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Baltimore City

Environment and Transportation  
Committee



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## THE MARYLAND HOUSE OF DELEGATES ANNAPOLIS, MARYLAND 21401

11 April 2018

Dear Constituent,

The 2018 legislative session has ended. Over 3,127 bills and joint resolutions were introduced, and 890 of them were passed. These measures are designed to make life better for everyone living in Maryland.

I want to thank my extraordinary colleagues in District 46, Senator Bill Ferguson, Delegate Luke Clippinger, and Delegate Brooke Lierman.

Enclosed please find my End of Session Report. You are receiving it because you contacted my office at some point during the 90-day legislative session. Below, I summarize my overall policy priorities. My End of Session Report, which follows, highlights a number of important bills.

**Health and environment** have been the focus of my professional career and my community service for over two decades. As Delegate, these issues remain my priorities. During this session, I championed legislative efforts to improve human health and protect our environment. My greatest success this year was the inclusion of my Basic Health Plan bill in the statewide health care protection bill, which protects Marylanders from federal acts of ACA sabotage. This bill was the biggest piece of health legislation passed this session, and it applies practical approaches to expand coverage and lower health care costs for hardworking people in Baltimore and all around Maryland.

**Education** was a top priority this session, and our results prove it. We successfully passed bills to secure school construction funding, to “lock the box” on casino revenues for education, enhance school safety and promote equitable access to quality education for all students in Maryland.

**Community Development** is critically important in Baltimore. As a long-time community leader myself, I know how important it is to invest in people and neighborhoods. This session I successfully raised significant capital funding for our local community-based organizations. My fellow city Delegation colleagues and I are bringing home a total of \$11.7 million dollars to Baltimore; a large portion of that will come to the 46th district.

**Public Safety** is a fundamental responsibility of government, and I take this very seriously. A community free of violence is one in which everyone has access to quality education, health care and employment. We are moving toward these goals, but we still have a ways to go. Significant obstacles, such as our history of white supremacy, racial and economic injustice and systemic oppression continue to hold us back. Until we address the root causes -- namely racial, economic and environmental injustice -- and solve them with humane, equitable and evidence-based approaches, we will continue to struggle with violence in our communities.

I believe that we must address root causes of violence and social disorder using public health approaches. These types of interventions include investing in people through education, health care, mental health services and importantly, employment. Addressing root causes is hard work; it requires significant resources and takes time, but it is the right thing to do -- and it's the only approach that really works.

At the same time, we must also find humane and effective ways to reform the criminal justice system, including both policing and sentencing. Along with my colleagues in District 46, I'm committed to advancing evidence-based, public health approaches to accomplish this. This session, I supported a range of reform-driven public safety proposals, some of which were easy to vote for, and some of which decidedly were not. This report mentions only a few bills; there were many. I will discuss more about this topic in the body of the report.

**Transportation** challenges are common around the state, but particularly acute in Baltimore city, which suffers from decades of inadequate -- and inequitable -- investment in transit infrastructure. I'm a long-time transit activist. I founded a transit advocacy organization to support construction of the Red Line light rail project. I'm also car-free by choice. I helped advance legislation to increase funding to the Maryland Transit Administration, and I worked on policies to improve the quality of Baltimore's bus service.

Please feel free to contact me should you have any questions about other legislation. Thank you!

Sincerely,



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# END OF SESSION REPORT

## HEALTH

### Protecting Your Health Care

#### HB 1782 – Health Care Access Act of 2018

Health care is a human right. Even after the expansion of health care due to the Affordable Care Act (ACA) many hardworking Marylanders still struggle to afford essential health coverage. Recognizing the need to expand health coverage to the people of Maryland trapped in the “affordability gap,” I proposed a Basic Health Program, HB 726. This program would provide essential health coverage at an affordable price for people trapped in this affordability gap, earning too much to qualify for the public plan (Medicaid) but not enough to comfortably afford a qualified health plan under the ACA. The Basic Health Plan is an option under the ACA that states can choose to implement; at this writing, only Minnesota and New York have Basic Health Programs. I wanted Maryland to be next!

However, since the election of the current president, relentless efforts to sabotage the ACA have intensified from both the president and Republican-controlled US Congress. This uncertainty has destabilized the insurance markets and caused carriers to raise the premiums they charge to customers, which raises everyone’s monthly health insurance costs.

