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2000 Legislative Agenda For Maryland Women

Revised 1/20/2000

Sponsored By

***Maryland Commission for Women
Statewide Agenda Steering Committee***

LEGISLATIVE AGENDA FOR MARYLAND WOMEN

VISION: All Maryland women and children have a right, by law, to an adequate and sustainable quality of life and an opportunity to develop their full potential.

GUIDING PRINCIPLES:

- ❖ An adequate standard of living regardless of ability to work or to achieve financial independence.
- ❖ Personal safety at home, school and the workplace.
- ❖ Freedom from discrimination in Maryland's economic, educational, judicial, political and social systems.
- ❖ Equal access to quality health care and reproductive services.
- ❖ Safe and affordable child and dependent care.
- ❖ A quality, public education.
- ❖ Equitable and responsible implementation and enforcement of rights and protections provided by existing law.
- ❖ Elimination of discriminatory policies and practices based on age, ethnicity, gender, physical abilities and attributes, race, and sexual orientation.
- ❖ Family-friendly employment policies.

FOR ADDITIONAL INFORMATION ON THE 2000 LEGISLATIVE AGENDA FOR MARYLAND WOMEN CONTACT:

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OVERVIEW

The Legislative Agenda for Maryland Women is a grassroots initiative to bring issues of importance to women and their families to the attention of the Maryland General Assembly for legislative action. The 2000 Legislative Agenda for Maryland Women was developed by individuals and representatives of organizations at forums in June and July, 1999, and at a conference held at the University of Maryland Baltimore County in September, 1999.

The conference had five objectives:

- To provide a forum in which issues of special interest to women could be discussed.
- To establish the legislative priorities of the 2000 Legislative Agenda for Maryland Women.
- To identify legislative leaders for the priority initiatives.
- To develop strategies for collective action on the Legislative Agenda for Maryland Women.
- To enhance the network that participates in the annual legislative process.

Priority initiatives were identified in workshops on the following issues:

- Civil and Human Rights
- Family and Work
- Family Violence
- Economic Self-Sufficiency
- Education
- Health and Safety

In the fall of 1999, the initiatives were ranked through a survey. The 2000 Legislative Agenda for Maryland Women reflects the survey results.

The names of individual and organizational supporters that follow were solicited with the survey. Some organizations only support components of the agenda that pertain to their mission and work.

For seven years, the support and participation of hundreds of people in partnership with members of the Maryland General Assembly has resulted in passage of numerous bills that improved the quality of life for all Marylanders. It is with this history of success through collaboration that the sponsors of the Legislative Agenda for Maryland Women offer the 2000 Legislative Agenda for Maryland Women on behalf of its supporters.

2000 LEGISLATIVE AGENDA FOR MARYLAND WOMEN SUPPORTERS

ORGANIZATIONS

Advocates for Children & Youth
AFSCME Council 92
Allegheny Commission for Women
Alliance for Children and Families
Alpha Kappa Alpha Sorority Inc., Theta Omega
Omega Chapter
American Academy of Pediatrics—Maryland
Chapter
American Association of University Women
American Association of University Women,
Baltimore Branch
American Association of University Women,
Calvert County Branch
American Association of University Women,
Carroll County Branch
American Association of University Women,
College Park Branch
American Association of University Women,
Garrett County
American Association of University Women,
Maryland
American Association of University Women,
Salisbury Branch
American Association of University Women,
Silver Spring Branch
American Association of University Women,
Towson Branch
American Civil Liberties Union Foundation of
Maryland, Inc.
Baltimore County Commission for Women
Bowie-Crofton Business & Professional Women
BPW/MD (Maryland Federation of Business &
Professional Women)
Business and Professional Women of Garrett
County
CASA, Inc., Hagerstown
Caroline County Commissioners
Cecil County Commission for Women
Center for Poverty Solutions
Children's Review Board
Citizen's Review Board for Children
Coalition for the Appointment of Women to
State Boards and Commissions
Coalition to Protect Maryland's Children

College Park Business & Professional Women
Delta Sigma Theta Sorority, Inc., Baltimore
Alumnae Chapter
Domestic Violence Center of Howard County
Dwelling Place Senior Center
Episcopal Diocese of Maryland
Foster Care Review Board for Children
Frederick County Mental Health Association
Frederick County NOW
G.R.B.C.
Gay & Lesbian Community Center
Governor's Council on Child Abuse & Neglect
Hagerstown Community College
Howard County Board of Education
Howard County Commission for Women
Interfaith Fairness Coalition of Maryland
JTA Workforce Development Center
League of Women Voters of Frederick County
League of Women Voters Maryland
Maryland Center for Community Development
Maryland Coalition Against Sexual Assault
Maryland Coalition for a Living Wage
Maryland Commission for Women
Maryland Committee for Children
Maryland Human Relations Commission
Maryland NARAL
Maryland Network Against Domestic Violence
Maryland NOW
Maryland Religious Coalition For Reproductive
Choice
Maryland You Are Beautiful
Marylanders Against Handgun Abuse
(MAHA)
Montgomery Commission for Women
National Council of Jewish Women
National Council of Jewish Women—Frederick
Section
National Council of Jewish Women—Howard
County Section
National Organization for Women, Baltimore
Chapter
National Organization for Women, Northern
Prince George's County
People-Tech Solutions
Planned Parenthood of Maryland
Project Forward Step

