



STUDY AND ACTION 2021-2023

**A Leader's Guide to LWVMD Program Positions,
The Results of Our Studies, The Basis for Our
Action**

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Table of Contents

I.	LWVMD POSITIONS	6
A.	GOVERNMENT	6
1.	ADMINISTRATION OF JUSTICE	6
2.	ELECTION PROCESS	11
3.	ETHICS	18
4.	FIREARMS SAFETY	18
5.	FISCAL POLICY	18
6.	LOCAL GOVERNMENT	21
7.	REDISTRICTING	21
8.	CONSTITUTION (1962). Support for:	22
B.	NATURAL RESOURCES	22
1.	COAL	22
2.	HAZARDOUS WASTE MANAGEMENT	23
3.	LAND USE/GROWTH MANAGEMENT	23
4.	SOLID WASTE MANAGEMENT	24
5.	TRANSPORTATION	25
6.	CLIMATE CHANGE	25
C.	SOCIAL POLICY	25
1.	ADULT LITERACY	25
2.	CHILDREN'S SERVICES	26
3.	DEATH WITH DIGNITY (2019)	26
4.	DOMESTIC VIOLENCE	27
5.	DRUG AND CONTROLLED SUBSTANCE ABUSE	27
6.	DRUNK DRIVING	27
7.	EDUCATION	28
8.	MARRIAGE/CIVIL UNION EQUALITY	31
9.	HEALTH CARE and HEALTH CARE APPEALS	31
10.	HOUSING	32
11.	MEETING BASIC HUMAN NEEDS	32

II.	LWVMD POSITIONS: BACKGROUND	32
A.	GOVERNMENT	32
1.	ADMINISTRATION OF JUSTICE	33
2.	Election Process.....	35
3.	ETHICS	38
4.	FIREARMS SAFETY	39
5.	FISCAL POLICY.....	40
6.	LOCAL GOVERNMENT	41
7.	REDISTRICTING	42
8.	STATE CONSTITUTION	44
B.	NATURAL RESOURCES	45
1.	COAL.....	45
2.	HAZARDOUS WASTE MANAGEMENT.....	45
3.	LAND USE/GROWTH MANAGEMENT.....	45
4.	SOLID WASTE MANAGEMENT	47
5.	TRANSPORTATION	47
6.	CLIMATE CHANGE	47
C.	SOCIAL POLICY	47
1.	ADULT LITERACY	47
2.	CHILDREN'S SERVICES.....	47
3.	DOMESTIC VIOLENCE	47
4.	DRUG AND CONTROLLED SUBSTANCE ABUSE.....	48
5.	DRUNK DRIVING.....	48
6.	EDUCATION	49
7.	MARRIAGE/CIVIL UNION EQUALITY	52
8.	HEALTH CARE AND HEALTH CARE APPEALS	52
9.	HOUSING.....	53
10.	MEETING BASIC HUMAN NEEDS.....	55
III.	LWVMD POSITIONS: ACTIONS	55
A.	GOVERNMENT	55

1.	ADMINISTRATION OF JUSTICE	55
2.	Election Process.....	57
3.	ETHICS	63
4.	FIREARMS SAFETY	63
5.	FISCAL POLICY.....	64
6.	LOCAL GOVERNMENT	65
7.	REDISTRICTING	65
8.	STATE CONSTITUTION	66
B.	NATURAL RESOURCES	66
1.	COAL.....	66
2.	HAZARDOUS WASTE MANAGEMENT.....	66
3.	LAND USE/GROWTH MANAGEMENT.....	67
4.	SOLID WASTE MANAGEMENT	69
5.	TRANSPORTATION	69
6.	CLIMATE CHANGE	70
C.	SOCIAL POLICY	70
1.	ADULT LITERACY	70
2.	CHILDREN'S SERVICES.....	70
3.	DOMESTIC VIOLENCE	71
4.	DRUG AND CONTROLLED SUBSTANCE ABUSE.....	71
5.	DRUNK DRIVING.....	72
6.	EDUCATION	72
7.	MARRIAGE/CIVIL UNION EQUALITY	74
8.	HEALTH CARE and HEALTH CARE APPEALS	74
9.	HOUSING.....	74
10.	MEETING BASIC HUMAN NEEDS.....	75
IV.	LWVUS PRINCIPLES AND PUBLIC POLICY POSITIONS.....	75
A.	LWVUS PRINCIPLES	75
B.	LWVUS PUBLIC POLICY POSITIONS:	76
1.	REPRESENTATIVE GOVERNMENT	76

2.	INTERNATIONAL RELATIONS	78
3.	NATURAL RESOURCES	78
4.	SOCIAL POLICY	79
V.	LWVMD PROGRAM STUDY AND ACTION PROCEDURES	82
A.	LWVMD PROGRAM STUDY.....	82
B.	LWVMD ACTION.....	82
C.	LWVMD ACTION USING LWVUS PRINCIPLES AND POSITIONS	83
VI.	LWVMD CURRENT PROGRAM, 2021-2023	83
A.	Equity in Education.....	83
B.	Living Wage.....	83

INTRODUCTION

A very wise Leaguer once said: "Study without action is futile; action without study is fatal." This guide is designed to give LWVMD leaders the full text of our public policy positions, background on the studies that led to them, and the action resulting from them. The underlined statements are summary statements that give an overview of the position. LWVMD will use these positions, as needed, to impact decisions made by various state level policy and lawmaking bodies. Positions are available for use at the local level too, so look through them and remember this guide as a resource when you're looking for a basis for action. The guide also includes the procedures to be used by Local Leagues in considering when and how to take action, information on LWVMD action in relationship to LWVUS positions and principles, and new program items adopted by delegates to the 2017 Convention.

I. LWVMD POSITIONS

A. GOVERNMENT

1. ADMINISTRATION OF JUSTICE

Action to secure an effective, nonpartisan judiciary; and to promote fair and appropriate sentencing, including abolition of the death penalty; and a correctional system, including probation and other alternatives to incarceration, that protects society and prepares offenders for successful reintegration into the community. Action to support access by indigent criminal defendants to legal counsel at every decisional stage of the judicial process, including bail hearings (1963, 1964, 1967, 1970, 1987, 1989, 2002, 2003, 2005, 2009, 2010, 2011, 2012, 2015, 2019).

a) Judiciary

(1963, 1964, 1967, 1970, 2009, 2015). Support for:

- (1) A Constitutional provision for a statewide, uniform, unified judicial system in which all judges are trained attorneys. (1963, reaffirmed 1967, expanded 2009)
- (2) Appointment of judges by the governor based on recommendations of the judicial nominating commissions,

with voter confirmation in nonpartisan merit retention elections. (1964, reaffirmed 1967, 1970, 2009)

(3) A method for removal of judges that is effective, removed from partisan considerations and requires lay representation on any commission set up for that purpose. (1970, expanded in 2009)

(4) A non-partisan Evaluation Committee that issues public reports on judges' performance of their duties based upon neutral criteria. (1970, expanded 2009)

(5) Public funding for judicial elections so long as contested elections exist. (2009)

(6) Continuing the option for the counties of Maryland to retain or abolish Orphan's Court. (2010)

(7) Selecting Orphan Court Judges via non-partisan elections

(8) Selecting both attorneys and non-attorneys as Orphans Court judges.

(9) Changing the name of Orphan's Court to more clearly define the scope of its duties. (2011)

(10) Eliminating partisan elections for selection of Clerk of the Court, Register of Wills and Sheriff.

(11) (No consensus reached on a method of selection) (2010)

b) Bail (2019)

(1) A person accused of a crime should be released awaiting trial without bail if a risk assessment tool (see Pretrial release below) indicates that the defendant is

(a) likely to appear in court,

(b) the defendant does not pose a threat to victims, others or the community and

(c) the jurisdiction has pretrial services to monitor and/or treat the defendant.

(2) Bail bond agents should be closely regulated, monitored and subject to recourse for abuse.

c) Pretrial release (2019)

(1) Conditions for pretrial release should be determined based on a validated, evidence based, race neutral risk

scoring instrument; information presented at the initial appearance and bail review hearing and an in-person assessment of the defendant whenever possible.

(2) Pretrial services should be required in all jurisdictions, provide supervision and use automated means of ensuring court appearances and include a range of services including treatment programs.

(3) There was no consensus

(a) on the general statement that bail should be abolished

(b) on the role of judicial discretion in determining pretrial release.

(c) on the source of funding for pretrial services.
(Any position on funding would require additional study by the League.)

(d) on the statement that bail bond agents should be utilized to supervise released defendants and track down any who fail to appear.

d) Sentencing (1985, 2012) Support for:

(1) Sentencing based on the offense, the offender's previous record, aggravating or mitigating circumstances, and the impact on the victim.

(2) Changing mandatory minimum sentencing procedures to allow for judicial discretion.

(3) Sentencing guidelines which are:

(a) evaluated continually by a panel of judges, legislators and others interested in sentencing.

(b) expanded to include alternative sentencing.

(4) Reporting judicial rationale for sentencing outside the guidelines.

(5) Statewide plea-bargaining guidelines.

(6) Recognizing prison space as a limited resource reserved primarily for those who have committed serious or violent crimes, with the use of alternative sentencing for others.

e) Capital Punishment (2005). Support for:

(1) The abolition of the death penalty.

(2) For so long as Maryland has a death penalty, the League supports the following reforms for its equitable and consistent application:

(a) uniform, statewide, criteria for death penalty prosecutions

(b) changing the standard of proof in weighing of aggravating and mitigating factors in sentencing from "preponderance of the evidence" to "beyond a reasonable doubt."

(c) requiring prosecutors to provide open file discovery and all favorable evidence to the defense, and to establish uniform internal guidelines for cases that are particularly subject to human error, such as those relying on eyewitnesses, co-defendants or jailhouse informants.

(d) having mechanisms for preserving evidence such as DNA and for introducing newly discovered evidence.

(e) requiring judges to explain to jurors "life without parole" as a sentencing option and to charge the jury to weigh mitigating factors.

(f) effective defense including methods to screen, appoint and supervise lawyers representing defendants charged with capital crimes, adequate compensation for public defense counsel and sufficient funding to mount an effective defense.

f) Corrections (1971, 1975, 1977, 1979, 1985, 1987, 2002, 2003). Support for:

(1) Alternatives to incarceration in state prisons, e.g., community correctional facilities, halfway houses, group homes and other community-based services.

(2) A well-staffed correctional system which provides effective training and adequate salaries for correctional services staff.

(3) A probation system that:

(a) is an integral and adequately funded component of the correctional system.

- (b) facilitates the behavioral change of clients through cooperation and interaction among community, agency, and departmental resources. These resources, including substance abuse programs, work empowerment, parenting skills, mental health counseling, and child/sex abuse treatment should be available to every client who needs them.
- (c) recruits and retains probation agents; provides a career ladder for field agents and gives them manageable workloads, time flexibility and office resources to do in-depth risk and needs assessment, develop treatment plans, make referrals for services, assist in getting clients accepted in programs, and follow up on client participation in programs. There should be appropriate office facilities, private space, and technological and clerical support to allow agents sufficient involvement with clients.
- (d) includes intensive as well as lower levels of supervision of clients.
- (4) A Maryland prison system which:
 - (a) adopts, monitors and enforces standards which provide a humane physical and psychological setting.
 - (b) provides useful activities for a substantial part of the work week.
 - (c) has adequate programs which create and enhance self-worth and facilitate community reintegration and economic self-sufficiency, including substance abuse treatment programs throughout incarceration.
 - (d) provides ongoing counseling programs.
 - (e) provides education, literacy, and vocational training.
 - (f) provides reintegration services for all inmates prior to release and encouragement, with strong incentives, to participate in these programs.
 - (g) has space, security, and staff adequate to

support program activities.

(5) The correctional systems' active encouragement of the use of qualified and trained volunteers.

(6) A significant citizen role in setting, reviewing, and monitoring correctional policy.

(7) The use of pre-sentence investigations.

a) Juvenile Corrections (1973, 1985, 1989)

(1) Support for:

(a) Use of specialized judges, counseling services and administration of juvenile cases all geared to dealing with families

(2) Small, regional juvenile institutions

(3) Individually designed training and treatment programs and local or regional diagnostic services for juvenile offenders

(4) Coordination of programs and services for juvenile offenders provided by the state agencies.

(5) 24-hour supervised residential work and restitution centers with treatment programs available.

2. ELECTION PROCESS

Action to assure an election system that is representative, feasible to implement and increases voter participation, as well as equitable, accessible, fiscally responsible, accountable and enforceable. Action to support same day registration. Action to assure fair campaigns and elections. Action to institute elections to fill vacancies in the General Assembly. Action to support more open primary elections and taxpayer-funded primary elections for all recognized parties. Action to support a mix of single and multi-member legislative districts and coterminous boundaries. Action to oppose term limits for members of the General Assembly. Opposition to a requirement for uniform voting systems unless funded by the state. (1972, 1985, 1993, 1997, 2001, 2013, 2014, 2015, 2018, 2020, 2021).

a) General Principles (2018). Support for:

(1) We believe it is important that election systems

(a) produce representation that reflects community

sentiment,

- (b) help increase voter participation by encouraging a broader range of candidates and
- (c) more civil campaigns and
- (d) are feasible to implement.

(2) We also prefer election systems that:

- (a) are easy for the voter to understand, both in terms of how to vote and how their vote is counted,
- (b) help ensure minority views and interests have some influence in selecting elected officials,
- (c) help raise the level of political campaigns by encouraging a focus on the issues and discouraging negative campaigning,
- (d) maximize the power of each voter's vote; and
- (e) help promote more openness and responsiveness between candidates and constituents.

(3) If a majority of votes is required to win an election, Ranked Choice Voting (instant runoff) is the preferred method of determining such a majority. (There was no consensus on using a separate Run-off Elections to determine a majority.)

(4) If candidates are to be nominated by parties for the general election ballot, ballot access for non-principal parties should be improved:

- (a) all recognized parties should have access to taxpayer-funded primary elections; and
- (b) a non-principal party should retain its status if the number of registered voters affiliated with that party is equal to or greater than the number of signatures required to gain initial recognition.

Opposition to:

(1) Reducing the number of signatures required for initial recognition as a party (10,000 at the time of the 2018 study)

(2) Reducing the number of petition signatures for a candidate to qualify for the general election ballot without the nomination of a recognized political party (10,000 for

statewide candidates or 1% of the eligible voters in the election district of the candidate at the time of the 2018 study).

b) Election Administration

Support for:

- (1) An election system that is equitable, accessible, fiscally responsible, accountable and enforceable. (1997 and 2001)
- (2) Mandatory training for all election judges with the state providing basic training instructions.
- (3) A minimum compensation level for election judges set by the state.
- (4) A restructured Maryland State Board of Elections (MSBE) - formerly the State Administrative Board of Election Laws (SABEL).
 - (a) giving MSBE legal authority and adequate funding to enforce election laws and regulations;
 - (b) giving MSBE legal authority and funding to develop and maintain a centralized, computerized voter registration list and a centralized, computerized campaign finance reporting system;
 - (c) staggered terms for members of MSEB;
 - (d) a professional administrator hired by MSBE.
- (5) Statewide uniformity of voting registration and registration records.
 - (a) a change in Maryland law that would allow any eligible individual to register to vote online and complete the registration process at the polling place. (2013)
- (6) A uniform, simple system for accurate identification of voters at the polls.
- (7) A registration deadline set as close as possible to primary and general elections, consistent with technology that provides ballot security and makes the administration of the deadline cost-effect. ("Ballot security" assures ballot secrecy and prevents fraudulently cast ballots.)
- (8) Provisional ballots, with a strong preference that

voters be notified if they are later found not eligible to vote. Provisional ballots allow a voter whose name is not listed on the polling place election register to vote a ballot which is sealed and segregated from regularly cast ballots until the election authority can confirm the voter's eligibility. They provide ballot security, are convenient for the voter and avoid disenfranchisement of voters due to administrative error.

