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Baltimore City

Appropriations Committee

Subcommittees

Vice Chair

Oversight Committee on Pensions

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Transportation and the Environment

Capital Budget

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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

2019 END OF SESSION REPORT

As the first session of my second term closes, I want to first and foremost thank you for allowing me the opportunity to once again represent you as your State Delegate - I am proud to do so! Another legislative session has come to an end and I am happy to report that after 90 days of long hours and hard work, the Maryland General Assembly passed a strong and balanced FY20 budget as well as a number of important statewide bills and initiatives focused on Baltimore. In addition to my work on the Appropriations Committee and on the state budget, I was proud to champion causes to create opportunity and break down barriers to success. *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.*

Remembering a leader, friend, mentor, legislator - Speaker Michael Busch

As you know, on the day before Sine Die we lost our Speaker, Michael Busch. He may have been the longest-serving Speaker in Maryland, but he was also a son of Baltimore and cared deeply about our City. Speaker Busch will forever be remembered for his work on the environment, education, gun safety, health care, and the rights of all Marylanders, and I feel lucky to have had the opportunity to learn from him, to know him, and to see him lead our House Chamber. As I wrote on Facebook, his photo at my swearing-in is the only non-family photo on our family wall of photos – and that’s because he treated me and all his members like we were his extended family. I will continue to think of him and try to live up to the example he set.

Maryland Firsts & Bests

This session brought several exciting firsts for Maryland legislators - the first state to **ban foam food containers** (my bill!), the first state to ensure that **reproductive health coverage will be available** no matter what limits the federal government places on the Title X program, the first state to establish a **Prescription Drug Affordability Board**, and the first state to recognize the benefit of providing **enhanced tax credits** for qualifying businesses within **Opportunity Zones** (my bill with Sen. Ferguson).

The General Assembly passed incredibly important education reform and funding legislation, the **Education Blueprint for Maryland’s Future**. We also passed a number of important criminal justice bills, including legislation to establish a **Juvenile Justice Coordinating Council**, which is a first-step to implementing comprehensive juvenile justice reform measures to ensure our state is working holistically to keep kids out of the criminal justice system using a data-driven approach. I also began what may be a long process toward strengthening the public’s right to information from our state agencies from our Public Information Act & additional enforcement of our state environmental laws by including reporting requirements in the FY20 budget.

THE FY20 BUDGET

I serve on the Appropriations Committee and three of its subcommittees: Transportation and Environment, Pensions, and Capital Budget. Much of my time and effort during each session therefore involves working on our state’s 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 we can add to the capital budget). This makes for more creative use of the budget to ensure work gets done.

Highlights of the FY20 budget

<p style="text-align: center;">Structurally Balanced</p> <p>My colleagues and I on the Appropriations Committee passed a bipartisan, balanced budget for FY2020, despite a general fund shortfall of \$269 million, while also funding our priorities: education, public health, state employees, and public safety. The budget left almost \$120.1 million in cash plus more than \$1.2 billion in cash reserves including \$1.1 billion in the Rainy Day Fund.</p>	<p style="text-align: center;">Providing Vital Health Care Services</p> <p>Medicaid funding totals \$11.3 billion, allowing the State to provide coverage to 1.4 million residents.</p> <p>The budget also includes \$80 million of additional funding to fight the opioid crisis; a 3% rate increase for behavioral and mental health providers and a 3.5% rate increase for providers serving the developmentally disabled.</p>
<p style="text-align: center;">Focus on State Employees</p> <p>Our state employees do the work of state government – human services, oversight, correctional services, education support – yet they have received very small pay increases in recent years. Recognizing the importance of our state employees, the budget will provide a 3% general salary increase to state employees, with an extra 2% for some certain categories of employees. Further, law enforcement officers will receive a 5% salary increase and correctional officers will also receive an additional increase.</p> <p>Although not part of the budget, we also passed SB946 to restore some state prescription drug benefits for state retirees that had been rescinded because of a 2011 bill. If you are a state retiree and would like details, please email me.</p>	<p style="text-align: center;">Public Safety</p> <p>Last session, we passed a crime package of bills to address the multiple aspects of the violence problems plaguing our state, including my bill to create the Violence Intervention & Prevention Program and a bill to increase Safe Streets funding specifically. There is \$13 million in the budget to support these comprehensive initiatives, including \$3.6 million for Safe Streets and \$1.1 million to support other programs such as the Law Enforcement Assisted Diversion Program & Victim Relocation. There is also \$8 million to fund an initiative dedicated to pulling federal, state, and local safety agencies together to collaborate. Finally, we set aside an additional \$7 million for technology upgrades at the Baltimore Police Department.</p> <p>We also included a budget restriction requiring the Mayor’s Office of Criminal Justice & State’s Attorney to work together to produce a <u>public safety plan</u> for Baltimore City, and to produce quarterly reports on its implementation – or else risk losing some state funding.</p>