SCLC—Baltimore Chapter
 Second Step
 Service Employees International Union
 Southern Prince George's Business &
 Professional Women's Club Inc.
 St. Mary's Women's Center Inc.
 The Women's Law Center of Maryland Inc.
 Violence Center of Howard County
 Voices of Jewish Women—Maryland
 Women of Achievement in Maryland History,
 Inc.
 YWCA Domestic Violence Center
 YWCA of Annapolis & Anne Arundel County

INDIVIDUALS

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 Sally Altman
 Susan Athey-Oxford
 Rosemary Atkinson
 Diana M. Bailey
 Ladean D. Barksdale
 Theresa Barrett
 Rosemary Barwick
 Carolyn Teague Bates
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Caren L. Williams
Jewel Watson
Sharon L. Withers
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Ginni Wolf
Nancy Wolfe
Betty L. Young
Mary Ann Zimmerman

2000 LEGISLATIVE AGENDA FOR MARYLAND WOMEN ISSUES AND INITIATIVES

Civil and Human Rights (page 7)

- ❖ Anti-Discrimination, Expansion of Protections
- ✓ Discrimination in Housing Based on Source of Income—Prohibition
- ✓ Enhanced Relief, Victims of Employment Discrimination
- ✓ Sexual Harassment, Workforce Education and Training

Family and Work (page 10)

- ✓ Child Abuse and Neglect—Failure to Report—Penalties
- ✓ Child Abuse and Neglect—State Multidisciplinary Team
- ✓ Criminal Records—History Check for Contracted Employees

Family Violence (page 13)

- ❖ Domestic Violence—Protective Order—Search and Seizure of Firearms
- ❖ Domestic Violence—Temporary Ex-Parte Protective Order
- ❖ Child Welfare—Integration of Child Welfare and Substance Abuse Treatment Services

Economic Self-Sufficiency (page 16)

- ❖ Supporting The Working Parents Opportunity Act (also under Education)
- ❖ Working Parents Opportunity Act (also under Education)
- ✓ Basic Banking Accounts
- ✓ Livable Wage

Education

- ❖ Supporting The Working Parents Opportunity Act (also under Economic Self-Sufficiency)
- ❖ Working Parents Opportunity Act (also under Economic Self-Sufficiency)

Health and Safety (page 20)

- ❖ Personalized Handguns
- ✓ Maryland Children's Health Program—Expansion

Code: ❖ New Initiative

✓ Continuing Initiative

CIVIL AND HUMAN RIGHTS

HB____SB____ The Anti-discrimination Act would change Title 49B of the Human Relations Code to expand the list of protected classes to include sexual orientation in the areas of employment, housing and public accommodations.

When passed, this bill will make it unlawful to discriminate:

- 1) in employment, if the employer employs more than 15 employees
- 2) in housing and public accommodations, other than religious organizations

The following definition is included in the bill to provide better understanding of who the protections are for, and how they will be interpreted by the Maryland State Human Relations Commission: **Sexual Orientation** means the identification of an individual as to male or female homosexuality, heterosexuality, and bisexuality.

Committees:	House Judiciary and Senate Judicial Proceedings
Lead Sponsor:	Delegate Sheila Hixson
CONTACT:	Martha Dickey, Legislative Liaison, 410-767-8561, Human Relations Commission

Background

Maryland has legislation barring discrimination on the basis of sexual orientation in Howard County, Montgomery County, Prince George's County, Rockville, and Baltimore City. No other localities in Maryland offer these protections. Many residents and workers have been discriminated against on the basis of sexual orientation, or the perception of sexual orientation. Residents and workers in unprotected localities have no recourse under current Maryland Law or under Title VII of the U.S. Code. Under Maryland's Human Relations Code, Title 49B, groups are protected from discrimination based on race, creed, sex, age, color, national origin, martial status, or physical or mental handicap in the areas of employment, housing, and public accommodations.

HB___SB___ Civil Rights—Prohibit Discrimination in Housing Based on Source of Income

This legislation would establish a statewide ban on discrimination in housing based on legal sources of income such as Federal Section 8 Certificates (housing assistance), assistance for persons with disabilities, alimony, and child support.

Committees: House Commerce and Government Matters, Senate Judicial Proceedings

Lead Sponsor:

CONTACT: Deborah Povich, Maryland Center for Community Development,
(410) 752-6223 x 103

Background

Maryland enacted fair housing laws over 20 years ago to prevent discrimination in housing. State laws guarantee access to housing regardless of race, color, religion, sex, familial status, national status, marital status or handicap. However, housing discrimination still exists. In all but two counties (Montgomery and Howard), property owners can and do deny available housing to qualified applicants because of their source of income. This form of class discrimination undermines the very purpose of assistance and benefits programs designed to allow recipients choice in neighborhood selection. It disproportionately impacts women's access to housing because of a bias against alimony and child support.

Legislation has been introduced in the last two years establishing a statewide prohibition on discrimination based on source of income in housing. Landlords and property owners have successfully defeated the bill, objecting to being required to participate in a Federal program. In recent years, HUD has changed its rules regarding security deposit and eviction notices so that Section 8 recipients comply with market rental practices paying full security deposits and being subject to eviction for cause with notice.

