

## MONTGOMERY COUNTY OFFICE OF INTERGOVERNMENTAL RELATIONS GENERAL ASSEMBLY 2020 END OF SESSION SUMMARY

### Introduction

The 2020 session began as required by the Maryland Constitution on the second Wednesday in January but ended in an extraordinarily unusual manner on the 71st day when the General Assembly adjourned *sine die* for the first time since the Civil War in less than the full 90 days authorized under the Maryland Constitution. Prior to adjournment, the Speaker and the President announced their hopes that the General Assembly would return for a special session at the end of May to consider veto overrides and any action necessary to help the State respond to the outbreak of the Novel Coronavirus Disease 2019 (COVID-19).

The second year of the current four-year term for the 188-member body was destined to be historic before it started. Adrienne Jones (D-Baltimore County) would serve her first term as Speaker, becoming the first woman and first African American to serve in that position. Bill Ferguson (D-Baltimore City) would serve his first term as President of the Senate, becoming, at 36, the second youngest person to ever serve in that position, and replacing Thomas V. (Mike) Miller (D-Prince George's and Calvert Counties), who had served longer than any other Senate president in Maryland history. The Commission on Innovation and Excellence in Education (Kirwan Commission) completed its three-year comprehensive review of the State's public education system in December 2019 and the Commission's recommendations for overhauling the system were expected to be a major focus of the entire General Assembly.

However, the work of the General Assembly was overshadowed by a gravity unforeseen by most people before the start of session as it rushed to complete work in the face of a public health emergency caused by the outbreak of COVID-19, a respiratory virus that had never infected humans before it was first identified in Wuhan, Hubei Province, China in December 2019. The first three reported cases of COVID-19 in Maryland were Montgomery County residents. On March 5, Governor Larry Hogan [declared a state of emergency](#) caused by the COVID-19 outbreak and directed the Maryland Department of Health (MDH) and Maryland Emergency Management Agency (MEMA) to ramp up coordination among all State and local agencies. To help control the spread of the virus, the Governor, Speaker and President worked together to restrict public access the State House and legislative complex and legislative leaders worked with committees to prioritize legislation. By March 11, the World Health Organization had declared a global pandemic and Maryland's leaders were taking unprecedented efforts to identify and implement policies that could help protect Marylanders.

In the midst of a public health crisis, the General Assembly managed to pass over 650 bills, including legislation to overhaul the State's public education system, greatly enhance the State's school construction program, and provide funding and emergency powers to the Governor to respond to the COVID-19 crisis. Thanks to the Montgomery County Delegation's hard work and commitment to moving the [County's agenda](#) forward, most of the County's goals for the 2020 session were met. Delegation members also provided remarkable leadership

regarding public education, school construction, COVID-19 and many other major Statewide issues. The County is extremely grateful for their service.

This summary highlights legislation relating to the [County's priorities](#) and key Statewide matters impacting the County. Please note that a red asterisk (\*) after a bill number indicates that the bill was vetoed by the Governor for policy purposes. A link to the Governor's letters describing his reasoning for these vetoes is provided at the end of this document. **Attachment 1** shows the final status of local and bi-county bills.

### **Novel Coronavirus Disease 2019 (COVID-19)**

On March 5, the Governor submitted a supplemental appropriation requesting \$10 million for COVID-19 preparedness activities in fiscal 2020 that was subsequently included in the State budget bill ([SB 190](#)). The General Assembly fast-tracked *State Budget - Revenue Stabilization Account Transfers - Coronavirus* ([SB 1079](#)) to authorize the Governor to use \$50 million from the Revenue Stabilization Account (Rainy Day Fund) to fund costs associated with the State's response to COVID-19. The bill was signed by the Governor on March 9, eight days after introduction. The General Assembly expanded the Governor's authority in the *Budget Reconciliation and Financing Act of 2020* ([SB 192](#)) to allow the Governor to use another \$100 from the Rainy Day Fund.

On March 19, the day after *sine die* and ten days after introduction in the General Assembly, the Governor signed the *COVID-19 Public Health Emergency Protection Act of 2020* ([HB 1663](#)) to expand the authority of the Governor and other State officials to protect public safety, including authority relating to health insurance, Medicaid, price gouging, State health care workers, and unemployment insurance. The two major pieces of tax legislation passed during the 2020 session ([HB 732\\*](#) and [HB 932\\*](#) – discussed further below) declare the General Assembly's intent, if necessary, that all revenues collected in fiscal 2021 from new taxes imposed on tobacco products, e-cigarettes, digital advertising, and digital downloads be used to fund costs associated with COVID-19.

With regard to health insurance and Medicaid, [HB 1663](#) authorizes the Governor to: (1) prohibit insurance carriers from requiring cost sharing for COVID-19 testing; (2) order the Maryland Department of Health (MDH) to cover the costs of COVID-19 testing that are not covered by insurance; (3) require insurance carriers and Medicaid to covered COVID-19 immunization without cost-sharing; (4) establish or waive telehealth protocols for COVID-19 and require reimbursement for telehealth services; and (5) develop and implement orders to minimize disruption for individuals seeking to enroll in the Maryland Health Benefit Exchange, facilitate insurance reimbursement for telehealth services and other essential services to minimize the risk to public health.

With regard to price gouging, [HB 1663](#) authorizes the Governor to prohibit a retailer from increasing the sale or rental price of any good or service to obtain a profit of more than 10%. The bill also authorizes the Governor to prohibit an employer from terminating an employee solely because the individual has been isolated or quarantined and to order MDH to

authorize alternative work weeks for employees of State health care facilities to allow for the most expeditious use of the available workforce.

The bill modifies the State's unemployment insurance law by giving the Secretary of Labor authority to determine that an individual is eligible for unemployment insurance benefits even if the individual was not officially separated from the individual's employment if: (1) the employer temporarily ceases operations due to COVID-19, preventing employees from coming to work; (2) the individual is quarantined due to COVID-19 with the expectation of returning to work after the quarantine is over; or (3) the individual leaves employment due to a risk of COVID-19 exposure or infection or to care for a family member due to COVID-19.

The General Assembly also passed *Health Care Practitioners - Telehealth and Shortage (HB 448)*, authorizing the use of telehealth by all types of health care practitioners and *Telehealth - Mental Health and Chronic Condition Management Services - Coverage and Pilot Program (SB 502)*, expanding Medicaid and private insurance coverage for mental health services provided via telehealth in a patient's home setting.

In the final weeks of session and immediately thereafter, the Governor issued 20 [Executive Orders](#) to address the spread of COVID-19, including orders that: prohibited gatherings of more than 250 people and closed senior centers (3/12); extended the expiration dates of State and local licenses, permits and registrations (3/12); activated the National Guard (3/12); modified attendance and leave policies for State employees (3/12); closed terminals and ports to passenger vessels (3/12); expanded access to child care (3/13); closed casinos, racetracks and betting facilities (3/15); prohibited gatherings of more than 50 people (3/16); prohibited termination of utility, telephone and internet services (3/16); prohibited evictions (3/16); expanded emergency medical services (3/16); established interstate reciprocity for health care licenses (3/16); waived vehicle weight limits (3/19); established rules for delivery of alcoholic beverages (3/19); authorized access to telehealth (3/20); prohibited gatherings of 10 or more people and closing restaurants and bars except for take-out and delivery (3/20); fast-tracked laboratory testing processes (3/22); closed nonessential business (3/23); prohibited price gouging (3/23); and expanded access to child care for essential personnel (3/25).