(9) Early Voting

- (a) State law should specify a minimum number of early voting days;
- (b) State law should specify that a Saturday and a Sunday be included in early voting days;
- (c) State law should give the State Board of Elections the authority to authorize additional early voting sites when such sites are requested and funded by a local election board.
- (d) Setting a deadline that occurs before early voting begins for write-in candidates to file a certificate of candidacy. (2013)

(10) Development and maintenance of a permanent absentee list for absentee voters. There was no consensus as to whether the voters on the permanent absentee list should receive an application for an absentee ballot or the absentee ballot. (2014)

(11) If security issues can be adequately addressed, support for online delivery of absentee ballots to all voters who request such delivery. (2013)

(12) Study, research and pilot projects to determine the feasibility of Internet voting.

(13) Assuring voters' access in the polling place to personally-procured or provided information and materials (e.g., sample ballots, voters' guide, campaign literature) to assist in marking the ballot. There was no consensus as to the format of materials allowed in the polling places. (2014)

(14) Requiring that all voting equipment (hardware and software) for use in Maryland should allow alternative ways of casting and counting ballots and be usable for all county

and municipal elections. (2014)

(15) Support for allowing unaffiliated voters to register for a party any time voter registration is allowed (2018)

Opposition to:

(1) a requirement for uniform voting systems unless funded by the state. (1997)

c) Fair Campaigns (1971, 1974, 1982). Support for:

(1) Fair campaign financing. (LWVUS position)

(2) Full disclosure. (LWVUS position)

(3) Limits on Election Day campaigning and

(4) Full enforcement of election laws.

d) Filling Vacancies in State and Local Offices (1985, 1995, 2015). Support for:

(1) Special primary and special general elections to fill vacancies in the Maryland General Assembly to be held at the same time as other regularly scheduled elections (tie-in elections).

(2) Support the option to use Instant Runoff Voting (IRV): to fill vacancies in any single seat or executive office elections, at the local, county or state level. This would require the winner to receive a majority of the votes, instead of conducting both special political party primaries and a special general election. (2015)

(3) A temporary gubernatorial appointment to fill legislative vacancies based on local political party committee recommendations, until elections are held.

(4) Additional statewide standards regulating the central committee nominating process to fill legislative vacancies, public notice of meetings within the vacated district for public input, the public announcement of candidates prior to that meeting, and a publicly recorded vote of each committee member.

e) Primary Elections (1993, 2018). Support for:

(1) More open primary elections, either through:

(a) Party primary elections in which unaffiliated

voters as well as party members would be permitted to vote in a primary election to choose the nominees of the parties; or

(b) Individual candidate-based primary elections in which all voters choose among all candidates from all parties on the same ballot with the candidates' party affiliations listed. The subsequent general election ballot would include either

(i) a predetermined number of candidates without regard to partisan affiliation (e.g., the top two, three, or four); or

(ii) those candidates receiving a predetermined percentage of the total primary votes.

f) Election Districts (1993, 2016). Support for:

(1) A mix of single and multi-member districts. The following criteria should be used to decide which districts should be single and which should be multi-member:

(a) full minority representation;

(b) geographic integrity;

(c) preservation of political and community boundaries;

(d) compactness.

(2) Coterminous boundaries (Delegate districts nesting within Senate districts).

g) Term Limits (1993). Opposition to:

(1) Term limits for members of the General Assembly.

h) Vote By Mail (2020). Support for

(1) Vote By Mail (VBM) for elections in Maryland where all registered voters are automatically sent a ballot in the mail without having to request one first, and in-person voting options are available but limited.

(2) The following best practices should be applied to any VBM legislation:

(a) Prepaid postage for return of ballots should be required.

(b) Ballots should be mailed at least three weeks

before an election.

(c) Voter Education using all forms of media is essential in preparing voters for the vote by mail process.

(d) Ballots should be tracked throughout the process by means such as the use of barcodes.

(e) Some form of signature privacy should be made available for returning ballots.

(f) Ample drop boxes must be available in all counties and Baltimore City and they must be conveniently located, especially with public transportation access and/or access to rural areas when appropriate. Safety must also be provided for the ballots and the voters.

(g) Ample in-person polling places must be available in all counties and Baltimore City and they must be conveniently located, especially with public transportation access and/or access to rural areas when appropriate. Safety must also be provided for the ballots and the voters.

(h) Vote counting should start before Election Day.

(i) If a signature is missing or required, the voter should have a chance to correct the challenge.

(j) Early opportunities for in-person voting should be continued.

i) Initiatives (2021) Support for:

(1) a change in the Maryland constitution to allow voters the right to petition for a statutory and/or constitutional amendment through the initiative process.

(2) a direct initiative process is the preferred method; however, an indirect initiative process could also be supported.

(3) In preparing enabling legislation, the following practices should be taken into consideration:

(a) Transparency

(b) Single subject

(c) Number and distribution of signatures

- (d) Fiscal implications
- (e) Oversight of title, summary and constitutionality of the initiative
- (f) Higher number of signatures for Constitutional initiative.

3. ETHICS

(LWVMD has never specifically studied governmental ethics. We have, however, strongly supported (in accordance with the LWVUS Principles and positions) legislation and administrative action which will make government more responsive and accountable to the voters, such as open meetings, accessibility of records to the public, and a code of ethics for government office holders and officials.)

4. FIREARMS SAFETY

- a) Requirement of a proficiency test as part of the procedure for obtaining a hunting license.
- b) Restriction on the availability of handguns (not including the banning of handguns).
- c) Registration of all handguns including a more effective identification process.
- d) Compilation of more adequate and uniform firearm and firearm crime statistics by the State Police.
- e) Development of police public relations programs to educate the public about firearms, especially gun safety, gun laws, and gun crime and accident statistics.

5. FISCAL POLICY

Action to promote an equitable and efficient fiscal structure for Maryland and to improve the fiscal relationships between the state and its political subdivisions. Action to support or oppose proposed changes to Maryland's revenue structure, using certain principles to analyze and evaluate the proposed changes. Action to increase the budgetary authority of the legislature and to achieve a more effective budget process. (1976, 1981, 1999, 2004).

- a) Fiscal Structure (1976, 1981, 1999). Support for:
 - (1) An equitable and efficient fiscal structure for Maryland.

- (2) improvement of the fiscal relationships between the state and its political subdivisions.
- (3) Supporting or opposing proposed changes to Maryland's revenue structure by using the following principles to analyze and evaluate the proposed changes:
 - (a) a progressive income tax which should be the first choice if a revenue increase is necessary.
 - (b) a sales tax with exemptions to decrease regressivity.
 - (c) a motor vehicle fuel tax on a per gallon basis to be used for transportation, with measures included to protect the environment.
 - (d) the distribution of state funds to local governments in a variety of ways, based on factors such as population, need, wealth, and tax effort.
 - (e) reduction of the number and complexity of equalization formulas used by the state to distribute money to local governments.
 - (f) statements of intent and periodic review by the legislature of all state-funded programs.
 - (g) permitting legislative reallocation of expenditures within the official state revenue estimate or the Governor's budget proposal
 - (h) fiscal restraints which promote good fiscal planning and allow for proper budget procedures.
- (4) Support for use of the following principles (no single revenue source will meet all principles), with principles 1 through 3 the most important and 4 through 6 more important than the others.
 - (a) Adequate yield: Adequate and timely revenues are available to finance planned expenditures.
 - (b) Equity/Fairness: The ability-to-pay principle defined as a progressive tax - a graduated tax which will collect a greater percentage of income from those with higher income than from those with lower incomes; e.g., a graduated income tax with a series of rates and income brackets.

- (c) Compatibility with state social and environmental policy: The state's policy and tax structure are working toward the same ends, not at cross purposes.
 - (d) Cost effective administration: Collection costs are low relative to the yield.
 - (e) Elasticity/natural growth: As the economy, the population and/or inflation grows, the revenue system will grow naturally at a similar rate in order to maintain a constant level of services.
 - (f) Equity/Fairness: The benefit principle means a tax or fee will be levied in proportion to the benefit received, e.g., user fees, college tuition, and dedicated taxes. Use of this principle must include an assessment of the impact on low-income people.
 - (g) Simplicity: The revenue source is easy to understand.
 - (h) Certainty: The tax is difficult to avoid.
 - (i) Public acceptance: The political will exists to impose the tax or fee and the public's willingness to comply is evident.
 - (j) Compatibility and links with federal policy: Maryland's budget includes a significant amount of federal funds; the state income tax is pegged to the federal income tax; several other smaller taxes also piggyback on their federal counterparts; and some state taxes are deductible at the federal level.
 - (k) A competitive business climate: The state's policy and tax structure will not adversely impact on-going businesses, or where businesses locate. The costs of inducements, such as tax credits, to businesses to move to or to remain in the state will be considered in the light of Maryland's overall competitiveness and attractiveness. Accountability for the cost of inducements and their results must be included in this policy.
- (5) And opposition to:

- (a) Any constitutional amendment proposed to limit state taxes and spending.
 - (b) Tax or spending limits imposed by the state on local governments. see "Financing Education" positions, page 2282 for related support positions.
- b) Budget Process (1977, 2004). Support for:
 - (1) Increasing the budgetary authority of the legislature to achieve a more effective budget process.
 - (2) The following characteristics as important to Maryland's operating budget process:
 - (a) Transparency: A budget process that is clear and readily understood.
 - (b) Public Access: Opportunity for substantive public input during the entire budget process, including the formulation, enactment and implementation phases.
 - (c) Reliable, current and objective information.
 - (d) Accountability: A systematic review process of expenditures, programs and services to determine their impact, efficiency and sustainability.
 - (e) Sufficient time to deliberate.
 - (f) Flexibility: The ability to adjust to changing needs.
 - (g) Balanced budget requirement.

6. LOCAL GOVERNMENT

Action to support county home rule, with preference for charter.

(1967, 1983, 1985). Support for:

- a) County home rule, with preference for charter. (1967, reaffirmed 1983, 1985)

7. REDISTRICTING

Action to assure a state redistricting process and standards that promote fair and effective representation in the state legislature and House of Representatives with maximum opportunity for public scrutiny. (2004).

Support for:

- a) A state redistricting process and standards that promote fair

and effective representation in the state legislature and House of Representatives with maximum opportunity for public scrutiny.

b) An independent commission as the preferred redistricting body. The membership of the redistricting commission should:

- (1) Be multi-partisan
- (2) Include unaffiliated voters
- (3) Be geographically representative
- (4) Not include any current state elected official.

c) Standards on which the redistricting plan is based should include:

- (1) substantially equal population;
- (2) geographic contiguity;
- (3) geographic compactness.

d) Final approval by the General Assembly for the legislative and Congressional redistricting plans.

e) An amendment to the Maryland Constitution affirming that the redistricting process for the House of Representatives should occur only once every ten years after the census.

8. CONSTITUTION (1962). Support for:

a) A constitution that is clear, concise and confined to fundamentals.

B. NATURAL RESOURCES

1. COAL

Action to oppose the granting of eminent domain for, and the construction of, a coal slurry pipeline through Maryland. (1986) Action to support the collection of taxes and fees from the coal industry for costs to the public resulting from the mining of Maryland coal. (1987) Action to oppose strip mining on slopes steeper than 20 degrees. (1993). Support for:

- a) Holding the coal industry responsible for the payment of costs to the public resulting from its operation.
- b) Use of the per-ton severance tax and the current system of impact/reclamation fees as the sources of revenues to cover these costs.
- c) Continuation of the Maryland coal tax. And
- d) Opposition to the use of the personal property tax for surface mined coal because of the difficulty in enforcement and collection,

and

- e) Strip mining on slopes steeper than 20 degrees.

2. HAZARDOUS WASTE MANAGEMENT

Action to promote the environmentally sound management of hazardous waste and to educate the public on safe disposal procedures. (1984).

Support for:

- a) Sound management of hazardous waste through:
 - (1) recycling, recovery and pre-treatment;
 - (2) alternatives to landfilling;
 - (3) providing economic incentives to industry and evaluating the results;
 - (4) providing funds for environmental monitoring and enforcement.
- b) State government action to assist public and small generator waste disposal in an economically feasible and environmentally safe way through:
 - (1) education of the public as to what hazardous waste is, how to dispose of it properly, and safe alternative products that can be used;
 - (2) mandating informative labeling on all hazardous waste products; and
 - (3) encouraging the establishment of convenient collection sites throughout Maryland.

3. LAND USE/GROWTH MANAGEMENT

Action to encourage the State to establish goals, guidelines, and standards for land use, with local implementation of land use policies. (1975, 1979, 1991). Support for:

- a) State government having a larger role than local government in managing critical areas of statewide concern, especially environmental protection and resource conservation and preservation.
- b) Goals and guidelines for regional and interagency coordination in the development and implementation of land use plans.
- c) Local government's use of land use planning and regulatory techniques, such as adequate public facilities legislation, land

banking, planned unit developments, transfer of development rights, and timed development ordinances to direct development to designated areas.

- d) Preservation of agricultural land by:
 - (1) zoning;
 - (2) continued use of preferential farmland easement laws, including collection of the rollback tax;
 - (3) transfer of development rights;
 - (4) easement purchases funded by the state real estate transfer tax.
- e) State government use of incentives such as the provision of technical assistance, infrastructure and grants to enable local governments to comply with state goals, guidelines and standards.

4. SOLID WASTE MANAGEMENT

Action to promote informed decisions affecting solid waste management. (1995). Support for:

- a) Ample opportunity and funding for active public participation including timely scheduling and notification of public meetings.
- b) Provisions by local, state and federal governments of the following types of information on the impact of solid waste actions:
 - (1) environment;
 - (2) economics;
 - (3) public health;
 - (4) socio-economic demographics.
- c) Technological information collected, shared and provided by the state
- d) State regulations in place regarding control, funding and public health for the management of solid waste
- e) The following incentives that encourage the reduction, reuse, and recycling of materials and the opening of new markets and that discourage the use of some materials:
 - (1) legislative mandates;
 - (2) tax incentives;
 - (3) voluntary guidelines;
 - (4) pricing support;
 - (5) variable rates for waste pick-up;

- (6) procurement regulations
- f) Inter- and intra-state solutions to solid waste management.

5. TRANSPORTATION

Action to support an integrated transportation system and mass transit systems which are efficient, safe, clean and accessible. Support for adequate and equitable funding and cooperative regional programs is necessary to achieve these goals. (2002), Support for:

- a) Maintaining the solvency of the Transportation Trust Fund.
- b) Increasing funding for mass transit.
- c) Developing regional visions and frameworks for transportation which reflect local concerns and which incorporate relevant LWV positions on land use, economic development and environmental protection.
- d) Achieving and maintaining cooperative working relationships among state and local agencies in order to achieve better planning and to decrease the use of single occupancy vehicles.
- e) Incentives which promote use of mass transit and other alternative modes of travel.
- f) Public education to promote transportation goals which would provide alternative travel modes, encourage technological improvements that abate emissions from mobile sources, reduce energy consumption and protect natural resources.

6. CLIMATE CHANGE

Action on climate change is based on the LWVUS position to support comprehensive legislation to control climate change, and support for predominant reliance on renewable resources.