If this discrimination is prohibited statewide, some of the benefits that would accrue include:

- Allowing people entering the workforce, including people moving from welfare to work, greater access to jobs by living near employment opportunities. Current job growth often is away from low-income areas, and not accessible by public transportation.
- Aiding victims of domestic violence by improving their ability to move away from abusive partners. Often victims of domestic abuse are financially disadvantaged when they first leave an abusive situation. Section 8 certificates offer the only real hope of independence. But independence is short-lived if no housing can be found that accepts a Section 8 certificate.
- Increasing the pool of applicants for businesses experiencing a shortage of entry-level workers by allowing those with housing subsidies to move near job opportunities.
- Allowing persons receiving disability payments greater access to and choice of housing situations that support independent living.
- Increasing low-income families' access to safe neighborhoods with good schools to increase their children's chances of moving out of poverty.
- Allowing the elderly, who are on fixed incomes to access housing near family members.

Nine states prohibit housing discrimination based on source of income including: Connecticut, Maine, Massachusetts, Minnesota, New Jersey, North Dakota, Utah, Vermont, and Wisconsin. Montgomery and Howard Counties prohibit housing discrimination based on source of income.

HB ____ SB ____ Enhanced Relief for Victims of Employment Discrimination—This bill will expand Article 49B—to provide for expanded compensatory damages; to authorize the awards of attorney fees and witness fees; to specify that an Administrative Law Judge shall hear certain cases; and, generally relates to hearings and relief under the Human Relations Commission Law.

Committees: Senate Judicial Proceedings
House Commerce and Government Matters
Sponsors: Senator Delores Kelley and Delegate Elizabeth Bobo
CONTACT: Martha Dickey, Legislative Liaison, Maryland Human Relations Commission, 410-767-8561

Background

Currently, back pay, cease and desist, and equitable relief or make whole relief, are the only remedies available under Article 49B for victims of employment discrimination. This legislation would allow an Administrative Law Judge to order compensatory damages for an individual in cases where it has been determined that a discriminatory act has occurred. Victims of unlawful discrimination often suffer great financial losses. Under current Maryland law, there are not meaningful remedies in place to address all losses that may occur. The present law provides for the victim to be reinstated and receive some back pay.

The proposed amendments also would expand the Commission's jurisdiction to include employers with one or more employees. Extending the protection of the administrative process of investigation and weeding out frivolous complaints will benefit the small employer, eliminating the employer's need for costly court litigation.

HB ____ SB ____ Sexual Harassment—Education and Training in the Workplace would require employers to provide employees with information and training on sexual harassment. Also, it would require employers to display posters that detail the legal nature of sexual harassment and the complaint process available through the Human Relations Commission.

Committees: Commerce and Government Matters and Senate Judicial Proceedings
Lead Sponsor: Delegate Sheila Hixson
CONTACT: Martha Dickey, Legislative Liaison, Human Relations Commission, 410-776-8561

FAMILY & WORK

HB ____ SB ____ Child Abuse and Neglect—Failure to Report—Penalties—This bill would make the knowing failure to report suspected child abuse and neglect a misdemeanor. Individuals who knowingly fail to report suspected child abuse and neglect would be subject to a fine not exceeding \$1,000.

Committees: House Judiciary and Senate Judicial Proceedings
Lead Sponsor:
CONTACT: Ellen Mugmon, Legislative Chair, Governor's Council on Child Abuse and Neglect, 301-596-5538

Background

Maryland is one of only a handful of states that does not criminalize knowingly failing to report suspected child abuse and neglect. Maryland, however, criminalizes the false reporting of abuse and neglect under Article 27, Section 151. Research studies have shown, despite some highly publicized cases, that deliberately false allegations are rare, while failure to report harm to children is a far greater problem with substantial and even life threatening consequences.

Presently, although some professionals can be sanctioned by their licensing boards for knowingly failing to report child abuse and neglect, there have been no known cases where any professional has been disciplined for this reason. Because Maryland, in practice, does not penalize the knowing failure to report child maltreatment, the State defeats the underlying purpose of its "mandatory" reporting law. If the law is unenforced and those required to report are not held accountable for their knowing failure to do so, then current law lacks sufficient deterrence.

That is why a Worcester County grand jury in July, 1998, recommended that Maryland impose criminal penalties against professionals who fail to report child abuse and neglect. The grand jury had reviewed the beating death of Shamir Hudson, an eight-year-old boy who was murdered by his mother. Rather than reporting suspected abuse, the head of the school Shamir and his siblings attended told the mother to keep her children home from school until the wounds he had observed on the children were healed. A July 24 *Daily Times* article entitled, "Worcester Grand Jury Proposed Shamir's Law", noted that in the two weeks before the murder, the children had been absent from school.

Failure to report child abuse and neglect is a serious problem that endangers many children. According to the congressionally mandated Third National Incidence Study, only 28% of the children recognized by community professionals as having been harmed by abuse or neglect were reported to and investigated by child protective services. Child protective services knew about and investigated only 26% of the moderately injured children, and 26% of the seriously injured children.

According to the 1995 US Advisory Board on Child Abuse and Neglect Report entitled, *A Nation's Shame. Fatal Child Abuse and Neglect in the United States*, "Over half the children who die from abuse and neglect nationwide are from families who have never been investigated by child protective services. Yet, thousands of children who died in the past decade were known to at least one professional or agency that might have intervened to save their lives." Public reporting of child abuse and neglect is an absolute necessity and must be encouraged. Children cannot protect themselves.