<p>Commitment to Public Schools</p> <p>The FY20 Budget is the largest budget for Maryland students ever – and not just because our student population has increased. The budget as passed provides record funding of \$7 billion for public schools including funding for the “Education Blueprint for Maryland’s Future,” funding the vast majority of this year’s Kirwan Commission recommendations: \$65.5 million for special education; \$75 million to increase teachers’ salaries; \$54 million for schools in areas of concentrated poverty; \$31.7 million for full-day Pre-K for low income families; \$23 million to help children who are falling behind in elementary school; as well as \$500 million for school construction. Tuition increases at higher educational institutions are also capped at 2%.</p>	<p>The FY19 Capital Budget – Local Projects</p> <p>My team and I secured capital funding for multiple projects in District 46, including:</p> <ul style="list-style-type: none"> • <i>Cherry Hill Town Center</i> • <i>Chesapeake Shakespeare Theater</i> • <i>Garrett Park (Brooklyn)</i> • <i>Harbor West/Westport CEDC</i> • <i>Helping Up Mission Women’s Shelter</i> • <i>Junior Achievement of Central Maryland</i> • <i>Port Discovery</i> • <i>Rash Field Park</i> • <i>Ripken Foundation Cherry Hill Fields</i> • <i>Ronald McDonald House</i> • <i>South Baltimore Learning Center</i>
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Many challenges awaited us in Annapolis this past January including Kirwan Commission delays, continued crime in Baltimore, environmental degradation, and the ongoing government shutdown. Facing those challenges, I worked hard on a variety of initiatives to address the concerns and needs of my constituents and to work with my fellow legislators to pass bills that will have a positive impact on Baltimore residents and families, and all Marylanders.

Providing the Best Education in America: Committing to Maryland’s Public Schools

Every Maryland student deserves a healthy and safe environment in which to learn, a highly-trained teacher, and resources to succeed. Although prior to session we learned that the full Kirwan Commission recommendations would not be implemented this year, we still worked to pass the first phase of those recommendations in **HB1413/SB1030, The Education Blueprint for Maryland’s Future**. This bill establishes principles to transform public education, including (1) investing in high-quality early childhood education and care; (2) elevating teachers and school leaders; (3) creating a world-class instructional system; (4) providing more support to students who need it most, including English language learners, students in poverty, and special education students; and (5) ensuring excellence through accountability and oversight. In addition to funding these measures through the education lockbox funds, we also passed **HB1301/SB728**, which closes a loophole that currently allows some online retailers to avoid collecting sales tax. These bills will ensure that all online sales tax revenues collected by the state that is over \$100 million will go to funding the Education Blueprint.

We continue also to confront the challenges of keeping students safe in our schools. **HB1373** would have allowed school police officers to carry firearms on school premises. Evidence has demonstrated that armed officers can make schools less safe for some of our children and also

CONSTITUENT WORK

Over the past 90 days, I received a record 1469+ 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 & Transportation
Issues: 260+
Education Issues: 301+
Criminal Justice/Safety: 207+
Budgetary and Tax Issues: 149+
Health Issues: 174+
Electoral Reform: 54+
and many more...

disintegrate the educational atmosphere necessary for students to thrive. I did not support this measure and the Baltimore City Delegation ultimately rejected it. Instead of arming officers, we need to focus on expanding **restorative practices, and I was proud to support several bills to do that.** Deconstructing the school to prison pipeline is an urgent and necessary civil rights imperative. Several years ago, I sponsored and passed legislation to prohibit suspending/expelling children in PreK-Second Grade because overly harsh discipline is often disproportionately directed at children of color and children with special needs. That same year, we established a Task Force on Restorative Practices. This year we passed a bill that requires school boards to incorporate the use of restorative approaches for school discipline (**HB725/SB766**). There is more work to do to ensure fair practices for our students and I will continue to support these measures.

