



Takoma Park City Council Meeting – May 27, 2023 Agenda Item 6

Work Session

Post 2023 Legislative Session Wrap-Up, 2023 Legislative Priorities, and MML Legislative Action Requests

Recommended Council Action

Hear the report from Ann Ciekot, Legislative Advocate, and begin to discuss priorities for 2024.

Context with Key Issues

Each year the City Council considers its legislative priorities for the upcoming session of the Maryland General Assembly, then works with the City's legislative advocate to promote and support the priorities.

At the work session on May 17, Ann Ciekot of Public Policy Partners will report on the 2023 legislative session. The City Council will have the opportunity to discuss potential priorities for the 2024 session and which, if any, should be submitted to the Maryland Municipal League (MML) to be considered as a League priority. The deadline to submit MML Legislative Action Requests for the 2024 Session is Friday, June 30. The requests must be endorsed by adoption of a resolution by the City Council.

A continued discussion of potential MML Legislative Action Requests and a draft resolution will be scheduled in June.

Council Priority

All: Advancing a Community of Belonging; Fiscally Sustainable Government; Environmentally Sustainable Community; Engaged, Responsive, Service-Oriented Government; Community Development for an Improved & Equitable Quality of Life

Environmental Considerations

The Council considers environmental and sustainability efforts when determining legislative priorities.

Fiscal Considerations

The Council considers the City's fiscal health and the promotion of opportunities for revenue generation when determining legislative priorities.

Racial Equity Considerations

The Council considers racial equity when determining its legislative priorities.

Attachments and Links

- Legislative Action Request (LAR) Information and LAR Form
- LAR Requests Submitted for 2021, 2022, and 2023
- Presentation
- Links that may be of interest:
 - [SB114 Property Tax – Real Property Tax Assessment and Tax Rate Increases – Notice Requirements](#)

- [SB114 Fiscal and Policy Note](#)
- [SB828 Family and Medical Leave Insurance Program – Modifications \(Fiscal and Policy Note\)](#)
- [SB828 MML Testimony](#)
- [Department of Legislative Services 90 Day Report, A Review of the 2023 Legislative Session](#)

2024 Legislative Action Request

The Maryland Municipal League Invites Your Input ...

- √ Is there a Maryland statute that needs to be changed to enable you, as a municipal official, to do your job better?
- √ Have you received citizen complaints that you could not address because you needed legislative authority?
- √ Are there outdated provisions in Maryland law that need to be modernized or streamlined?

Each spring, MML solicits input from our membership to enable us to establish our legislative priority issues for the upcoming legislative session. Now is the time to submit ideas that could be improved with a legislative “fix” during the 2023 legislative session. **Please note that all LARs must be approved by the governing body of the municipality, department or chapter prior to submission.**

A legislative request that is the same or substantially similar to a request that has been previously been considered and rejected by the Legislative Committee twice within a four-year period coinciding with the current General Assembly term shall be excluded from consideration by the Committee.

The Legislative Committee shall limit recommended legislative proposals to the membership for consideration at the annual fall conference to no more than four non-prioritized issues and the membership is limited to adopting no more than four legislative priorities at the fall conference.

Downloaded from the Maryland Municipal League website on May 12, 2023

Takoma Park Legislative Action Requests and MML Legislative Priorities in Recent Years 2021-2023

2023 Takoma Park Legislative Action Requests

1) The Council urges MML to initiate or support legislation to increase authority for municipalities to collect revenue. Options might include the authority to collect a sales tax or receive a percentage of sales tax collected in the jurisdiction or receive a portion of revenue generated by cannabis sales.

2) The Council urges MML to initiate or support legislation that assists municipalities with housing and community development issues such as:

- Giving authority for municipal or county governments to enact “just cause” eviction legislation if they desire.
- Promoting legislation or sources of funding to maintain or increase affordable housing in areas with rising property values and rents resulting from infrastructure improvements, transit projects such as the Purple Line, and redevelopment.
- Establishing energy performance targets in low-income housing.
- Creating an infrastructure repair and rehabilitation fund for condominium improvements.

3) The Council urges MML to prioritize or support legislation that will ensure pedestrian and biker safety, SHA responsiveness, cooperation, and coordination, meet Vision Zero goals, and implement safety standards for more safe and walkable communities.

2023 MML Legislative Priorities

Priority #1 - The 2023 adopted priority was to ensure municipalities have the option of creating their own Police Accountability Boards and Charging Committees.

Strategic Initiatives:

1) Expanding Municipal Revenues Sources, and

2) Focus on Communication, specifically the intersections of transparency, notifications, and privacy.