On March 12, six days before the end of session, the State Superintendent of Schools announced that schools would be closed statewide for two weeks between March 16 and March 27. During the temporary closure, the Superintendent directed that all school buildings and school buses be cleaned and disinfected to prevent spread of the virus upon the return of students and staff to school. Thirteen days later, on March 25, the Superintendent announced that the closure period would be extended for four weeks until April 24.

On March 17, the Governor issued a [Proclamation](#) to postpone the 2020 Primary Election scheduled for April 28 until June 2. The Proclamation directed the State Board of Election (SBE), in consultation with the Maryland Department of Health, to prepare a Comprehensive Plan for the conduct of the Primary Election to "minimize injury and damage from the COVID-19 public health catastrophe, and save lives, while, to the fullest extent possible given the interference in the electoral process . . . inspire public confidence and trust in the conduct of the Primary Election." Although the Proclamation requires the Special General Election to fill the

vacancy in Seventh Congressional District (formerly held by Congressman Elijah Cummings) to proceed on April 28, it requires that the election be conducted by mail.

The Speaker and President have established a 24-member [Joint COVID-19 Legislative Response Workgroup](#) to monitor the State's response to the public health crisis in the coming months and serve as a liaison between constituents and the Governor and executive branch agencies. The Workgroup includes three Montgomery County legislators – Senator Nancy King, Senator Will Smith, and Delegate Eric Luedtke.

## **Education**

### ***PreK-12 Public Education***

In 2019, the General Assembly made a historic commitment to improving the State's public schools by passing the *Blueprint for Maryland's Future* ([SB 1030](#)). That bill began to implement the visionary policy goals outlined in the [Interim Report](#) of the Commission on Innovation and Excellence in Education (Kirwan Commission). That report outlined a comprehensive plan to phase in fundamental changes in the State's approach to pre-kindergarten (preK) through grade 12 public education over a 10-year period for the purpose of addressing challenges relating to early childhood education, recruiting and retaining teachers, college and career readiness pathways, serving students with special needs and governance and accountability. This year, the General Assembly followed up as expected with passage of the *Blueprint for Maryland's Future - Implementation* ([HB 1300](#))\* to implement the comprehensive long-term plan. SB 1030 (the Blueprint) was passed on St. Patrick's Day and is awaiting the Governor's signature, passage without his signature, or veto. If the Governor vetoes the bill, the veto could be overturned when the legislature meets again.

The Blueprint phases in fundamental changes to the current Foundation, Compensatory Education, English Language Learner and Special Education formulas, and creates a new Comparable Wage Index formula to replace the current Geographic Cost of Education Index as a mechanism for providing additional funding for Montgomery County and ten other counties where the cost of providing educational services is relatively high compared to the rest of the State. The bill also phases in new formulas to support preK services, schools with concentrations of poverty, college and career readiness programs, increased teacher salaries, and a new career ladder for teachers. An existing formula to support struggling learners will continue through fiscal year 2026 and a new formula will provide transitional grants to Montgomery County and eleven other counties between fiscal years 2025 and 2030.

Numerous State-funded categorical programs are expanded or created under the bill, including programs relating to infants and toddlers, teacher quality and diversity, school-based health centers, Judy Centers, family support centers, childcare accreditation, and community support partnerships. Overall, the bill is projected to increase total State education funding by \$2.8 billion in fiscal 2030. The County is projected to receive an increase of [\\$178.9 million](#) in State aid in fiscal 2030 and will be required to provide an additional [\\$103.6 million](#) in local funding that year.

One major component of the Blueprint is the expansion of full-day preK services for low income three and four year olds that begins in the 2022-2023 school year for children whose families have incomes that are less than 300% of the federal poverty level (FPL) and in the 2024-2025 school year for children whose families have incomes between 300% and 600% of the FPL. The first category of students will receive free preK services. The families of students in the second category must pay a share of the costs based on a sliding scale. By the 2025-2026 school year, 50% of preK services must be supplied by private providers. However, the bill allows a school system to apply for a waiver if the required number of private providers is not needed to provide services to all eligible students or there are not enough providers.

The bill reflects serious concern about the likely significant impact of COVID-19 and other future fiscal events on State revenues and establishes an annual “trigger” for an automatic reduction in the mandated growth in State education aid if there is a precipitous drop in anticipated revenues. Specifically, if the December General Fund revenue estimate for any given year is more than 7.5% below the March General Fund revenue estimate for that year, the increase in State aid for that next fiscal year must be limited to the rate of inflation.

The bill establishes a five-year checkpoint to evaluate whether the Blueprint is being implemented as intended and demonstrated progress is being made. If the new Accountability and Implementation Board (AIB) determines that either one of those requirements have not been met, the increase in State aid in fiscal 2026 and each fiscal year thereafter will be limited to the rate of inflation and local school systems will not be required to further implement the Blueprint. However, if the AIB makes such a determination, the bill provides that it is the intent of the General Assembly that it will take immediate action to adjust the Blueprint formulas and policies to achieve its goals and provide adequate funding for implementation. The bill also requires an evaluation in both 2023 and 2024 as to whether there is sufficient dedicated funding available to fund the Blueprint in fiscal 2026 and thereafter through fiscal 2030. However, there is no specified consequence if it is determined that there is a deficit in dedicated funding.

### ***Libraries – Lifelong Learners***

The *Building Lifelong Library Learners Act* ([HB 1000/SB 524](#))\* prohibits a public library from charging a fine for a minor’s overdue book or a replacement fee until 21 days after the due date. If an overdue book is returned after a library has charged a replacement fee, the library must cancel the fee or reimburse the minor. The bill increases per capita State aid for: (1) the State Library Resource Center by \$0.04 annually between fiscal 2022 and fiscal 2024, when it reaches \$1.97 and remains at that amount in subsequent years; and (2) County libraries from \$16.70 to \$17.10 in fiscal 2022 and each subsequent year. The latter increase will result in an increase in annual State aid to Montgomery County of approximately \$85,000. The bill also increases the current \$5 million mandatory appropriation for local library capital projects to \$7.5 million starting in fiscal 2022.

### ***Public School Construction***

For nearly a decade, Montgomery County has pursued as a top priority securing a commitment from the State to significantly increase funding for public school construction. The

*Built to Learn Act of 2020* ([HB 1](#)), which allows for an accelerated build out of public school construction in the State, could finally make this a reality. Specifically, beginning in fiscal 2022, proceeds from up to \$2.2 billion of bonds to be issued by the Maryland Stadium Authority would be made available to local jurisdictions for public school construction. Montgomery County's allocation of these proceeds would be approximately \$420 million, which would need to be spent over the next 10 years. This additional funding would supplement funding streams from existing State programs. For fiscal 2021, these programs will spin off \$54 million for investment in Montgomery County's public school construction program. Combined, this new level of State investment would allow Montgomery County to begin making a meaningful difference in addressing its huge backlog of public school construction projects.

[HB 1](#) includes a provision making it effective on June 1, 2020, contingent on the *Blueprint for Maryland's Future – Implementation* ([HB 1300](#)) also taking effect. The Governor allowed [HB 1](#) to become law without his signature but vetoed [HB 1300](#). As a result, unless the General Assembly overrides that veto, [HB 1](#) will remain a legally valid law but will never take effect. If an override occurs, [HB 1](#) will take effect immediately.