C. SOCIAL POLICY

1. ADULT LITERACY

Action to ensure availability of free or low-cost basic English language instruction for adult Maryland residents who are not proficient in reading, writing, speaking and understanding English. (2009). Support for:

- a) Federal, State and Local government funding of free or low-cost basic English language instruction for adult Maryland residents.
- b) State and/or local government providing tax credits or other monetary incentives to employers who:

- (1) provide paid work release time for employees to attend English as a Second Language (ESL) or literacy classes either on-site or offsite.
- (2) contract with qualified professionals and/or community colleges to provide worksite ESL or literacy classes.

2. CHILDREN'S SERVICES

Action to support a comprehensive range of child-centered services to ensure all children a chance to grow toward stable, productive adulthood. (1995) - Support for:

- a) Making the needs of children a high priority of government.
- b) Effective services for children, including:
 - (1) collaboration across departmental and agency lines to provide seamless services for children;
 - (2) community-based points of entry where families at risk can apply for multiple services;
 - (3) consumer-oriented service centers sited in easily accessible neighborhood locations (such as schools) with hours convenient to families;
 - (4) a compatible computer system with appropriate safeguards for confidentiality, connecting agencies serving children to allow more open collaboration and provide comprehensive resource listing;
 - (5) a non-categorized contingency fund with rational limits and clear accountability available to line workers dealing with crisis situations;
 - (6) early intervention to prevent later crisis;
 - (7) result-oriented, long-term evaluations of program and services based on measured outcomes.

3. DEATH WITH DIGNITY (2019)

- a) The League of Women Voters of Maryland believes state laws should grant the option for a terminally ill person to request medical assistance from a relevant, licensed physician to end one's life.
- b) The League of Women Voters of Maryland believes such legislation should include safeguards against abuse for the dying and/or medical personnel.

4. DOMESTIC VIOLENCE

Action to support preventing initial and repeat occurrences of violence against spouses, domestic partners, the elderly, and children. Action to support a strong statewide response to violence that is integrated, interdisciplinary, and adequately funded, involving all segments of the law-enforcement and judicial systems, the medical community, the schools, social services, animal care and control agencies, and the private sector, with a primary focus on the safety of victims. (2000) Domestic Violence is "abuse that may be physical, psychological, and/or economic, affecting all socioeconomic, religious, ethnic and social groups, including spouses, partners, children and the elderly." The position calls for support for:

- a) Counseling for abused women, children and batterers.
- b) A "seamless response" to domestic violence throughout the state.
- c) Early intervention where child behavior may signify abuse.
- d) Programs to sensitize police and judicial personnel, health care providers, mental health workers, social service workers, businesses, community groups, educators, and veterinarians and animal care workers to indicators of abuse.
- e) Adequate funding of domestic violence programs.
- f) Forceful implementation of laws.
- g) Safe homes to meet the needs of elderly victims.
- h) Facilities for pets who are not permitted in shelters.
- i) Research to develop programs and laws which will stop domestic violence.

5. DRUG AND CONTROLLED SUBSTANCE ABUSE

Action to legalize the use of marijuana for any use, including medicinal, subject to restrictions on production and distribution. (2012) - Support for:

- a) Legalization of marijuana for any use, including medicinal use, subject to restrictions on production and distribution.
- b) No agreement was reached as to the legalization of other non-prescription illegal drugs classified as controlled substances such as heroin or cocaine for medicinal or any use.

6. DRUNK DRIVING

Action to promote strong governmental measures and educational

programs to address the problem of the drinking driver. (1983 and 2001) - Support For:

- a) A blood alcohol concentration (BAC) not to exceed 0.08 standing as both the legal definition of driving while intoxicated and absolute proof of guilt per se in alcohol-related driving offenses.
- b) The administration of BAC tests when there is a probable cause to believe that a driver is under the influence of alcohol.
- c) Courts and other agencies expediting the handling of alcohol-related driving offenses.
- d) Statewide guidelines for rehabilitation programs, which should be locally administered with costs shared by the offenders.
- e) Judges' use of a variety of sentences for alcohol-related offenses.

7. EDUCATION

Action to support measures which recognize the primary responsibility for funding public elementary and secondary education lies with the state. (1972, 1975) Action to support the state aiding local school systems in attracting and retaining competent teachers. (1989) Action to oppose using public funding for vouchers to enable parents to send their children to private elementary and secondary schools. (2001) Action to encourage the inclusion of certain criteria in any legislation or regulations governing the establishment of Public Charter Schools. (2001) Action to ensure students have an opportunity to pass high school graduation tests. (2005) Opposed BOOST scholarship program for students eligible for free or reduced-price lunch to attend private and religious schools that currently receive state funding for computers and textbooks. (2018 reduced increase in funding).

a) Financing Education

The primary responsibility for funding public elementary and secondary education lies with the state: (1972, 1975). Support for:

- (1) A foundation program based on a weighted per pupil formula supported from general state revenues at a level high enough to eliminate inequities.
- (2) Some local leeway to provide additional funding for education.
- (3) Continuation of local control over the schools.

(4) The encouragement of increased federal funding for education. (See Fiscal Policy support positions 4 and 5, on page 27)

b) Competent Teachers

State aiding local school systems in attracting and retaining competent teachers. (1989). Support for:

(1) The state setting realistic minimum beginning salaries.

(2) The state funding scholarships for college education of qualified candidates entering the teaching profession, particularly for those agreeing to teach in critical subject areas or in school systems with critical teacher shortages.

(3) The state supporting alternative paths to certification.

(4) The state providing support for professional development activities.

(5) The state encouraging the use of support staff to enable teachers to spend more time with students and their learning problems.

c) Choice in Education—Vouchers (2001, 2002). Opposition to:

(1) Using public funding for vouchers to enable parents to send their children to private elementary and secondary schools

d) Public Charter Schools (2001)

(1) The following criteria in any legislation or regulations governing the establishment of Public Charter Schools:

(a) Public Charter Schools must be non-sectarian, non-religious, non-profit, and not home-based;

(b) Applications may be submitted by a variety of groups or organizations, including, but not limited to, parents, teachers and institutions of higher learning;

(c) Local boards of education determine which groups or organizations will be granted contracts i.e., "charters"), with the right to an appeal of that decision to the State Board of Education;

(d) Waivers (to be specified in the contract) may include some public-school regulations governing curriculum, calendar, and teaching methodology. No

waivers may be granted from regulations governing fiscal accountability, nor (as specified by federal regulations) from civil rights or health and safety standards;

(e) Quarterly financial reports should be made to the local school board;

(f) Academic standards, including testing, required of other public-school students must be met;

(g) Admission must be non-discriminatory and open on a first-come, first-served basis to all students who wish to apply, and

(h) Public Charter Schools must be funded at the same per pupil level as students in other public schools.

(2) No consensus was reached on whether we support or oppose Public Charter Schools.

e) High School Graduation Testing

Ensure students have an opportunity to pass high school graduation tests. (2005). Support for:

(1) As long as passage of academic tests (High School Assessments) is required for graduation, the following conditions should be in place to ensure students have a fair opportunity to pass:

(a) Access to curriculum and instructional materials aligned with state standards

(b) Access to a high-quality educational program, including advanced placement courses

(c) Access to well qualified teachers

(d) Timely and specific results

(e) Multiple opportunities to pass the test

(f) In-school and after-school tutoring and remediation

(g) Opportunities to retake a course or take a mini-course

(h) Alternate ways to demonstrate mastery of the subject

- (2) To ensure every student the opportunity and resources to pass tests, the state should fund:
 - (a) Pre-school education
 - (b) Professional staff development (curriculum, learning styles, cultural differences, expectations of students)
 - (c) Curriculum development and textbooks aligned with core curriculum
 - (d) Smaller class size
 - (e) Technical assistance to identify reasons for low academic achievement
- (3) No consensus was reached on whether passage of statewide, course- related testing should be required to determine eligibility for high school graduation.

8. MARRIAGE/CIVIL UNION EQUALITY

Action to ensure that Maryland law does not discriminate in its recognition of all marriages/civil unions on the basis of gender or religious definitions of marriage. (2007). Support for:

- a) State sanctioned, legally recognized unions which convey rights, benefits and obligations to same-sex partners who seek such unions.
- b) Recognition of such unions and/or same-sex marriages that have been legally sanctioned in other states.
- c) With preference for: In keeping with the principle of separation of church and state, making the basis of state recognition of all marriages/civil unions (same- sex or opposite-sex) a civil proceeding, with the additional step of marriage in accordance with religious traditions a voluntary option.

9. HEALTH CARE and HEALTH CARE APPEALS

Action to ensure a health care appeals system which protects patients, makes insurers accountable and objectively addresses patients' concerns. (1999). Support for:

- a) Uniform state standards and guidelines for health care appeals. The standards and guidelines should:
 - (1) be applicable to all health insurers not covered by federal law;

- (2) include time frames for responding to appeals and the qualifications required of reviewers;
- (3) require that professional standards be used in making decisions on appeals.
- b) Collection of healthcare data which can be used to hold health insurers accountable and which is understandable and accessible to patients.

10. HOUSING

Action to develop a state housing policy responsive to the need for more affordable housing and to clarify landlord/tenant relationships. (1982, 1983). Support for:

- a) One state entity charged with and held accountable for establishing housing policies, programs and goals, periodically collecting and analyzing data and reviewing housing programs.
- b) Housing programs funded by bonds and general revenues.
- c) Housing programs targeted to those geographic areas with proportionally the highest level of housing assistance needs.
- d) New construction or rehabilitation to promote economic development.
- e) The change of state landlord/tenant laws to require a clearly written lease which states the rights and responsibilities of both parties and includes a warranty of habitability.
- f) Requirement of landlords to state reasons for either terminating tenancy or initiating eviction proceedings.
- g) The establishment of local and/or regional landlord/tenant offices and quasi-judicial commissions throughout Maryland
- h) The use of manufactured/mobile housing and the development of manufactured/mobile home subdivisions to meet the need for affordable and available housing.

11. MEETING BASIC HUMAN NEEDS

Relied on LWVUS positions: One of the goals of social policy should be to reduce poverty and promote self-sufficiency for individuals and families; Increasing emphasis on cash assistance; Benefit levels should sufficient to provide adequate food; and Pay equity.

II. LWVMD POSITIONS: BACKGROUND

A. GOVERNMENT

1. ADMINISTRATION OF JUSTICE

a) Judiciary

Since its study in the early 1960's of the Judicial Article of the state constitution, LWVMD has continued to testify on issues affecting the judiciary, particularly the development of a unified judicial system and the merit selection and retention of judges. The 1990's saw creation of the Commission on the Future of Maryland's Courts which made numerous recommendations for legislative and administrative action. In 2009 an update of current positions and a new study on the selection of judges, retention election of judges, public financing of judicial elections and the financing of the judiciary, resulted in concurrence with in the positions proposed by the study committee, listed above.

In 2010, a study of the financing of the Maryland Judiciary, a study of Orphans Court and the election/selection process of the administrative offices of the judiciary Clerk of the Court, Register of Wills and Sheriff resulted in new consensus positions listed above. Position 6 c was proposed from the floor and adopted by the 2011 Convention.

b) Sentencing

A "get tough on crime" attitude shifted, in the 1980s, into more stringent parole/release policies and to stricter sentencing measures, impacting an already overcrowded prison system. The League's response was to adopt (at its 1983 State Convention) a "study of state administration of justice in Maryland focusing on the judicial process as it affects the state correctional system." The study focused on sentencing, plea-bargaining, and the Sentencing Guidelines adopted statewide by the Judicial Conference in 1983. In 1985 consensus was reached on all issues except mandatory sentencing. Position 2 was adopted in 2012, after a study of Drug and Controlled Substance Abuse, Policies and Laws in Maryland.

c) Capital Punishment

Nationwide the use of the death penalty has decreased and since 1973 over 100 persons have been exonerated and released from death row for a variety of reasons. In 2002 Governor Glendening issued an execution moratorium, pending the completion of a University of Maryland study on administration of the death penalty. This study found geographic and racial disparities in how the death penalty is handed down in Maryland. Delegates to the 2003 LWVMD Convention adopted a study as to

whether Maryland should continue to have a death penalty; and for so long as there is a death penalty, how it should be applied. In 2006, LWVUS adopted, by concurrence at the national convention, a position in support of repeal of the death penalty. A 2006 decision by the Maryland Court of Appeals that the state's lethal injection procedures had not been properly adopted, has resulted in a de facto moratorium on executions until or unless new regulations are approved.

d) Corrections

e) Juvenile Corrections

In 1972, LWVMD reached consensus concerning general goals and specific priorities for state correctional institutions, and in 1973 consensus was reached on issues involving the Division of Parole and Probation, the Parole Board, Community Corrections, and alternatives to institutional incarceration. That year, LWVMD published *Adult Corrections in Maryland*, which described the Maryland correctional system.

A Juvenile Corrections study was also undertaken in 1973. An evaluation of the juvenile system was necessary to determine ways to alleviate the problems of the adult system. LWVMD published a "Facts and Issues", *Juvenile Corrections: Ideal vs. Reality* in 1974, and consensus was reached that year. Subsequent consensuses (1985 and 1989) have enabled LWVMD to take action on many issues affecting juveniles entering the correctional system. In 1985 a study of the correctional institutions and parole and probation procedures in Maryland was adopted. The study committee toured prisons and held workshops with the Commissioner of Corrections and others including a panel of persons involved in direct work with inmates. The study committee concluded that few of the conditions addressed by the 1973 consensus had improved, and in fact some had worsened due to increased overcrowding. It also concluded that the issue was so complex that the 1985 study should be limited to the Division of Corrections.

Consensus was reached in 1987 on issues centered on institutional conditions, which could contribute to successful reintegration of the offender. The 1973 position was reaffirmed, with new positions specific to institutional conditions. Many recommendations supported more resources to reintegrate offenders into the community through a program of treatment, training, education and work release, but budgetary and legislative support has been largely limited to "the secure confinement of

offenders." A majority of members felt that the current system was inadequate, that there should be more citizen involvement, and that the issue needed to be studied further. No studies have been undertaken by LWVMD since 1987.

2. Election Process

f) General Principles

g) Election Administration

The League of Women Voters, since its beginning, has urged state, local and federal governments to reform election laws and procedures so that voters have an equal voice in the entire election process and are encouraged to participate. Although League members in Maryland worked closely with election laws through voter service work, it was not until 1953 that LWVMD studied any aspect of these laws as a program item. In 1969 LWVMD embarked on a comprehensive three-year study which covered constitutional provisions, laws and administrative practices of the election process.

The 1994 gubernatorial election brought forward questions about the quality and integrity of the process, which prompted LWVMD to review and study the adequacy of our positions on Election

Administration. Although neither the Attorney General, the Special Prosecutor, nor the Circuit Court found evidence to substantiate allegations of fraud, a League survey of elections officials across the state found conflicting and outdated areas of the law. Our study went on to focus on the methods used for counting votes, on procedures for voter registration and identification at the polls, how election judges are selected and trained, and the funding of the election process. The League's study ran concurrently with a 1995 state task force to review the election laws, and the 1996-1997 Commission to Revise the Election Code. Delegates to the 1999 LWVMD Convention adopted a Study to develop Positions which would further the League's "Making Democracy Work" project by increasing voter participation. League members applied generally accepted criteria to evaluate an election system in reaching their consensus. The criteria asked whether the proposed system would: produce ballot security; result in an accurate ballot count; be convenient to voters; be efficient and cost-effective; be non-discriminatory; promote education of voters; be accessible to the disabled; and be safe for all voters.

The consensus was that LWVMD should support a shortened deadline for registration, provisional balloting, early voting, a permanent absentee list (with conditions), and a study of Internet voting. No consensus was reached on all-mail voting or publication by the state of an informational packet for voters. The LWVUS supports same-day registration - no consensus was reached by LWVMD on whether to pursue that change in Maryland.

