



Dannielle M. Glaros
Chair
Council District 3
(301) 952-3060

Together Strengthening Our Community

FEB 27 2018

The Hon. Jim Rosapepe, Chair
Prince George's County Senate Delegation
James Senate Office Building, Room 314
Annapolis, Maryland 21401-1991

The Hon. Jay Walker, Chair
Prince George's County House Delegation
Lowe House Office Building, Room 207E
Annapolis, Maryland 21401-1991

Re: **Prince George's County Council's Position on General Assembly Legislation**

Dear Senator Rosapepe & Delegate Walker:

It is my pleasure, on behalf of the Prince George's County Council, to transmit our position on pending proposed State legislation for the 2018 General Assembly Session. The Council met on February 27, 2018. The enclosed report reflects our position on General Assembly bills as they are currently drafted.

The Council appreciates the opportunity to work together with you and your colleagues to address issues important to our citizens and the operation of Prince George's County. Should you have any questions or need additional information please do not hesitate to contact me. For your convenience my office phone number is (301) 952-3060.

Thanks again, for favorable consideration of the Council's position.

Sincerely,

Dannielle M. Glaros
Chair

Enclosures

cc: Hon. Rushern L. Baker, III, Prince George's County Executive

RULES & GENERAL ASSEMBLY COMMITTEE REPORT

The Prince George's County Council met on February 27, 2018 with the following Members present:

Council Member, Dannielle M. Glaros, Chair
Council Member, Todd M. Turner, Vice Chair
Council Member, Derrick L. Davis
Council Member Mel Franklin
Council Member Mary A. Lehman
Council Member Deni Taveras
Council Member Karen R. Toles

The Council voted for the following positions on these respective bills:

- | | |
|---|---|
| HB 231 (PG 405-18)
(Walker) | Prince George's County – Property Tax Credit for Security Camera Systems – SUPPORT w/AMENDMENT |
| HB 236 (PG-408-18)
(Angel) | Affordable Housing Commission – SEND DETAILED LETTER TO SPONSOR REQUESTING BILL BE HELD UNTIL COMPLETION OF THE COUNTY'S COMPREHENSIVE HOUSING STUDY |
| HB 183 (PG 411-18)
(Angel) | Prince George's County Environmental Justice Commission – NO POSITION w/EXPLANATION |
| HB 239 (PG 412-18)
(Proctor) | Sale of Residential Real Property Community Amenities Advertising – SUPPORT w/AMENDMENT |
| HB 235 (PG 414-18)
(Washington) | Affordable Housing Act of 2018 – SUPPORT w/AMENDMENT |
| SB 928
(Benson) | Prince George's County – Property Tax Credit – Supermarkets – SUPPORT |
| SB 624/HB 978
(W. Smith/Wilkins) | State Income and Property Tax Credits – Purple Line Construction Zone – SUPPORT |
| HB 1209
(Proctor) | Public Safety – Silver Alert Program – Pedestrians and Case Status (Eula's Law) - SUPPORT |



THE PRINCE GEORGE'S COUNTY GOVERNMENT

(301) 952-3700
County Council

POSITION STATEMENT

HB 231 (PG 405-18)
(Walker)

Prince George's County – Property Tax Credit
for Security Camera Systems

POSITION:

SUPPORT WITH AMENDMENT

HB 231 (PG 405-18) – authorizes the Prince George's County Council to grant a property tax credit for residential or commercial property equipped with an exterior security camera system for the purpose of crime prevention. The County Council may establish (1) eligibility criteria, including security camera specifications; (2) the amount and duration of the tax credit; (3) regulations and procedures for the application and uniform processing of requests for the tax credit; and (4) any other provision necessary to carry out the tax credit.

According to the Maryland State Police Uniform Crime Report, Prince George's County had the eighth highest crime rate in 2015, including violent crimes and property crimes. This tax credit will encourage residents, businesses, non-profits and religious institutions to install security camera systems on their property to assist in crime deterrence and police investigations.

