



April 10, 2012

Dear Friend,

The 430th session of the Maryland General Assembly ended at midnight on April 9th, after 90 days of whirlwind activity. The legislature grappled this session with difficult budget issues and controversial bills on a variety of topics. We made progress on many important issues, though it is likely that the Governor will convene a special session later this Spring to address unresolved issues on gambling and taxes.

I want to thank everyone who emailed, wrote or called to express their opinion on the bills that we considered this year.

My Legislation

I am pleased to report that the General Assembly approved six of my bills:

[HOUSE BILL 313](#) -- Child Seating and Safety Seats Requirements. Maryland has always been a leader in child safety. Consistent with new recommendations from the National Highway Transportation Safety Administration and the American Academy of Pediatrics, this bill requires children under age 8 to remain in a safety seat unless they are 4 foot 9 inches tall. (Currently, children can move to seat belts if they weigh 65 pounds.) It is a child's height (not weight) that determines if he or she can safely transition out of a booster seat.

[HOUSE BILL 515](#) – Establishment of Financial Education and Capability Commission. One of the issues I've spent much time on is working to improve the financial education of Marylanders. I co-chaired the State's Task Force on Financial

Literacy, whose accomplishments included adoption by the State Board of Education of a financial literacy curriculum for grades 3-12. To continue our work on financial education, this bill establishes a commission to monitor the implementation of public and private initiatives to improve financial education; recommend how these initiatives can be improved; and make recommendations on how State agencies can coordinate their financial education initiatives.

[HOUSE BILL 860](#) – Sexual Abuse Definition Alteration. This bill amends the definition of “sexual abuse” in State law to specifically include human trafficking, child pornography and prostitution of a child. This change will allow a child sex trafficking victim to be considered an abused child and a “Child in Need of Assistance.” The change in classification will allow child victims to be brought within the existing protections and services of the Department of Human Resources, such as child protective services.

[HOUSE BILL 1058](#) – Project Open Space -- Funding for Development. Local jurisdictions use Program Open Space funds to purchase undeveloped land and build recreational facilities. This bill provides counties with more flexibility in their use of Program Open Space funds for recreational facilities.

[HOUSE BILL 929](#) – Recycling Rates and Waste Diversion – Increase of Statewide Goals. Recycling requirements for counties were established in 1988 and are very low. Consistent with advances in recycling collection methods and expansion of the number of products that are recyclable, this bill will increase recycling requirements. Counties with more than 150,000 residents will need to recycle 35% of their solid waste and counties with fewer than 150,000 residents will have to achieve a rate of 20%. State agencies will need to achieve a recycling rate of 30%.

[HOUSE BILL 940](#) – Building Performance Standards – Hotels – Mandatory Master Control Device. This bill builds on prior legislation that encourages energy efficiency in building construction. It requires newly-constructed hotels to install a master control device that turns off room lights at least 30 minutes after the occupant has left the room. The device may also regulate the heating and air conditioning settings in hotel rooms. This proposal is both environmentally friendly and very cost effective. Energy costs are the lodging industry’s second-biggest cost, and this bill will reduce those costs significantly.

In addition, the legislature approved my [HB 844](#) – Acorn Hill Children’s Playground Bond. This bond bill will help fund the creation of Acorn Hill playground which will offer children’s activities and programs. The playground will be located in the newly reopened Robert E. Lee Park, which serves as a destination for walkers, runners, bikers, and dog owners in Baltimore County. The addition of this playground will offer additional outdoor recreational opportunities for area families.

One of my bills that did not pass was [HB 864](#) – Community Energy Generating Facilities and Net Energy Metering. This bill would have allowed groups of residents or businesses to jointly own renewable energy projects, called “community renewable projects.” Right now, only a single household or business can own a renewable energy project such as solar panels. Under the bill, each owner of a community renewable project would get a credit on his or her utility bill for part of the energy generated by the project. Several states, including Delaware and Colorado, have already adopted community renewable legislation.

Although the bill did not pass, committee leaders are sending a letter to the Public Service Commission (PSC) asking the PSC to review this issue and make recommendations to the legislature.

The Budget

The budget continues to be affected by the slowly recovering economy. As passed before adjournment, the budget is balanced through hundreds of millions of dollars of cuts (the “doomsday” budget), since the legislature failed to enact a tax measure that would reduce the spending cuts. Some of these cuts are likely to be reversed if, as is likely, the legislature returns to Annapolis for a special session.

Despite the uncertainty over the operating budget, the capital budget is in place. As passed, the fiscal year 2013 capital budget will:

- **Maintain a stream of funds to our public education system** – The budget provides \$326 million to build and improve classrooms.
- **Protect our environment** – The budget provides funds for Chesapeake Bay restoration programs, open space preservation and agricultural easements.
- **Increased funding for higher education** – Over \$300 million is budgeted for improvements in higher education facilities.

