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Appropriations Committee

Oversight Committee on Pensions

Transportation and the Environment
Subcommittee

THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

2018 END OF SESSION REPORT

After a demanding 90 days, the General Assembly's 2018 legislative session has ended. From January 10th – April 9th, the General Assembly met to debate and pass bills that affect residents across the State, including the FY19 operating and capital budgets. In addition to my work on our state budget, I championed causes to support our public schools, create more reliable public transit, protect our environment, support working families, and increase public safety. I am so pleased to share this final report of this term with you. To read more about my work, please sign up for my email updates and visit my blog at www.brookelierman.com, or email or call me.

The “HB1” Accomplishments

2017 HB1 (Maryland Healthy Working Families Act), passed during the 2017 Session, was vetoed by the Governor. Overriding the veto secured paid sick leave for over 700,000 Marylanders. HB1 requires an employer with 15 or more employees to have a sick and safe leave policy under which an employee earns at least 1 hour of paid sick and safe leave for every 30 hours an employee works.

2018 HB1 (Rape Survivor Family Protection Act), was the first bill to successfully pass both chambers this session, after failing on the last day of the 2017 session. It terminates the parental rights of an individual convicted of an act of nonconsensual sexual conduct against the other parent that resulted in the conception of a child.

THE FY19 BUDGET

I serve on the Appropriations Committee and its Transportation and Environment Subcommittee. Much of my time and effort during session involved working on our state's FY19 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).

CONSTITUENT WORK

Over the past 90 days, I received a record 1302+ contacts from constituents (still counting as I'm writing this). I love hearing from you and do my best to respond to each person with a thoughtful reply. Here is a rough breakdown on topics:

- Environmental Issues – 245+
- Transportation Issues – 65+
- *Education Issues* – 120+
- Criminal Justice Issues – 225+
- *Budgetary and Tax Issues* – 75+
- Health Issues – 145+

Highlights of the FY19 budget

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| <p>Structurally Balanced</p> <p>The budget we passed is balanced, fair and funds priorities like education, school safety, services for Marylanders with disabilities, Medicaid, opioid treatment, public safety, and tax relief. It constrains growth to 2.2% for FY19, and maintains our commitments to public education and health, makes sound investments in the future. We funded a 2% salary increase for state workers, and left almost \$1.1 billion in cash reserves in the event of economic downturn.</p> | <p>Providing Vital Health Care Services</p> <p>Medicaid funding totals \$11.4 billion, allowing the State to provide coverage to 1.4 million residents. Expenditures grow by about \$181 million to fund enrollment and provider rate increases. The budget also includes over \$63 million for individuals with disabilities and \$36 million for the 3.5% community provider pay increase to help ensure patients are able to find doctors who take Medicaid and that providers for individuals with disabilities are appropriately paid.</p> |
| <p>Focusing Resources on Substance Abuse Treatment and Opioid Addiction</p> <p>The budget provides a \$12 million over a four-year period to the Behavioral Health Crisis Response Grant Program to address local needs. This program, enacted by HB1092, must award competitive grants to local behavioral health authorities to establish and expand behavioral health crisis response programs and services that (1) serve local behavioral health needs for children, adults, and older adults; (2) meet national standards; (3) integrate the delivery of mental health and substance use treatment; and (4) connect individuals to appropriate community-based care in a timely manner on discharge.</p> | <p>Baltimore Funding</p> <p>After the 2015 unrest, we acted to pass a package of bills worth over \$200 million to support City agencies and programs, including summer & after school programs, libraries, the Next Generation Scholarship program, and the Baltimore Regional Neighborhood Initiative. The Governor proposed cuts to these programs in the budget, and we worked hard to restore nearly all of the funding, including millions for community development & out-of-school time opportunities. Additionally, we set aside \$5 million to implement a violence intervention & prevention program that I sponsored (see below, HB432).</p> <p>Additional money for roads, health department, and City services is also included in the budget, as well as a line item for \$3 million fenced off for repairs to the Vietnam Veterans Memorial Bridge (the Hanover Street Bridge).</p> |
| <p>Commitment to Public Schools</p> <p>In the budget, the State's support for K-12 public schools exceeds \$6.5 billion and sets aside \$200 million to support the future costs of implementing the recommendations of the Kirwan Commission, while also setting aside \$11.4 million to implement initial recommendations this year (HB1415, see below). Additional money is set aside to implement the Healthy Schools Act, including up to \$15m for City Schools to repair and update heating and air conditioning, and make other repairs to create healthier school environments.</p> | <p>The FY19 Capital Budget – Local Projects</p> <p>My team and I secured capital funding for multiple projects in the district, including: Port Discovery Children's Museum; Habitat for Humanity; Baltimore Museum of Industry; CASA's Workforce & Education Center in the Old Belnord Theater; American Visionary Arts Museum; Patterson Park; the Creative Alliance; Westport Community Land Trust; Federal Hill's Street Scape; and Project Liberty Ship.</p> <p><i>No other district in the state was able to secure as much capital funding for as many local, non-higher education projects.</i></p> |