### ***The Universities at Shady Grove***

*Universities at Shady Grove Regional Higher Education Center* ([HB 1205/SB 553](#)) expressly establishes the Universities at Shady Grove (USG) Regional Higher Education Center in the University System of Maryland. USG is Montgomery County's only 4-year public institution of higher education and the County has made significant investments in the development of its campus. Therefore, Delegation members were strong supporters of providing a higher profile for USG in the System by formally identifying it by name and specifying its purpose and funding.

### **Transportation**

There were a number of bills introduced during the session that were directed at the on-going controversy in the County related to the Administration's Traffic Relief Plan. These included proposals that would have codified the conciliatory public commitments made by the Administration about how the I-495 / I-270 portion of the project would proceed going forward, restated the process by which tolls for transportation projects involving a public private partnership (P3) agreement would be established, *Public-Private Partnerships - Highway and Bridge Toll Facilities - Rates (No Lexus Lane Act)* ([HB 1220](#)), and revised the P3 procurement process going forward *Public-Private Partnerships - Process and Oversight* ([HB 1424](#)). These bills did not make it through both houses before the session ended. However, shortly after the session convened, progress on the County's transportation priorities had already begun.

Under new Maryland Department of Transportation (MDOT) leadership, rebuilding the American Legion Bridge was added to the Plan and along with the widening of I-270, was advanced to Phase 1 of the multi-phased project and the Corridor Cities Transitway, which had been removed from the Consolidated Transportation Plan, was restored. Two other pieces of transit-related legislation also passed. The first, *Transit - Maryland Area Regional Commuter Train - Expansion of Service* ([HB 1236](#)),\* requires the Maryland Transit Authority to negotiate

with Delaware, the District of Columbia, and Virginia to agree on pilots to establish greater MARC train connectivity between job centers. The second, *Transportation - Maryland Metro/Transit Funding Act - Alterations* ([HB 86](#)),\* clarifies how certain expenditures are considered for purposes of calculating the increase in the annual operating budget for the Washington Metropolitan Area Transit Authority (WMATA).

### **Local Decision-Making Authority**

Montgomery County worked closely with the Maryland Association of Counties (MACo), Maryland Municipal League (MML) and other local governments to successfully oppose a bill during the 2019 session that would have prohibited community input regarding the siting of small wireless facilities throughout the State ([HB 654/SB 937](#)). The County continued to work with MACo and MML throughout the 2019 Interim and into the 2020 session to persuade lawmakers that such a bill was not necessary. Those efforts paid off when industry representatives decided not to seek a bill this year because of the poor chance of passage. Legislation that would have preempted the County's local carryout bag tax law, *Plastic Bag Reduction Act* ([HB 209/SB 313](#)), was amended by the full House and Senate Finance Committee to preserve the County's program for paper bags. However, the bill never received a vote in the full Senate. A bill that would have preempted the County's excise tax on electronic smoking devices, *Tobacco Tax, Sales and Use Tax, and Digital Advertising Gross Revenues* ([HB 732](#)),\* was amended before passage to preserve the County's taxing authority. A bill that would have expressly preempted a County's planning and zoning authority regarding large scale solar generating facilities, *Certificate of Public Convenience and Necessity - Electric Facilities - Study and Procedures* ([HB 1390/SB 741](#)), died in both chambers.

For the past several years, the General Assembly has considered legislation to reform State law governing the licensure of electricians, including preemption of local licensing authority. Currently, Montgomery County and four other jurisdictions issue licenses for less experienced journeyman electricians and all but one jurisdiction issue licenses for master electricians. The County's Department of Permitting Services operates a robust licensing program and the County also maintains a local electrical board that is familiar with local codes, practices, problems and issues. During the 2019 session, Montgomery County worked extensively with the sponsor of [HB 792](#) legislation and other stakeholders to prepare amendments that would ensure existing local licensing programs and boards would not be preempted by the legislation. While that bill ultimately received an unfavorable committee report last year, the amendments to preserve local licensing programs were incorporated into the *Maryland Electricians Act of 2020* ([HB 1127/SB 994](#)). This bill was passed by the General Assembly with amendments that rewrote the bill and created a Department of Labor Workgroup charged with studying statewide licensure, including the role of local governments.

The County successfully pursued a statewide bill, *Property Tax Credits - Disabled Veterans* ([HB 257/SB 700](#)), which gives local governments authority to create a property tax credit for an individual who: (1) is an active-duty member, honorably discharged or retired member of the uniformed services, military reserves or national guard regardless of age; and (2) has a service-connected disability. The credit may also be extended to a surviving spouse who has not remarried. The General Assembly also passed *Montgomery County - Inspector General -*

*Montgomery County Public Schools* ([HB 795](#)), which authorizes the County to enact a local law that gives the County’s Inspector General authority over Montgomery County Public Schools (MCPS). If the Governor signs this bill, no changes need to be made to County law to implement the bill because County law already includes language that extends the Inspector General’s authority to all “Independent Agencies” created by State law, including MCPS. This component of County law is currently unenforceable against MCPS because the State has not yet granted authority to the County to include MCPS under the Inspector General’s jurisdiction. In essence, [HB 795](#) makes existing County law enforceable against MCPS.

## **Taxation**

In an effort to raise revenue to support the implementation of the Blueprint for Maryland’s Future, a number of bills were introduced ranging from the elimination of tax credits to placing a sales tax on services. Ultimately, the General Assembly settled on two pieces of legislation that, together, are expected to raise approximately \$400 million in new revenues per year. The first bill, *Tobacco Tax, Sales and Use Tax, and Digital Advertising Gross Revenues Tax* ([HB 732](#)),\* raises the tobacco tax on a pack of cigarettes from \$2 to \$3.75 and on other tobacco products from 30% of the wholesale price to 53%. The bill also imposes a 60% sales tax on vaping liquid and a 12% sales tax on electronic smoking devices. Neither of these products had been subject to a State tax before; however, Montgomery County previously imposed a 30% excise tax on electronic smoking devices. [HB 732](#) preserved the County’s taxing authority in this area. Unrelated to health, [HB 732](#) also imposes the 6% sales tax on digital advertising. The second bill, *21<sup>st</sup>-Century Economy Fairness Act* ([HB 932](#)),\* imposes the 6% sales tax on digital downloads. New revenues collected for fiscal 2021 attributed to the implementation of these bills may be dedicated to fund COVID 19 related expenditures. Beginning in fiscal 2022, revenues from [HB 932](#) will be dedicated to the Blueprint for Maryland’s Future Fund.

From a local perspective, there were three other pieces of legislation that were noteworthy. Two bills, both of which failed, would have provided opportunities to make local tax systems more progressive. *County Property Tax - Classifications of Real Property and Authority to Set Special Rates* ([HB 1276](#)) would have allowed counties to establish new subclasses of real property subject to a county property tax and set special property tax rates. *County Income Tax - Authority to Impose on an Income Bracket Basis* ([HB 1494](#)) would have allowed counties and Baltimore City to impose local income tax rates on a bracket basis. That bill also would have increased the maximum local income tax rate that could be imposed from 3.2% to 3.5%. *County Tax Fairness Act* ([HB 621](#)), which did pass, will extend the timeline for local governments to repay the Local Income Tax Reserve Account for local income tax refunds issued to taxpayers impacted by the 2015 *Wynne* Supreme Court decision. Enactment of this legislation will have a significant positive impact for Montgomery County finances since over 70% of the total amount refunded could be attributed to the County.