The stories that dominated both local and national news last year made it clear that more funding is needed to ensure Maryland students are in comfortable learning environments. In addition to authorizing an additional \$500 million for school construction in the FY20 budget, the House also passed **HB727**, which in its amended form authorized \$2.2 billion in Maryland Stadium Authority revenue bonds (30 year bonds) to finance the construction of or improvements to our public schools. Unfortunately, the Senate did not pass it. Next year we will try again to pass more funding for school construction and renovation.

In 2016, Governor Hogan issued an executive order to require that schools start after Labor Day, taking school calendar decisions away from local school boards. The later start date meant many parents struggled to afford and coordinate yet another week of summer camp and the nearly 400,000 Maryland students who qualify for free and reduced lunch missed another week of guaranteed meals. **HB437/SB128** returned calendar control to county boards of education. Although the Governor vetoed this bill, we overturned his veto while still in session.

Baltimore Landmarks

Although initially the Governor's FY20 budget omitted funding for many important institutions housed in Baltimore, we worked hard to restore funding to them and were successful at securing capital dollars for the Baltimore Museum of Art, WYPR studios, the Hippodrome, Port Discovery, Chesapeake Shakespeare Theater, Everyman Theater, Center Stage, Great Blacks in Wax Museum, the Maryland Zoo, and operating money for the Baltimore Symphony Orchestra.

The Maryland Stadium Authority released a plan late last year demonstrating the potential for redeveloping Pimlico Racecourse into a 365-days-a-year venue (for sporting and community

events in addition to the Preakness Stakes), and developing housing and infrastructure around the track. By successfully repelling the efforts of several jurisdictions to pass a bill that would have had the effect of funneling most available capital money to Laurel and Bowie racetracks, the City Delegation ensured that the City can work to push the Stronach Group to invest in Baltimore. **Keeping Preakness in Baltimore** is about more than the \$50 million of economic activity that the race brings, it is also about realizing important community redevelopment opportunities.

One of District 46's greatest assets is our waterfront! In an effort to improve access for all we secured \$1 million for Waterfront Partnership to begin construction on the revitalization of **Rash Field Park**, and also passed a bill to allow for a café to open onsite. Learn more at www.rashfield.org.

Promoting Strong Families & Communities

As a legislator, I focus on supporting Maryland residents and families and helping to build strong and thriving communities that offer equitable access to resources and opportunity. Creating communities that amplify our diverse Maryland population and establishing neighborhoods in which all Marylanders can feel safe and have an opportunity continues to be a priority for me. This year, I supported a number of measures in this area. First and foremost, we passed the **Fight for Fifteen** bill to increase the minimum wage to \$15 by 2025 (this bill was passed, vetoed, and then we voted to override the veto). More than 170,000 Marylanders were affected by the federal government shutdown and I was proud to co-sponsor **HB336** to allow civilian federal workers who are required to work without pay to collect unemployment benefits. This bill passed through both chambers and was the first bill signed into law by the Governor! I also cosponsored an important bill to allow community-based organizations to support aging residents to stay in their homes. **The Nonprofits for our Aging Neighbors Act** will provide grant funding for Aging-in-Place Programs. I also passed an important **affordable housing bill (HB1045)** that will require – for the very first time – that counties and cities in Maryland start planning to meet the housing needs of their residents by including affordable and workforce housing in their comprehensive local plans.

In addition, Senator Ferguson and I authored two important community development tax credit bills – one focused on the **historic tax credit and another on opportunity zones (HB1260/SB 581 & HB1162/SB656)**. Ultimately, the historic tax credit bill was partially subsumed within the opportunity zone bill and passed. This bill will incentivize developers who are using opportunity funds within an opportunity zone project to be transparent and work with the community by offering extra state incentives. It is first-of-its kind legislation for opportunity zones.

The **Summer SNAP for Children Act (HB338)** will improve access to healthy food by creating a supplemental benefit program for children in qualifying households during June, July, and August. I authored and passed **HB520/SB406** to fund the **Thrive by Three Prenatal and Infant Care Coordination** program, allocating funds to programs like BMore for Healthy Babies, and creating a task force to study how our state health care system can better incentivize early intervention and prevention of adverse health outcomes in maternal and early childhood health. We also passed **SB196/HB421** to allow for the option for a gender neutral driver's license, so that those who do not identify as male or female can choose an "x" designation on their driver's

license. Maryland is the 6th state in the country to allow for this designation. I also strongly supported **HB341, The Time to Care Act**, which provides paid leave available to Maryland workers for up to 12 weeks following the birth or adoption of a child and when needed to provide care for a family member or oneself. Although that bill was not passed this session, I will keep advocating for creating paid family leave in our state.