For these reasons, the County Council **SUPPORTS WITH AMENDMENT** HB 231 (PG 405-18) and respectfully requests your favorable consideration of our position.

Prepared by:

Maurice Simpson, Jr.
On behalf of Prince George's County Council



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POSITION STATEMENT

HB 183 (PG 411-18)
(Angel)

Prince George's County – Environmental
Justice Commission

POSITION:

NO POSITION

HB 183 - Prince George's County - Environmental Justice Commission - establishes the Prince George's County Environmental Justice Commission to develop a report on environmental justice issues in Prince George's County and make recommendations regarding actions that should be taken to address environmental justice issues. On or before December 31, 2018, the Commission shall report its findings and recommendations to the Prince George's County House Delegation.

Environmental justice is an important issue in Prince George's County which this County Council believes requires a strong and persistent commitment to examining our policies and procedures to ensure our most vulnerable residents and neighborhoods are not bearing the brunt of pollution and industrial services because of a lack of political or economic clout. The Council has worked diligently to keep that commitment through the Prince George's County Department of Environmental Resources Sustainable Initiatives Division's portfolio of Environmental Justice Initiatives. The County's Solid Waste, Resource Management and Recycling Advisory Commission is also tasked with evaluating the environmental impact of waste disposal on citizens, businesses and neighborhoods and issuing an annual report of their findings.

While we appreciate the sponsor's commitment to environmental justice and advocating for our most vulnerable constituents, we believe a Prince George's County Environmental Justice Commission would be duplicative to initiatives already underway in the County. We welcome and encourage the sponsor to explore working with these initiatives to ensure that environmental justice is always a priority in Prince George's County.

For all these reasons, the Council takes **NO POSITION** on **HB 183** with the explanation detailed above.

Prepared by:

Rion Dennis

LA Perez Consulting/LLC

Maurice Simpson, Jr.

On behalf of Prince George's County Council



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POSITION STATEMENT

HB 239 (PG 412-18)
(Proctor)

Prince George's County - Sales of Residential Real
Property - Community Amenities

POSITION:

SUPPORT w/ AMENDMENT


HB 239 (PG 412-18) – Prince George's County - Sales of Residential Real Property - Community Amenities – requires advertisements of exclusive community amenities in a community development in Prince George's County to include a disclosure statement that identifies the amenity that will be provided and specifies when the amenity will be completed. If the amendment is adopted, the bill would also require that the recreational facilities agreement recorded with the Prince George's County Planning Department be made available to prospective homebuyers and that the detailed site plan, specific expected amenities, and expected completion dates be posted in the sales or management office of the community.

Chapter 427 of the Acts of 2010 established safeguards for homebuyers that entered into sales contracts for new homes in community developments. Under the law, a homebuyer who purchases a residential property and who does not receive a disclosure statement on or before executing the sales contract has an unconditional right to rescind the contract of sale at any time before the homebuyer receives the disclosure statement, or within the first five days after the homebuyer receives a disclosure statement. The home builder is also liable for failing to meet any specified completion dates for a community amenity that is included in a sales contract.

HB 239 is about full disclosure and would provide another level of consumer protection for homebuyers. Home buying is a very important decision that requires that the homebuyer be presented with all of the information, so that he or she may be able to make an informed decision. That requires information to be available to prospective homebuyers before they enter contracts that may later require them to make tough decisions. Thus, people should know what they are getting, when they are getting it.

The Prince George's County Council recognizes the gravity of the home buying process and we believe in protecting both the interests of the homebuyer and the home builder. The home builder should adhere to the deadlines it establishes and the prospective buyer should be aware of those deadlines well in advance of entering an agreement with the home builder. This legislation protects both parties and prevents breaches of contract and discontent on both sides.