## **Elections**

With the 2020 Primary and General Elections on the near horizon, the General Assembly passed *Election Law - Absentee Voting - References in Public Communications and Prepaid Postage for Return of Ballots* ([HB 37/SB 145](#)), which requires that return envelopes supplied to

voters by local boards of elections include pre-paid postage. The bill also requires the State Board of Elections (SBE) and each local board of elections to refer to an absentee ballot as a “mail-in” ballot and absentee voting as “mail-in” voting. [HB 37/SB 145](#) is an emergency bill that takes effect when signed by the Governor. A second bill relating to an issue of significant concern to the County, *Election Administration - Absentee Ballot Canvass and Moratorium of Use of Wireless Network* ([HB 555/SB 362](#)), came close to passage but ultimately failed on the last day of session when the House failed to concur in the Senate amendments to [HB 555](#).

[HB 555/SB 362](#) would have addressed an issue that arose in the fall of 2019 when the Montgomery County Board of Elections received notice from the State Elections Administrator (Administrator) that the County, along with five other jurisdictions (Baltimore City and Prince George’s, Howard, Baltimore, and Anne Arundel counties), would be required to use a new wireless networking system during the 2020 election cycle. The County was concerned from the start about potential cybersecurity vulnerabilities and malfunction on election day. When the Administrator eventually gave all six jurisdictions discretion to opt out of using the new system, the County immediately announced its decision to do so.

The primary reason for implementing the wireless system, as articulated by the Administrator, was the need to identify any absentee ballots submitted by voters who also submitted a provisional ballot in time to start the absentee ballot canvass at 10:00 a.m. on the Thursday following the Election, as required by current law. [HB 555/SB 362](#) would have eliminated the need for wireless networking for that purpose because it would have allowed the absentee ballot canvass to start up to 24 hours later. That additional flexibility would have provided the SBE and local boards with more time for the necessary preparatory work before the canvass. The bill also would have prohibited the use of the wireless system during the 2020 election cycle to transmit data between local precinct polling places and the SBE.

## **Environment**

A number of bills aimed at combatting climate change and reducing the State’s carbon footprint failed this year, including the *Plastic Bag Reduction Act* ([HB 209/SB 313](#)), *Renewable Energy Portfolio Standard - Eligible Sources* ([HB 438/SB 560](#)) and *School Bus Purchasing - Zero-Emission Vehicle - Requirement* ([HB 1451](#)).

[HB 209/SB 313](#) would have prohibited a retailer from providing a customer with a plastic carryout bag. As introduced, the bill also would have required retailers to collect and retain 10 cents for every paper bag provided to a customer and preempt existing local programs that regulate the use of plastic and paper bags, including Montgomery County’s Carryout Bag Tax law which requires customers to pay 5 cents for each paper or plastic bag provided by a retailer. The County’s Bag Tax has generated approximately \$20 million for the County’s Water Quality Protection Fund since its inception in 2012. This revenue has funded important County initiatives to improve the water quality of streams and reduce the impacts of stormwater, including: (1) inspection and maintenance of stormwater management facilities; (2) restoration of polluted and eroded streams; (3) watershed restoration to add stormwater controls and improve local water quality; (4) stream monitoring; and (5) storm drain cleaning and maintenance. The bill was amended by the full House and Senate Finance Committee to remove

the 10 cents fee and preserve local programs like the County's Carryout Bag Tax for paper bags while still banning plastic bags across the State. However, neither bill received a final vote in the full Senate before the General Assembly adjourned.

[HB 438/SB 560](#) sought to make changes to the Renewable Energy Portfolio Standard (RPS), which requires utility companies to purchase renewable energy or renewable energy credits (RECs) in an effort to shift the use of electricity produced from fossil fuels. During the 2019 session, the General Assembly approved legislation that requires half of the State's electricity supply to come from renewable sources by 2030, doubling the previous goal of 25% by 2020 ([SB 516](#)). [HB 438/SB 560](#) would have removed waste-to-energy and refuse-derived fuel from the list of Tier 1 renewable sources on January 1, 2021, making it more difficult for those facilities to sell RECs. Montgomery County operates a waste-to-energy facility in Dickerson, Maryland. The County Executive has voiced his support for closing the Dickerson facility. Both the County Executive and County Council supported this bill.

*School Bus Purchasing - Zero-Emission Vehicle - Requirement* ([HB 1451](#)) would have required local school systems to begin purchasing zero-emission school buses beginning on October 1, 2023; thereby moving the State's 650,000 school bus riders onto a cleaner and greener fleet. The County Executive testified in support of this bill as it aligns with County's goals of eliminating greenhouse gas emissions completely by 2035 and is consistent with plans that are already underway in the County to transition all Ride On buses to electric vehicles.

## **Utilities**

As introduced, *Electric Industry - Community Choice Energy - Pilot Program* ([HB 561/SB 315](#)) was an enabling law authorizing a local government to create an "opt-out" Community Choice Energy (CCE) program under which the government purchases or generates electricity for its residents and businesses. The CCE model provides communities with additional control over their energy provider choices. It allows local governments to amass demand to negotiate better rates and choose cleaner energy sources. The bill was amended in the House to create a seven-year CCE pilot program for Montgomery County. The County fully supported both the original bill and the pilot program, but the bill never advanced out of the Senate Finance Committee.

On August 10, 2016, Montgomery County experienced the terrible consequences that can occur when indoor natural gas infrastructure fails. Seven residents, including two children, were killed in an explosion at the Flower Branch Apartments in Silver Spring. The National Transportation Safety Board determined that the probable cause of the explosion was the failure of an indoor mercury service regulator with an unconnected vent line that allowed natural gas into the meter room where it accumulated and ignited from an unknown ignition source. A bill that would have required interior gas regulators in occupied buildings to be moved outdoors, *Public Utilities - Gas Service Regulator Safety (Flower Branch Act)* ([HB 408](#)) was passed by the House but never taken up by the Senate Finance Committee. The House version would have required that a gas regulator be installed outside a building whenever new gas service is provided to the building. With certain exceptions, the bill also would have required that an existing

interior gas service regulator in a multifamily residential building of at least six dwelling units be relocated outside whenever a gas service line or regulator is replaced.

## **Housing**

There were several bills introduced this year aimed at addressing the rapidly increasing need for additional affordable housing across the State. In Montgomery County alone, 92% of our households earning under \$50,000 are spending over 30% of that income on housing, and 61% are spending over 50% of that income on housing. The County currently has a shortage of over 20,000 units affordable to households with under 30% of the area median income (AMI). A recent [report](#) by the Metropolitan Washington Council of Governments on regional housing needs projects that the County will need affordable housing options for an additional 11,000 households under 30% AMI in the next ten years.

*Land Use - Comprehensive Plan - Middle Housing (Planning for Modest Homes Act of 2020)* ([HB 1406](#)) would have required local jurisdictions to address “middle housing” as a component of the housing element of its comprehensive plan. “Middle housing” includes duplexes, triplexes, quadplexes, cottage clusters, and town houses – the types of housing between single family homes and large apartment complexes which are often not contemplated by comprehensive zoning plans. The bill passed the House but was never taken up by the Senate Education, Health and Environmental Affairs Committee.

Another bill sought to create tax incentives for developers to build affordable housing. *Housing and Community Development - Affordable Housing Development Credit Program* ([SB 715](#)) would have created a credit against the State income tax for the owner or developer of a low-income housing project that is a qualified development. Under the bill, the Secretary of the Department of Housing and Community Development could not approve a project unless the applicant demonstrates the tax credit is necessary for the financial viability of the development and must competitively award tax credits in a manner consistent with the State’s qualified allocation plan under the federal low-income housing tax credit. Montgomery County’s Director of Housing and Community Affairs testified in support of this legislation and while it did not advance this year, incentivizing private investment in affordable housing will continue to be a necessary avenue for the State to take in meeting its housing goals.