At the 2004 LWVUS convention, delegates voted on the following language in regard to voting systems: "LWVUS supports the implementation of voting systems and procedures that are secure, accurate, re-countable and accessible." Local Leagues were instructed to consult LWVUS before taking a position on a specific type of voting system to ensure that the League speaks consistently. This language was the basis for much of LWVMD testimony in the 2005 legislative session. In 2005-06, after a flurry of bills, some passed, some vetoed, vetoes overridden and court actions, LWVMD presented a study reviewing current law and LWVMD and LWVUS positions on election process. See Election Process Fact Sheet in E- Library at www.lwvmd.org.

At the 2006 LWVUS Convention, delegates tried to further clarify the position on voting systems by adopting a resolution that said that LWVUS only supports voting systems that are designed so that: they employ a voter-verifiable paper ballot or other paper record, said paper being the official record of the voter's intent; and the voter can verify, either by eye or with the aid of suitable devices for those who have impaired vision, that the paper ballot/record accurately reflects his or her intent; and such verification takes place while the voter is still in the process of voting; and the paper ballot/record is used for audits and recounts; and the vote totals can be verified by an independent hand count of the paper ballot/record; and routine audits of the paper ballot/record in randomly selected precincts can be conducted in every election, and the results published by the jurisdiction. A LWVMD committee was convened to provide guidance on the interpretation on this new position as it applied to voting systems that were being proposed during the 2007 General Assembly session.

h) Fair Campaigns

LWVMD action is based upon the LWVUS position: "support for improved

methods of financing political campaigns in order to ensure the public's right to know, combat corruption and undue influence, enable candidates to compete more equitably for public office and promote citizen participation in the political process" and LWVMD position supporting the Fair Campaign Financing Fund.

Our 1971 study of the Fair Elections Practices Act found that Maryland's provisions for disclosure of campaign contributions and expenditures were sound, but contained loopholes which made them ineffective. Consensus was reached supporting limits on both contributions and expenditures (limits on expenditures were subsequently deemed unconstitutional by the U.S. Supreme Court—*Valeo vs. Buckley*—and that part of our position was dropped in 1981). We also favored tax incentives for persons making contributions to campaigns. The League's 1971 study led to a new position favoring the termination of electioneering before the polls open on Election Day.

The League supported creation of the "Fair Campaign Financing Fund" for candidates for Governor and Lieutenant Governor. The Fund is financed by contributions (tax "add-on") and was used for the first, and only time in 1994 by one gubernatorial candidate. The League has been supporting bills to create public funding since 1997. The General Assembly, in passed legislation creating the Study Commission on Public Funding of Campaigns in Maryland. The League was represented on the Commission, which reported its recommendations in December 2003.

i) Filling Vacancies in State and Local Offices

In 1983 a study of the methods of filling vacancies in the state legislature was adopted: Maryland excludes direct voter participation during any stage of the replacement process. The state committee studied the procedure in Maryland, including political party nominations and gubernatorial appointments, procedures in other jurisdictions mandating elections to fill vacancies, and alternatives to the procedures outlined in the state Constitution. Consensus meetings weighed the advantages and disadvantages of a variety of immediate special elections held within a short time of an announced vacancy, "tie-in" elections to be held in conjunction with other regularly scheduled elections, and the present political party nomination/Governor appointment process as well as other options. A consensus was reached in 1985 to support special primary and special general elections to fill vacancies in the Maryland General

Assembly, to be held at the same time as other regularly scheduled elections. At the 2015 LWVMD Convention, delegates concurred with a Montgomery County position to consider the use of instant runoff voting in special elections to fill vacancies.

j) Primary Elections

Consensus was reached in 1993 to support closed primary elections (i.e., only those registered by political party may vote in that party's primary election). During 2017 and 2018 there was a concurrence and consensus study done to reconsider our previous 1993 position in support of closed primary elections. Following the study, the position was changed to support a more open primary election system. In consideration of the form of open primary there was no consensus on the option of all voters having a choice on all candidates. There was strong consensus that candidate's partisan affiliation should always be listed. Additional options with no consensus included determination by plurality, requiring a majority, or support for a run-off election.

k) Election Districts

Consensus was reached in 1993 to support a mix of single and multiple member districts with Delegates "nesting" within a single Senate district. A 2016 review of the position reconfirmed the consensus.

l) Term Limits

Consensus was reached in 1993 to oppose term limits for members of the General Assembly.

3. ETHICS

The 1998 Session brought ethics matters to the top of the Assembly's agenda: A Senator was expelled and a Delegate forced to resign due to apparent improprieties uncovered by the media. The Assembly created a "Special Study Commission on the Maryland Public Ethics Laws", which was made up of legislators, lobbyists, some public representatives and chaired by Congressman Benjamin Cardin. The League was invited to take an active part in the Commission's deliberations and we did.

The Cardin Commission's recommendations were submitted to the General Assembly's 1999 Session, watered down, and finally passed. The legislation provides that, for example: a full-time Counsel will meet annually with members to render advice and present seminars regarding the ethics laws and their application; financial and conflict of interest

forms will be filed electronically; members may not solicit gifts from lobbyists on behalf of others; legislators may not take state or local government jobs unless approved by the General Assembly's Joint Ethics Committee. Legislators may accept tickets to sporting events from the organization conducting the events, but not from registered lobbyists; members may not use the prestige of their offices for personal gain or hire relatives to perform legislative work; legislators who have a "direct and personal" conflict of interest on a bill may not influence voting or vote on that bill; and individual legislators may not accept gifts of meals and alcoholic beverages from lobbyists (an exception is made for legislators attending out-of-state conferences.)

The General Assembly, in 2001, passed major legislation strengthening ethics rules applying to lobbyists: The rules resulted from proposals of a Study Commission headed by former Speaker of the House Robertson. The 2001 legislation gives the State Ethics Commission the authority to suspend a lobbyist's registration ("license"), when he, for example: initiates or introduces legislation for the purpose of opposing it ("bell ringing"), knowingly makes a false statement regarding his lobbying activities, raises funds for charities at the request of a state official or employee, commits a criminal offense arising from lobbying activity, or fails to comply with disclosure and reporting requirements.

The Ethics Commission may also revoke the registration of a lobbyist who has been convicted of bribery, theft, or any crime involving moral turpitude: it may reinstate a lobbyist's registration where it finds that it would not be "detrimental to the public interest and the integrity of the governmental process".

4. FIREARMS SAFETY

LWVMD Convention of 1989 adopted a proposal to use the "concurrence" process to develop state agreement with the firearms control positions of the Baltimore County League. Before that concurrence was due, the LWVUS at the 1990 Convention adopted a position on gun control by convention concurrence. The LWVUS position is: Protect the health and safety of citizens through limiting the accessibility and regulating the ownership of handguns and semi-automatic assault weapons. In 1991, LWVMD reached concurrence and adopted a state position.

5. FISCAL POLICY

a) Fiscal Structure

Promoting a sound economy and maintaining an equitable and flexible system of taxation are among the League's basic principles. Maryland League members have, since the 1950's, understood the importance of the relationship between various revenue sources available to state government and the services provided by those revenues.

Members reached a position for a more progressive income tax and a less regressive sales tax in 1961. That issue was revisited in 1971 and 1976, and in a 1985 LWVUS study. When the Legislature revised income taxes in 1987 and 1988 in response to federal reforms, the League testified for increased personal exemptions and other measures to increase progressivity. The effort was partially successful. The League also supported the federal government's proposed redefinition of capital gains as "ordinary income", but this did not succeed. The use of income tax revenues to fund education was affirmed in the 1973 Financing Education study. A comprehensive study of state fiscal policy was adopted in 1975 stressing relief for certain homeowners and renters. LWVMD supported the existing sales tax in 1959 because it provided revenue to support essential services and because it contained an exemption for food and medicine, rendering the tax only mildly regressive. In 1966 and 1976 members favored use of exemptions to make the tax less regressive. Also, in 1976, LWVMD first considered the state's motor vehicle tax. Inflation and the need to repair the transportation infrastructure prompted a tax increase in 1982-83, which was supported by the League. The fuel tax and registration fees were increased in 1987.

The "tax revolt" and tax limitations adopted by four Maryland counties prompted the 1979 State Convention to adopt "a study of the effects of legal restrictions on state and local governments' spending and taxation." Members decided that the existing controls should be rigorously enforced and refused to limit taxes or spending, deeming such methods both inflexible and impractical. They feared the impact such constraint would have on the state's credit rating. In 1982 LWVMD opposed bills which would have limited state spending to the percentage increase in total personal income in Maryland. The League also supported the creation of the Spending Affordability Committee, which gives lawmakers an indicator of responsible state spending, but whose recommendations are

not legally binding.

In 1991, 1992, and 1994 the League testified in favor of a more progressive income tax and for a more efficient and equitable state/local fiscal structure. At the 1996 and 1997 sessions, LWVMD supported failed efforts to create a more progressive state income tax. Several income tax bills were introduced in 1996, which LWVMD opposed: all failed. LWVMD also opposed 1997 bills which would have reduced income taxes, as regressive. Despite our opposition, a 10% income tax reduction was enacted.

In 1999, the League adopted criteria to evaluate state revenue sources, which were used to support or oppose 26 tax bills in the 1999 General Assembly session.

b) Budget Process

The focus changed in 1977 to the state budget process when members reviewed the dominant role played by the Governor and the oversight (rather than the policy-making) role of the General Assembly. The League also focused at that time on how funds were distributed. Earlier, the League had considered granting broader powers to localities, sharing state taxes, increasing state grants, decreasing the local property tax burden and other aspects of the state/local fiscal relationships. The League broadened (in 1967) its support for state grants for health, education and welfare, to (for example) grants for pollution control and urban renewal. By 1977 the relationship between state and local governments was increasingly complex, prompting members to advocate simplification and specific criteria for methods of distributing state funds and services, with careful monitoring by the legislature. Then, as now, the Governor's budget can only be decreased by the legislature.

In 2004, the League adopted characteristics important for the operating budget.

6. LOCAL GOVERNMENT

The relationship of the state to various local units of government was thoroughly examined by the League in the early 1960's. Counties had originally been recognized as units created by the state solely for administrative purposes. Not until 1915 were Maryland counties given the constitutional right to adopt home rule with limited powers. Incorporated municipalities, on the other hand, had been considered to be voluntary

units set up to serve the special interests of their citizens and to have inherent rights.

During the 1967 study of the Constitution, League members discussed: which units or unit of government (state, county, regional, municipal) should be strengthened by broad grants of power; which should be diminished; what powers should each unit have and how these should be set forth in the Constitution. Consensus emerged for executive or "residual," (or more properly, "shared") powers for county governments; county control over municipalities with protection of their integrity; mandatory home rule (modified in 1983 - see below); the passage of only "general legislation" in the General Assembly; regulation procedures for boundary changes; and regional approaches to overlapping problems.

The proposed Constitution of 1969, which was defeated, would have granted these broad powers to the counties, reserving only the judicial and taxing powers to the state. All counties would have been required to exercise home rule power and write a charter by 1970. It would have relieved the state legislature of its responsibility for numerous pieces of local legislation applying to only one county. The municipalities would have lost none of their existing powers but would have drawn their powers from the strengthened counties in the future.

Delegates at the 1983 LWVMD Convention felt that home rule should be determined locally and not be imposed by the state and therefore voted to change our position to endorse charter home rule without the use of "mandatory". At the 1985 Convention the issue was again debated and the delegates voted to amend the position to its present form.

A majority of Maryland counties now have adopted charter home rule or code home rule. Others have a Commissioner form of government.

7. REDISTRICTING

Apportionment (or reapportionment) is the distribution of legislative seats among areas or governmental units entitled to representation. Districting, on the other hand, is the process of establishing the precise geographical boundaries of the territorial constituency. At the federal level, following each decennial census, Congress apportions the seats for the House of Representatives among the states, and then the states perform the actual Congressional redistricting. In Maryland, the General Assembly adopts a state legislative redistricting plan that is based on a detailed

reapportionment formula spelled out in the Maryland Constitution. This formula includes the basic standards of equal population, compactness and contiguousness.

These standards, however, are relatively new ones. During the 1960s after numerous legislative and judicial confrontations in Maryland and a number of other states, the U.S. Supreme Court delivered a series of decisions whereby it declared that population equality must be the overriding criterion when redrawing U.S. Congressional boundaries. LWVMD played an important role during this period in successfully defeating several Congressional redistricting plans that created over-representation from Baltimore City and the rural counties at the expense of votes in the expanding Maryland suburban areas.

Although the population growth reflected in the 1960 census caused the General Assembly to deal with the problem of redistricting Maryland's Congressional seats, no immediate attempt was made to bring the state legislature into line with the census figures. It was during this period that LWVMD studied legislative reapportionment and adopted the two positions which were the cornerstone of League's reapportionment policy: our support of the distribution of seats in both houses on the basis of population and our support of mandatory decennial reapportionment and redistricting to reflect population changes. (1960-63) When citizens' action brought the issue to the courts in Maryland Committee for Fair Representation vs. Tawes, the League entered the case as *amicus curiae* (friend of the court). In 1964 this case was incorporated into the Reynolds vs. Sims decision, whereby the U.S. Supreme Court applied its "one man, one vote" ruling to all houses of every state legislature in the country. This ruling meant that Maryland Senatorial districts based on county boundaries and resulting in high population variances were unconstitutional.

Subsequent Supreme Court decisions during the early 1970s allowed the necessity for equal representation to be balanced against other considerations such as natural and political boundaries. The court's reasoning was based on the fact that there are a significantly larger number of seats in state legislative bodies to be distributed within a state than Congressional seats. As a result of these distinctions, overall population variances per state legislative district usually can reach 10% while overall Congressional population variances must stay below 3%.

The League worked for state legislative apportionment on the basis of population which was achieved by means of a Constitutional Amendment in 1970. The League's position on decennial reapportionment was achieved with the passage of an additional state Constitutional Amendment in 1979. Since these positions are now a basic component of state law and are covered by LWVUS positions, they were dropped at the 1983 Convention.

Another round of redistricting began in 2001 with public hearings across the state. The Governor's Redistricting Advisory Committee released a draft plan after holding a public hearing in Annapolis. In the absence of a legislative alternative, the Governor's plan became law the 45th day of the 2002 session. The plan was subsequently taken to court and a new plan, drawn by the Court of Appeals, was released and went into effect in June 2002.

In response to increasingly accurate technology, people complained of partisan redistricting plans across the country that either protected incumbents or created more "safe" districts for the party in power. Some states turned to independent redistricting commissions, to limit the role of elected officials and to restore public trust in the system. Delegates to the 2002 LWVMD Council adopted an emergency study of the redistricting process in anticipation of action by the General Assembly.

Although the problem in the 1960s was no action to redistrict to reflect population changes over a number of years (a problem remedied by the 1979 Constitutional requirement that Maryland draw new districts after the decennial census), a new problem arose in Texas in the early 1990s. The Texas legislature redistricted, then did it again two years later when the party in power changed.

8. STATE CONSTITUTION

The Constitution of Maryland is over 100 years old and has never undergone major revision. It does require that the voters have the opportunity every 20 years to vote on the question of whether or not a constitutional convention should be called. In preparation for having the question on the ballot in November 1990, the League published "To Concon or Not".

In a comprehensive study of the constitution in the 1950s, the League found inconsistencies, contradictory language applying to local

jurisdictions, provisions that should have been statutory and obsolete provisions. This led to adoption of a position favoring a major revision of the constitution. Specific positions regarding constitutional referendum, state-local relationships, the judiciary and the executive followed.