Public Safety & Criminal Justice

I continued this year to focus on ongoing concerns of violent crime. I am encouraged by the hiring and confirmation of Baltimore City Police Commissioner Michael C. Harrison and am hopeful his leadership will help to transform the BPD through implementation of the consent decree. One bill that I cosponsored, **HB528/SB39**, will require that following the decennial census the BPD Commissioner will present a plan to the Baltimore Mayor's Office to reconsider each police district and its resource allocation. Statewide, I was sorry to see the **Law Enforcement Trust and Transparency Act** fail to advance. This bill would have required an independent investigation of officer-involved deaths (**SB898/HB983**). Although it didn't make the headlines, we passed a major public safety measure to completely update the 911 system. **HB397, The 9-1-1 Emergency Telephone System Act**, modernizes our state's outdated 911 system in a number of ways, including allowing for texting and updating improving location accuracy. This bill successfully passed both chambers! We also passed **Grace's Law 2.0** to increase the potential maximum fine for cyberbullying from \$500 to \$10,000 and maximum jail sentence from one year to three (**HB181/SB103**). **HB116** puts Maryland on track to offer **full medication-assisted-treatment to inmates** suffering from opiate use disorder in all local jails by 2023. **HB1001/SB 774** will restrict placing juveniles in solitary confinement, unless there is clear evidence of an immediate risk of harm to the minor, or others.

Two bills were introduced to provide Marylanders with relief from punitive, counterproductive practices by authorizing a person to file a **partial expungement** of eligible charges when two or more charges arise from the same incident and one or more of the chargers are not eligible for **expungement** and **to end the use of driver's license suspension** as a penalty for court debt (my bill, **HB1267**). Unfortunately, these measures did not pass this session.

The General Assembly also passed legislation to allow Johns Hopkins to create its own police force of up to 100 officers (**SB 793**). Although I could not have supported the bill as originally introduced, and I heard from constituents on both sides of this bill, I worked with some of my Senate counterparts to add accountability measures (including full liability for JH), clarify that this force is limited to the campus area/immediately adjacent sidewalks/garages, and add an expiration date. Although I voted for this legislation, ultimately I believe that we cannot police our City to safety, which is why I spend my time working hard on measures to support our education and community needs.

I introduced several bills to assist and empower victims, including **HB665/SB811** to create the **Family Law Services for Sustained Safety Fund** to provide legal services for victims of domestic violence, sexual assault, or child abuse (unfortunately, the Senate failed to pass this bill—we will try again next year!). I also sponsored and passed the **Child Sex Trafficking Screening and Services Act (HB 827)** to create a system of regional navigators to work with child sex

trafficking victims to ensure they receive the proper care and help re-entering society, just as other states now do. I also cosponsored **HB1096/SB767** that requires analysis of rape evidence kits, making sure that regardless of zip code, a survivor’s story is heard, evidence is tested and handled consistently, and assailants are held accountable. This bill unanimously passed both chambers! The General Assembly also passed my bill to create the **Legal Representation Fund for Title IX Proceedings** to provide funding for legal counsel for parties involved in Title IX proceedings on college campuses (**HB633/SB396**).

Guns and Safety

Unlawful gun ownership continues to be a key public safety issue in our state. I cosponsored **HB 740** to ban 3D printed guns and task State Police with creating a plan to register untraceable “ghost guns.” I also co-sponsored a bill to close a loophole in the background check process for long gun transfers by requiring a licensed firearms dealer to facilitate private long gun sales (**HB786/SB737**). The bill does not include transfers between immediate family members, antique firearm collectors, or for hunting as long as the owner of the firearm is present. Unfortunately, although the House passed both of these bills, because of problems in the Senate, these bills did not become law. We did successfully pass **SB346 which closes a loophole that previously allowed** gun owners or dealers from transferring guns to someone not legally allowed to own a gun – as long as the Governor signs the bill, that loophole will close!

