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Harford County

Judicial Proceedings Committee

Joint Committee on Administrative,  
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Joint Committee on Federal Relations



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2017 LEGISLATIVE SESSION IN REVIEW

Dear Harford County Neighbor,

The 2017 ninety day legislative session of the Maryland General Assembly concluded on April 10<sup>th</sup>. Once again it has been my privilege to serve the citizens of Harford County as your Senator for Legislative District 34. I very much appreciate the considerable citizen input that I received throughout the session and I am very pleased to report that, although the session was filled with many challenges, the citizens of Harford County and Maryland were well served by the Harford County Delegation to the General Assembly.

I was elected to the Senate in the same election that made Larry Hogan our second Republican governor in the past 40 years. I work hard to support Governor Hogan's goals of creating good jobs and empowering people by cutting taxes, controlling spending, and unleashing the awesome productive power of the private sector. I work hard to protect our public safety by serving our police and prosecutors as their advocate in the Senate Judicial Proceedings Committee. I also work closely with our County, municipal, and community leaders to advocate for the communities of the 34<sup>th</sup> Legislative District as they work to improve our schools, transportation, public service, and the environment.

In this end of session letter, I would like to provide you with some details on how I have been working for you over the past 90 days.

Thank you for corresponding with me throughout the legislative Session, and I hope you will continue to share your thoughts.

With my best wishes,

A handwritten signature in blue ink, appearing to read "Bob", with a stylized flourish at the end.

Senator Bob Cassilly

## SUMMARY 2017 LEGISLATIVE SESSION

### SENATOR BOB CASSILLY

#### **THE BUDGET**

- ✓ For the third year in a row, Governor Hogan introduced and the Legislature passed a balanced budget that provides record funding for K-12 education (\$6.4 billion) without raising taxes.
- ✓ During the past two years, the Hogan administration has been committed to pursuing and achieving fiscal restraint. As a result, Maryland is in much better shape today than many other states, and far better off than we would have been without Governor's leadership.
- ✓ Harford County's \$30.8 million in special projects include:
  - Center for the Arts, Rte. 24 & Wheel Road, \$1,000,000.00 for design & construction.
  - Epicenter in Edgewood, \$50,000.00 for improvements.
  - Harford Historical Society in Bel Air, \$50,000.00 for renovations & improvements.
  - Havre de Grace Combined Support Maintenance Shop, \$10,000,000.00 construction.
  - Agile Materials Manufacturing Processing Center, Aberdeen, \$100,000.00.
  - McComas School Museum in Abingdon, will receive \$25,000.00 for renovations (SB 1179), in addition to a \$100,000 preservation grant awarded by the state earlier in the year.
  - Harford Community College, renovations to Fallston Hall.
  - Various grants awarded through the African American Heritage Grant Programs.

#### **PUBLIC SAFETY**

As in past years, a primary focus of my legislative efforts was in support of the heroic efforts by our police and prosecutors to protect the safety of all Marylanders. Some of the many bills passed to promote public safety include:

- **SB 229** - The devastating impacts of drugged and drunk driving continue to plague our state. The General Assembly passed my bill which increases the maximum prison sentence for persons who commit homicide by motor vehicle while under the influence of a controlled substance.
- **SB 217** - I supported successful legislative efforts to clarify that Maryland does not require evidence of a victim's physical resistance to prove that a rape occurred.
- **SB 349** - As a member of the Senate Judicial Proceedings Committee (JPR) I helped shape and pass a statewide policy on the retention of rape test kits. The early destruction of these kits has, in some instances, prevented the state from applying new scientific techniques to reevaluate DNA samples.
- **SB 154** - This bill increases to \$500.00 the penalty for passing a school bus stopped to pick-up or discharge students.



I also introduced unsuccessful legislation to recriminalize the use of marijuana in an automobile. As a result of legislation passed last year to decriminalize marijuana use, our state has seen a dramatic increase in the number of drivers operating under the influence of marijuana. It has been reported that many “designated drivers” now simply replace alcohol with marijuana because marijuana use does not carry the criminal penalty and is far more difficult to measure.