A constitutional convention was held in 1967, in which the League played an active role. It produced a new constitution, which the League supported, but was rejected in 1968 by the voters. Since then, many legislators and other state officials have worked diligently to accomplish, in small steps, many of the convention's recommendations. In most elections since 1970, constitutional amendments have been on the ballot. Many of the provisions contained in the judicial and executive articles of the Constitution proposed in 1968 have been adopted. Gradually the court system is being modernized and Maryland has a reorganized executive branch complete with a Lieutenant Governor.

B. NATURAL RESOURCES

1. COAL

Despite the local nature of coal mining operations, legislation affecting the coal industry must be passed at the state level; hence the need was seen by the League for a state study and positions. The initial study, adopted at the 1985 LWVMD Convention, led to the adoption of the first two positions. Opposition to steep slope strip mining was adopted by concurrence with an Allegany County LWV position at the 1993 LWVMD Convention.

2. HAZARDOUS WASTE MANAGEMENT

Studies of hazardous waste by seven Local Leagues, begun in 1982, were merged into a state study, authorized at the 1983 LWVMD Convention. This led to consensus and adoption of positions in 1984. The study was intended as a basis for informing and educating the public about household waste generation and disposal, and for encouraging anticipated legislation to reduce the generation of hazardous waste. One outcome was a "Facts and Issues" publication: Hazardous Waste in Maryland (Pub. 83/3), published with support by the League of Women Voters Education Fund and the Environmental Protection Agency. Another development, partially due to LWV effort, was the institution of Household Hazardous Waste Collection Days in most counties.

3. LAND USE/GROWTH MANAGEMENT

Studies in the 1970s concerned relations among various levels of government involved in land use decisions and particular land use problems, laws, and mechanisms in the local jurisdictions. A "Facts and Issues" paper was published by LWVMD in 1973. The General Assembly, in 1974, passed a rather weak bill for identification of critical areas and regulation of land use in them. Consensus was reached in 1975 on several positions, including support for the preservation of agricultural land and for establishment by the state of standards and guidelines, with local implementation.

Further study led to consensus in 1979 on stronger and clearer positions on preservation of agricultural land; these positions have been used by several Leagues to support county preservation efforts. Support also was developed for Program Open Space (POS), using part of the real estate transfer tax to acquire land and keep it undeveloped, and testimony was given to defend these funds from diversion to other uses or elimination of the tax that provides the funds. In 1990 LWV supported and the Assembly passed legislation that phased out a previously imposed ceiling on funds to be transferred to POS, the Agricultural Land Preservation Fund, and the Heritage Fund.

Under LWVUS positions, LWVMD supported the 1984 Critical Areas Act, which established the Maryland Critical Areas Commission, promulgated criteria and regulations designed to protect the Chesapeake Bay, and which required local jurisdictions to set up local zoning plans subject to approval by the Commission. In 1987 LWVMD supported passage of the Critical Areas Criteria developed by the Commission, and co-sponsored a workshop on analysis of local plans for compliance. In 1989, LWV testified for the Noontide Wetlands Protection Act, which passed.

Concerned about the loss of farm and forest land to residential sprawl, in 1989 LWVMD began a study of the State's existing and potential role in growth management, leading to a 1990 "Facts & Issues" paper, and to a consensus in 1991 which augmented support positions.

A study of the rights and responsibilities of developers was done between 2014 and 2016. This complicated study looked at the wide flexibility counties had in adopting their interpretation of the State guidelines and the negative impact this flexibility was having on several counties. Following study there was no consensus as to a position. The Fact Sheet

and Resources are available for reference to assist Leagues or individual members but there is no formal League position on this issue.

4. SOLID WASTE MANAGEMENT

5. TRANSPORTATION

LWVMD had never done a study of transportation until the adoption of one at the 2001 Convention. The occasional actions we have taken on transportation issues have been based on our LWVUS position:

"Transportation systems should afford better access to housing and jobs and should also provide energy-efficient and environmentally sound transportation." This position grew out of efforts on behalf of equal opportunity for employment and housing, as well as our 1971 air quality position, and is included with LWVUS positions under "Meeting Basic Human Needs".

6. CLIMATE CHANGE

C. SOCIAL POLICY

1. ADULT LITERACY

The Adult Literacy Study committee and local Leagues researched English language instruction services for adult Maryland residents and presented their work to members at the September 2008 workshop. Approval by consensus followed in 2009.

2. CHILDREN'S SERVICES

These positions result from a concurrence with Montgomery County League positions.

They were adopted to supplement LWVUS Social Policy positions (which provided a basis for League support of services to children and families) to enable LWVMD and Local Leagues to comment on how to make such services most effective. The concurrence was approved by Local League members, rather than by Convention, so that members could review the positions along with information about the adequacy of services to children and families in their own communities. The Calvert County League, for example, produced and distributed "A Wake-Up Call" and then took the lead in founding a non-profit organization focusing on children's needs and services.

3. DOMESTIC VIOLENCE

These positions result from concurrence with proposed positions

developed by a resource committee formed by LWVMD board. The 1999 LWVMD Convention considered the board's recommendation for a full study of Domestic Violence, with consensus to follow: Delegates decided, instead, to adopt a study with concurrence because of concerns that we be able to testify on legislation in the 2000 General Assembly.

4. DRUG AND CONTROLLED SUBSTANCE ABUSE

The study of Drug and Controlled Substances Abuse, Policies and Laws in Maryland was adopted at the 2009 LWVMD Convention and readopted at the LWVMD 2011 Convention. The study was undertaken to afford LWVMD positions that could be used to address proposed legislation on drug abuse and controlled substances, especially marijuana.

5. DRUNK DRIVING

In May 1981 LWVMD adopted a study of drunk driving "to investigate methods of dealing with the problems associated with driving under the influence of intoxicating substances." LWVMD study focused on several aspects of the drunk driving problem—e.g., the legislature's role, police procedures, court policies and procedures, and rehabilitation.

Our 1983 position supported a Blood Alcohol Concentration (BAC) of 0.10 as legal evidence of Driving While Intoxicated (DWI). This was the norm at the time, and reflected in state law. Delegates to the 2001 LWVMD Convention amended that position to support a BAC not to exceed 0.08 as evidence of DWI, again conforming to legislation enacted by the General Assembly in 2001. (Federal requirements to change the legal BAC limit for DWI ensured passage in order to keep transportation funding.) The BAC standard for Driving Under the Influence remains at 0.07.

League members worked in 1985 to enact legislation allowing a driver's license to be suspended because of tests showing a high BAC, or for refusal to take breathalyzer or blood tests. We also supported legislation enacted in 1989 which makes a BAC higher than the legal limit evidence in itself (per se) of DWI. (Guilt is established by the breathalyzer and blood tests, with administrative sanctions occurring promptly).

Members agreed that police officers should administer BAC tests only when there was probable cause to believe there was a DWI offense. In 1990 authorities were allowed to administratively suspend licenses of drunk drivers who refused to submit to a BAC test or whose test results

indicated a BAC at, or higher than, the legal limit. The legislature also required a person to submit to a drug test when detained on reasonable suspicion.

In 1995, the legislature passed an intoxicated per se measure which forces the court to focus only on the issue of whether or not the driver had a BAC at, or higher than, the legal limit at the time of testing. The bill also prohibited consideration of any other factor that might be relevant to the impairment and gave more enforcement powers to the Motor Vehicle Administration (MVA). (No clear League consensus emerged for specific changes to procedures of the MVA.) Members agreed that there is a need for statewide rehabilitation program guidelines, local administration and offender-supported programs. State funding for such programs was not recommended since several Leagues felt local health departments and other agencies were doing a good job. Overwhelming consensus emerged to support tighter time requirements between the offense and the administration of sanctions. Members supported the use of pre-sentence investigations in drunk driving cases and advocated the use of alternative sentences. Consensus was not reached on the issues of mandatory sentencing and sobriety checkpoints.

In 1991 the legislature passed a bill which prohibits the courts from granting Probation Before Judgment (PBJ) to anyone guilty of drunk or drugged driving offenses within five years of being convicted or receiving a PBJ. Also, in 1991, the legislature directed the MVA to investigate and report on drunk and drugged driving by juveniles and young adults.

LWVMD was not able to take action on legislation to strengthen the BAC standard because our 1983 consensus specifically called for a 0.10 BAC. The 2001 LWVMD Convention modified that position.

6. EDUCATION

a) Financing Education

The League, recognizing the need to speak to education financing, adopted a study of "Uniform State Financing of Education" in 1971. Since the consensus reached in 1972 and 1975, League members have participated on various task forces to study education financing in Maryland. LWVMD has lobbied to further the state's commitment to equal educational opportunities, assistance to needy subdivisions, a fair and equitable funding formula, and other proposals consistent with

LWVMD positions. Public education efforts regarding financing of education have included the publication of five booklets/pamphlets by LWVMD: *Financing Education: Questions for the Seventies* (1973), *Financing Education: A Continued Dilemma* (1977), *Paying for Maryland's Schools* (1979), *Maryland's Challenge: Educating our Children* (1980), and *Maryland's Continuing Challenge: Educating our Children* (1984). The last three were funded with grants from the LWVUS Education Fund.

In 1982 LWVMD filed an amicus curia brief in the Maryland Court of Appeals on behalf of the plaintiffs in *Somerset v. Hornbeck*, incorporating LWVMD's education financing positions. The Circuit Court had ruled that Maryland's system of financing education was unconstitutional because it failed to provide a thorough and efficient system. The Court of Appeals overturned that decision and stated that "the quantity and quality of educational opportunities to be made available to the state's public schools is a determination committed to the legislature or to the people of Maryland."

In June 1983, the Governor appointed the "Civiletti Commission," which included a LWVMD member, to assess the education funding system in Maryland and recommend changes to the Legislature. The Task Force recommended increasing the basic foundation program to 75% of the average statewide per pupil expenses. The 1984 Legislature adopted a major recommendation (1A) of the Commission which modified the existing foundation program known as the Lee-Maurer formula and added \$52 million to its funding base. In 1987 the General Assembly further increased the foundation amount and stipulated that by FY 1993, the per pupil foundation amount, shared by the state and local governments, must always equal 75% of the two prior years' average per pupil expenditure. The 1984 legislation included provisions for additional compensatory funding for disadvantaged students. Since then, a number of other programs have been passed that target students with special needs.

The Commission on Education Finance, Equity, and Excellence, known as the Thornton Commission, was charged in 2000 to review the adequacy and equity of state funding of public schools in Maryland. It recommended changes in current formulas that would cost \$1.1 billion over five years. State aid would be equalized by the end of the five-year

phase-in. It recommended an increase in basic funding and new aid for special needs students in three categories - special education, at risk, and limited English proficient, that full day kindergarten be required, and aid for school transportation, including special education students, be increased. The Commission on Innovation and Excellence in Education, known as the Kirwan Commission, was charged in 2016.

b) Competent Teachers

The 1987 LWVMD Convention adopted a study of teachers' salaries/benefits and the status of the teaching profession throughout Maryland. Research by the Maryland State Department of Education (MSDE) showed that shortages of teachers were beginning to be felt statewide in a number of disciplines. Research also showed that teachers were paid less than others with comparable academic requirements for their jobs.

LWVMD study included interviews and surveys of local superintendents, school board members, principals, teachers and parents as well as data from other states, research by MSDE and national reports.

c) Choice in Education—Vouchers

The study adopted by the 1999 Convention included research and eventual consensus on school vouchers. During the course of the Public Charter School study, the committee found that other state Leagues had positions on vouchers, and requested the 2000 LWVMD Council to modify the program to include a concurrence on vouchers rather than consensus. The Council agreed to do so.

d) Public Charter Schools

Delegates to the 1999 LWVMD Convention adopted a Study to develop League positions on charter schools, vouchers, and possibly, other alternatives to the traditional public education system. Consensus was reached on the above criteria, which any applicant should meet before being granted authority to operate a Public Charter School. With regard to the seventh criteria: federal law requires that a lottery be used where more students apply than there is space available.

No consensus was reached on whether teachers in those schools must be certified, be union members, or what number of public charter schools should be allowed. And, most importantly, no consensus was reached on whether LWVMD supports or opposes Public Charter Schools.

Local boards of education already have the authority, under current law to establish Public Charter Schools. LWVMD Study focused on issues that the Maryland State Board of Education should consider important when providing policy and guidance for the local boards of education. Public Charter Schools are generally formed by teachers, parents and/or local organizations in a school district. Many local school district officials see Public Charter Schools as competition for funds and a direct "attack" on their ability to provide quality education.

Common characteristics of Public Charter Schools are: small size (usually fewer than 300 students); some degree of autonomy over curriculum, staffing, and budget; significant parent involvement; innovative programs, a lower proportion of students with disabilities; enroll the same proportion of low- income students as other public schools, and usually eligible for Title I funding.

e) High School Graduation Testing

Delegates to the 2003 LWVMD Convention adopted this study, as a non-recommended item, after a local League adopted a position, but found they could not address the Maryland Board of Education under a local position and the local Board of Education had no influence over state mandated tests.

7. MARRIAGE/CIVIL UNION EQUALITY

The 2005 LWVMD Convention adopted a study of the legal disparities between married and unmarried partners under state law. A lawsuit brought on behalf of several same-sex couples asserted that limiting legal recognition of marriage to opposite-sex unions resulted in discrimination based on sex and was therefore unconstitutional. A Baltimore Circuit Court judge agreed with the plaintiffs. While the matter was under appeal to a higher court, a series of controversial bills were introduced that were intended to limit marriage to heterosexual couples by defining marriage as being between a man and a woman. The League had no position from which to testify.

8. HEALTH CARE AND HEALTH CARE APPEALS

The 1997 LWVMD Convention adopted a study of "the need for state laws regarding appeals of Health Maintenance Organization/Medicaid Managed Care Organization (HMO/MCO) determinations". The study was prompted by concerns about alleged HMO failures to provide

necessary treatment, and a new project to enroll Medicaid clients in MCOs.

The Study Committee decided to broaden the scope of the study to include all health insurers because legislation introduced in the General Assembly would do just that. Legislation was passed in the 1998 General Assembly which provided rules for appeals of adverse decisions within the health insurers' systems, and for further appeal to the Insurance Commissioner.

Members decided in consensus meetings that the 1998 law should be broadened to include all health insurers not subject to federal law (workers' compensation and disability and long-term care insurance plans were excluded from the 1998 law, as was the Medicaid MCO program), and that data collection should be more inclusive. Data could include, for example, patients' degrees of satisfaction with their health insurance plan, the plan's effectiveness in providing preventive services, quality of care measures, and the number and outcome of appeals. Members agreed that other provisions of the 1998 law are adequate, pending operational experience.

9. HOUSING

LWVMD studied housing in 1982 and 1983. Research revealed a state policy on housing which was fragmented and lacking priorities. Although there was no League consensus to create a state housing authority at the departmental level, the Maryland Department of Housing and Community Development (DHCD) was established in 1987. The State depended primarily on bonds for production of housing but the League concluded that general funds also should be used for housing. Federal funds for lower income people had been drastically reduced at the time of the study, and this reality continues.

Landlord/tenant laws were part of the Housing study and positions were adopted in 1984. The areas of greatest agreement were the need for local and/or regional landlord/tenant offices and acknowledgment that landlord/tenant laws are confusing and complex, hence very easily circumvented and manipulated by both landlords and tenants.