HB___SB___ Child Abuse and Neglect—State Multidisciplinary Teams—This legislation would mandate and fund the establishment of a State multidisciplinary team.

Committees: House Judiciary and Senate Judicial Proceedings

Lead Sponsors:

CONTACT: Ellen Mugmon, Legislative Chair, Governor's Council on Child Abuse and Neglect, 301-596-5538

Background

Under Maryland law and regulation, only cases of suspected child abuse and neglect in out-of-home settings are required to be brought before a multidisciplinary team. Maryland authorizes, but does not require, the use of multidisciplinary teams in other child abuse and neglect cases.

The American Association for Protecting Children, a division of the American Humane Association, after conducting a program evaluation of child protective services in Maryland, concluded that multidisciplinary teams were underutilized by local jurisdictions. Consequently, the involvement of medical, mental health, education, and other professionals in the assessment of these cases, has often been the exception rather the rule. Although the Department of Human Resources (DHR) has recommended the establishment of at least one standing, functioning multidisciplinary team in each jurisdiction, there is no requirement under law or regulation that local jurisdictions effectively implement that recommendation.

The purposes of a State multidisciplinary team would include providing special expertise regarding difficult diagnostic, treatment, and legal issues, training and education to local teams, and accountability through second opinions, review, reform, and data collection through the use of cutting-edge technology. The State team also would assist in the development of local teams and set standards for the composition and operation of local teams.

Experts in the field and research findings confirm that the best response to child abuse is a coordinated, multidisciplinary approach. Interagency collaboration that includes the public and private sectors is critical in effectively serving children and families that experience child maltreatment. Child abuse is too complex and too far reaching in its effects on victims and their families to be dealt with by any one agency.

The benefits of multidisciplinary team assessments include the following: improved decision making, the development of professional expertise, a reduction in the number of interviews a child undergoes, fewer conflicts among agencies, avoidance of duplicative efforts, and the creation of protocols that refine and describe interagency agreements, and define how services are to be provided. They have been recognized as a best practice for over 40 years.

HB____SB____ Criminal History Records Check—Individuals Caring for and Supervising Children—This bill enhances current Maryland statute by requiring individuals who work for entities that provided contractual services to facilities that serve children to undergo criminal history records checks prior to employment.

Committee:

Lead Sponsor:

CONTACT: Ellen Mugmon, Legislative Chair, Governor's Council on Child Abuse and Neglect, 301-596-5538

Background

Maryland's criminal history records check statute was enacted to protect children in out-of-home settings from individuals whose criminal histories indicate that they pose a danger to an extremely vulnerable population. Under present law, however, individuals who work for entities that provide contractual services to child-serving facilities listed in the statute are not required to obtain comprehensive State and national fingerprint based criminal history record checks prior to employment. This is the case, even though these individuals care for, supervise or have access to children in these facilities, and employees directly hired by these same facilities must undergo such checks.

It makes no sense for children to lose the benefits of this protective measure because certain facilities contract out for services. Consequently, there are individuals whose criminal histories "bear upon [their] fitness to have responsibility for the safety and well-being of children" (Victims of Child Abuse Act of 1990) and, because their histories are unknown, they obtain positions of public trust, which gives them access to children.

Thus, without the passage of legislation that would remedy this problem, children will continue to be endangered. Checking criminal histories has proven to be a rational business practice and a necessity. Experience and logic indicate that thorough criminal background checks provide necessary protection for Maryland's children.

FAMILY VIOLENCE

HB____SB____ Domestic Violence—Protective Order—Search and Seizure of Firearms—This bill would authorize a court in a protective order hearing for relief from abuse to inquire whether the respondent is in possession of firearms. If the court determines that there is probable cause that the respondent possess firearms, the court would have the authority to issue a search warrant to remove guns from the respondent's possession.

HB____SB____ Domestic Violence—Temporary Ex-Parte Protective Order—This bill would authorize the court in a temporary ex parte proceeding for relief from abuse to order the respondent to refrain from possessing firearms during the ex parte phase of the proceeding. Failure to comply would prompt an arrest and misdemeanor offense.

The information below pertains to both bills.

Committees: House Judiciary Committee and Senate Judicial Proceedings
Lead Sponsor:
CONTACT: Cynthia L. Golomb, Esq., Legislative Council, Maryland Network Against Domestic Violence, 410-531-1619

Background

The Maryland Gun Violence Act of 1996 has improved our laws by limiting access by domestic violence offenders to firearms. This important legislation has empowered judges and law enforcement officers to limit this access to firearms by significantly modifying the civil protective order statute in the Family Law Article. Under certain circumstances, law enforcement officers may remove firearms from the scene, while on a domestic violence call (FL, Section 4-511). After a protective order hearing, judges may order a respondent to surrender firearms for the duration of the protective order (FL, Section 4-506). At the expiration of the protective order, firearms are returned to the respondent.

While current law is better than it was before 1996, Maryland law still requires additional modification. Domestic violence kills. In 1998, alone, 72 Marylanders—men, women, and children—died as a result of domestic violence. Of this total, 34 individuals, or 47% of the total, died as a result of firearms.