## ***MILITARY/FIRST RESPONDERS/VETERANS***

The General Assembly passed three bills I introduced to assist both active duty military and retired military:

- **Honoring Our Heroes-** The bridge at Routes 22 and 95 will be named in honor of Alfred B Hilton, a member of the US 4<sup>th</sup> Colored Troops and Harford native, who was killed in battle during the Civil War and awarded the medal of honor posthumously (SB 1157).
- **SB 49 - Soldiers’ Residential Leases**, expands the legal protections for active-duty military who must terminate residential leases due to changes in military assignment.
- **SB 1019 - Tax on Military Retirement Benefits**, requires the state to conduct a study of the financial impact of Maryland’s current tax on retired military pay. Maryland has become a magnet for high-paying defense jobs that require a security clearance and military experience. Maryland taxes military retirement benefits. This often encourages veterans employed in these positions to commute to their Maryland-based jobs from homes in neighboring states. As a result, these neighboring states receive the full benefit of the income tax on the veteran’s current, high paying civilian jobs, forgoing only the tax on income paid to veterans for their military service worldwide. Meanwhile, Maryland sees the added traffic congestion as these veterans pass through our state to and from their jobs. I am confident that this study will demonstrate that Maryland’s tax on retired military pay is shortsighted and counterproductive.

Tax relief for first responders was also approved. (HB 100)

## ***EDUCATION***

Education remains a high priority for our State. The Governor and the General Assembly allocated \$827,468,000 for education, fully funding all major education initiatives. Thanks to this commitment, schools in most jurisdictions continue to produce excellent results. I am very pleased that the General Assembly included \$6.7million in Governor Hogan’s BOOST program, which allows lower-income youth to receive income based scholarships for nonpublic schools, and doubled the P-Tech schools.

Unfortunately, schools in some areas continue to produce substandard results and require different approaches. Regretfully, Governor Hogan’s efforts to require increased



accountability and responsibility to those schools encountered considerable resistance by the General Assembly:

- **SB 871** - In a major concession to the powerful teachers unions, the General Assembly pushed through legislation designed to increase micromanagement of the county boards of education and limit the power from the State Board of Education to identify and correct failing schools.
- **SB 651** - The General Assembly also restricted the ability of county boards of education to impose schools suspensions as a disciplinary tool, even where the student presents a risk of physical harm to fellow students or a major disruption to the class.

## **EMPLOYMENT**

The most serious challenge facing our state is the dwindling number of middle-class jobs to offer dignity and hope to new generations. The absence of such opportunity contributes to crime, drug abuse, and broken homes. Governor Hogan introduced various bills to expand middle class opportunities, including the More Jobs for Marylanders Act (SB 317) and I am pleased to report a measure of bipartisan support for those initiatives.

While some progress has been made, we must continue to fight hard to reverse decades of laws and bad public policies that have destroyed middle-class jobs. One discouraging trend has been the General Assembly's efforts to convert what have always been lower paying "startup jobs" into high paying middle-class jobs. Startup jobs play an important part of our economic system, allowing those with the least skills and opportunity to demonstrate to potential employers the basic qualities of common sense and self-discipline.

Rather than reversing the public policies that have done so much damage to the middle class, the General Assembly has shown a preference for using legislative magic to simply declare that startup jobs are now middle-class jobs. In the long run, these efforts are doomed to the same failures as previous efforts to meddle with middle-class jobs, and will ultimately result in the wholesale loss of startup jobs as businesses use readily available technology to eliminate the ever rising costs of startup jobs.

Among the more misguided employment bills this year was the so-called Maryland Healthy Families Act (HB 1) which requires even our small employers to set aside tens of thousands of dollars to provide paid sick leave benefits to new employees. While such benevolence might be within the grasp of larger employers, it will undoubtedly cause the failure of many small companies which simply lack the revenue to support this demand. I supported Governor Hogan's preference for a more reasonable effort (**SB 305**) that would have limited paid sick leave benefit to larger employers and to employees who had demonstrated more than a minimal level of commitment to a new job. The Governor's Bill would have offered protection for the many small employers that do so much, at high personal risk, to expand employment opportunities for 17-21 year olds.



I also introduced a bill which sought to encourage manufacturers to employ ex-convicts (SB 55). Ex-convicts employed in meaningful jobs are far less likely to return to past criminal behavior. Unfortunately, our current tort laws discourage employers from taking on the risk of employing ex-convicts. The only opposition to this legislation was from the plaintiffs' lawyers whose extensive financial contributions to the General Assembly were sufficient to defeat this initiative. As a result of that defeat, ex-felons are welcome throughout most of society without limitation, including in our schools, our parks, and our playgrounds. The sole exception being the workplace; the one location that would most benefit society.