The study also zeroed in on mobile homes. Zoning for such housing proved to be controversial because jurisdictions differ widely in both zoning laws and attitudes toward mobile homes. Agreement was reached

about the establishment of mobile home subdivisions but not for mobile homes in single family residential areas. The League named affordable housing as a priority in 1986. In that year legislation established the Special Rehabilitation Program, which provided five new special loan programs under the Maryland Housing Rehabilitation Program and permitted the DHCD to make loans to nonprofit groups to provide housing units or residential facilities to low-income groups. The legislation allowed the Secretary of DHCD to allow for variations between local subdivisions of the livability code.

Two programs were established to assist low-income renters: one to provide low interest deferred payment loans for the construction or rehabilitation of low-cost housing; the second, the Emergency Home Assistance Program to provide rental assistance funds to homeless persons or to families with critical and emergency housing needs, was discontinued in the early 90's.

The Maryland Home Financing Program was amended to make funds available for the acquisition of group homes for individuals with special needs. Finally, the legislation established a certified adult residential environment program to serve the needs of low-income disabled adults who need a supervised living arrangement.

During the 1990s significant legislation was passed to address problems with mobile homes including a requirement that mobile park owners establish reasonable and public rules for park residents and prohibiting owners from changing mobile home standards for current residents (1993). Park owners also were required to offer lease renewals to residents who comply with financial arrangements and rules (1994).

In 1995 the Legislature established a Neighborhood Business Development Program and Fund intended to establish a pool of funds for community-based economic development activities in distressed areas. The use of State dollars to leverage other sources of public and private capital will be emphasized. The Program may help to revitalize blighted neighborhoods by improving substandard housing and buildings, establishing businesses and creating jobs.

In 2005-06 the LWVMD created a resource guide on state housing programs and local initiatives to increase the stock of affordable and workforce housing. It included: a listing of housing positions from all Local

Leagues, 5-year trends on housing prices and building permits by county, a listing of nonprofit groups involved in affordable housing for each county, the status of impact fees, recordation fees and transfer taxes by county, information on housing choice voucher programs, rental registration, inclusionary zoning, and dedicated revenue sources for affordable housing and other county affordable housing policy initiatives. LWVMD and LWVUS positions on housing were also reviewed. Local Leagues were asked to develop an action plan for their own jurisdiction.

10. MEETING BASIC HUMAN NEEDS

Relied on LWVUS positions: One of the goals of social policy should be to reduce poverty and promote self-sufficiency for individuals and families; Increasing emphasis on cash assistance; Benefit levels should sufficient to provide adequate food and Pay equity.

Action:

- Supported a requirement that most employers provide paid sick leave. (Not achieved 2013, 2014, 2015, 2016.)
- Supported an increase in Earned Income Tax Credits for families and individuals (not achieved 2016)
- Supported a state supplement to provide a minimum of \$30/month in food stamps (achieved 2016)
- Supported equal pay for equal work (achieved 2016)

III. LWVMD POSITIONS: ACTIONS

A. GOVERNMENT

1. ADMINISTRATION OF JUSTICE

a) Judiciary

- (1) Supported the merit selection and non-competitive merit retention of judges (1964).
- (2) Supported the constitutional amendment approved in 1970 which created the District Court of Maryland, despite disagreement with certain provisions. The League felt that this action removed justification for trial de novo (the right of an entirely new jury trial in a Circuit Court on appeal from the District Court), but in 1982, legislation to abolish it failed, although limitations were placed on its use.
- (3) Supported the consolidation of the six courts of the

Supreme Bench of Baltimore into a Baltimore City Circuit Court. (1980—approved as a Constitutional Amendment)

(4) Supported a statewide uniform and unified judicial system, before the legislature and commissions, urging the state assumption of circuit court costs and a unified court system. (Unification not achieved)

(5) Supported an Executive Order which established a Judicial Nominating Commission (1970) and its subsequent expansion from 7 to 11 members who reflect race, gender, and geographic diversity. (1996—Constitutional Amendment)

(6) Supported legislation to establish a Family Court to handle family-related and juvenile cases (1996-1997—not achieved).

(7) Supported legislation to continue the Executive Committee of the Commission on the Future of Maryland's Courts so that work could proceed to inform citizens about its recommendations and so that implementing legislation and rules could be prepared. (1997—not achieved)

(8) Supported legislation that would have made judicial elections non-partisan. Passed in the Senate, no action in the House. (2006—not achieved)

(9) Supported legislation that would have provided for retention elections for Circuit Court judges. The bill was withdrawn. (2007—not achieved)

(10) Supported nonpartisan elections for County Treasurers, Clerks of the Circuit Court and register of Wills. (Not achieved—2011)

(11) Supported bills on the nonpartisan election of circuit court judges (2015, 2021—not achieved)

b) Sentencing

c) Capital Punishment

(1) Issued an action alert to members urging them to contact the Governor to halt the execution of Wesley Eugene Baker and commute his sentence to life in prison without parole. (2005)

(2) Supported legislation that would repeal the death penalty and replace it with life in prison without parole.

Repeal of the death penalty was a 2007 legislative priority. The League was a partner with Maryland Citizens Against State Executions (MDCASE) as it worked to change attitudes about the death penalty among legislators and constituents. The bill failed to make it out of the Judiciary Committee by one vote. (2007—not achieved)

(3) Again, supported legislation that would repeal the death penalty in 2009. The final enacted bill restricts the death penalty to murder cases with biological evidence such as DNA, videotaped evidence of the murder or a videotaped confession. (2009—partially achieved)

(12) Supported legislation to repeal the Death Penalty. (Not achieved—2011, achieved—2012)

d) Corrections

e) Juvenile Corrections

(1) Supported the incorporation into the juvenile justice system the philosophy of "restorative justice" (e.g., community service, restitution etc.) balancing the principles of public safety, with accountability of the child and his parents to the community. (1997—achieved)

(2) Opposed expanding the list of offenses for which, and the age at which, a juvenile could be tried as an adult. (1997)

(3) Supported a safer and more humane environment for juvenile offenders via the setting of regulations and standards for state and subcontracted programs and services, which included codes of conduct for employees. (2000 and 2001—not achieved)

(4) Supported the expansion of the Juvenile Courts to include all children under 18, regardless initially of the seriousness of their alleged crimes. (2000 and 2001—not achieved)

(5) Opposed detaining juveniles in adult correctional facilities before trial or after conviction unless tried and convicted as adults. (2000 and 2001, defeated)

2. Election Process

a) General Principles

b) Election Administration

- (1) Supported bill giving the election administration power to evaluate and certify alternative voting systems for local use. (achieved)
- (2) Spearheaded effort (1973-76) for registration-by-mail in Maryland. (achieved)
- (3) Monitored the use and safety of computerized voting systems. (1988)
- (4) Supported voting rights of first offenders, or those committing a minor crime. (1974, 1978 achieved)
- (5) Acted to extend absentee voting rights for overseas and student voters. (1985)
- (6) Supported the creation of a uniform voter registration form which would be available in state offices and libraries. (1985—achieved)
- (7) Supported passage of the "State Motor Voter" provisions. (achieved)
- (8) Worked to give greater access to the ballot, particularly for independent and minor party candidates. (A Maryland court decision extended time to gather signatures for nominating petitions)
- (9) Supported legislation allowing voter registration forms to be considered timely if mailed on the deadline date. (1989—achieved)
- (10) Supported a bill requiring the names of candidates who are unopposed in a primary election to be placed on the ballot. (1991—achieved)
- (11) Opposed moving the Presidential primary date to the first Tuesday in March. (1991)
- (12) Closely monitored the 1995 Governor's Task Force to Review the State Election Law and the 1996-97 Commission to Revise the Election Code.
- (13) Supported drawing juror pools from lists of licensed drivers in addition to lists of registered voters. (1995, 1996, 1997—Local option achieved; 2001—statewide achieved)
- (14) Testified before the Commission and the General Assembly in support of restructuring the Maryland State Board of Elections. (1997-1998—achieved);

- (15) Supported provisional ballots. (2001—achieved)
- (16) Supported statewide voter registry. (2001—achieved)
- (17) Supported adoption of uniform statewide voting systems if funded by state. (2001—achieved, with state sharing costs with local jurisdictions)
- (18) Opposed requiring voters to present photo ID or social security number at the polls. (2001, 2005, 2006, 2007—defeated)
- (19) Supported restoration of voting rights to all convicted felons after completion of sentence and probation. (2002—achieved, but with restrictions for waiting periods)
- (20) Supported notifying a voter whether his provisional ballot was accepted or rejected. (2002)
- (21) Supported a study of independent voter system verification systems. (2005)
- (22) Supported clarified procedures for provisional ballots. (2002, 2005)
- (23) Supported automatic mailing of absentee ballot application to disabled or elderly citizens. (2005)
- (24) Supported early voting. (2005—achieved, but vetoed by Governor)
- (25) Supported overriding veto of Early Voting. (Achieved 2006, declared unconstitutional by the Court of Appeals)
- (26) Supported absentee ballot voting on demand. (2005 achieved but vetoed by Governor, veto overridden)
- (27) Supported a voting system that provides for dual independent verification. (2006 not achieved)
- (28) Supported overriding a veto of an act that would clarify identification requirements, prohibit acts intended to influence voters not to vote, and improve procedures for counting provisional ballots. (2006—achieved)
- (29) Supported replacing Maryland's Direct Recording Electronic voting system with an optical scan system. (2007—achieved but only if funding is authorized in 2009 in time for implementation for 2010 elections)
- (30) Opposed increasing mandates on the State Board of

Elections regarding timing of distribution of training manuals, and decision making about local precincts. (2007—defeated)

(31) Supported improvements to the provisional ballot process. (2007—not achieved)

(32) Supported eliminating all barriers to voting for any felon who has completed a court ordered sentence. (2007—achieved)

(33) Supported creating a task force on instant voter registration and voting by mail. (2007—not achieved)

(34) Supported a constitutional amendment to authorize early voting. (2007—passed by legislature, referendum in 2008)

(35) Opposed reducing the number of days voters have to register before an election and the number of days to turn in an absentee ballot application. (2007—defeated)

(36) Opposed mandate on State Board of Elections to create a State Voter Referendum Guide. (2007—defeated.)

(37) Supported Early Voting as approved by Constitutional Amendment. Early voting dates will be the second Friday before an election through the Thursday before an election at least one early voting location in each county. (2009—passed)

(38) Supported legislation that authorizes the State Board of Elections to operate an online voter registration system. (Achieved—2011).

(39) Supported legislation (Exchange of Information) that requires state agencies to provide data to the State Board of Elections that is necessary to maintain an accurate statewide voter registration list. (Achieved—2011).

(40) Supported same date registration but the legislature failed to enact the legislation. (Not achieved—2011).

(41) Supported legislation that authorizes the State Board of Elections to operate an online voter registration system. (Achieved—2011).

(42) Supported legislation (Exchange of Information) that requires state agencies to provide data to the State Board of Elections that is necessary to maintain an accurate

statewide voter registration list. (Achieved—2011).

(43) Supported same date registration but the legislature failed to enact the legislation. (Not achieved—2011).

(44) Supported legislation that authorizes the State Board of Elections to operate an online voter registration system. (Achieved—2011).

(45) Supported legislation (Exchange of Information) that requires state agencies to provide data to the State Board of Elections that is necessary to maintain an accurate statewide voter registration list. (Achieved—2011).

(46) Supported Election Day voter registration. (2012, 2013 not achieved) However, voters can register and vote during early voting beginning in 2016.

(47) Supported increase in early voting sites and number of days (2013 -achieved)

(48) Supported automatic voter registration requiring opt-out when interacting with certain government agencies. (2018 achieved)

c) Fair Campaigns

(1) Supported bills to limit Political Action Committee (PAC) contributions, eliminate fundraising during the General Assembly session, limits on contributions, computerized reporting of contributions, and provisions for civil money penalties for violations of the law. (1985-1997—achieved)

(2) Opposed raising current contribution limits by 50%. (2001 and 2002—defeated)

(3) Supported creation of a commission to study public funding systems as they relate to Maryland. (2002—achieved). The study commission recommended that Maryland adopt a voluntary public funding system for candidates for the General Assembly that would be similar to those existing in Maine and Arizona.

(4) Supported bills in both chambers that would create the system recommended by the study commission for campaigns for the General Assembly. (1997–2007). A bill passed the 2006 House of Delegates (without a funding source, which was of concern to the League.) The Senate bill did not receive a vote in EHEA. Supporters focused in

2007 on the Senate, where EHEA reported its bill favorably late in the Session. No vote in Senate or House committee on respective bills.

(5) Supported several bills to further strengthen campaign financing laws, among them: requiring disclosure of campaign contributions to, and expenditures by, slates; closing a loophole that allows, for example, Limited Liability Corporations, to circumvent current contribution limits; and allowing county governments to enact laws regulating local campaign finance activity that are more restrictive than state law. (Several years, including 2007—none reached the Floor in 2007 for a vote)

(6) Supported several bills pertaining to the Fair Campaign Financing Fund and Act which failed to pass. (2009—not achieved)

(7) Supported legislation which requires that independent expenditures be subject to disclosure by corporations and other organizations that make independent expenditures of \$10,000 (achieved—2011)

(8) Supported legislation that requires LLCs and other entities to abide by same campaign contribution limits as corporations (2013—achieved)

(9) Supported legislation to re-institute Public Campaign Finance for gubernatorial campaigns (2015—achieved)

(10) Supported legislation to allow local governments to voluntarily implement public campaign finance programs for local elected offices (2018)

(11) Supported disclosure in solicitations for PACS? HB 383 2018

d) Filling Vacancies in State and Local Offices

(1) Supported special "tie-in" elections to fill vacancies in the Maryland General Assembly. (1985, 1992, 1994, 1995, 1996, 1997, 2003, 2018)

e) Primary Elections

f) Election Districts

g) Term Limits

(2) Opposed term limits for members of the General

Assembly. (1994, 1995, 1997)

3. ETHICS

- a) Supported a code of ethics for office holders and officials. (1981—achieved)
- b) Supported numerous actions to strengthen the code. (Ongoing, and included in the 1999 legislation described above)
- c) Supported creation of the "Special Study Commission on the Maryland Public Ethics Laws." (1998—achieved)
- d) Supported, generally, the recommendations of the Special Study Commission. (1998–1999—achieved)
- e) Supported creation of a Commission to review the ethics laws pertaining to lobbyists. (1999—achieved)
- f) Supported legislation enacting the 1999 Commission's recommendations regarding registration ("licensing") of lobbyists (2001—achieved)
- g) Supported changes to provisions of the law regarding when non-profit organizations must register (2002—achieved)
- h) Supported training for Open Meetings Act (2013—achieved)
- i) Supported penalties for violating Open Meetings Act (2013—achieved)

4. FIREARMS SAFETY

- a) Supported making it a crime to keep a loaded firearm accessible to children and regulating the sale of firearms at gun shows.
- b) Worked with Marylanders Against Handgun Abuse (MAHA) to educate the public and advocate for handgun control. (ongoing)
- c) Supported the Maryland Gun Violence Act of 1996 which limits handgun purchases to one gun per month, with exceptions for collectors and large purchases from estate sales; requires that buyers in private purchases be subject to a 7-day waiting period and background check and provides for removal of firearms in domestic violence situations. (achieved) Supported child safety requirements for handguns. (ongoing)
- d) Supported the Responsible Gun Safety Act of 2000 which requires that every new handgun must be sold with a trigger lock, beginning January 2003. The Act also requires (effective in 2002) that all new handgun owners must take a firearms safety course. (2000—achieved)

- e) Supported bills ("Project Exile") which would have provided that persons carrying guns, knives, or any other deadly weapon on school property could be charged with a misdemeanor or felony. (2000 through 2003—defeated)
- f) Supported gun safety education in the public schools (the "John Price Gun Safety Education Program"). Legislation was enacted but vetoed by the Governor because he was concerned about allowing county boards of education to implement programs involving handling of guns and ammunition, and to use "community or civic organizations", such as the National Rifle Association in its programs. The League agreed with the Governor's decision.
- g) Supported a state ban on assault weapons because Congress failed to extend the federal ban. (2007—not achieved)
- h) Supported legislative for strict gun control laws (2013—achieved)

5. **FISCAL POLICY**

a) Fiscal Structure

- (1) Supported accelerating an increase in the state's refundable earned income credit for low- income working families and the option for counties to grant a refundable credit. (2000—achieved)
- (2) Opposed two bills to accelerate the already enacted state income tax reduction; (2000—defeated)
- (3) Supported legislation that would require accountability by companies receiving state monetary incentives. (2000—defeated)
- (4) Supported further expansion of the refundability of the state and county earned income credit. (2001—achieved)
- (5) Opposed two bills: 1) a constitutional amendment to refund to taxpayers (excluding low- income taxpayers) General Fund revenue surpluses; and 2) a proposal that would require property tax revenues be returned to local districts based solely on property values. (2001—defeated).
- (6) Supported a bill to create the Commission on Maryland's Fiscal Structure to study ways to fix Maryland's structural fiscal deficit. (2002—achieved. The Commission, including a League member, met for a year, but was

disbanded in 2003.)