2022 Takoma Park Legislative Action Requests

1) The Council urges MML to initiate or support legislation that assists municipalities with housing and community development issues by:

- Requiring that the District Courts collect and share timely and dynamic data related to executed evictions. This will allow municipalities to better plan for eviction prevention programming and neighborhood development efforts;
- Giving authority for municipal or county governments to enact “just cause” eviction legislation if they desire;
- Shielding court records related to failure to pay rent judgements that are used to prevent renters from obtaining housing; and
- Promoting legislation or sources of funding to maintain or increase affordable housing in areas with rising property values and rents resulting from infrastructure improvements, transit projects such as the Purple Line, and redevelopment.

2) The Council urges the MD Municipal League to initiate or support statewide climate mitigation and adaptation legislation that would:

- Assist municipalities with resources and technical support to meet state and local climate mitigation and adaptation goals;
- Provide targets and resources to dramatically improve the energy efficiency of buildings, especially low- and middle-income housing and multifamily buildings;
- Facilitate greater use of zero-emission vehicles, public transit, and other de-carbonizing transportation strategies; and
- Embrace aggressive statewide targets and actions for climate mitigation and adaptation.

2022 MML Legislative Priorities

Priority #1 - Highway User Revenues:

We have been fighting this battle since HUR funding was cut following the 2008 recession. After persevering through almost a decade of severely diminished highway user revenue funding, mitigated somewhat by one-time grants along the way, 2018 legislation brought municipalities back to 85% of pre-recession levels; but only for five fiscal years. After fiscal year 2024 the law is set to return us back to the low levels we experienced only a few years ago.

During the 2021 General Assembly session, MML was successful in convincing the State Senate to remove that 2024 funding provision, which would have kept us from toppling over a fiscal cliff. Instead, we would stay at our current level of funding indefinitely. Unfortunately, we were competing with other state spending priorities, as well as high-profile issues and a virtual environment, and the House failed to act on the bill before the end of the session.

After a several-year process of educating legislators about the importance of HURs to municipalities, we believe the time is now to remove the sunset provision and fully and permanently restore municipal HURs. As a result, the Committee voted unanimously to again recommend the restoration of municipal Highway User Revenues as one of our two priorities.

Priority #2 - Police Accountability:

Part of the police reform suite of legislation that passed in 2021 requires each County to have a police accountability board and establish an administrative charging committee. The law does not, however, offer municipalities the option to establish their own Accountability Board and Charging Committees, despite their municipal police departments having autonomy from their county counterparts.

This year's proposal would revise the state law relating to Police Accountability Boards and Administrative Charging Committees to give municipalities the option of creating their own Board and Committee.

Strategic Initiative - Climate Change:

While the League membership does not vote to adopt these issues, the committee felt they were important enough to warrant increased attention this year.

Strategic initiatives differ from legislative priorities in that MML does not actively seek sponsors to introduce a bill on a very specific issue. Instead, they are often used as an educational tool and a point of emphasis regardless whether or not legislation is introduced on the subject.

This year, for the second consecutive year, we have adopted climate change as a strategic initiative. With climate change impacting every corner of the State, through flooding, shore erosion, summer heatwaves, and more severe storms, the Legislative Committee is being asked to take a closer look at a broader range of environmental bills for their municipal impact every year. Adopting this strategic initiative enables us to approach climate change mitigation not just legislatively, but holistically.

2021 Takoma Park Legislative Action Requests

1) The Council urges the MML to initiate or support legislation that bolsters the economy within Maryland municipalities and supports Maryland residents by:

- **Supporting small businesses through tax incentives, grants, and technical assistance.** Businesses in our communities are negatively impacted by COVID-19 closures. Many of our small businesses were unable to qualify or apply for aid before limited resources at the federal and county levels ran out. Legislation that supports these businesses during these trying times are critical to ensuring the economic vitality of communities across the state; and
- **Increasing workforce development opportunities (in collaboration with county government).** With a growing number of residents currently unemployed, it is important to support workforce development opportunities including but not limited to paid on-the-job training and apprenticeship programs, employment search assistance

and expedited licensure pathways for residents with degrees from outside the U.S., funding for certificate programs that provide career advancement, funding assistance for job-training transportation and distance-learning equipment, and programs to assist veterans, returning citizens, and others transitioning to new employment needs; and

- **Providing support for childcare and senior daycare providers to sustain their businesses and when possible, reopen and provide safe care for the youngest and oldest members of our communities.** Senior daycare providers are not eligible for other funds and grant opportunities available to childcare providers and may need particular assistance.