## **CONSTITUTIONAL PROTECTIONS**

The sanctity of our election process is critical to the survival of our state and country. Therefore, I strongly supported Governor Hogan's efforts to depoliticize the process by which our legislative districts are established (SB 252). Unfortunately, the General Assembly rejected the Governor's bill and, instead, passed a rather cynical bill (**SB 1023**) which states that Maryland will begin efforts toward a fair districting process when five other states in the mid-Atlantic region also undertake similar efforts.

**SB 1023** creates what is in effect a permanent delay in redistricting reform. That delay is particularly distressing considering that just last year the General Assembly rushed to grant convicted felons the right to vote while those individuals are still serving their terms of parole and probation (**HB 980 2016**). It is unfortunate that the General Assembly did not apply that same level of urgency toward restoring voting rights to the tens of thousands of law-abiding Marylanders who have been effectively disenfranchised by the most gerrymandered voting districts in the country.

I also strongly opposed Senate efforts to remove constitutional limitations on the ability of Maryland's Attorney General to engage in litigation against the federal government (SJ5). Senate Joint Resolution 5, which was drafted by the Attorney General, turned over to the Attorney General the General Assembly's power to specify those lawsuits the Attorney General can pursue against the federal government. The Maryland Constitution is quite clear that our Attorney General serves as the lawyer for the General Assembly and does not have the independent power, as a separate branch of government, to pursue lawsuits at his discretion. With so much work to be done in our state to reduce crime, combat drug addiction, and so much more, it is unfortunate to see our Attorney General now refocus so much of his efforts and our tax dollars to fight the political battles that consume much of government at the national level. We need to use state resources to get our own house in order.

## **THE ENVIRONMENT**

As a relatively small state surrounding the Chesapeake Bay, our quality of life is substantially impacted by the water quality in the Bay. It is, therefore, important that we continue our State and National efforts to improve the Bay. Much of the pollution that impacts the Bay flows from Pennsylvania via the Susquehanna River. Fortunately, Maryland continues to enjoy strong federal support and cooperation in this area.



- I voted against **Senate Joint Resolution 8** which seeks to politicize our relationship with the Federal Government on environmental matters with an unnecessary attack on the President and Congress. The proposed funding reductions that are the subject of that resolution were effectively and appropriately handled through the intercession of our Congressional delegation. The gratuitous sniping embodied by SJR 8 is entirely counterproductive.
- I supported Governor Hogan's inclusion of \$41,256,000 in his budget for environmentally related services, including improvements for drinking water, water quality testing, and improvements of water supply support facilities. The Governor's supplemental budget included an additional half million dollars for lead-free certification and accreditation programs.
- I also supported **SB 386** which restricts the state's use of pesticide sprays on state owned land.

### ***BAD BILLS***

Much of a legislator's time in Annapolis is consumed opposing undesirable legislation. As a member of the Senate Judicial Proceedings Committee, I often sit until nearly midnight reviewing and voting on various bills. Some of the objectionable bills that were defeated include:

- **SB 705** - This bill, which was an initiative championed by the state's plaintiffs lawyers, would have required state county and local governments to pay legal fees for the opposing parties. If passed, this bill would have greatly expanded the number of lawsuits filed and the costs of settlements paid and would have coerced settlements and higher rates. I was the sole vote against this initiative at the committee level but was very pleased to see the opposition expand once the bill was introduced onto the Senate floor.
- **SB 5** - This bill would have denied judges the ability to detain juvenile offenders under the age of 12 even when releasing the juvenile offender presented a threat to the child or the community.
- **SB 728** - This bill which was also defeated in committee, was an effort to force landlords throughout the state to accept federal Section 8 housing vouchers. Many landlords who comply with all fair housing requirements elect not to accept these vouchers because they find the federal bureaucratic mandates too inflexible and a substantial impediment to the development and maintenance of quality and affordable rental units.
- **SB 937** - Unfortunately, the General Assembly passed this bill which makes the public consumption of alcohol a mere civil fine. Those who would typically be targeted by law-enforcement for drinking alcohol in public places do not usually have funds to pay a civil fine and so they can completely ignore both the law and fine.