This omnibus bill creates a short-term solution to the sabotage of Maryland’s health care system and prevents further increases to monthly costs. It does so by creating a new fee on health insurance companies -- who just received a big federal tax cut -- and uses these funds to offset high costs for Marylanders. The fees will total approximately \$380 million, which the state will use to pay for a reinsurance pool. This bill also calls for a study to explore how my Basic Health Plan can be effectively implemented in Maryland and was signed into law by Governor Hogan on April 10th, 2018.

### Improve Health of the Vulnerable

#### HB 1 – Maryland Healthy Working Families Act (2017)

Last year, I helped pass the Healthy Working Families Act, also known as the “Earned Sick Leave” bill, which requires that businesses that have 15 or more employees must provide earned sick leave for employees if they are not already doing so. Last year, Governor Hogan decided to veto the bill. My first order of business this session was to help overturn that veto, and we did. Now 700,000 hardworking Marylanders have access to the same basic benefit that the Governor enjoys.

#### HB 716 – Mortality Rates of African American Infants & Infants in Rural Areas

I sponsored this bill to address health disparities in infant mortality. African American infants in Maryland die at higher rates than white infants. Infants in rural areas also have higher mortality rates. Health, social and economic disparities contribute to this difference. I sponsored this bill to require the Maryland Health Care Commission (MHCC) to conduct a study and define recommendations to address this disparity and find a solution. This bill passed unanimously in both houses and was signed into law on April 10th.

### Preventing Lead Poisoning

#### HB 304 – Reduction of Lead Risk in Housing

I sponsored this bill to bring Maryland in line with current federal standards for lead poisoning prevention, and to continue our state’s successful efforts to eliminate residential exposure that is so harmful for children. For infants and young children, elevated blood lead levels (EBLs) cause permanent neurologic damage and behavioral disorders, including seizures, comas, death, mental impairment, reduced IQ, increased antisocial behavior, and reduced educational attainment. A study by the Brookings Institution found that lead exposure in children can impact crime rates, including instances of violent crime. Lead poisoning can be viewed as one of the root causes of poor life outcomes, including criminal behavior. This bill proposed to lower the action

threshold for lead poisoning from 10µ per deciliter down to 5µ per deciliter. Unfortunately, this bill did not come to a committee vote. I will continue to fight for this life-saving piece of legislation next session.

## **EDUCATION**

### **Fund Schools Fairly**

#### **HB 1415 – Commission on Innovation & Excellence in Education**

The Commission on Innovation & Excellence in Education (HB 1415) is also known as the Kirwan Commission. This bill gives the Commission more time to make final recommendations to the state legislature on how to fix Maryland’s school funding system. This bill passed and will be signed into law by Governor Hogan.

### **Protect School Funding**

#### **HB 1697 – Commercial Gaming Revenues Constitutional Amendment**

Also known as the “Education Lockbox” bill, this bill ensures that casino revenues will go directly to fund education, as was originally promised when gambling was approved in Maryland several years ago. The bill puts a constitutional amendment on the ballot this November that says that no governor can divert casino revenue to other purposes. In addition, this bill puts at least \$125 million into our school budget for next year. Once completely phased in, the bill will generate over \$500 million into our education fund every year.

#### **HB693 – Tax Increment Financing Development Districts Repeal of Sunset**

In 2016, Baltimore city gave tax-increment-financing (TIF) bonds to Under Armour for the Port Covington development, which is in the 46th district. Unfortunately, this TIF resulted in the loss of state funding for Baltimore’s schools, by not paying taxes into the city’s general fund (which can be used for education). In effect, the TIF for Port Covington starved the city of education funding. I’m proud to have co-sponsored this bill, which permanently fixes this self-inflicted injury to our school funding formulas. I voted for this bill, which passed unanimously and will be signed into law, and will take effect on July 1, 2018.

### **Build New Schools**

#### **HB 1783 – 21st Century School Facilities Act**

This bill, also referred to as the “Knott Commission” proposes to invest up to \$400 million dollars in school construction annually, creates a \$10 million-dollar annual grant for school safety improvements, mandates a full assessment of Maryland’s school facility inventory to find costs savings, and stops the dreaded “beg-a-thon.” This bill has passed both chambers despite Governor Hogan’s veto, and will become law with or without his signature. I am very proud to have fought for and won necessary resources for our city’s schools.

