

As I begin my tenth Legislative Session in the House of Delegates I take the time to reflect on the reason you sent me here. It is my honor to be here and I thank the people that elected me.

The Legislature Makes a Difference

I am excited to begin the 2nd session of this term with a \$500M budget surplus, but I remain mindful of our long-term commitment to fiscal responsibility. The tough fiscal choices made by the General Assembly over the last 9 years have positioned Maryland's economy to continue to rebound.

Budget

I am looking forward to working with Governor Hogan on issues like criminal justice reform, curbing heroin addiction, and fostering a better business climate to create jobs.

Like the Governor, my constituents sent me to Annapolis to fight for our shared values, making college more affordable, improving our K-12 education system, protecting the rights of all Marylanders, ensuring quality affordable healthcare, and improving the lives of middle class families. The legislature makes a difference. We are policy makers and we will work with the administration as a co-equal branch of government.

The General Assembly will examine the Governor's budget and tax agenda with the help of non-partisan staff, to evaluate its impact on education funding and middle class families. We're happy to hear the Governor has shifted his focus to middle-class Marylanders and is embracing ideas the General Assembly has advocated for over the past decade.

Highlights from the Governor's FY17 Budget Proposal:

- Governor's budget grows by \$2B to \$42.3B
- General Fund spending increases 5.2% (\$848M more)
- Fully funds education, including mandatory provision for GCEI passed by the legislature last year
- Caps higher education tuition increase at 2%
- Governor's tax and fee proposal, if fully implemented, creates a structural deficit of \$617M in the out years, versus \$356M structural deficit in the out years
- Capital budget includes no funding for local projects
- No operating funding for Prince George's Regional Medical Center
- No demolition funding for projects in Baltimore City

Veto Overrides

The Governor vetoed a total of 197 bills following the 2015 General Assembly Session. As the Constitution requires these bills were returned to the Assembly to be reconsidered to determine whether the veto should be sustained or overridden. The House and Senate examined each of the Governor's vetoes and together, made a determination on the best path forward. All but six of the vetoes were sustained. On Wednesday, Jan. 20th, the Senate and House took up the 6 remaining gubernatorial vetoes.

Each bill was first considered in the chamber of origin and required 85 yay votes to override the veto in the House and 29 yay votes in the Senate.

The bills reconsidered were:

HB 71 Capital Budget Line-item (\$2.0M for Maryland Hall for the Arts)

Maryland Hall is one of the leading community arts center in the country, serving citizens from around the region with performances, classes, exhibits and public ceremonies. They provide free weekly, arts enrichment opportunities to students from the local community. Each academic year, Maryland Hall provides scholarships to students with a strong interest in the arts but lack the financial resources.

HB 71 was a request for \$2.0 million for the design and construction of access improvements for the disabled. Such as, a new elevator and bathrooms for Maryland Hall's gallery and theater spaces. No Governor has executed a capital budget line item veto in over 25 years.

This line item veto was overridden by a House vote of 92-49; and a Senate vote of 32-14.

SB 190 Sales and Use Tax Clarification – Application to Hotel Rooms

SB 190 closes a tax loophole exploited by out-of-state online travel websites such as Orbitz and Expedia. The bill clarified existing law to ensure that online travel companies collect and remit Maryland's existing sales tax based on the retail price of a hotel room charged to customers; in the same way that Maryland's brick and mortar hotels already collect sales taxes from customers. The legislation received broad-based support from the local business community including: the Maryland Chamber of Commerce, the Maryland Hotel and Lodging Association, Marriott International, Hilton Hotels, Gaylord National and hotels in District 32.

On April 23rd at a "First 100 days" celebration, Governor Hogan was asked specifically about Senate Bill 190 by the press: "It doesn't cost the taxpayers of Maryland anything," said Hogan. "The online companies are charging a fee, a tax if you will, and then not remitting that to the state. Consumers are already paying the money and they (online travel companies) are skimming it off the top." (MarylandReporter.com).

This veto was overridden by a House vote of 89-52; and a Senate vote of 30-16.