Families cannot be safe if those with access to firearms are enraged or violent. In the hands of violent people, guns are not used for self-defense, but are used to hurt other people, including family members. When a person separates from his or her abuser, this is an especially dangerous time that may prompt irrational and violent behavior by the abuser.

HB ____ SB ____ Treatment Program—Child Welfare—Integration of Child Welfare and Substance Abuse Treatment Services—This bill will provide for DHR and DHMH integrated child welfare and substance abuse services.

Committees:

Lead Sponsors:

CONTACT: Diane Bianchiere, Child Welfare Director at Advocates for Children and Youth, and staff to the Coalition to Protect Maryland's Children, 410-547-9200, x3023

This legislation will seek to include the following provisions:

- Conduct cross-training for all child welfare and substance abuse treatment personnel.
 - Provide financial incentives for child welfare workers to become certified addictions specialists.
 - Place qualified addictions specialists in all child welfare offices.
 - Assure that parents are screened for substance abuse in every child welfare case and that addiction specialists have the opportunity to consult on all cases accepted for child protective services investigation where there is any reasonable suspicion of substance abuse.
 - Require that a local department of social services include in its CINA petition a request that the court order drug and alcohol testing in any case where there is a reasonable suspicion of substance abuse.
 - Develop procedures for routine consultation and re-evaluation of progress in substance abuse treatment at every step as a child welfare case proceeds.
- At CINA adjudication, if the local department has requested substance abuse testing, the court should be required to order the testing, or explain the denial of the request in writing.
 - Ensure funding for testing and treatment for parents involved in the child welfare system. Redirect existing substance abuse and child welfare funds and use Cigarette Restitution funds to ensure adequate treatment resources.
 - Provide the intensity and type of treatment and after care needed, and tailor programs to the needs of parents. Create additional treatment slots for 28-day detoxification, intensive outpatient, and residential—including programs in which mothers and children can live together. Explore the use of excess hospital beds to locate new treatment programs.
 - Explore the use of community colleges to provide the required training.
 - Break the cycle of child maltreatment by:
 - Treating mothers to prevent future *in utero* exposure, as well as future abuse and neglect
 - Focusing prevention services on children of substance-abusing parents

Background

- Children's lives and futures are profoundly threatened by parental substance abuse.
- Substance abuse is a key factor fueling intensification of child abuse and neglect in the 1990s.
- In Maryland, the number of children in placement has doubled, and the size of sibling groups in placement is rising. Over 60% of children entering out-of-home placement in 1998 had a parent with an identified substance abuse problem.

- A survey of 915 child welfare workers reports that child maltreatment recurs in 75% of cases involving substance-abusing parents, as compared to the 30% average of all cases.
- A Columbia University study headed by former Department of Health and Human Services Secretary Joseph Califano found that the child welfare system in the U.S. spends \$20 billion per year to care for abused and neglected children of drug- and alcohol-abusing parents. These children, the study concludes, are "the most vulnerable and endangered individuals in America."
- Treatment can help: According to a recent Federal report, nearly one-third of clients achieve sustained abstinence from their first attempt at recovery. An additional one-third has a period of relapse episode, but eventually achieve long-term abstinence. The remaining one-third has chronic relapses.
- Neither prevention nor treatment has been targeted toward parents. Even when children enter foster care, their parents often lose Medical Assistance or face other overwhelming barriers to treatment access.
- The projected cost of a child entering the foster care system is \$60,000 per episode.
- Despite the overlap in caseloads, child welfare services and addiction services operate as two separate worlds, with little interaction or cross training. Linking child welfare and substance abuse programs would make both more effective.

ECONOMIC-SELF SUFFICIENCY

HB___SB___ Supporting The Working Parents Opportunity Act—This bill will reduce child poverty in Maryland by providing parents with the resources to adequately support their families. This includes access to education and jobs skills training that will allow them to qualify for higher paying jobs with benefits.

Committees:

Lead Sponsors:

CONTACT: Debbie Lucas-Trumbell, Center for Poverty Solutions, 410-366-0600

Background

A parent's level of educational achievement has a direct correlation to her/his earning potential and the family's ability to attain self-sufficiency. Children living in poverty are more likely to suffer from lead poisoning, abuse and neglect, school problems, premature parenthood, and substance abuse. Children, whose parents have been able to move out of poverty, do better in school and achieve greater economic independence as adults. The State should provide parents with the opportunity to pursue their education under a State-funded program.

HB___SB___ Working Parents Opportunity Act—This legislation will provide funds to enhance education and job skills training opportunities for low-income working parents (at or below 200% of the Federal poverty level), to improve their chance to obtain and retain jobs that offer a livable income, access to benefits and opportunities for advancement.

Committees:

Lead Sponsors:

CONTACT: Debbie Lucas-Trumbell, Center for Poverty Solutions, 410-366-0600

Background

The proposed legislation includes access to career counseling, assessment testing, basic and remedial English proficiency, high school proficiency and post-secondary education, that leads to career progression. Additionally, it provides for job skills training in an approved certification or on-the-job program that leads to improving the parent's employment earning potential. The draft legislation includes a governing body that is responsible for overseeing the program, selecting candidates, distributing the request for proposals for the pilot projects, conducting a vigorous outreach campaign, and evaluating program outcomes and impacts on child poverty. Assistance for collaborative efforts among businesses, colleges and training programs is provided. In addition, the bill sets up Employment Advancement Accounts to pay for expenses that are necessary for the eligible parent to pursue the program.