I worked on a variety of initiatives this year, and the Legislature passed hundreds of bills that will have a positive impact on Baltimore residents and families, and all Marylanders. Here are a few –

Transportation

During this term I have championed reforms to and resources for MTA, and this session capped off years of work. I worked with my Montgomery County colleagues to amend the Maryland Metro & Transit Funding Act (**HB372**) that originally only dealt with WMATA, to include **important provisions for MTA**. As passed, the bill (1) mandates at least a 4.4% increase every year to MTA's operating budget (a budget that was flat-funded this year), (2) allocates nearly \$30 m in supplemental capital funds each year (this year's subway closure demonstrated the severe underfunding and need), (3) and requires a full capital needs assessment, and a new **Central Maryland Transit Plan**, created with input from riders and area businesses. This unprecedented funding and planning legislation should enable MTA to invest in creating more reliable and accessible service for the riding public. In addition, as the Governor seeks to enter into Private Public Partnerships to build new highways, I passed a bill to protect the State's ability to expand public transportation (**HB816**) by disallowing non-compete clauses in these P3 contracts.

Maryland used to be a leader in smart growth, and we can be again if we invest in roads that are built for multiple users - pedestrians, bicyclists, transit riders, and drivers. To that end, I introduced the **Complete Streets Program**, a bill to create a matching grant program for local jurisdictions like Baltimore to access funding to implement **Complete Streets policies (HB535)**.

Promoting Strong Families & Communities

Supporting strong families & communities means investing in schools, transit, parks, and public safety measures, and I worked hard on all of these areas. Two years ago I helped pass a bill to increase our City's share of Program Open Space funding from \$1.5 m to \$6 m a year over a period of several years. This year, we were able to set aside \$500,000 to begin implementation of the **Patterson Park** master plan and support the work of the Friends of Patterson Park. We also increased funding for the **Baltimore Regional Neighborhood Initiative (BRNI)**, to ensure that groups like the Greater Baybrook Alliance (Brooklyn/Curtis Bay) and the Southeast CDC can access crucial state funding for community development work. Finally, after learning that City Rec & Parks had decided not to create new **splash pads** (play water structures) because of uncertainty around regulations, I introduced and passed **HB1217** to define "splash pads" in state law and vest power in regulating splash pads in the local jurisdictions. Finally, our communities all see too much **illegal truck traffic**, which is why I worked with many residents of District 46 to introduce a bill to enforce the penalties on illegal truck traffic (**HB1139**). Although we were successful in passing the bill through the House, we ran out of time to pass it through the Senate. If I am re-elected, I am confident we will be able to pass this bill next year as an emergency measure so it is implemented immediately. Finally, in addition to paid sick leave, we also passed the first ever measure to require **paid parental leave (SB859)** – this time covering state employees. I'm hopeful we will be able to expand it in the future.

Public Safety & Violence Prevention

Baltimore City has seen an unacceptable increase in violent crime. When I am out talking with constituents, public safety is often the first topic to come up. Working with legislators around the state, we passed a set of public safety and violence prevention initiatives that I believe will have positive short-term and long-term effects in our City and around the state.