## **COMMUNITY DEVELOPMENT**

#### **HB 915 – Capital Grant for Baltimore Regional Employment & Education Center**

At a time when unemployment and poverty remain significant obstacles for so many Baltimoreans, I am proud to help break down those barriers. To address these obstacles I secured a capital grant in the amount of \$750,000 for CASA de Maryland. The 46th district is home to the largest and fastest growing population of immigrants in the entire state of Maryland. This grant is an investment in inclusive, equitable community development that is so needed in our city. CASA de Maryland is the foremost Latino and immigrant organization in the mid-Atlantic region. This new center will expand CASA’s ability to provide social, human, and educational services directly to the people of Baltimore and the surrounding region.

#### **HB 1041 – Liberty Ship S.S. John W. Brown**

I also passed a bond bill to provide \$50,000 to the Liberty Ship, a beloved historic landmark that is anchored in Baltimore Harbor, one of two surviving fully operational Liberty Ships in the country. The S.S. John W. Brown was built during the emergency shipbuilding program in World War II and is an important historical monument we are lucky to have in Baltimore.

# **PUBLIC SAFETY**

## **Overview**

Our city's legacy of racial injustice underlies the social and economic challenges we face today. We must be honest about this. Disparate treatment of African Americans and other vulnerable groups is at the heart of Baltimore's high rates of unemployment and crime (which are linked), persistent poor health, and diminished life outcomes. Injustice anywhere is injustice everywhere. And until we address the root cause, we will be hampered in our efforts to build the just, healthy and inclusive city that we all want. At the same time, we must deal in the now. What folks all over this district – black, white and Latino – have told me is this: work on root causes, but please take action now to stem the rise of social disorder and violent crime in our neighborhoods. As your state Delegate, it is my duty to try to do both: address deeply entrenched root causes of poverty and crime, while simultaneously protecting public safety in the here and now. During this session, I tried to do both.

The legislation that I supported this session will expand access to health care and quality education for everyone, no matter what their zip code, or genetic code. These measures will help, over time, dismantle the underlying structures of injustice that hold back so many of our people.

In addition, I also supported legislation that addresses public safety in the here and now. I've staunchly supported reform measures, such as changing the cash bail system, which disproportionately harms African Americans. I co-sponsored legislation that applies evidence-based, public health approaches to crime prevention, such as a set of bills that both invest in proactive, diversion approaches to violence reduction. I supported a range of common sense gun control measures, such as banning bump stocks. And I helped pass a bill to investigate Baltimore city's corrupt Gun Trace Task Force.

With regard to mandatory minimum sentencing, I oppose them. They have been used disproportionately to harm African Americans and are not proven to deter the commission of crime, and the evidence that they contribute to rehabilitation is slim. In fact, I voted against SB122 – the so-called omnibus crime bill – in the Legislative Black Caucus. This mostly punitive bill included multiple new enhanced penalties, with no rehabilitation. However, near the end of session, we were presented with a different bill, SB101, which packaged several good policies alongside a mandatory minimum sentence for repeat violent offenders.

Faced with SB101, I was torn. This bill was a mish-mash of proposals. The good ideas included a provision to allow certain offenders to have their records expunged, and protected in-prison drug treatment. Also included was a mandatory minimum sentence for twice-convicted violent offenders, who are in fact the individuals who commit most of the violent crime in our city. There are not many of them – by some estimates, fewer than 40 individuals per year will be affected by this provision – but they do disproportionate damage to our families and our social fabric.

I consulted with colleagues, constituents and advocates, and ultimately, I made the most difficult decision of my career: to support SB101, because it responds to my constituents' demands to do something, right now, to protect our city from repeat violent offenders.

Below is an overview of a few pieces of public safety legislation that were passed this session.

## **Violence Prevention**

### **HB 432 – Public Safety & Violence Prevention Act**

Public health approaches have proven effective in addressing the root causes of violence. That is why I co-sponsored the Violence Prevention Act, which was introduced by my 46th District colleague, Delegate Brooke Lierman. This bill creates a fund that local health departments all over Maryland can apply to in order to determine effective, humane, public health driven approaches to violence prevention. This bill passed both chambers and will become law.