HB ____ SB ____ Basic Banking Accounts—Many low-income people are “unbanked,” without access to checking or savings accounts. These households often use the unregulated check cashing industry for financial transactions, paying high fees for basic check cashing services and functioning in a cash-based environment. Basic banking accounts—no-frills accounts with minimal charges—provide low- and moderate-income people access to mainstream financial services, which can lead to increased financial literacy, as well as improved personal safety by reducing the need for people to carry large quantities of cash. Basic bank accounts, often called lifeline accounts, require a low opening balance, charge a minimal monthly fee, allow a reasonable number of withdrawals per month and require no minimum balance.

Banks are entrusted with community assets, which they receive in the form of deposits. Banks have the insurance protection of the Federal government behind every transaction. These financial institutions make a profit on community deposits, providing financial services in the form of checking and savings accounts and loans.

The Maryland Center for Community Development conducted a survey of 30 banks in Maryland, including the top 20 depository institutions, to determine if model lifeline bank accounts are available across the State. Only 3 of the 30 banks, and only 2 of the top 20, offered a basic checking account that met the model criteria. Unfortunately, the services that many Maryland depository institutions provide to residents in their service area do not include model basic, no-frills checking accounts.

Requiring all banks to provide basic banking services would assure that low-income households have a broader choice of and greater access to no-frills financial services without subjecting them to fees they can ill afford to pay—something that is not now available. Assuring that low- and moderate-income households, including those living on fixed incomes, have access to basic banking services will increase the financial literacy of a population that has been largely underserved by traditional banking institutions.

Committees:

Lead Sponsor:

Contact: Deborah Povich, Maryland Center for Community Development,
410-752-6223, 1-800-949-6223

Background

Over 10 million Americans do not have checking accounts. The unbanked are overwhelmingly low income people, who can ill afford high fees for financial transactions. Of the 15% of the households that did not have checking accounts in 1995, 85% had annual household incomes under \$25,000. Many of these households receive some form of Federal benefit.

Low-income households without access to low-cost checking accounts often rely on the check-cashing industry for financial services, which is unregulated in Maryland. The check cashing industry charges fees significantly higher than a bank is allowed to charge. Individuals who operate in a cash-based economy are easy victims of crime.

The Maryland Center for Community Development (MCDD) surveyed 30 Maryland banks, including the 20 largest banks by deposit and the 10 banks with the largest deposits in the Baltimore region. Banks were surveyed for “basic” checking accounts that allowed the user access to tellers, as well as automatic teller machines (ATMs) without charging a fee. Of the 30

banks surveyed, only three provided basic checking accounts that meet the model's standard. A model basic checking account requires no more than \$25 minimum deposit, no minimum balance, and allows eight withdrawals for a \$3 monthly fee. Of the banks with the top 20 deposits in Maryland, only two provided model basic checking accounts. In addition, MCCD surveyed 31 federal and state credit unions. Of the 23 Federally chartered credit unions surveyed, 18 offered basic checking accounts; of the eight state chartered credit unions surveyed, five offered basic checking accounts.

In the last several years, banks have been subject to an increasing number of mergers, which often results in decreased services to low- and moderate-income communities through branch closures. Maryland banks that have been lost to mergers include First Fidelity, Maryland National Bank, the Bank of Baltimore, and Signet Bank. Ironically, small community banks provide basic banking services more frequently than the larger banks. With increased bank mergers projected for the future, a minimum standard of community services is needed to assure that all banks, even those with headquarters out of state with no historical knowledge of or commitment to a local community, provide a range of services that meet the needs of residents in their service areas.

In an effort to save money, the Federal government is moving to require all Federal benefits be transferred electronically. (Over 400,000 individuals in Maryland received Federal payments in one month in 1998, excluding tax returns.) Nationally, the banking industry is supporting electronic funds transfer (EFT), which could result in 10 million more bank accounts. While EFT is not yet mandatory, when fully implemented, it will save the Federal government \$190 million annually. The Federal government recently approved Electronic Transfer Accounts (ETAs) that accept electronic Federal payments, charge no more than \$3 per month, allow a maximum of four cash withdrawals and four balance inquiries each month, and require no minimum balance. The Treasury Department will compensate banks that offer ETAs a one-time \$12.60 per ETA account set-up fee. Bank of America is the only bank in Maryland participating as of 7/99.

HB___SB___Labor and Employment—Livable Wage would require a minimum hourly wage of \$10.28 (a livable wage for a family of four) that must be paid to workers when the source of funds is a State of Maryland contract or other subsidies such as tax credits.

Committees:	House Economic Matters and Senate Economic and Environmental Affairs Committee
Lead Sponsor:	Delegate Sharon Grosfeld
CONTACT:	Debbie Lucas-Trumbell, Center for Poverty Solutions, 410-366-0600

Background

Poverty among working people is growing—20% more workers are poor now than in the 1970s; 38% more families with children are ranked as poor for that same time period. For poor families (at or below federal poverty level), the primary source of income is earnings. Of the 6.1 million poor families, 3.5 million (62%) have workers that average 41 weeks of work per year. For the 14 million families with incomes between 101-200% of poverty, 95% have a worker.