Gambling and Taxes

One of the issues that dominated the last weeks of the session was expanded gambling. At the end of session, the Senate approved an expansion of gambling (slots/table games) to National Harbor in Prince George’s County and authorized table games at the other five sites approved for slots parlors in the State. However, the House did not consider this legislation and the topic is likely to be taken up in a special session. On taxes, budget negotiators approved an increase in the state income tax for individuals with taxable income above \$100,000 (and couples with taxable income above \$150,000) -- the tax rate increase would have been between

1/4 and 3/4 percent, depending on income – but the legislature did not approve the measure.

Environment

Chesapeake Bay

The legislature passed two important measures that will reduce Chesapeake Bay pollution. [HB 446](#) doubles the “flush tax” from \$30 to \$60 per year. The flush tax supports the Bay Restoration Fund, which underwrites improvements in wastewater treatment plants, septic system upgrades, and cover crop planting. All of these programs reduce the nitrogen and phosphorus pollution of the Bay. [SENATE BILL 236](#) creates planning mechanisms for use by local jurisdictions that should slow the growth of housing that is served by septic systems.

Off-Shore Wind

Increasing Maryland’s use of renewable energy resources is an important issue and a priority of mine. The House passed [HB 441](#) which set up the framework for development of off-shore wind, should a wind company apply to the Public Service Commission for authorization. This bill would have helped the state of Maryland utilize its vast offshore wind resources off of the coast of Ocean City. Unfortunately, the Senate did not pass the bill.

Fracking

One of the major environmental issues in Maryland is natural gas drilling or “fracking” in the Marcellus Shale area of Western Maryland. Fracking has caused problems in the past and the process involves the injection of thousands of gallons of fluids containing toxins and carcinogens. A task force is in the midst of a three-year study of the potential impacts of natural gas development and a de facto moratorium on drilling is in place. To provide safeguards in the event the State does authorize “fracking” in the future, [HB 1123](#) provides protections for homeowners whose wells have been contaminated by natural gas drilling.

Driver Safety

The legislature considered several bills that built upon previous efforts to improve driver safety. We passed [HB 55](#), which clarified that the prohibition on texting while driving applies to drivers under the age of 18. A separate bill ([HB 104](#)) would have made use of a hand-held cell phone while driving a primary offense (it is currently only a secondary offense). While the House of Delegates passed the bill,

unfortunately it died in the Senate.

Same Sex Marriage

With the passage of the Civil Marriage Protection Act, Maryland has become the 8th state in the Union to legalize same-sex marriage. I am proud to have voted for this legislation. This act will give committed same-sex couples the right to be married in a civil ceremony while also protecting the rights of religious institutions to practice their faith as they see fit. Committed same-sex couples, their children and families will be able to enjoy all the rights, benefits, and legal protections of marriage. The Act is likely to be petitioned to referendum this fall, when the voters of Maryland will decide the issue.

Baltimore County Schools

After several years of debate in the County and in Annapolis, the House and Senate passed legislation authorizing an elected school board. The House of Delegates passed [HB 481](#), which would have established a nine-member elected school board. The Senate also approved a bill that would have established a “hybrid” school board (six elected members, five appointed members).

As chair of the Education Subcommittee of the Baltimore County House Delegation, I was proud to have supported these bills. I have always been a supporter of increasing the strength of the community voice within our school board.

Unfortunately, as the legislative session wound down, the House of Delegates did not conform HB 481 to the Senate bill, despite the House delegation’s request. As a result, no bill passed, which is a great disappointment. Next year, we will try again to pass legislation authorizing an elected school board, and hopefully we will be successful.

Lead Paint Issues

Maryland’s Lead Poisoning Prevention Program has been a success by any measure – we’ve reduced the incidence of lead poisoning in Maryland by 98% – but there is more to be done to ensure our children are safe from lead hazards and that property owners who comply with state and federal regulations are not subject to lawsuits. [HB 644](#) expands Maryland’s lead-paint regulations to rental properties built before 1978 (current law applies to properties built before 1950) and creates a presumption that landlords who have taken proper lead safety precautions are not liable in a lead paint poisoning lawsuit. [HB 472](#) requires the Maryland Insurance Commissioner to establish a work group to make recommendations on lead liability protection for owners of pre-1978 rental properties.

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I am proud to be representing you in Annapolis and to be a part of the District 11 legislative team. Please contact me at 410-841-3527 or dana.stein@house.state.md.us if I can ever be of assistance.

Sincerely,



Dana Stein
Delegate



Paid for by Friends of Dana Stein, Jeffrey D. Spokes, Treasurer

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