- **HB432** (my bill): **The Public Safety & Violence Prevention Act of 2018** creates a new statewide program, the MD Violence Intervention & Prevention Program, that will - for the first time - dedicate state dollars (up to \$10m per year) to proven, public-health based gun violence prevention programs. This bill also contains annual grants to Baltimore programs, including LEAD (a drug/sex worker diversion program), the State’s Attorney’s office, strategic programs at the Baltimore Police Department, and Outward Bound.

- **HB113: Safe Streets Funding** – Provides \$3.5 million a year to triple the number of Safe Street programs in Baltimore City. This is a huge accomplishment and step for the City.

- **SB1099** (Sen. Ferguson): This bill will establish the **Commission to Restore Trust in Policing**, a state level commission with subpoena power to review policies and oversight of the Gun Trace Task Force and recommend changes to prevent such horrific problems from happening again.

- **HB1292** (my bill): The DOJ report contained disturbing accounts of **police officers** having sex with women in custody. There can never be actual consent from a person in custody. I championed this bill to criminalize this practice and hold police officers who engage in sexual acts with someone in custody strictly liable for that offense.

- **SB1137**: This bill allows individuals to possess products used to analyze drugs (especially to determine if fentanyl is present), promotes education and training in prisons to reduce recidivism, allows wiretaps for firearm crimes, increases penalties for witness intimidation, and establishes a Task Force to Study Criminal Gang Statutes.

- **SB101**: This bill allows Marylanders with some felonies to expunge their records, and requires certain sentencing for individuals who are convicted of a *second* crime of violence *with a firearm*.

- **HB447**: Through this bill we established a Pretrial Services Grant Program to give jurisdictions access to funding to support improved pretrial services programs. As a leader in the bail reform movement, I have championed access to high-quality pretrial work.

Team 46 worked on a bill (HB1524) to create the **Juvenile Justice Coordinating Council** to conduct a review of the current juvenile justice system and make recommendations regarding improvements. Although we ran out of time to get this bill passed (it was the next bill up at the stroke of midnight!) - we will be working through non-legislative means with stakeholders to do a comprehensive review of and recommendations for juvenile justice reform.

Although passed separately, these bills were *coordinated and passed as a package of bills* to address multiple aspects of the violence problems plaguing our state. Together with our work on public transit and education, I am hopeful that we will see the long-term benefits that these funding programs, police accountability measures, and expungements will bring.

Gun Safety Measures

Maryland has strong gun safety laws already on the books, including a ban on assault rifles like the AR-15, and a minimum age to purchase of 21. There is more to do, however, to keep Marylanders safe, and this year we passed three important bills:

- **HB888**, the “bumpstock ban,” prohibits a person from transporting, manufacturing, possessing, selling, offering to sell, transferring, purchasing, or receiving a rapid fire trigger activator
- **HB1302** creates “extreme risk protection orders” that allow family members, including a current or recent partner or a parent, to seek a court order to prevent a respondent from possessing a firearm for the duration of the order under specified conditions
- **HB1646** requires the State’s Attorney to inform convicted domestic abusers that they must surrender any firearms they own

Education

Maryland children deserve world-class schools and opportunity, and that requires adequate funding, great school buildings, and first-class programming. As a lead sponsor on **HB1415, the Kirwan Commission bill**, I authored a section creating an early literacy intervention program to expand evidence-based literacy programming. Many schools in District 46 already benefit from these types of programs - including Commodore John Rogers and John Ruhrah - and this funding will help expand the program to other Title 1 schools. I look forward to continuing to stay engaged with the Kirwan Commission and, if re-elected, to working on passing its big recommendations on school funding next year. My committee also passed **SB1122** - the Lockbox Bill to Fix the Fund and to help pay for recommendations next year. This bill will place a question on the ballot that, if approved, will alter the Maryland Constitution to require money from casinos in the Education Trust Fund to be used to *supplement* education funding.

The reports of schools without heat demonstrated the dire condition of many of our aging school buildings. Although at least **7 new school buildings** are opening in D46 in the next few years because of state funding, many others need major repairs. I helped usher through and stood on the floor to defend **HB1783, The 21st Century School Facilities Act**. This bill (1) sets a baseline of \$400m annually for school construction (up from \$250); (2) prohibits partial funding (one of the issues that has plagued the City's schools); (3) establishes a new process for P3s for school construction; and (4) moves the school facility process for the state away from politics and back to judgment on the merits. We also passed **SB611** to establish the **Healthy School Facility Fund** to provide supplemental grants to public schools to improve air conditioning, heating, air quality, mold remediation, plumbing, and windows.