### **HB 113 – Baltimore City Safe Streets Initiatives (Tyrone Ray Safe Streets Act)**

I am a proud co-sponsor of this bill, also known as the Tyrone bill, mandates \$3.6 million per year for expansion of the Safe Streets program in our city. Safe Streets is an evidence-based, effective public health initiative that works to reduce gun violence using outreach workers to mediate conflicts and de-escalate disputes. The McElderry Park neighborhood has had great success with this program; they recently celebrated one year without a single gun homicide. Cherry Hill has also experienced a reduction in gun violence since the Safe Streets program began operating there. This bill passed and will be signed into law.

### **SB 101 – Crimes of Violence, Expungement and Drug Treatment**

This bill packages several measures to improve public safety. It redefines “crimes of violence” as those felonies (e.g., rape, child sexual abuse, etc.) that are committed while possessing a firearm, except for possession with intent to distribute a controlled dangerous substance. It further provides that if convicted of a crime of violence for a second time, the court may not suspend all or part of the mandatory 10-year sentence, and the offender is not eligible for parole--that is the mandatory minimum sentence provision that has raised concerns. This bill also provides, for the first time ever in Maryland, the opportunity for expungement of burglary, theft and possession with intent to distribute. Next year I intend to work to reduce the 15-year waiting period for expungement, because 15 years is too long to wait.

### **Stop Police Corruption**

#### **SB 1099 – Audits of Baltimore City Police Department**

This bill, introduced by my 46th district colleague Senator Bill Ferguson, aims to address the unanswered questions about Baltimore city’s police department. Given the deeply disturbing and dangerous evidence of corruption in our police force, it is nearly impossible to have confidence in our criminal justice system. The Department of Justice Consent Decree, the recent revelations about the Gun Trace Task Force -- the unresolved murder of Detective Suiter -- these glaring facts require unflinching examination and action. SB 1099 aims to increase trust in the Baltimore Police Department. It requires the Office of Legislative Audits (OLA), beginning July 1, 2019, and at least once every six years thereafter, to conduct a financial and performance audit of the Baltimore City Police Department (BPD) to evaluate the effectiveness and efficiency of the financial management practices of BPD. OLA must provide information regarding the audit process to BPD before the audit is conducted. Additionally, the amendment added in committee for SB 1099 would establish the Commission to Restore Trust in Policing, a state review of the Gun Trace Task Force that is essential for Baltimore. I voted for this bill; it passed both chambers and will become law.

### **Common Sense Gun Control**

#### **HB 888 – Rapid Fire Trigger Activator Ban**

I am a proud co-sponsor of HB 888 which proposes to ban bump stocks and devices like bump stocks. A bump stock enables a semi-automatic firearm to fire at a rate similar to that of a fully automatic firearm. The shooter in Las Vegas used a bump stock and was able to shoot over 1,100 rounds of ammunition in just a couple of minutes. All of us witnessed the horror and carnage that took place in Las Vegas. Bump stocks and similar devices have no place in Maryland (or anywhere). This bill passed both chambers and will become law.

### **Reform Juvenile Justice**

#### **HB 1524 – Juvenile Justice Coordinating Council**

This bill, introduced by my fellow District 46th colleague Delegate Luke Clippinger proposed to create the Juvenile Justice Coordinating Council to study and make recommendations to improve the way juveniles are treated in the system. HB 1524 passed the House; however, it did not make it thru the Senate. I feel strongly that we need to keep trying and will support Delegate Clippinger efforts to that end next year.

## **ENVIRONMENT**

### **Clean Air, Land & Water**

#### **HB 26 – Community Healthy Air Act**

I introduced this bill to set up a study of potential air quality impacts in areas surrounding large animal feeding operations. Despite great support from community members and advocates, this bill was not permitted to come to a vote in committee. I look forward to continuing to work on air quality and environmental justice next year.

#### **HB 538 – Expanded Polystyrene Food Service Products Prohibition**

I proudly co-sponsored the “Styrofoam Ban” bill to stop this awful source of pollution in our waterways and on our streets. Unfortunately, despite significant support from the residents of District 46 and others all around the state, the bill was not allowed to come to a vote in the Environment & Transportation Committee. I look forward to working with my colleague Delegate Brooke Lierman, the bill’s lead sponsor, to make sure this bill passes. (The City Council of Baltimore did successfully pass a Styrofoam ban recently, which will strengthen our case when we bring the bill back to the General Assembly!)