HB 209 (Howard Co. Delegation) – County Hotel Room Rental Tax – Clarification

HB 209 clarified that Howard County's existing local hotel room lodging tax applies to the total cost of the room – including any fee charged by an online travel website. This practice already exists in Anne Arundel nor does it create a new tax and does not increase any existing county tax. From 2010 through 2014, Baltimore City, Baltimore County, Montgomery County, and Worcester County were forced to sue Expedia, Orbitz, Travelocity, and Priceline for unpaid local hotel occupancy taxes. HB 209 allows Howard County to close the same exact loophole while avoiding costly litigation and a protracted lawsuit that would consume local government resources. This is a local bill, supported by the Howard County Delegation.

This veto was overridden by a House vote of 91-51; and a Senate vote of 32-14.

SB 517 Use and Possession of Marijuana and Drug Paraphernalia

SB 517 makes the use or possession of marijuana in a public place a civil offense, with a fine up to \$500. The bill also repealed the prohibition on the possession of marijuana-related paraphernalia and eliminates any penalty to correspond with the 2014 decriminalization legislation.

In 2014, the Maryland General Assembly decriminalized possession of 10 grams or less of marijuana, then a civil crime. This bill closes a loophole that left marijuana paraphernalia as a jailable offense, while possession of marijuana was only a citable offense. A 2011 ACLU study showed that while marijuana usage is roughly equal amongst whites and African Americans, African Americans are arrested at a rate that is at least double that of whites. Maryland has one of the highest arrest rates in the nation and has spent \$106M to enforce marijuana possession laws in 2010.

Under SB 517, it remains illegal to be high while driving and police still maintain the ability to stop anyone suspected of such activity. In a letter the Attorney General stated, “[i]n my view, a police officer who has probable cause to believe that a driver of a motor vehicle is in possession of any amount of marijuana is authorized to conduct a traffic stop of the vehicle for the purpose of issuing a civil citation for unlawful possession of marijuana” and went on “a law enforcement officer may also conduct a traffic stop of an individual smoking marijuana if the officer has reasonable suspicion to believe that the individual is committing the criminal offense of driving while impaired by drugs or a controlled dangerous substance...”

This veto was overridden by a House vote of 86-55 and a Senate vote of 29-17.

HB 980/SB 340 Election Law - Voting Rights - Ex-Felons

Currently, an individual is prohibited from registering to vote until the completion of his or her term of parole and probation for a felony conviction. HB 980 / SB 340 established a clear-cut rule: once a person is released from incarceration, he or she is eligible to register to vote.

Over 40,000 Marylanders are not able to vote for their elected representatives in public office. With the passage of HB 980, Maryland would join thirteen states and the District of Columbia to allow individuals to vote immediately upon their release from prison. In Florida, a 2011 study found that only 11.1% of those released from prison committed offenses after their rights were restored that resulted in a return to prison or community supervision by the Florida Department of Corrections (FDOC). This contrasts with a 2010 FDOC report that found 33.1% of all state prisoners released from 2001 to 2008 reoffended within three years.

The current law disenfranchises thousands of Marylanders. These are individuals who are living in our communities and paying taxes. They deserve a voice at the ballot box as well. The ability to participate fully in civic life combats recidivism.

The House has overridden HB980 by a vote of 85-56, the Senate has not acted on HB980 or SB340.

SB 528 Criminal Procedure - Seizure and Forfeiture

SB528 specifies that cash of \$300 or less may not be forfeited unless the funds are directly connected to the distribution of illegal drugs. The bill also alters the burden of proof in forfeiture proceedings to require the State to prove – by a preponderance of evidence – that a violation of law was committed with the owner’s full knowledge.

For this small amount of money (\$300 or less), it simply shifts the burden from the individual, who was not charged or convicted, to the state to prove there was a connection between the money and drugs, protecting citizen’s money from being seized without cause.

This veto was overridden by a House vote of 89-52; and a Senate vote of 32-14.

Office Information

My office is staffed by Nancy Lipin Crawford, my Chief of Staff and Aidan DeLisle, my Legislative Assistant. My office is open full time during the Session. Please feel free to contact me with your thoughts and concerns. My contact information remains: pamela.beidle@house.state.md.us or 410.841.3370. You can also find updates at my website www.pambeidle.com and on Facebook at Delegate Pam Beidle.

It is truly an honor to serve you in the Maryland General Assembly.