2) The Council urges the MML to initiate or support legislation on police reform that would require:

- **Repeal of the Law Enforcement Officers' Bill of Rights (LEOBR).** Even for police officers with a proven track record of abusing and killing Black and Brown people, our state still gives law enforcement special rights against punishment for wrongdoing under the LEOBR – the most extreme such law in the country. Since LEOBR was enacted, it has allowed police abuse to go unpunished. Now is the time for accountability, and accountability requires pending LEOBR; and
- **Transparent investigations into police misconduct.** The Maryland Public Information Act (MPIA) currently blocks access to information about how police misconduct investigations are handled, wrongfully categorizing this information as confidential personnel files. This secrecy allows police departments to hide the details of police misconduct. Survivors of police misconduct, their families, and communities should have the right to know if their cases – all of their cases, without exception – are investigated properly or if they were even investigated at all; and
- **Limiting the use of force by law enforcement.** Maryland is one of a few states that do not have a statutory limit on police officers' use of force. For decades, officers have used violent and often deadly force against Black and Brown people, which is why legislators need to pass a law to address the use of force by law enforcement in Maryland; and
- **Expanding or establishing mobile mental health crisis units.** This would potentially reduce the number of mental health service calls police officers are currently required to address.

3) The Council urges the MD Municipal League to initiate or support statewide climate mitigation and adaptation legislation that would:

- **Assist municipalities with resources and technical support to meet state and local climate mitigation and adaptation goals; and**

- **Provide state legislative authority to establish a 100% renewable electricity community choice aggregation or similar program; and**
- **Provide targets and resources to dramatically improve the energy efficiency of buildings, especially low- and middle-income housing and multifamily buildings; and**
- **Facilitate greater use of zero-emission vehicles, public transit, and other de-carbonizing transportation strategies; and**
- **Embrace aggressive statewide targets and actions for climate mitigation and adaptation.**

2021 MML Legislative Priorities

Highway User Revenues: After years of underfunding, the MML Legislative Priority for 2021 is the full and permanent restoration of municipal highway user revenues (HUR). Specifically:

- 1) Eliminate the sunset on the current level of municipal Highway User Revenues that is due to occur after FY 2024.
- 2) Return to full pre-recession funding of municipal Highway User Revenues beginning with the FY 2025 State budget.

Strategic Initiatives:

In addition to HURs, MML membership adopted two strategic initiatives for 2021:

- 1) Retaining local authority over technology infrastructure installation: Due to an uptick in State and Federal proposals to weaken local policy authority over technological infrastructure placement in public spaces, it is imperative that MML members prioritize retaining local authority; specifically as it applies to revenue, expenditures, right-of-way usage, and land use policy.
- 2) Mitigating the Effects of Climate Change: With climate change impacting every corner of the State – through flooding, shore erosion, summer heatwaves, and more severe storms – the League will devote further legislative resources toward mitigating the negative impacts on residents’ lives and municipal budgets.

4. Have any state agencies been contacted about the proposal? If yes, what was their reaction?

HISTORICAL INFORMATION

1. Has the League considered this proposal in a previous year? If yes, describe any significant changes in circumstances that might improve its chances of success in 2024:

2. Has this request been considered by the General Assembly in prior sessions? If yes, please provide the bill number, year, and outcome of legislation, if known:

3. Has this proposed legislation been implemented by any other city, county or state? If yes, please describe where it has been implemented and cite any existing law or model code upon which the proposal is based:

Signature of authorized municipal, chapter
or departmental official

Print name & Title

Date

Please return LAR form to:
MML Legislative Committee
1212 West Street
Annapolis, MD 21401
ATTN: Bill Jorch
410-268-5514
E-mail: abigaild@mdmunicipal.org
& copy billj@mdmunicipal.org

Please indicate the date of the meeting where the governing body of the municipality, chapter or department endorsed/approved this request: _____.

Please complete this form in its entirety. Attach additional sheets, if necessary, as well as documents related to your request. **Please return to MML NO LATER THAN FRIDAY, JUNE 30, 2023.**

How MML Legislative Priority Issues Are Selected

1. The League shall inform all member municipalities, chapters, and departments that they may **submit up to three legislative requests each for consideration** as MML initiatives before the Maryland General Assembly by a deadline selected by the League.
2. The staff reviews these requests and prepares background information for the Legislative Committee.
3. The Legislative Committee meets to discuss these requests and to consider MML priority issues not resolved during the previous session.
4. A legislative request that is the same or as substantially similar to a request that has previously been considered and rejected by the committee twice within a four-year period coinciding with the current term of the General Assembly shall be excluded from consideration by the committee.
5. The LAR submission form requires verification that the elected body of a municipality or the membership of a chapter or department has endorsed a legislative request prior to submission.
6. The committee shall limit legislative sponsorship proposals to the membership for consideration at the fall conference to no more than four (4) non-prioritized items and limit the proposals adopted by the membership to four (4).