#### **HB 766 – Forest Conservation Act**

I was proud to co-sponsor this bill. The Forestry Conservation Act drew great attention from constituents this year, as it did last year. After numerous hearings, the bill was amended to the form of a study. The results of the study will be reported next year, and further policy decisions may be made at that time. The bill passed out of the House and Senate and will become law.

## **CLEAN ENERGY**

#### **HB 1135 – Offshore Wind Projects Distance Requirements**

This dangerous bill threatened to effectively dismantle the future of wind power in our state. Luckily, the bill was shot down in committee, and now our ability to invest in wind power and expand our renewable energy portfolio remains intact. The two wind power projects that have been approved by the Public Service Commission (PSC) will be able to proceed as planned.

#### **HB 1632 – Certificate of Public Convenience and Necessity – Rapid Health Impact Assessment Requirement**

I introduced HB 1632 to ensure human health as a consideration when large scale energy projects are being considered by the Public Service Commission (PSC). I wanted to require the PSC to include results of a Health Impact Assessment whenever the PSC reviews applications for energy generation projects, like power plants. Unfortunately, the bill was voted unfavorable by the Economic Matters Committee. I intend to continue working on this issue.

#### **HB 3 – U.S. Climate Alliance – Membership**

Following the current president’s ridiculous announcement to withdraw the United States from the 2016 Paris Climate Agreement, Maryland has stepped up to stop this reckless action. HB 3 keeps Maryland firmly in the U. S. Climate Alliance. This bill passed the House and Senate and will become law.

## **TRANSPORTATION**

### **Improve Bus Service**

#### **HB 749 – Dedicated Bus Lanes Enforcement Bus Monitoring Cameras Authorization**

I sponsored this bill, which was originally entitled “Bus Monitoring Cameras Authorization.” This proposal was designed as enabling legislation to permit local transit agencies, like the Maryland Transportation Administration (MTA), to use on-board cameras to enforce dedicated bus lanes. Baltimore city already has 5 miles of dedicated lanes; however, the lanes are frequently blocked, which undermines the quality of service throughout the entire network. During working the bill, it was amended to enable MTA to assess best

practices for bus lane enforcement. The bill passed unanimously out of the House, but was unfortunately held in the Senate. I look forward to taking up this bill again next year.

### **Secure Transit Funding**

#### **HB 372 – Maryland Metro/Transit Funding Act**

I am proud to have co-sponsored this important bill, which ensures, for the first time, a reliable and significant funding stream for Maryland’s Transportation Administration.

### **Reduce Car Dependence**

#### **HB 1637 – Parking Cash Out**

I sponsored this bill, designed to create a new incentive for folks to get out of their cars and walk or bike to work. This bill would require that employers who provide free (or subsidized) parking to employees offer an option for a cash allowance equivalent to the cost of this parking space. This bill was heard very late in session. Unfortunately, the Economic Matters Committee voted unfavorably on it. I think if it had been heard earlier, there would have been more time to fight for it. Next year, I intend to try again.

## **PROTECT DEMOCRACY**

#### **SB 1048 / HB 152 – Secure and Accessible Registration Act**

I helped to pass the Secure and Accessible Registration Act, a bill that would establish automatic voter registration, streamlining the process at the Motor Vehicle Administration and other government offices. The legislation passed the House and the Senate and will be signed into law. Maryland would become one of a dozen states to approve automatic voter registration.

#### **HB 532 – Registration and Voting at Precinct Polling Place**

I am a proud co-sponsor of this bill because it protects and furthers our democracy. Every Marylander has a fundamental right to vote, and to have their vote counted. This bill introduces a new form of Automatic Voter Registration (AVR) to Maryland. It works by shifting the voter registration process from opt-out instead of opt-in. This bill passed both chambers with a constitutional majority and will become law.

## **ANIMAL WELFARE**

#### **HB 732 – Humane Adoption of Companion Animals Used in Research Act of 2018**

Commonly known as the “Beagle Bill,” this legislation is designed to ensure that any dog or cat used for “scientific research purposes” can be adopted when the animal is no longer the subject of research. I voted for this bill, which passed unanimously in both chambers and will become law.

## **CRAFT BREWING**

#### **HB 518 – Reform on Tap Act of 2018**

I received many, many emails from constituents who supported this bill. It proposed to repeal certain restrictions on serving, brewing and selling beer by a Class 5 brewery license holder, or a Class 7 micro-brewery license holder. HB 518 did not advance out of committee this session.