it ensure transit access from Baltimore City to Sparrows Point – a key job sector; and, that MTA report with an update on Baltimore Link before next session.
- **Pretrial Release:** Recently, the Court of Appeals adopted new rules outlining pretrial detention for individuals alleged to have committed crimes. An important part of those rules is lessening the

reliance on cash bail. We included language in the budget asking the Judiciary to report on the effect of the new rule before next session.

My 2017 Legislation

In addition to working on the budget and advocating on other major bills this session, I worked hard to pass several pieces of legislation that I introduced, including:

Protecting Students and Promoting Educational Opportunities

- **Prohibition on Early Childhood Suspensions and Expulsions (HB 425):** The bill prohibits suspensions/expulsions of students in pre-kindergarten through second grade, with limited exceptions. These harsh disciplinary measures are overused and are ineffective. Removing a young child from the classroom does more harm than good and these practices have disproportionate effects on students of color and students with disabilities. In addition to the prohibition on this discipline method, the bill also requires MSDE to provide support to school districts to implement more effective, positive discipline techniques. *I am proud that this bill is on the way to the Governor's desk!*

- **AmeriCorps Program Participants – In-State Tuition (HB 224):** This bill allows AmeriCorps members who have completed their service in Maryland to receive in-state tuition to Maryland public colleges. AmeriCorps members play a significant and often-overlooked critical role in Maryland. Unfortunately, the number of applications for the program have decreased since 2013. This bill will help recruit more volunteers and to retain volunteers who have completed their service in Maryland. *I am proud that this bill is on the way to the Governor's desk!*

The Jill Wrigley Memorial Scholarship Expansion Act (HB 865): This bill would expand eligibility for state need-based financial aid to students eligible for in-state tuition through the Maryland Dream Act. The cost of attendance for higher education can be a financial barrier for most students. But, because Maryland Dream Act students are not eligible for any federal financial assistance, this financial burden becomes a bar for these students. Unfortunately, this bill did not pass out of Committee this year. I will be working during the interim to help ensure its passage next year.

Promoting Strong Communities

- **MTA Farebox Recovery Rate – Repeal (HB271):** This bill repeals the requirement that the MTA must recover at least 35% of its total operating costs from fares and other operating revenues. Currently, MTA is not reliable or efficient and the service is inadequate. The farebox recovery mandate is one impediment to MTA's success. Improving public transit has always been and will remain high on my priority list, and I am delighted that we were able to take this step forward for public transit. This repeal is an important way to truly improve service, inform investment, and benefit our communities. *This bill passed the General Assembly and was sent to the Governor on March 27th. Under the Maryland Constitution, because the Governor did not sign or veto the bill within six days than the bill becomes law. This bill is now law and will take effect on July 1, 2017.*

Polystyrene Food Packaging Prohibition (HB 229): This bill would prohibit a business from giving away or selling styrofoam food packaging. Styrofoam is one of the most common forms of litter across the state because the product is so lightweight and easily blown into waterways. Styrofoam also has increased health risks because styrene is reasonably believed to be a carcinogen and neurotoxic. Instead of passing the bill, the Committee will conduct a summer study to learn more about the issue.

Criminal Justice Reform/Legal Access

- **Maryland Equal Access to Food Act of 2017 (HB 860):** Maryland law imposes arbitrary eligibility restriction for federal benefits (a vestige of the ineffective War on Drugs)- individuals with a felony drug conviction receive a one-year ban on SNAP/TCA benefits. These individuals may face obstacles in finding a job and getting back on their feet and these are exactly the people SNAP and

TCA benefits are designed to help. HB860 removes this restriction, and *is on its way to the Governor's desk!*

- **Legal Aid Support** (HB991): This bill will ensure that employees of Legal Aid continue to have access to the State health care plan. *This bill is headed to the Governor's desk!*

Other Major Legislation Passed in the 2017 Session

I co-sponsored or supported other bills this year, including:

- **Maryland Healthy Working Families Act** (HB 1): Currently, 750,000 Maryland workers have no access to earned paid sick days. Women make up half the workforce & 2/3 of caregivers, yet 54% lack access to earned sick days. This bill will require businesses with more than 15 employees to provide earned paid sick leave to employees who work 12 hours per week (up to 5 days per year, 106 calendar days). It will keep sick kids at home with parents and out of school, and allow sick workers to recover before going back to work. *Passed*

- **The HOME Act** (HB 172): Source-of-income discrimination disproportionately affects vulnerable populations like senior citizens, people with disabilities, single mothers, veterans, and voucher holders. This bill would prohibit discriminatory practices in renting or selling a home. Although this bill passed the House, it did not receive a vote in the Senate.