There are critical economic trends that explain the plight of the working poor: dropping wages, retail and service jobs are half of the labor market, and chronic underemployment.

Since government assists the working poor with various programs to meet their basic needs, requiring employers, who are receiving State contracts and/or subsidies to pay a living wage, is an economically sound idea. A standard of a livable wage helps to increase the incomes of poor families, relieves the burden on taxpayers and makes work a better alternative than public assistance.

Why do we need a Living Wage law in Maryland?

- Hundreds of thousands of Marylanders live in poverty. According to the 1990 Census, 8.3% of people in Maryland were living below the poverty line. Among African Americans, the poverty rate was 16.6%, and among other people of color, the poverty rate was 9.5%. In Maryland, the average income of the poorest fifth of families dropped by \$1,280 from \$14,620 in the late 1970s to \$12,340 in the mid-1990s (Center on Budget and Policy Priorities).
- The federal minimum wage does not keep people out of poverty. A full-time worker earning the present minimum wage of \$5.15 an hour would earn 2/3 of the poverty line for a family of four. The real value of the minimum wage has decreased 30% since 1980 (Economic Policy Institute). Three-fourths of the 11.8 million minimum wage workers are adults, and 40% are the sole supporters of their families (Preamble Center).
- Income inequality in Maryland continues to increase. In Maryland, the richest 20% of families with children have an average income 11 times greater than the poorest 20% of families (Center on Budget and Policy Priorities). Nationally, CEO pay is now 116 times the pay of the average worker (Economic Policy Institute).
- Marylanders' tax dollars should be invested wisely and should support living wage jobs, not poverty wage jobs. Corporations receive Maryland tax dollars through tax credits and contracts, with no guarantee that they will be paying a living wage to their employees. Maryland gave corporations over \$300 million in tax credits and abatements in FY 1998 (Department of Budget and Management). Over 260 firms report having contracts with the State of Maryland worth over \$100,000 (Secretary of State).

Did the Living Wage law run businesses out of Baltimore and cause the loss of jobs?

- NO! The Living Wage law had no negative effect on the business climate in Baltimore; it did not result in a loss of jobs; it did not increase the cost of City contracts; and its enforcement had a negligible impact on taxpayers (see studies on Baltimore's Living Wage Law by Johns Hopkins University and the Economic Policy Institute and the Preamble Center).
- The value of business investment in Baltimore has actually increased substantially following passage of the law; no contractors reduced their number of employees; and the total cost of contracts increased just 1.2%, which was less than the cost of inflation.

HEALTH & SAFETY

HB___SB___Personalized Handguns—This bill will require that after January 1, 2003, all newly manufactured firearms sold in the State would be required to incorporate a design technology that would prevent any unauthorized person from using it, if such technology is commercially available. This bill will include other stipulations.

Committees:

Lead Sponsors:

CONTACT: Ginni Wolf, Marylander's Against Hand Gun Abuse, 410-889-1477

Background

What is a personalized handgun?

A personalized handgun is one that, by design, can only be fired when operated by an authorized user. Personalized handguns are child-resistant.

Will personalized handguns prevent death and injury?

In 1995, guns killed 35,957 people in the United States. Personalized handguns can significantly reduce the likelihood of many of these gun-related deaths and injuries. Most gun deaths involve handguns rather than long guns. Handguns are the weapon of choice for people purchasing a gun for home defense, for the suicide victim, and for the criminal. One in every four households in the U.S. contains a handgun.

Young children find handguns in the home and are able to fire them, shooting themselves and others. In 1995, 181 children 14 years old and younger were unintentionally killed by firearms. Children and teenagers also use guns found in the home to commit suicide. Suicide has become a leading cause of death among teenagers. The increase is due largely to gun-related suicides. Among young people 10 to 19 years old, there were more than 1,400 suicides with guns in 1995.

It has been estimated that more than one half million guns are stolen from homes each year. Many of those guns are then illegally sold and used on the street.

Law enforcement officers are killed or seriously injured by their own or a fellow officer's handgun when a suspect or prisoner disarms them. On average 13 law enforcement officers are killed each year in this way.

Personalized handguns can be especially effectively in preventing unintentional firearm deaths and injuries among young children, teenage suicide, and shootings of police officers.

Does the technology to personalize handguns exist?

Yes. Many patents for personalized guns have been awarded in the last few decades. Colt's Manufacturing Company has developed prototypes of personalized handguns. The prototypes employ radio frequency technology. The authorized user wears a tiny transponder bearing a unique code. The firearm transmits lower power radio signals to the transponder, which in turn "notifies" the firearm of its presence. If the transponder code is one that has been previously entered into the firearm, the firearm "recognizes" it, and it is enabled. Colt expects to market the handgun in the near future.

Do trigger locks personalize a gun?

No. A trigger lock is an accessory that requires several actions on the part of the authorized user for it to be protective. The authorized user must purchase the trigger lock, remember to reinstall the lock after every use, and use the lock correctly. Personalized guns provide automatic protection that is built into the design of the gun. Automatic or passive protection is far more effective in preventing injuries than those measures that require action on the part of the individual to be protected.

Can lives be saved by making products safer?