Since 2010, numerous bills have been introduced in the General Assembly to prohibit landlords and property owners from discriminating against renters and buyers based on source of income. This year the General Assembly addressed this issue by passing the *Housing Opportunities Made Equal Act* ([HB 231/SB 530](#)). The bill defines “source of income” as any lawful source of money paid directly or indirectly to or on behalf of a renter or buyer, including income from: (1) any lawful profession, occupation or job; (2) any government or private assistance, grant, loan or rental assistance program, including low-income housing assistance certificates and vouchers; (3) any gift, inheritance, pension, annuity, alimony, child support or other consideration or benefit; and (4) any sale or pledge of property or an interest in property. While source of income discrimination has been prohibited in Montgomery County for quite a while, this has not been the case Statewide. [HB 231/SB 530](#) does not preempt the County’s local law.

## **Health and Human Services**

### ***Tobacco***

A bill that failed this year, *Business Regulation - Flavored Tobacco Products - Prohibition* ([HB 3/SB 233](#)), would have prohibited the manufacture, sale and distribution of flavored cigarettes (including menthol) and restricted the retail sale and consumption of other flavored tobacco products to smoking bars. The bill also would have prohibited the manufacture, sale and distribution of closed and cartridge-based electronic smoking devices (ESDs). [HB 3](#) passed the House but the Senate Finance Committee never acted on either [HB 3](#) or [SB 233](#). Similar laws have been passed in several other states. At the federal level, a bill to ban flavored tobacco products and place restrictions on the sale of ESDs passed the House of Representatives in February of this year but has stalled in the U.S. Senate.

### ***Developmental Disabilities***

To address to concerns about potential service delivery impacts, the General Assembly passed *Developmental Disabilities Administration - Program Changes and Required Reports* ([HB 984/SB 796](#))\* to delay implementation of the Long Term Services and Supports (LTSS) software system and new developmental disabilities Medicaid waiver definitions until July 1, 2021 and the Electronic Visit Verification (EVV) system until December 1, 2020. The bill also requires a six-month pilot demonstration that would involve every developmental disability services provider in the LTSS system. Additionally, the Developmental Disabilities Administration (DDA) must ensure that: (1) there are no adverse impacts from the implementation of LTSS and EVV; (2) an individual who loses eligibility for services has 30 days to appeal the determination; (3) services will continue while an appeal is in process; and (4) DDA will notify the service provider of an individual notified of loss of service when the loss of eligibility notice is sent to the individual. This bill was sought by stakeholders involved in providing services to people with developmental differences in order to ensure that the transition to the LTSS and EVV systems would not be disruptive to the provision of these services, given that significant issues had arisen in the small pilot DDA had conducted.

A bill that would have established a State Advisory Council on Self-Directed Services, *Public Health- Demonstration Program Developmental Disabilities* ([HB 1171/SB 959](#)), failed this year. The Advisory Council would have been charged with reporting to the Governor and General Assembly on how well the current “self-directed services” process meets needs of participants and recommendations for the improvement of self-directed services. Self-directed services are a service delivery option for people who wish to exercise more choice, control and authority over their supports. Self-direction gives waiver participants and families greater control over the services they receive, how they receive them and who provides them.

## **Economic Development**

With the goal of identifying revenues to finance the Blueprint for Maryland's Future, a number of bills were introduced this year that sought to curtail various State business incentive programs, such as the Research and Development and Biotechnology tax credit programs and programs that create incentives for businesses to locate in Enterprise Zones or Opportunity Zones. None of these bills advanced. However, the General Assembly did pass *Maryland Small Business Innovation Research Technical Assistance Program - Establishment* ([HB 521/SB 583](#)), which establishes a program to provide technical assistance to eligible small businesses that want to apply for grants under the federal Small Business Innovation Research and Technology Transfer (SBIR/STTR) programs. Montgomery County was a strong supporter of these bills since they will complement a program that the County established several years ago to provide local matches for companies that receive Phase I or Phase II grants from the National Institutes of Health and conduct their research in the County. Also of note, in passing *Income Tax - Pass-Through Entities and Corporations* ([SB 523](#)), the General Assembly joined several other states that passed legislation allowing pass-through entities, such as S corporations, to be taxed at the entity level. This is beneficial to individual members of pass-through entities since it could have the effect of lessening the impact of a provision in the Federal Tax Cuts and Jobs Act that limited the exemption for state and local taxes to \$10,000.

## **Public Safety**

*Criminal Law - Assault in the First Degree – Strangulation* ([HB 233/SB 212](#)) expands the crime of felony first-degree assault to include commission of an assault by intentionally strangling another. A violator is subject to the existing statutory penalty for felony first-degree assault of imprisonment for up to 25 years. By passing this measure, Maryland joins almost every other state in the nation in how it punishes an offense that victim advocates believe is often a precursor to homicide. Many victims of rape, physical assault and sexual assault who wind up in emergency rooms in Montgomery County report attempted strangulation and statistics show that women are 750% more likely to be murdered after a strangulation attempt.

Last year, the General Assembly adopted the recommendations of the Commission to Advance Next Generation 9-1-1 (NG911) Across Maryland, which outlined the necessary framework to transition the State's aging 9-1-1 emergency communications network to a more robust and technologically advanced infrastructure. This year the General Assembly passed three bills to address additional recommendations included in the December 2019 report issued by the Commission. These included a bill to address auditing issues related to the new 9-1-1 fees, *Public Safety - 9-1-1 Fees - Audits* ([HB 6/SB 61](#)), a bill to extend for two years the life of the NG911 Commission from June 2020 to June 2022, *Commission to Advance Next Generation 9-1-1 Across Maryland - Extension and Alteration* ([HB 44/SB 47](#)), and a bill that adopted other technical changes to the statutory framework of Maryland's 9-1-1 system, *Public Safety - 9-1-1 Emergency Telephone System* ([HB 934/SB 838](#)).

## **State Operating, in General**

As shown in **Attachment 2**, the State budget ([SB 190](#) and [SB 192](#)) includes an overall increase in State aid for Montgomery County of about \$43.5 million over the amount of direct State aid last year, or about five percent more than last year. While most of the increase will be allocated to support public pre-K through grade 12 education, funding for libraries, Montgomery College, transportation, and health and human services will also increase. As the budget was introduced, there were significant reductions in the community college funding formula, provider rate increases were reduced, and a greater share of costs to operate the State Department of Assessments and Taxation were shifted to counties. Also, funding shared by Prince George's and Montgomery Counties for the National Capital Strategic Economic Development program was eliminated. Fortunately, all of these proposals were rejected, and funding was restored for them in the State operating budget, which for fiscal 2021 will total about \$48.5 billion.

Shifting from local to Statewide matters, it is notable that, during the last hour of session, the General Assembly passed bill that could potentially result in a significant shift in the balance of power between the General Assembly and the Governor. *Balancing the State Budget* ([SB 1028](#)) proposes a constitutional amendment that, if approved by the Maryland voters, will allow the General Assembly to increase appropriations in the Governor's proposed operating budget for the General Assembly, the Judiciary and Executive agencies. However, the total increase in appropriations for Executive agencies could not exceed the total appropriations for Executive agencies in the Governor's proposed budget. In exchange, the Governor would have line item veto authority for any increase to appropriations for Executive agencies. These vetoes may be overridden by the General Assembly if supermajorities in both chambers are supportive. Currently, Maryland is known for having one of the strongest executive budgets in the nation because its legislative body may only reduce the Governor's operating budget proposal. While most state legislatures have the authority that would be granted to the General Assembly by the proposed constitutional amendment, attempts as far back as 2010 to change this dynamic in Maryland have failed. If approved by the voters this November, beginning in fiscal 2024, the balance of power between the General Assembly and the Governor as it relates to the State operating budget would shift dramatically.