(7) Supported an increase in the tobacco tax. (2002—defeated).

(8) Opposed, in coalition with StopSlotsMaryland.com, slots on the basis of inadequate yield, equity/fairness and compatibility with state social policy. (2003–07—defeated).

(9) Opposed sales tax increases. (2003—defeated)

(10) Supported increases to alcoholic beverage tax, motor fuel tax and income tax. (2003)

(11) Supported corporate tax reform and continuation of the historic structure rehabilitation tax credit. (All defeated or vetoed).

(12) Participated with Alliance to Invest in Maryland (AIM) to find revenue sources to support state services.

(13) Supported reform of taxation of corporations in Maryland. (2004–05)

(14) Supported, in principle, a bill that would expand the sales tax to services and a more progressive income tax. (2007—not achieved)

(15) Supported the creation of a task force that would study the needs and expenditures of state programs. (2007—not achieved)

(16) Supported an increase in the alcohol tax and in the gas tax as well as combined reporting for corporations. (2009—not achieved)

(17) Supported increase of 6%–9% in the alcohol tax, effective July 1, 2011. (2011—achieved)

(18) Supported combined reporting and an increase in the gasoline tax rate. (2011—not achieved)

b) Budget Process

6. LOCAL GOVERNMENT

a) Supported a 1986 Constitutional Amendment to allow election of County Councils and Commissions by district, at-large, or by a combination of these methods (Amendment passed)

7. REDISTRICTING

a) Support for a redistricting study commission. (2005-06—not achieved)

- b) Supported three bills which would change the redistricting process to be more in line with LWVMD positions (2006—not achieved)
- c) Supported formation of a study commission on redistricting process in Maryland. (Not achieved—2012, 2013) (Achieved by Executive Order 2015)
- d) Supported legislation to create an Independent Redistricting Commission based on recommendations of the Governor's Redistricting Reform Commission (2016—not achieved)

8. STATE CONSTITUTION

- a) Supported a proposed new constitution for Maryland. (1968—not achieved)
- b) Supported measures that would make the constitution clear, concise, and confined to fundamentals.
- c) Opposed bills that would place details of government in the constitution.

B. NATURAL RESOURCES

1. COAL

2. HAZARDOUS WASTE MANAGEMENT

- a) Advocacy for pesticide "right to know" legislation. (1986—achieved)
- b) Monitoring implementation of "right to know" legislation, providing public access to information, mainly from the Department of Environment, about location of toxic chemicals, and from the Department of Agriculture about pesticides. (1986—continuing)
- c) Support for a bill requiring manufacturers of mercuric oxide batteries to collect and recycle such batteries and prohibiting their unregulated disposal. (1992—achieved)
- d) Support for limiting use of pesticides near schools and other pesticide control legislation. (1994, 1996—defeated).
- e) Supported legislation (using LWVUS positions) that would require reduction of nitrogen oxide, sulfur dioxide, carbon dioxide and mercury from coal-fired power plants (2006—achieved)
- f) Supported (using LWVUS positions) the Greenhouse Gas Emissions Reduction Act of 2009 which mandates 25%

reduction in greenhouse gases by 2020. Also supported (using LWVUS positions) the Alternative Energy Tax Incentive Act of 2009 encouraging wind energy for residential use. (2009—passed)

- g) Supported bills for pollution control, increase in renewable energy, nutrient management and pesticide labeling that did not pass in 2015
- h) Support for ban on hydraulic fracturing (2015—achieved)
- i) Support for creation of Maryland Commission on Climate Change (2015—achieved)
- j) Support for one-time study that identifies air pollutants emitted by large animal feeding operations and assess any potential public health risks. (2018—)

3. LAND USE/GROWTH MANAGEMENT

- a) Supported a bill setting minimum requirements for preserving trees on development sites.
- b) Opposed development of a large area known as Black Marsh Wildland. (1990–91—achieved)
- c) Supported, in general, the Barnes Commission, appointed by the Governor to study means for the Maryland government to protect natural resources and manage growth. The Commission made recommendations in 1991 that were considered controversial by the General Assembly, which referred the issue to a committee. The committee proposed a weak Economic Growth, Resource Protection, and Planning Act of 1992. The League testified that the proposed act needed to have enforcement power added, and the Act was finally passed with strengthening amendments. (1991–92)
- d) Opposed the Maryland Private Land Rights Protection Act (a "takings" bill), which would have required the state to pay any landowner for the reduction in value of his land due to regulations restricting its use. (1993—achieved)
- e) Supported bills that would have authorized bond issues for POS and related purposes by the Department of Natural Resources (DNR) and by county governments. (1993—defeated)
- f) Opposed the state taking over the Federal non-tidal wetlands. There was concern that state administration of the program would be more responsive to developers and less responsive to

- public concerns than Federal regulation had been. (1994)
- g) Supported increasing the opportunity for citizens to challenge land use decisions by giving "standing" to a wider range of citizens. (1994, 1995 and 1996—defeated)
 - h) Supported legislation to protect approximately 20,000 acres in 17 sites on existing state lands under Maryland's Wildlands Preservation System. (1996—achieved)
 - i) Supported designation of 5,400 additional Wildlands acres. (1997—achieved)
 - j) Supported the Governor's "Smart Growth and Neighborhood Conservation" legislation intended to curb urban sprawl and protect farms and forests by directing growth into areas already served by roads and infrastructure. (1997—achieved)
 - k) Supported Water Quality Improvement Act. (1998—achieved)
 - l) Supported the Maryland Agricultural Land Preservation Foundation. (ongoing)
 - m) Supported bills related to redeposit and dumping of dredge spoil. (1999—defeated)
 - n) Supported bills to limit poultry farming run-off. (1999—withdrawn as EPA responsibility)
 - o) Supported additional "Smart Growth" initiatives: "Smart Codes" for rehabilitation of structures and development of models and guidelines. (2000—achieved)
 - p) Supported bills on water conservation, use of reclaimed water, radium in private wells, and a study on upgrading sewerage systems. (2001—achieved)
 - q) Supported closing loopholes, opened by court decisions, on Critical Areas. (2002—achieved)
 - r) Supported designating 3900 acres of Savage Ravines and South Savage Type I State Wildlands. (2002—achieved)
 - s) Supported water quality measures resulting from the NCA study of the Potomac and Susquehanna Rivers. (ongoing)
 - t) Supported increased fines for water pollution violations. (2003—achieved)
 - u) Supported a taskforce to study water resource management. (2003—passed, vetoed)
 - v) Supported moratorium of hydraulic fracturing in order to further

study its effects on environment (2013—not achieved)

w) Supported a wind farm off the coast of Maryland (2012—not achieved, 2013—achieved)

x) Supported notifying neighboring jurisdictions of applications for landfills, power plants or incinerators (2013—achieved)

4. SOLID WASTE MANAGEMENT

5. TRANSPORTATION

a) Supported control of truck diesel emissions and creation of inspection teams to conduct random Roadside testing. (1999—achieved)

b) Supported reduction of Vehicle Miles Traveled through increased use of mass transit and other means. (1999—defeated)

c) Supported legislation which lowered the 50% firebox recovery requirement for Mass Transit Administration operations. (2000—achieved)

d) Supported the Governor's legislation and budget which earmarked additional tax revenue specifically to improve public transportation throughout the state. (2001—achieved)

e) Supported legislation which created a Job Access Program for Low-Income Workers. (2001—achieved)

f) Supported the Maryland Clean Cars Act of 2005 that would reduce air pollution from cars and trucks. (2005—not achieved)

g) LWVNCA supported, with reservations, a dedicated use of the sales tax to fund WMATA in order to leverage federal support for Metro (2006—not achieved)

h) Supported legislation requiring public hearings before changes in MTA services in order to improve responsiveness to riders' needs. (2006—not achieved)

i) Supported establishment of an advisory council of system riders. (2006—not achieved)

j) Supported the Maryland Clean Cars Act of 2007 (based on LWVUS air quality position) that would reduce air pollution from cars and trucks. (2007—achieved)

k) Supported increase in gas tax to fund transportation infrastructure (2013—achieved)

l) Supported legislation to establish an oversight board to

coordinate the many modes of MTA transit in multiple counties. (Successful 2016)

- m) Supported legislation to increase the transparency of the evaluation process for large transportation projects. (Successful 2016)

6. CLIMATE CHANGE

C. SOCIAL POLICY

1. ADULT LITERACY

2. CHILDREN'S SERVICES

- a) Supported the Children's Health Insurance Program to provide health care coverage to the children of the working poor.
- b) Supported creation of the Legislature's Joint Committee on Children and Youth.
- c) Supported funding and tax credits for after school programs.
- d) Supported mental health, behavioral, and substance abuse screening and treatment for students facing expulsion and for youth in the Juvenile Justice system.
- e) Supported funding for education and job training for low income working parents.
- f) Supported funding for early childhood centers and programs to improve the quality of child care.
- g) Supported funding for the integration of substance abuse and child welfare services.
- h) Supported empowerment of grandparents or other relatives to tend to the health and education (including out-of-county placement) of children in their care.
- i) Supported codification of Local Management Boards to ensure each jurisdiction has a locally driven inter-agency service delivery system for children, youth and families. (2006—achieved)
- j) Commented on a bill that would allow family child care providers to establish a mechanism for union representation without taking a position. (2006 no action on bill)
- k) Supported a bill requiring local boards of education to determine their capacity to provide full day kindergarten and pre-kindergarten and plan for alternative sites if necessary (2006 not achieved)

- l) Testified in favor of increased funding for child care and family support centers (2007)
- m) Opposed legislation to make child neglect a crime similar to child abuse which was adopted by both houses. (2011- not achieved)
- n) Supported expansion of pre-kindergarten programs for low-income children (2018)

3. DOMESTIC VIOLENCE

- a) Supported (in conjunction with the Network Against Domestic Violence and the Family Violence Council, now called the Forum Against Domestic Violence) legislation allowing enforcement of out-of-state protective orders in Maryland. (2001—achieved)
- b) Supported legislation establishing aggravated cruelty to animals as a felony, and requiring psychological counseling for convicted offenders. (2001—achieved)
- c) Supported enabling courts to consider a victim's request that, as a condition of pretrial release, the alleged abuser have no contact with the victim. (2001—achieved)
- d) Opposed bills to treat Domestic Violence less seriously than current practice. (2001—defeated)
- e) Supported the 24/7 access bill which empowers District Court Commissioners to issue interim civil orders of protection when courts are not open—weekends, holidays, evenings. (2002—achieved)
- f) Supported a bill which makes stalking much easier to prosecute. (2003—achieved)
- g) Supported closing a loophole in the rape shield as it applies to sexual child abuse cases. (2003—achieved)
- h) Supported strengthening the basis for prosecuting domestic violence, including "No Means No." (2004–05—not achieved)
- i) Supported legislation to extend duration of protective orders to a year or more. (2006–07—not achieved)
- j) Supported legislation to allow judges to order a respondent under a Protective Order (PO) to surrender firearms. (Passed—2009)

4. DRUG AND CONTROLLED SUBSTANCE ABUSE

5. DRUNK DRIVING

- a) Supported legislation making manslaughter by motor vehicle a felony (homicide by vehicle or vessel while intoxicated). (1997—achieved).
- b) LWVMD was not able to take action on legislation to strengthen the BAC standard because our 1983 consensus specifically called for a 0.10 BAC. The 2001 LWVMD Convention modified that position.

6. EDUCATION

a) Financing Education

- (1) Joined other education advocates to encourage the Governor to appoint the "Governor's Commission on School Funding" which recommended a model for education financing based on adequacy, educational opportunity, results and integrated services.
- (2) Supported bills for full implementation of the model (defeated) as well as a bill implementing grants to address the needs of students and schools in high poverty areas. (Achieved—1994, 1995)
- (3) Supported legislation to provide \$245 million (above the foundation level) over a 5-year period for Baltimore City schools. (achieved)
- (4) Supported creation of the Commission on Education Finance. (1999—achieved)
- (5) Monitored the deliberation of the Commission on Education, Finance, Equity and Excellence (the "Thornton Commission". (2001)
- (6) Supported Bridge to Excellence in the Public Schools (Thornton Commission) formulas to provide adequacy and equity of state funding of public schools. (2002–05)
- (7) Supported funding of the Geographic Cost of Education Index which would provide additional state funding to specific jurisdictions with higher costs than other jurisdictions. (2006, 2007 not achieved)
- (8) Supported via budget testimony full funding of the 2002 Thornton legislation, including the Geographic cost of Education Index. Both were funded by federal stimulus

money. Achieved—2009)

(9) Supported Higher Education—Tuition Waiver—Foster Care Recipients (achieved 2013)

(10) Supported legislation to create a commission to recommend legislation to implement updates to the Thornton Commission formulas. (Successful 2016)

(11) Supported legislation to support interim recommendations of the Kirwan Commission for expanding pre-kindergarten, extended day and summer programs for children in highest poverty schools, and early tutoring interventions. (Successful 2018)

b) Competent Teachers

(1) Supported bills to target aid for teachers' salaries and staff development and incentives. (1990 not achieved)

(2) Supported proposals for alternative paths to certification (1990—the State Board of Education adopted a Resident Teacher Certificate program designed to attract liberal arts graduates to classroom teaching.)

(3) Supported state scholarship reform which would include incentives to attract high quality students to teaching.

(4) Supported creation of the Maryland "HOPE" program for scholarships for college students who choose to become teachers (1999—achieved).

(5) Participated in the Leadership Forum for Policy Changes, "Attracting and Retaining Quality Teachers: Solutions for Maryland" (2001)

c) Choice in Education—Vouchers

d) Public Charter Schools

(1) Supported including the above criteria in legislation related to charter schools (2001, 2002 the bills were defeated, 2003 achieved).