Therefore, the Prince George's County Council **SUPPORTS HB 239 WITH AMENDMENTS** as proposed by the Office of the County Executive and respectfully requests your favorable consideration of its position.

Prepared by: Tia L. Holmes
Strategic Solutions Center, LLC
Maurice Simpson, Jr. 
On behalf of Prince George's County Council



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POSITION STATEMENT

HB 235 (PG 414-18)
(Washington)

Prince George's County - School Facilities Surcharge -
Affordable Housing Requirement (The Affordable
Housing Act of 2018)

POSITION:


SUPPORT w/ AMENDMENT

HB 235 (PG 414-18) – Prince George's County - School Facilities Surcharge - Affordable Housing Requirement (The Affordable Housing Act of 2018) – establishes an exemption from and reductions of the school facilities surcharge on new residential construction designed as affordable housing in Prince George's County only if at least 20 percent of the new residential construction is designated as affordable housing for residents whose income does not exceed 80 percent of the median income for Prince George's County.

This legislation is closely related to a local law that was passed during the 2017 Session, which created a workgroup to gather data and study the potential fiscal impact of existing exemptions and of expanding the exemptions.¹ The Prince George's County Surcharge Exemptions for Projects Near Transit Properties Workgroup met from October 2017 to January 2018 and completed a report, in compliance with the law's requirements. Among the recommendations was one to extend the program and pursue technical changes to make the surcharge exemptions consistent, as plans for 2035 and transit-oriented development continues throughout the County.

The Prince George's County Council supports this legislation to the extent that it may be a vehicle for continuing to the Workgroup's studies and ensuring that the Workgroup's recommendations are implemented. Thus, the Council supports this legislation and the legislative intent, yet it strongly suggests that the Workgroup's recommendations be adopted into HB 235, as an amendment.

Therefore, the Council **SUPPORTS** HB 235, yet offers an **AMENDMENT**, and respectfully requests your favorable consideration of its position.

Prepared by: Tia L. Holmes
Strategic Solutions Center, LLC
Maurice Simpson, Jr. 
On behalf of Prince George's County Council

¹ The Prince George's County Surcharge Exemptions for Projects Near Transit Properties Workgroup was created by Chapter 455 of the Acts of 2017 (HB 1636/17).



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POSITION STATEMENT

SB 928
(Benson)

Prince George's County – Property Tax Credits – Supermarkets

POSITION:

SUPPORT

SB 928 – authorizes the Prince George's County Council to grant a property tax credit against the personal property tax imposed on personal property of a supermarket that completes certain construction and is located in a certain food desert retail incentive area. The bill requires the County Council to designate what constitutes a food desert retail incentive area for purposes of the tax credit.

A “food desert” generally refers to a geographic area, typically a low-income community, in which access to healthy and affordable food is limited. Lack of access to healthy food choices coupled with limited economic resources increases one's risk of obesity and contributes to disparities in life expectancy.

This tax credit will be an additional tool in our toolbox to attract affordable, healthful stores particularly for inside-the-Beltway communities that have seen supermarkets board up in recent years. In order to qualify, a store must meet the definition of a supermarket, meaning that all major food departments (produce, meat, seafood, dairy, canned and packaged foods) are represented, and more than 50 percent of floor space is dedicated to selling food.

One of the reasons why food deserts exist is that no matter where they operate, grocery stores have very slim profit margins, typically between 1 and 1.5 percent. This tax credit aims to reduce overhead costs so opening a grocery store in a food desert is more likely to be profitable. Additionally, we know quality supermarkets often serve as a catalyst for increased economic development in the community.

For these reasons, the County Council strongly **SUPPORTS SB 928** and respectfully requests your favorable consideration of our position.