Healthcare

We passed two landmark healthcare bills this year: we created the nation’s first **Prescription Drug Affordability Board** and we will now allow Marylanders the chance to **enroll in health insurance** by checking a box on their annual state income tax returns. The Affordability Board will establish maximum costs to be paid by state and local governments for certain high-cost medications, and the second measure will ensure that we are expanding the pool of people who are insured and bringing down premiums for all enrollees.

We heard very emotional debate and testimony about **The End-of-Life Option Act**, and I heard from many constituents about this bill (**HB399/SB311**). Although the House passed this bill, the Senate failed to advance it (it failed on a tie vote).

A significant portion of our work this session was devoted to protecting access to healthcare for all Marylanders. I cosponsored **HB697** to protect Marylanders with pre-existing conditions if the Affordable Care Act protections are overturned by the Supreme Court. The law also renews the Maryland Health Insurance Protection Commission for an additional three years. In addition, **HB 595** expands coverage under Workers Compensation for bladder, kidney, and renal cell cancer for volunteer and professional fire fighters. This bill was a major priority for public safety unions and passed

State Retiree Prescription Benefits

If a pending lawsuit is decided in favor of the state, under a 2011 law, all state benefits would end and retirees would have had only benefits from Medicare Part D. By passing **SB946/HB1120** we created 3 new state programs to limit out-of-pocket prescription drug costs for state retirees and require ongoing study and discussion of the challenge of funding these important benefits.

through both chambers. The legislature also built upon our past work to address the opioid epidemic by creating the **Opioid Restitution Fund (HB 1274)**.

Environment & Transportation

Along with passing my bill (HB109/SB285) to ban expanded polystyrene foam food containers (the first in the nation!), I also worked hard to champion and pass other environmental measures. We passed the **Clean Energy Jobs Act (SB516)** to require that 50% of our energy come from renewable energy sources by 2030, including 14.5% from solar energy! We also passed several bills addressing forest preservation in Maryland, including the **Forest Conservation Act (HB272/SB234)**, and we created the **Task Force on Forest Conservation** to study the health of our forests (**HB735/SB729**). I also supported **HB275/SB270** to ban the use of **chlorpyrifos** statewide, but the Senate did not pass it this year.

We also took steps to preserve and restore Maryland's oyster population and increase enforcement of environmental laws. We overrode the Governor's veto to pass Speaker Busch's bill (**HB298/SB448**) to provide permanent protection of restored oyster sanctuaries in five tributaries, protecting public investments and serving as oyster nurseries. I sponsored a bill to create a **natural resources whistleblower program** to help ensure we are enforcing our natural resources laws by working with concerned Maryland citizens who are willing to report illegal behavior (**HB1194/SB760**). Although we passed the bill through the House, it unfortunately did not advance in the Senate.

Unfortunately, a key environmental bill that I cosponsored did not advance this Session. **HB 961/SB548** would have removed trash incineration from Tier 1 of the renewable energy portfolio. I am hopeful that we will be able to pass this measure next year.

I continued my advocacy for public transit and established the first **Public Transit Caucus**, with members from both the House and Senate. With my colleagues, I championed measures to improve the way the State Department of Transportation will handle increasing congestion. I introduced **HB102** a measure that requires the State to seek the consent of affected counties before creating a new toll road and strongly supported **HB 1091** to ensure more transparency on large P3 transportation projects.

Our communities in Baltimore suffer from increasing **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 (**HB06**). Unfortunately, this bill received an unfavorable report from the Environment and Transportation Committee. We will keep working on this issue next year!

Finally, we had a big victory for bike funding this session! I authored and passed a bill to codify the state **Bikeways Network Program** and to provide it with \$3.8m in funding per year for the next four years. In its current 6-year capital plan, MDOT indicates its intent to cancel all bikeways funding, so I am glad we were able to take action this year to push for more funding for local bike/pedestrian projects around the state.

Keep in Touch!



This session presented a number of challenges. I tried to bring my best thinking to each piece of legislation, listen to stakeholders and constituents, and vote for what I thought would best serve the people of District 46. I am honored and thrilled to have the chance to serve as your Delegate. If you are facing any difficulty working with a State agency or have other concerns about the City or State, please contact my office. My legislative director, 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,

A handwritten signature in blue ink that reads "Brooke". The signature is written in a cursive, flowing style.

Brooke E. Lierman