Yes, Many products have been modified to make them safer including motor vehicles, drug packages, and cigarette lighters. Government mandated changes in drug packaging have reduced the number of deaths from child poisonings. Safer cigarette lighters have saved the lives of an estimated 80-105 children under 5 each year. The decline in motor vehicle-related deaths and injuries over the last several decades has been largely the result of safer car design, such as laminated windshields, collapsible steering assemblies, dashboard padding, improved door locks, and air bags.

Will personalized handguns be expensive?

It is estimated that prices for personalized handguns will be higher than for ordinary handguns. Over time, as personalized handguns become more widely available, prices are expected to decline.

Will a personalized handgun address all gun safety issues?

No. There is still a risk that an authorized user will harm himself or someone else with the gun. But, just as antibiotics only address certain infectious diseases and not other diseases, the personalization of handguns will effectively address some of the risks posed by handguns.

Will personalized handguns make it safe to keep a gun in the home?

While personalized handguns will likely reduce the risks of some gun deaths, reliable studies still teach us that possessing a gun in the home is more perilous than protective. Those who have chosen not to keep a gun in the home would be wise to continue with that decision. For those committed to keeping a handgun in the home, it would be best to destroy the old handgun and replace it with a personalized handgun.

Would non-personalized handguns be outlawed?

Not under present law. The Johns Hopkins Center for Gun Policy and Research has developed a model law for states and localities that would require handguns, manufactured after a certain date, to be personalized. The model law provides for the adoption of a performance standard for personalized handguns, develops a procedure for certifying the personalized handgun as complying with the standard, formulates a time frame for compliance, and provides for enforcement.

HB_____SB_____Maryland Children's Health Program—MCHP or CHIP—In recent years, Maryland has expanded public health insurance coverage to include all children in families at or below 200% of the Federal poverty level (\$33,400 for a family of four), through the enactment of the Maryland Children's Health Program (MCHP). These children are in HealthChoice, Medicaid managed care, through private health insurers. However, many other children remain ineligible and uninsured. Enrollment, outreach and insurance expansion is needed to cover all children.

Committees:

Lead Sponsors:

CONTACTS:

Jan Schmidt, Government Relations Director, Advocates for Children and Youth, 410-547-9200, x3007; Carol Fanconi, Coalition for Healthy Maryland Children, 410-547-9200, x3006; or Barbara Seabolt, American Academy of Pediatrics, 410-828-9526

Background

Children's health should be improved by:

1. Expanding MCHP

- Maryland should insure as many children as possible. By expanding eligibility for MCHP beyond 200% of the FPL, Maryland could take full advantage of the Federal government's enhanced matching dollars. A current proposal would take the eligibility to 235%.
- Maryland should keep MCHP simple and fair. The Legislature has required DHMH to develop a separate private insurance option—the "Private Option." Due to safeguards for children in Federal bill, the "Private Option" will be administratively burdensome, since each employer's policy must be examined to see if it meets Federal safeguards.
- Maryland should restrict Cost Sharing. Other states are showing that paying a premium, or requiring co-pays, cost sharing or deductibles are barriers to care. The money that Maryland collects from the cost sharing would be less than the money it would cost to collect the premium and would be deducted from the Federal match. However, some legislators feel some cost sharing is required for equity.
- Maryland should allow poor and low income parents to buy into HealthChoice if their employer does not offer affordable health insurance.

Maryland's Private Option should:

- ◆ Cover only children above 200% of the FPL. Children up to 200% of the FPL should stay in HealthChoice.
- ◆ Cover children up to 235% of the FPL with options to expand.
- ◆ Provide a benefit package, that with "riders" to reduce cost sharing per the Federal safeguards, will offer children coverage comparable to EPSDT.
- ◆ Oppose cost sharing, but if required, restrict cost sharing to premium (monthly) payments for ease of administration, and restrict cost sharing to 1% of the family's income.
- ◆ Require quality assurance and accountability.
- ◆ Allow children, whose employer does not have insurance, to buy into HealthChoice.

2. **Guaranteed and Presumptive Eligibility**—Delays in access to care and interruptions in medical care due to eligibility fluctuations should be eliminated by (a) expanding the period of guaranteed eligibility from 6 to 12 months; and (b) providing “presumptive” health insurance coverage to children and pregnant women pending eligibility determination.
3. **HealthChoice Accountability**—The Department of Health and Mental Hygiene should hold managed care companies accountable for the full and timely provision of services required under HealthChoice.

Maryland Statewide Action Agenda Steering Committee (SAASC)

The Maryland Statewide Steering Committee was established during the 1991 Statewide Agenda Conference. It is composed of volunteers representing women's organizations across the State and members of the Maryland Commission for Women. Its major responsibilities include the following:

- Promote the implementation of the Legislative Agenda for Maryland Women.
- Prepare and distribute the Legislative Agenda established during the Annual Conference.
- Serve as a repository of information about the Agenda
- Plan, convene, and conduct the Annual Conference to establish the Legislative Agenda for Maryland Women in collaboration with the Maryland Commission for Women

Maryland Commission for Women (MCW)

The Maryland Commission for Women was created in 1965 by Governor J. Millard Tawes. Legislation was enacted by the Maryland General Assembly in 1971 that established MCW as a statutory State agency. MCW is composed of a diverse 24-member volunteer commission appointed by the Governor.

MISSION

The Maryland Commission for Women will advise government, advance solutions, and serve as a statewide resource to promote social, political and economic equality for women.

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