(2) Supported changes to the public charter school law that would allow revision of the admission process and better define funding "commensurate" with other public schools. LWVMD opposed provisions of the bill that would allow for profit entities to operate charter schools. (2007—not achieved)

- (3) Supported Study to Recommend Improvements to the Maryland Public Charter School Program (achieved—2013)
- (4) Opposed Taxpayers Savings Act—reimbursement for charter school tuition (did not pass in 2013)
- e) High School Graduation Testing
 - (5) Supported legislation to establish a task force on the policy and funding implications of the current High School Assessment Program (2007—not achieved)

7. MARRIAGE/CIVIL UNION EQUALITY

- a) Supported the Religious Freedom and Civil Marriage Protection Act. (Not achieved—2009)
- b) Supported the Religious Freedom and Civil Marriage Protection Act. (Not achieved—2011)
- c) Supported the Civil Marriage Protection Act (achieved—2013)

8. HEALTH CARE and HEALTH CARE APPEALS

- a) Supported various aspects of bills that would increase coverage for the uninsured and underinsured based on LWVUS positions. (2003–2006)
- b) Supported the Maryland Health Benefit Exchange Act to help meet the requirements of the Federal health care reform. (Achieved—2011)

9. HOUSING

- a) Supported a joint committee to study housing policy (2002—defeated).
- b) Sent out Action Alert to gain support for a bond bill to provide \$3,000,000 for Maryland Affordable Housing Trust to acquire, build, rehabilitate, and preserve affordable housing. (2006—\$1 million achieved)
- c) Supported the creation of the Maryland Affordable Housing Investment Fund (2007—not achieved)
- d) Supported the Foreclosure of Mortgages and Deeds of Trust on Residential Property—Notice to Occupants legislation which will help tenants in foreclosed buildings by requiring written notice. (Passed—2009)
- e) Supported the Maryland Home Act which would prohibit property owners from discriminating against persons seeking rental housing.

10. MEETING BASIC HUMAN NEEDS

- a) Supported a requirement that most employers provide paid sick leave. (Not achieved 2013, 2014, 2015, 2016.)
- b) Supported an increase in Earned Income Tax Credits for families and individuals (not achieved 2016)
- c) Supported a state supplement to provide a minimum of \$30/month in food stamps (achieved 2016)
- d) Supported equal pay for equal work (achieved 2016)

IV. LWVUS PRINCIPLES AND PUBLIC POLICY POSITIONS

A. LWVUS PRINCIPLES

The following League principles have been formulated and reaffirmed at National Conventions since 1956. They form the basis for the consideration of program study items and action on national, state, regional and local levels of League organization. A League board should use the principles as a basis for action only after determining that membership understanding and agreement exist.

The League of Women Voters believes:

1. In representative government and in the individual liberties established in the Constitution of the United States. The League of Women Voters of the United States believes that all powers of the U.S. government should be exercised within the constitutional framework of a balance among the three branches of government: legislative, executive, and judicial.
2. That democratic government depends on the informed and active participation in government and requires that governmental bodies protect the citizen's right to know by giving adequate notice of proposed actions, holding open meetings and making public records accessible.
3. That every citizen should be protected in the right to vote; that every person should have access to free public education that provides equal opportunity for all; and that no person or group should suffer legal, economic or administrative discrimination.
4. That efficient and economical government requires competent personnel, the clear assignment of responsibility, adequate financing, and coordination among the different agencies and levels of government.

5. That responsible government should be responsive to the will of the people; that government should maintain an equitable and flexible system of taxation, promote the conservation and development of natural resources in the public interest, share in the solution of economic and social problems that affect the general welfare, promote a sound economy and adopt domestic policies which facilitate the solution of international problems.

6. That cooperation with other nations is essential in the search for solutions to world problems, and that the development of international organization and international law is imperative in the promotion of world peace.

B. LWVUS PUBLIC POLICY POSITIONS:

1. REPRESENTATIVE GOVERNMENT

Promote an open governmental system that is representative, accountable and responsive.

a) VOTING RIGHTS

(1) Citizen's Right to Vote

Protect the right of all citizens to vote; encourage all citizens to vote

(2) D.C Self-Government and Full Voting Representation

Secure for the citizens of the District of Columbia the rights of self-government and full representation in both houses of Congress.

b) ELECTION PROCESS

(1) Apportionment.

Support apportionment of congressional districts and elected legislative bodies at all levels of government based substantially on population.

(2) Redistricting. Support redistricting processes and enforceable standards that promote fair and effective representation at all levels of government with maximum opportunity for public participation.

(3) Money in Politics (formerly Campaign Finance). Support campaign finance/MIP regulations that enhance political equality for all citizens, ensure transparency, protect representative democracy from distortion by undisclosed contributions and big money, and combat corruption and undue influence in government. Support campaign spending

that is restricted but not banned. Support public financing, full disclosure, abolishing super PACs, and creating an effective enforcement agency.

(4) Selection of the President.

Promote the election of the President and Vice-President by direct popular vote and work to abolish the Electoral College. Support uniform national voting qualifications and procedures for presidential elections. Support efforts to provide voters with sufficient information about candidates.

(5) Voter Representation/Electoral Systems. Support electoral systems at each level of government that encourage participation, are verifiable and auditable, and enhance representation for all voters.

c) CITIZEN RIGHTS:

(1) Citizen's Right to Know/Public Participation. Protect the citizen's right to know and facilitate citizen participation in government decision making.

(2) Individual Liberties. Oppose major threats to basic constitutional rights.

(3) Public Policy on Reproductive Choices. Protect the constitutional right of privacy of the individual to make reproductive choices

d) Evaluating Constitutional Amendment Proposals and Constitutional Conventions

(1) Amendment Proposals. Consider whether a proposal addresses matters of abiding importance, makes our political system more democratic, protects individual rights, could be achieved by a constitutional amendment or legislative proposal, and is consistent with other League positions.

(2) Constitutional Conventions. Hold constitutional conventions only when certain conditions are in place, including limited to a specific topic, full transparency, delegates selected by population, and voting by delegates not by states.

e) CONGRESS AND THE PRESIDENCY

(1) Congress. Support responsive legislative processes characterized by accountability, representativeness,

decision-making capability and effective performance.

(2) The Presidency. Promote a dynamic balance of power between the executive and legislative branches within the framework set by the Constitution.

- f) PRIVATIZATION. Ensure transparency, accountability, positive community impact and preservation of the common good when considering the transfer of governmental services, assets and/or functions to the private sector.
- g) DIGITAL EQUITY. High-speed affordable internet access is an essential service that should be readily available to all US residents and businesses.

2. INTERNATIONAL RELATIONS

Promote peace in an interdependent world by working cooperatively with other nations and strengthening international organizations.

- a) UNITED NATIONS. Support a strong, effective United Nations to promote international peace and security and to address the social, economic and humanitarian needs of all people.
- b) TRADE. Support U.S. trade policies that reduce trade barriers, expand international trade and advance the achievement of humanitarian, environmental and social goals.
- c) DEVELOPING COUNTRIES. Promote US policies that meet long-term social and economic needs of developing countries.
- d) ARMS CONTROL. Reduce the risk of war through support of arms control measures.
- e) MILITARY POLICY AND DEFENSE SPENDING. Work to limit reliance on military force. Examine defense spending in the context of total national needs.

3. NATURAL RESOURCES

Promote an environment beneficial to life through the protection and wise management of natural resources in the public interest.

- a) RESOURCE MANAGEMENT. Promote the management of natural resources as interrelated parts of life-supporting ecosystems. Promote resource conservation, stewardship, and long-range planning, with the responsibility for managing natural resources shared by all levels of government. Preserve the physical, chemical, and biological integrity of the ecosystem with maximum protection of public health and the environment.

b) **ENVIRONMENTAL PROTECTION AND POLLUTION CONTROL**

- (1) Air Quality. - Promote measures to reduce pollution from mobile and stationary sources.
- (2) Energy. - Support environmentally sound policies that reduce energy growth rates, emphasize energy conservation and encourage the use of renewable resources.
- (3) Land Use. - Promote policies that manage land as a finite resource and that incorporate principles of stewardship.
- (4) Water. - Support measures to reduce pollution in order to protect surface water, groundwater, and drinking water, and set up a process to evaluate inter-basin water transfers.
- (5) Waste Management. - Promote policies to reduce the generation and promote the reuse and recycling of solid and hazardous wastes.
- (6) Nuclear. - Promote the maximum protection of public health and safety and the environment.

- c) **TRANSFER OF FEDERAL PUBLIC LANDS.** Promote policies that keep federal public lands under the jurisdiction of the federal government.
- d) **CLIMATE CHANGE.** Support climate goals and policies that are consistent with the best available climate science and that will ensure a stable climate system for future generations.
- e) **PUBLIC PARTICIPATION.** Promote public understanding and participation in decision making as essential elements of responsible and responsive management of our natural resources.
- f) **FEDERAL AGRICULTURE POLICIES.** Support environmentally sound farm practices, and increased reliance on the free market while promoting adequate supplies of food at reasonable prices and regulations to all animal and aquaculture production. Enforce federal antitrust laws to ensure competitive agricultural markets, provide financial support to subsidize agriculture.

4. SOCIAL POLICY

Secure equal rights and equal opportunity for all. Promote social and economic justice and the health and safety of all Americans.

- a) **CRIMINAL JUSTICE.** Support a criminal justice system that is just, effective, equitable, transparent, and that fosters public trust at all stages, including policing practices, pre-trial procedures, sentencing, incarceration, and re-entry.
- b) **EQUALITY OF OPPORTUNITY.**
 - (1) **Equal Rights.** - Support ratification of the Equal Rights Amendment and efforts to bring laws into compliance with the goals of the ERA. Support equal rights for all under state and federal law regardless of race, color, gender, religion, national origin, age, sexual orientation, or disability.
 - (2) **Education, Employment, Housing.** - Support equal access to education, employment, and housing.
 - (3) **Federal Role in Public Education.** - Support federal policies that provide an equitable, quality public education for all children pre-K through grade 12.
- c) **FISCAL POLICY**
 - (1) **Federal Deficit.** - Promote responsible deficit policies.
 - (2) **Funding of Entitlements.** - Support a federal role in providing mandatory, universal, old-age, survivors, disability and health insurance.
 - (3) **Tax Policy.** Support adequate and flexible funding of federal government programs through an equitable tax system that is progressive overall and that relies primarily on a broad-based income tax.
- d) **HEALTH CARE.** Promote a health care system for the United States that provides access to a basic level of quality care for all U.S. residents and controls health care costs.
- e) **IMMIGRATION.** Promote reunification of immediate families; meet the economic, business and employment needs of the United States; be responsive to those facing political persecution or humanitarian crises; and provide for student visas. Ensure fair treatment under the law for all persons. In transition to a reformed system, support provisions for unauthorized immigrants already in the country to earn legal status.
- f) **MEETING BASIC HUMAN NEEDS**
 - (1) **Income Assistance.** Support income assistance

programs, based on need, that provide decent, adequate standards for food, clothing, and shelter.

(2) Support Services. - Provide for essential support services.

(3) Housing. - Support policies to provide a decent home and a suitable living environment for every American family.

- g) CHILD CARE. Support programs, services and policies at all levels of government to expand the supply of affordable, quality child care for all who need it.
- h) EARLY INTERVENTION FOR CHILDREN AT RISK. Support policies and programs that promote the well-being, development and safety of all children.
- i) VIOLENCE PREVENTION. Support violence prevention programs in communities.
- j) GUN POLICY. Protect the health and safety of citizens through limiting the accessibility and regulating the ownership of handguns and semi-automatic weapons. Support regulation of firearms for consumer safety.
- k) URBAN POLICY. Promote the economic health of cities and improve the quality of urban life.
- l) DEATH PENALTY. The LWVUS supports the abolition of the death penalty.
- m) SENTENCING POLICY. Support the exploration and utilization of alternatives to imprisonment, taking into consideration the circumstances and nature of the crime. Oppose mandatory minimum sentences for drug offenses.
- n) HUMAN TRAFFICKING. Oppose all forms of domestic and international human trafficking of adults and children, including sex trafficking and labor trafficking.

Whatever the issue, the League believes that efficient and economical government requires competent personnel, the clear assignment of responsibilities, adequate financing, coordination among levels of government, effective enforcement and well-defined channels for citizen input and review.

[From LWVUS Publication: Impact on Issues 2022–2024]

V. LWVMD PROGRAM STUDY AND ACTION PROCEDURES

A. LWVMD PROGRAM STUDY

The League of Women Voters of Maryland (LWVMD) studies and acts on issues of statewide interest and importance which are the responsibility of state government. Delegates to the biennial State Convention adopt a given study item. After a program item is adopted by convention, the state board appoints a chair to conduct the study or concurrence process. The committee shares resource materials, and develops consensus questions and/or concurrence statement(s)/positions. Members across Maryland meet and discuss the same issue and answer the same questions. Each Local League submits a report; and substantial areas of agreement or consensus are expressed as positions and presented to the state board for approval. Leagues may also use the "concurrence" process to develop state positions by agreeing with a Local League position, or with positions developed by a resource committee. Once approved, these positions become the basis for State and Local League action, whether lobbying or public information and education.

B. LWVMD ACTION

Action at the state level must be based on LWVMD program positions, or on LWVUS positions (page 2813) and/or Principles (page 2998), or in some instances on adopted LL or MAL unit positions. At times it may be appropriate, such as testifying on regional transportation bills, to use National Capital Area positions. If there is some question about whether or not a contemplated action is authorized under a LWVUS position, the state board will seek clearance and clarification.

All action at the state governmental level in the name of LWVMD is the responsibility of the Board. Only the president or her designee may speak for, or take action on behalf of LWVMD. LLs and MAL units may take action on state governmental issues only when authorized to do so by the state Board and only in conformity with the position taken by LWVMD. Individual members may act in the name of the League only when authorized to do so by the state board.

Each year the Board canvasses LLs and MAL units for suggestions on legislative priorities for the next General Assembly session. The Board selects the priority issues based on input from the LLs, MAL units and state Board members. The priorities establish the framework for LWVMD action on legislation. LWVMD's formal Action Alerts or Calls to Action to LLs and MAL units generally pertain to

proposed legislation related to the adopted legislative priorities.

The state board expects each LL and MAL unit president to send a letter from the LL or MAL unit, or take whatever other official action is requested, in response to League Action Alerts or Calls to Action. LWVMD may also request that LLs and MAL units ask their members to contact state officials and speak as individuals, but not as League members, on issues of concern to the League.

C. LWVMD ACTION USING LWVUS PRINCIPLES AND POSITIONS

The League consists of three interrelated levels: LWVUS; LWVMD; and Local Leagues (LLs), Member at Large (MAL) Units and Inter-League Organizations (ILO). We often use LWVUS positions or principles, either in conjunction with LWVMD positions or separately, to support or oppose legislative or administrative proposals. In this issue of Study and Action, action that is based wholly or partially on LWVUS positions, but has a relationship to LWVMD positions, is noted with other action on those LWVMD positions. In the two years since the last publication of Study and Action, LWVUS positions were also used to support successful passage in the General Assembly of the Greenhouse Gas Emissions Reduction Act of 2009 and the Alternative Energy Tax Incentive of 2009 (2009)

VI. LWVMD CURRENT PROGRAM, 2021-2023

A. Equity in Education

Scope of Study: This will be a study examining equity in education. During the 2021 session, the General Assembly passed the Blueprint for Maryland's Future ("Kirwan Commission"), which defines long-term steps for improving education in Maryland. Although LWVMD has positions related to education, the purpose of the study is to establish LWVMD positions that specifically address equity in education.

Outlook for Work: LWV of Howard County has conducted a study on equity in education, which can be reviewed and may offer an option for a concurrence.

B. Living Wage

Scope of Study: The purpose of this study is to examine ways that Maryland can ensure its residents have enough income for at least the

basics of food, clothing, shelter and health care. Living wage is a broader term than minimum wage. Whereas minimum wage is an amount set by law, living wage describes the average costs of living in an area, which is generally higher than a minimum wage.

Outlook for Work: Maryland has a minimum wage and some counties (e.g., Montgomery County) have passed higher minimum wage rates than the state. LWV of Kansas conducted a study and adopted a position on living wage, which can be reviewed and may offer an option for a concurrence.