- **Hydraulic Fracturing Prohibition** (HB 1325): Fracking exposes our state to potential spills, water and air pollution, and causes irreversible damage to the environment. This bill prevents the use of a fracking well to produce natural gas or oil in the State. *This bill was signed into law!*

- **Bail Reform Legislation** (HB 1390): Last summer, I was one of five delegates who wrote to Maryland's Attorney General about the constitutionality of cash bail. In the response, the Attorney General concluded that Maryland's cash bail system may be unconstitutional because it essentially meant that poor people often ended up in jail simply because of their lack of wealth. This session, 2 bills were introduced— one to build on and strengthen rule changes that the Court of Appeals adopted in response to the AG's letter, and one to dismantle them. I supported the former bill, which was eventually withdrawn, and helped to defeat the latter bill, which did not receive a vote in the House.

- **Clean Energy Jobs Act Veto Override** (2016): This bill would increase the State's use of solar energy and the total amount of clean energy required under the State's Renewable Portfolio Standard. After the bill passed in 2016, the Governor vetoed the bill. *We overrode the veto.*

Responding to Harmful Federal Actions

- **Family Planning Services Continuity** (the Planned Parenthood bill) (HB 1083) – This bill guarantees sustained access to family planning services by ensuring that the state will fund these programs if the Federal government defunds them. *This bill was sent to the Governor's desk earlier in session & is now law!*
- **Maryland Trust Act** (HB 1362) – This bill would prohibit (1) state agencies from making arrests on behalf of federal authorities, (2) establishing traffic stops solely to assist in immigration enforcements, and (3) disclosing non-public information about a person's status. Our constitution promises equal protection under the law for everyone, and I was a strong supporter of this bill. *Passed the House but did not receive a vote in the Senate.*
- **Maryland Defense Act** (HB 913)- The Defense Act and the accompanying Resolution (HJ 3) provides the Attorney General with the ability to protect the citizens of Maryland from harmful federal efforts. *Passed!*
- **The Protection of the Federal Affordable Care Act** (HJ 9)- This bill expressed that the General Assembly is in sharp disagreement with the repeal of the Affordable Care Act. *Passed!*
- **Chesapeake Bay Restoration- Federal Budget Resolution** (HJ 10)- This bill expressed the General Assembly's opposition to the drastic federal cuts to the Chesapeake Bay Program. *Passed!*

- **Heroin and Opioid Prevention Effort and Treatment Act of 2017** (HB 1329); **Start Talking Maryland Act** (HB 1082) : The opioid epidemic in our state is a public health crisis. This session there was a bi-partisan effort to fight this epidemic through treatment and education. HB 1329 creates statewide command centers and requires the Department of Health to establish a toll-free health crisis hotline to provide Marylanders with information about behavioral health programs. HB 1082 provides an educational component to fight this crisis by requiring the Board of Education to expand drug addiction and prevention education programs with the students. This treatment and educational strategy is one of the most comprehensive in the nation. *Passed.*

Constituent Communications

Over the past 90 days, I received over 2,000 emails from constituents – a new record for me. I love hearing from you and do my best to respond to each person. Here is a rough breakdown of the topics people reached out to my office about:

Economic Issues: 120+ contacts (Maryland Healthy Working Families Act, brewery legislation) Cross Street Market Legislation: 350+ contacts	Judiciary Issues: 250+ contacts (Campus firearms prohibition, marijuana legalization, bail reform, The Trust Act, parole)
Health Issues: 180+ contacts (Keep Antibiotics Effective Act, Broaden Optometrists Scope, End of Life Option Act, Keep the Door Open Act, Planned Parenthood legislation)	Transportation Issues: 110+ contacts (Farebox Recovery Repeal, Rail Safety Act, MTA funding, transportation transparency bill)
Environment Issues: 600+ contacts (Styrofoam prohibition, fracking, Maryland’s Forest Conservation Act, Clean Energy Tax Credit, oyster sanctuary alteration)	Education Issues: 380+ contacts (Early childhood suspension/expulsion, Enoch Pratt funding, BCPS funding, pro/anti BOOST funding, Protect Our Schools Act)

If you are facing any difficulty working with a State agency or have other concerns, please contact my office. Our office will be happy to work with you to try to remedy the issue. **Our office phone number is (410) 841-3319, I can be reached by email at brooke.lierman@house.state.md.us.** Please keep in touch.

My best,

Brooke E. Lierman