## **Capital Budget, in General**

As shown in **Attachment 3**, the State's capital budget ([SB 191](#)) includes investments of \$133.8 million for non-transportation related projects located within County borders. This figure does not reflect the \$1 million appropriation from the State's Transportation Trust Fund for improvements along Route 198 and \$500,000 that has been preauthorized for fiscal 2022 to plan and design a new parking garage in Burtonsville. For fiscal 2021, the State's capital budget will allow about \$1.1 billion of new general obligation bonds to be issued to support non-transportation related infrastructure investments around the State.

## **Attachments**

Attachment 1–Final Local and Bi-County Bill Status Report

Attachment 2–State Aid Allocated to Montgomery County

Attachment 3–State Grants for Capital Projects in Montgomery County (non-transportation)

## **Links to Governor’s Veto Letters**

[Fiscal Impact](#)

[Taxes and Fees](#)

[Crime bills](#)

*Document revised May 27, 2020, to reflect 100% allocations for [fiscal 2021 school construction](#) made by the Interagency Commission on School Construction on May 14, 2020, and final status of bills after the Governor signed, vetoed, or allowed bills to become law without his signature.*

# Attachment 1

**2020 General Assembly Session  
Montgomery County Local and  
Bi-County Legislation**  
Status as of March 25, 2020 (sine die)

For Positions: “CE” means County Executive and “CC” means County Council

Bill Number/Sponsor/Title	Positions	Description	Status
<a href="#">MC 1-20</a> (Shetty, Carr, and Crutchfield) <b>Montgomery County – Housing Opportunities Commission – Selection of Chair</b>  <a href="#">HB 807</a>	MC CE: Support  MC CC: Oppose	The bill would require the Montgomery County Executive to select the chair of the Housing Opportunities Commission of Montgomery County from among the Commissioners.	<b>Failed</b>
<a href="#">MC 2-20</a> (Carr, Crutchfield, and Shetty) <b>Montgomery County – Housing Opportunities Commission – Alterations</b>  <a href="#">HB 800</a>	MC CE: Support  MC CC: Support	This bill alters meeting and reporting requirements for the Montgomery County Housing Opportunities Commission (HOC). HOC must: (1) prepare written minutes of each meeting as soon as practicable and stream live video of open meetings; (2) publish on its website, on or before December 15 each year, its annual financial report and certified audit report for the previous fiscal year; (3) publish in a public record all information that relates to a financial report or certified audit report of which HOC is not specifically required to deny an inspection under the Maryland Public Information Act (PIA) and that is not protected by privilege, as specified; and (4) report payment data on a searchable website developed and operated by HOC.	<b>Passed</b>
<a href="#">MC 5-20</a> (Carr) <b>Montgomery County – Housing Opportunities Commission – Procurement</b>  <a href="#">HB 791</a>	MC CE: Support  MC CC: Oppose	As amended, this bill prohibits the Montgomery County Housing Opportunities Commission (HOC) from awarding a contract valued at more than \$150,000 if the contract is not (1) subject to federal procurement requirements, and (2) approved in advance by HOC in an open meeting. However, in an emergency, HOC may award a contract valued at more than \$150,000 if it is brought before HOC for review at its next regularly scheduled meeting.	<b>Failed</b>

Bill Number/Sponsor/Title	Positions	Description	Status
<p><a href="#">MC 7-20</a> (Luedtke and Reznik)  <b>Montgomery County – Agricultural Land Transfer Tax – Alterations</b></p> <p><a href="#">HB 848</a></p>	<p>MC CE: Support</p> <p>MC CC: Support</p>	<p>This bill requires that revenues collected from the Montgomery County Agricultural Land Transfer Tax be dedicated to agricultural preservation or other agricultural programs. Currently, these revenues flow into the General Fund. Between FY16 and FY19, annual revenues averaged about \$500,000. The bill also allows the County to collected 35% of the tax when property is assessed as a non-agricultural use for more than five consecutive years before transfer. Under current law, the County already has authority to collected 100% of the tax for property that is assessed as non-agricultural use for up to 5 years before transfer.</p>	<p><b>Passed</b></p>
<p><a href="#">MC 8-20</a> (Moon, Acevero, Carr, Charkoudian, Crutchfield, Cullison, Kelly, Lopez, Love, Luedtke, Palakovich Carr, Shetty, Solomon, Stewart, Wilkins, Smith, and Waldstreicher)  <b>Montgomery County – Public Campaign Financing – Board of Education</b></p> <p><a href="#">HB 792</a></p>	<p>MC CE: Support</p> <p>MC CC: No position</p>	<p>The bill would authorize the governing body of Montgomery County to establish, by law, a system of public campaign financing for the elected members of the county board of education; and provide for a delayed effective date.</p>	<p><b>Failed</b></p>
<p><a href="#">Mc 9-20</a> (Chair on behalf of Montgomery County Government)  <b>Montgomery County – Alcoholic Beverages – Hours of Consumption</b></p> <p><a href="#">HB 298</a></p>	<p>MC CE: Support</p> <p>MC CC: Support</p>	<p>The bill alters hours of consumption for certain alcoholic beverages licenses in Montgomery County and repeal outdated provisions for hours of consumption.</p>	<p><b>Passed</b></p>
<p><a href="#">MC 11-20</a> (Dumais)  <b>Montgomery County – Alcoholic Beverages – Consumption Only Marketplace License</b></p> <p><a href="#">HB 377</a></p>	<p>MC CE: Support</p> <p>MC CC: Support</p>	<p>The bill establishes a consumption only marketplace license in Montgomery County. It authorizes the Board of License Commissioners to issue the license to the developer of a commercial shopping center if the commercial shopping center and authorizes the license holder to allow the consumption of beer, wine, and liquor in a designated outdoor area if the beer, wine, or liquor is purchased from certain establishments.</p>	<p><b>Passed</b></p>

Bill Number/Sponsor/Title	Positions	Description	Status
<p><a href="#">MC 12-20</a> (Wilkins, Acevero, Carr, Moon, Shetty, and Stewart)  <b>Montgomery County Stable Homes Act</b></p> <p><a href="#">HB 821</a></p>	<p>MC CE: Support with Amendments</p> <p>MC CC: Support with Amendments</p>	<p>The bill would prohibit evictions of a tenant holding over beyond the expiration of a lease in Montgomery County in the absence of just cause. Just cause exists if: (1) a tenant has caused a substantial breach of the lease or substantial damage to the leased premises or another area of the property and after receiving notice to cure or correct the breach or pay the cost of repair the tenant fails to comply within 30 days; (2) 30 days after receiving notice to cease, a tenant continues to engage in disorderly conduct; (3) a tenant has engaged in illegal activity on the leased premises or on a public right of way abutting the leased premises; (4) a tenant, without reasonable cause, refuses to grant the landlord access to the leased premises for repairs, improvements or inspection of the leased premises; (5) a landlord, in good faith seeks to recover possession of the premises for use by the landlord's family member; (6) a landlord in good faith seeks to permanently remove the leased premises from the rental market; or (7) a landlord, after obtaining all necessary permits, seeks to undertake substantial repairs or renovations that cannot be completed if the premises are occupied.</p>	<p><b>Failed</b></p>
<p><a href="#">MC 13-20</a> (Chair on behalf of Montgomery County Board of Education Compensation Commission)  <b>Montgomery County – Board of Education – Compensation</b></p> <p><a href="#">HB 993</a></p>	<p>MC CE: Support with Amendments</p> <p>MC CC: Support with Amendments</p>	<p>The bill would alter the compensation of the members of the Montgomery County Board of Education.</p>	<p><b>Failed</b></p>
<p><a href="#">MC 14-20</a> (Kramer and Solomon)  <b>Montgomery County – Authority of County Council Over Inspector General – Montgomery County Public Schools</b></p> <p><a href="#">HB 795</a></p>	<p>MC CE: Support</p> <p>MC CC: Support</p>	<p>The bill would authorize the County to pass a law that grants to the Montgomery County Inspector General authority over the Montgomery County Board of Education and public schools located in Montgomery County.</p>	<p><b>Passed</b></p>