Prepared by:

Maurice Simpson, Jr. 
On behalf of Prince George's County Council



THE PRINCE GEORGE'S COUNTY GOVERNMENT

(301) 952-3700
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POSITION STATEMENT

HB 978/SB 624
(Wilkins/W. Smith)

State Income and Property Tax Credits –
Purple Line Construction Zone

POSITION:

SUPPORT

HB 978/SB 624 State Income and Property Tax Credits – Purple Line Construction Zone – will provide tax credit relief to qualified businesses impacted by the construction of the Purple Line Light Rail project in Prince George's and Montgomery Counties.

As you know, the Purple Line is 16-mile light rail line that will extend from Bethesda to New Carrollton. With 11 of the 21 stations in Prince George's, we know that the construction period will be especially painful for small businesses along the corridor in the County. While many of these small businesses anticipate the benefits that the Purple Line will bring when it is complete, simply staying open is going to be a huge obstacle for many of them.

Economic development is one of the strongest reasons we are building the Purple Line, therefore it is a critical measure of our success that we ensure that businesses are able to thrive during construction and benefit from the project in the long run. Small and minority businesses are especially susceptible to the challenging impacts of the project construction. This impact on small and minority-owned businesses is of great concern to the Prince George's County Council and our residents.

This refundable income tax credit equal to the amount of business income lost during the taxable year as a result of the Purple Line construction in addition to the property tax credit against state property taxes imposed on real property necessary steps to ensure that no small businesses are threatened by the Purple Line construction.

Therefore, the County Council **SUPPORTS** HB 978/SB 624 and respectfully requests your favorable consideration of our position.

Prepared by:

Maurice Simpson, Jr.
Jennifer A. Jenkins
On behalf of Prince George's County Council



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POSITION STATEMENT

HB 1209
(Proctor)

Public Safety – Silver Alert Program – Pedestrians and
Case Status (Eula's Law)

POSITION:

SUPPORT

HB 1209 – Public Safety – Silver Alert Program – Pedestrians and Case Status (Eula's Law) – clarifies the existing law involving missing persons, who suffer a cognitive impairment to the extent that they require the assistance of a caregiver, to also include missing persons who are believed to be either traveling in a vehicle or on foot. The bill also requires the State Police to establish and maintain a publicly accessible online system that is continuously updated to reflect the current status of each active Silver Alert case.

Although the Silver Alert program is an effective mechanism for reuniting missing persons with their families and caregivers, the program has encountered problems with implementation since its inception. For instance, a 76-year-old Alzheimer's patient was found dead less than one-mile away from where he was last seen because of a Silver Alert implementation obstacle.¹ No Silver Alert was issued by the local sheriff's office because the Alzheimer's patient was not traveling by vehicle, but on foot. Thus, the law, as currently written, is being construed to mean only that Silver Alerts are only activated when the missing person is traveling in a vehicle.

The Prince George's County Council recognizes the importance of this law and the need to clarify it to improve its effectiveness. In Prince George's County, 19 Silver Alerts were issued in 2016.² What the statistics do not tell us is the number of Silver Alerts that were not issued when the missing person simply wandered off on foot. No family should have to suffer a loss simply because a law contains ambiguities. As a matter of public safety, it is important that legislators supply police officers with as much information and clarity as they need to implement laws in the midst of intense moments.

Therefore, the Prince George's County Council offers a position of **SUPPORT** on **HB 1209** and respectfully requests your favorable consideration of its position.

Prepared by: Tia L. Holmes
Strategic Solutions Center, LLC
Maurice Simpson, Jr.
On behalf of Prince George's County Council

¹ See Jane Bellmyer, *Missing Man's Body Found at Maryland Materials: Quarry Less Than Mile From Where Man Last Seen*, CECIL WHIG (Nov. 9, 2010), http://www.cecildaily.com/local_news/missing-man-s-body-found-at-maryland-materials/article_602bc4e0-ebd9-11df-83ec-001cc4c03286.html.

² MD. DEP'T OF STATE POLICE, 2016 ANNUAL REPORT, 22 (2016), <http://mdsp.maryland.gov/Document%20Downloads/2016%20Annual%20Report.pdf>.