To provide higher education opportunities for undocumented students, I introduced and passed **HB420, the Jill Wrigley Memorial Act**. This bill will expand eligibility for need-based financial aid to all in-state eligible students, including undocumented students.

Finally, one of the very last bills to pass (HB16) creates an extraordinary new opportunity for students attending community colleges - the **Maryland Community College Promise Scholarships**. These scholarships will enable thousands of Marylanders to attend community college without wondering where the next tuition check is coming from.

Healthcare

Marylanders, like our neighbors in other states, are feeling the negative effects of the President's opposition to the Affordable Care Act and his refusal to support it. Maryland took the bold step this year of creating a reinsurance plan to shore up our insurance system to prevent premiums from continuing to skyrocket. **HB1782** requires the Maryland Health Benefit Exchange (MHBE) to establish a **Health Care Access Program** to provide reinsurance to carriers in the individual health insurance market. To pay for the reinsurance, health insurers will pay a one-time fee that nearly equals the cost that they are saving due to federal tax law changes. This reinsurance is expected to help contain surging premium increases for over 150,000 Marylanders. We also passed **HB736** to allow pharmacies to provide beneficiaries with information regarding the retail price of a prescription drug or the amount of the cost-share for a prescription drug. In addition to passing HB1092 (discussed above), we also passed **SB522** to require healthcare providers to advise patients of the benefits and risks associated with the prescription of opioids.

Environment

As a member of the Appropriations Committee, I help oversee our environmental agencies and continue to pressure the Secretaries to actively enforce existing clean air and clean water laws. I also continued to champion trash elimination by introducing a bill to prohibit the use of expanded polystyrene foam (EPS) (HB 538). Although the **styrofoam ban** was not successful at the state level this year, we made big strides and if I am re-elected, I plan to introduce that bill next session. As the President continues to roll back environmental protections, we made sure that Maryland stays in the Regional Greenhouse Gas Initiative (HB230) and required that the Governor include Maryland as a member of the U.S. Climate Alliance (SB138).

Voter Registration

At the end of the day, good politics depends on participation - and that includes voting. I have been a longtime champion for automatic voter registration and Election Day voter registration and this year we passed bills to bring both to Maryland (SB1048 and HB532).

Tax Relief

The Earned Income Tax Credit has been called the single best anti-poverty program, and this year we expanded **Maryland's EITC** to allow individuals without qualifying children who are under 25 to claim it and we made the credit fully refundable (HB856). We further expanded the existing **child and dependent care tax credit** by increasing the current phase out (HB519). This bill will increase the number of taxpayers who qualify for the credit from 44,400 to 130,000 and extend the credit's modest relief to more middle-income Maryland families to help ease the burden. Veterans have given much to our country and our state has made a commitment to support them. This year we passed **HB327** to reduce the age a veteran can exempt retirement income from State taxation from 65 to 55, and the Hometown Heroes and Veterans Act of 2018 (SB996), which expands that exemption to retired law enforcement, fire, rescue, emergency service personnel, and correctional officers. Both bills passed both houses unanimously. Finally, although we cannot blunt all the bad effects of the Trump tax bill, we did pass a modest measure (SB318) (with more to come next year after the effects of the bill are better understood) to increase the amount of the **standard deduction** Marylanders can claim.

Keep in Touch!

It has been an honor to serve as one of your State Delegates. This first term has flown by – it has been incredibly rewarding and also presented fascinating challenges. My son was barely two when I was sworn in and he is now preparing to start Kindergarten in the fall, and we have welcomed a daughter as well (born in November 2017). My family and I are dedicated to Baltimore and I know you are too. I have done my best each and every day to represent you, and to advocate for our communities and families, at both the local level and on statewide issues. Thank you for your commitment to building a better Baltimore and a better Maryland.

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

My best,



Brooke Lierman