Bill Number/Sponsor/Title	Positions	Description	Status
<p><a href="#">MC 15-20</a> (Carr)  <b>Montgomery County – Alcoholic Beverages – Town of Kensington</b></p> <p><a href="#">HB 860</a></p>	<p>MC CE: Support</p> <p>MC CC: Support</p>	<p>This bill, as amended, makes numerous changes to the way in which alcoholic beverages licenses are regulated in the Town of Kensington in Montgomery County. Among other changes, the bill extends the authorized hours of operation of specified licenses, alters requirements for applicants of specified licenses, and increases the number of licenses authorized in the Town of Kensington.</p>	<p><b>Passed</b></p>
<p><a href="#">MC 19-20</a> (Smith and Luedtke)  <b>Montgomery County – Elections – Early Voting Centers</b></p> <p><a href="#">HB 137</a></p>	<p>MC CE: Support</p> <p>MC CC: Support</p>	<p>The bill increases from 11 to 12 the number of early voting centers that Montgomery County is required to establish. A separate provision of current law – that is not changed by the bill – would allow the County to establish an additional early voting center (i.e., 13th center) if the State Board, in collaboration with the local board and the governing body of the County (i.e., the County Executive and County Council) authorize the establishment of an additional early voting center. The bill is an emergency measure that would take effect upon signature by the Governor and includes language that expressly provides that it applies to the 2020 election cycle. The bill was amended in the Montgomery County House Delegation to require that the 12th early voting center in the 2020 election cycle be located at the White Oak Community Recreation Center or, if the center is not available, at another facility that serves the White Oak community.</p>	<p><b>Failed</b></p>
<p><a href="#">MC 20-20</a> (Moon, Acevero, Charkoudian, Crutchfield, Cullison, Luedtke, Palakovich Carr, and Stewart)  <b>Montgomery County – Residential Property Advertisements and Sales – School District Information</b></p> <p><a href="#">HB 825</a></p>	<p>MC CE: Support with Amendments</p> <p>MC CC: No position</p>	<p>This bill prohibits real estate brokers, associate real estate brokers, or real estate salespersons from including the name of a school district in an advertisement for sale or rent for any residential property located in the County.</p> <p>MC 20-20 also requires that a “Notice to Home Buyer Regarding Montgomery County School Districts” be included in all sale contracts for single family residential real property in the County acknowledging that the districts and boundaries are subject to change at any time.</p>	<p><b>Failed</b></p>

Bill Number/Sponsor/Title	Positions	Description	Status
<p><a href="#">Mc 26-20</a> (Chair on behalf of Montgomery County Government)  <b>Montgomery County – Public Safety – Buildings Used for Agritourism</b></p> <p><a href="#">HB 805</a></p>	<p>MC CE: Support</p> <p>MC CC: Support</p>	<p>The bill, as amended exempts the construction, alteration, or modification of an agricultural building in Montgomery County that is used for agritourism from adhering to the Maryland Building Performance Standards (MBPS). It also exempts an existing agricultural building used for agritourism in Montgomery County from obtaining a change of occupancy permit if the use: (1) is in accordance with limitations set forth in regulations adopted by the Maryland Department of Labor (MDL); (2) occupies only levels of the building on which a ground level exit is located; and (3) does not require more than 50 people to occupy an individual building at any one time. However, if the subordinate use of agritourism requires more than 50 people but fewer than 100 people to occupy an individual building at any one time, then the width and number of means of egress (doorways) must meet specified building code standards.</p>	<p><b>Passed</b></p>
<p><a href="#">MC 27-20</a> (Charkoudian)  <b>Montgomery County – Alcoholic Beverages Licenses – Catering Extension</b></p> <p><a href="#">HB 297</a></p>	<p>MC CE: Support</p> <p>MC CC: Support</p>	<p>The bill authorizes the Board of License Commissioners for Montgomery County to issue a catering extension to a holder of a Class D beer, wine, and liquor license.</p>	<p><b>Passed</b></p>
<p><a href="#">MC 101-20</a> (Carr)  <b>Maryland-National Capital Park and Planning Commission – Mandatory Referral Review</b></p> <p><a href="#">HB 394</a></p>	<p>MC CE: Support with Amendments</p> <p>MC CC: No Position</p> <p>M-NCPPC: Support with Amendments</p>	<p>The bill would establish that a mandatory referral to the Maryland-National Capital Park and Planning Commission is deemed approved only if there is a complete submission that can be adequately reviewed by the Commission. The bill establishes a process that allows the Commission to ensure that it has a complete submission before a 60-day shot clock begins to run.</p>	<p><b>Failed</b></p>

Bill Number/Sponsor/Title	Positions	Description	Status
<p><a href="#">PG/MC 102-20</a> (Carr)  <b>Bicounty Commissions – Annual Reports – Conflicts of Interest and Lobbying</b></p> <p><a href="#">HB 370</a></p>	<p>MC CE: Support with Amendments</p> <p>MC CC: Support with Amendments</p> <p>M-NCPPC: Support with Amendments</p> <p>WSSC: Support with Amendments</p>	<p>The bill would require bicounty commissions to submit reports on conflict of interest and lobbying issues and regulations on or before a specified date each year and require each bicounty commission to publish the reports on the commission's website.</p>	<p><b>Passed</b></p>
<p><a href="#">PG/MC 103-20</a> (Carr and Palakovich Carr)  <b>Washington Suburban Sanitary Commission – Discrimination – Prohibited</b></p> <p><a href="#">HB 1560</a></p>	<p>MC CE: Support with Amendments</p> <p>MC CC: Support with Amendments</p> <p>WSSC: Support with Amendments</p>	<p>The bill prohibits the Washington Suburban Sanitary Commission from discriminating against a person on the basis of genetic information or family responsibilities and requires that a nondiscrimination provision in contracts entered into by the Commission prohibit discrimination based on genetic information.</p>	<p><b>Passed</b></p>
<p><a href="#">PG/MC 105-20</a> (Luedtke, Jackson, and Zucker)  <b>Income Tax – Subtraction Modification – Maryland-National Capital Park Police and Washington Suburban Sanitary Commission Police Force</b></p> <p><a href="#">HB 276</a></p>	<p>MC CE: No Position</p> <p>MC CC: No Position</p> <p>M-NCPPC: Support</p> <p>WSSC: Support</p>	<p>The bill expands eligibility for an existing subtraction modification for law enforcement officers to include law enforcement officers who are members of the Maryland-National Capital Park Police or the Washington Suburban Sanitary Commission Police Force and reside in a political subdivision with a certain crime rate.</p>	<p><b>Passed</b></p>
<p><a href="#">PG/MC 108-20</a> (Valentino-Smith)  <b>Maryland-National Capital Park and Planning Commission – Summer Math, Reading, and Science Pilot Program</b></p> <p><a href="#">HB 1025</a></p>	<p>MC CE: No Position</p> <p>MC CC: No Position</p>	<p>The bill would establish a Summer Math, Reading, and Science Pilot Program in the Prince George's County Department of Planning to integrate certain academic content into summer parks and recreation programs offered in Prince George's County.</p>	<p><b>Failed</b></p>

**Withdrawn Bills**

- MC 6-20 (Luedtke, Kaiser, Qi, and Reznik) – **Montgomery County – Agricultural Reserve – Deer Management Permits**
- MC 16-20 (Moon and Stewart) – **Montgomery County – Country Clubs and Golf Courses – Annual Land Preservation Fee**
- MC 21-20 (Kramer) – **Housing Opportunities Commission – Contracting Out Services – Requirements**
- MC 23-20 (Kramer, Crutchfield, Cullison, and Stewart) – **Montgomery County – Property Tax – Credit for Senior Citizen Volunteers**

**MC 24-20 (Waldstreicher) – Montgomery County – Distracted Driving Monitoring Systems – Authorization**

**PG/MC 104-20 (Kramer) – Montgomery County – Land Use Documents – Certification**

**PG/MC 107-20 (Valderrama) – Maryland-National Capital Park and Planning Commission – Application of Neonicotinoid Pesticides or Glyphosate – Prohibition**

## Attachment 2

### Montgomery County Local Aid Year-Over-Year Comparison (\$ in thousands)

<u>Direct Aid</u>	<u>Final FY 2020</u>	<u>Enacted FY 2021</u>	<u>FY 2020 vs. FY 2021</u>	
			<u>chg. \$</u>	<u>chg. %</u>
Primary & Secondary Education	762,967	802,044	39,077	5.1
Libraries	3,388	3,459	71	2.1
Community Colleges	52,380	56,451	4,071	7.8
Health Formula Grant	4,148	4,223	75	1.8
Transportation	14,710	15,125	415	2.8
<i>County Highway User Formula Funds</i>	8,218	8,448	230	2.8
<i>Municipal Highway User Formula Funds</i>	6,113	6,298	185	3.0
<i>Elderly and Handicapped</i>	379	379	-	-
Police	16,532	16,406	(126)	(0.8)
Fire and Rescue	1,959	1,959	-	-
Total Direct Aid	856,084	899,637	43,553	5.1
<u>Retirement Contributions</u>	<u>FY 2020</u>	<u>FY 2021</u>	<u>chg. \$</u>	<u>chg. %</u>
Board of Education	162,549	158,074	(4,475)	(2.8)
Library Employees	3,295	2,120	(1,175)	(35.7)
Community College Faculty	11,260	10,767	(493)	(4.4)
Total Retirement Contributions	177,104	170,961	(6,143)	(3.5)

Sources: Maryland Department of Budget and Management  
Maryland Department of Legislative Services  
Montgomery County Office of Intergovernmental Relations



# Attachment 3 Montgomery County Capital Projects – Non-Transportation Related

Fiscal Year 2021  
Final Appropriations

<b>Public Schools *</b>	<b>54,133,361</b>
Argyle Middle	428,000
Ashburton Elementary	73,000
Bethesda Elementary	518,000
Brookhaven Elementary	474,000
Clarksburg Elementary	562,000
Damascus Elementary	353,000
John Poole Middle	479,000
Kingsview Middle	867,000
Lucy V. Barnsley Elementary	307,000
Maryvale Elementary / Carl Sandburg School	12,436,000
Meadow Hall Elementary	499,000
Montgomery Knolls Elementary	1,445,000
Pine Crest Elementary	1,891,000
Ronald McNair Elementary	487,000
Quince Orchard High	624,000
S. Christa McAuliffe Elementary	1,541,000
Takoma Park Middle	4,957,000
Thomas W. Pyle Middle	4,786,581
Tilden Middle / Rock Terrace School	14,714,780
Walt Whitman High	6,133,000
Westland Middle	558,000
<b>Higher Education Facilities</b>	<b>18,295,000</b>
Montgomery College - Catherine and Isiah Leggett Math/Science Bldg.	18,295,000
<b>Health Facilities</b>	<b>3,285,000</b>
Community Services for Autistic Adults and Children, Inc.	974,000
Housing Unlimited, Inc.	1,052,000
Main Street Connect, Inc.	567,000
MedStar Montgomery Medical Center	400,000
RICA Montgomery	292,000
<b>Housing and Community Development</b>	<b>3,600,000</b>
National Capital Strategic Economic Development Fund **	3,600,000
<b>Public Safety</b>	<b>1,000,000</b>
City of Gaithersburg Police Station	1,000,000
<b>Parks, Recreation, and Land Preservation</b>	<b>8,258,747</b>
Duvall Park Playground	150,000
Patuxent River State Park	100,000
Seneca Creek State Park - Bluejay and Nuthatch Shelter	30,000
Program Open Space	7,978,747
<b>Other Legislative Initiatives</b>	<b>8,833,000</b>
A Wider Circle Community Service Center	700,000
Arts on the Block Studio Expansion	100,000
Black Rock Center for the Arts	250,000
Charles E. Smith Jewish Day School	600,000
Charles E. Smith Life Communities	100,000
Easter Seals Inter-Generational Center & Regional Headquarters	150,000
Fairland Recreation Park	100,000
Hero Dogs, Inc.	30,000
Homecrest House	175,000
Imagination Stage	300,000
Ivy Mount School, Inc.	150,000

## Attachment 3

Jewish Foundation for Group Homes, Inc.	150,000
Kensington Multipurpose Recreation Center	100,000
Long Branch-Garland Neighborhood Park	350,000
Montgomery County Homeless Youth Drop-In Center	217,500
OASIS Farm	44,000
Olney Family Neighborhood Park	200,000
Olney Theatre Center	2,000,000
Rockville Welcome Center	200,000
Round House Theatre	1,500,000
Sandy Spring Meadow Basketball Court	7,000
Sandy Spring Museum	34,500
VisArts	150,000
Warrior Canine Connection	500,000
Willett Branch Greenway	400,000
YMCA Bethesda-Chevy Chase	325,000

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Environment 36,438,000

M-NCPPC Stormwater Projects	4,822,000
Sanitary Sewer Reconstruction - Cabin John Basin	6,799,000
Sanitary Sewer Reconstruction - Muddy Branch Basin	1,300,000
Sanitary Sewer Reconstruction - Northwest Sewer Basin	6,695,000
Sanitary Sewer Reconstruction - Seneca Creek Sewer Basin	5,265,000
Sanitary Sewer Reconstruction - Sligo Creek Sewer Basin	5,707,000
Sanitary Sewer Reconstruction - Watts Branch Sewer Basin	5,850,000

### Grand Total

**133,843,108**

\* This final number reflects \$31,808,553 in "Base Program" funds and \$22,324,808 in Enrollment Growth and Relocatable Classrooms (EGRC) funds

\*\* \$7,200,000 to be divided between Montgomery and Prince George's Counties

[Montgomery County Office of Intergovernmental Relations](#)

May 19, 2020

