



Todd M. Turner  
Chair  
District 4

MAR 05 2020

The Hon. Joanne C. Benson, Chair  
Prince George's County Senate Delegation  
James Senate Office Building, Room 214  
Annapolis, Maryland 21401-1991

The Hon. Erek L. Barron, Chair  
Prince George's County House Delegation  
Low House Office Building, Room 207E  
Annapolis, Maryland 21401-1991

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

Dear Senator Benson & Delegate Barron:

It is my pleasure, on behalf of the Prince George's County Council, to transmit our position on pending proposed State legislation for the 2020 General Assembly Session. The Council met on February 25, 2020. The enclosed report reflects our positions 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) 952-3094.

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

Sincerely,

Todd M. Turner  
Council Chair

Enclosures

cc: Hon. Angela D. Alsobrooks, Prince George's County Executive



Todd M.  
Turner  
Chair  
District 4

**COMMITTEE OF THE WHOLE REPORT**

The Prince George's County Council met on February 25, 2020 with the following Members present:

Council Member, Todd M. Turner, Chair  
Council Member, Calvin S. Hawkins, II, Vice Chair  
Council Member, Monique Anderson-Walker  
Council Member, Derrick L. Davis  
Council Member, Thomas E. Dernoga  
Council Member, Mel Franklin  
Council Member, Dannielle M. Glaros  
Council Member, Sydney J. Harrison  
Council Member, Jolene Ivey  
Council Member, Rodney C. Streeter  
Council Member, Deni L. Taveras

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

<b>PG 410-20</b>	(Benson) Prince George's County – County Income Tax – Credit for Primary and Specialty Health Care Providers - <b>SUPPORT</b>
<b>PG 305-20</b>	(Fisher) Prince George's County – Alcoholic Beverages – Multiple Licenses Prohibition - Exceptions - <b>SUPPORT</b>
<b>PG 308-20</b>	(Fisher) Prince George's County – Alcoholic Beverages – Licenses for Supermarkets – <b>LETTER OF INFORMATION</b>
<b>HB 516/ SB 542</b>	(Walker) - Public School Students- Daily Physical Activity (Student Health and Fitness Act) - <b>SUPPORT</b>
<b>HB 388</b>	(Pena-Melnyk) - Criminal Procedure - Civil Immigration Enforcement – Restrictions – <b>SUPPORT</b>
<b>SB 772</b>	State Procurement – Small Business Reserve Program – <b>SUPPORT</b>



# THE PRINCE GEORGE'S COUNTY GOVERNMENT

(301) 952-3700  
County Council

## POSITION STATEMENT

**HB 1072**  
**(PG 410-20)**  
Prince George's County  
House Delegation  
Ways & Means  
Committee

Prince George's County - County Income Tax - Credit  
for Primary and Specialty Health Care Providers

### POSITION:

### SUPPORT w/ AMENDMENT

**HB 1072 (PG 410-20)** – Prince George's County - County Income Tax - Credit for Primary and Specialty Health Care Providers – Authorizing the governing body of Prince George's County to allow, by law, certain primary or specialty health care providers to claim a tax credit up to a certain amount against the county income tax under certain circumstances; providing that the tax credit is allowed against the county income tax only; authorizing the governing body of Prince George's County to provide for certain matters relating to the tax credit; requiring the county to notify the Comptroller by July 1 of the preceding taxable year if the tax credit is authorized; etc.

To better address the sparsity of Primary and Specialty Health Care Providers within all of Prince George's County, an amendment has been adopted to HB 1072 which on page 2, in line 23, strikes "BY THE UNITED STATES POST OFFICE AS ZIP CODE 20743" and substitutes "AS A FEDERAL OPPORTUNITY ZONE OR STATE HEALTH ENTERPRISE ZONE." The Prince George's County Council offers its full support of this amendment to broaden the scope of the legislation better meeting the needs of the community.

The purposes of the Health Enterprise Zones (HEZ) are to reduce health disparities among racial and ethnic minority populations and among geographic areas; improve health care access and health outcomes in underserved communities; and reduce health care costs and hospital admissions and re-admissions. Prince George's County, Maryland is poised for changes that will lead to improved health and quality of life for its citizens. Incentivizing Primary and Specialty Health Care Providers to move their businesses into the County by offering an incentivized tax credit is another way to help eliminate health disparities and meet the needs of County residents in underserved communities.

For the foregoing reasons, the Prince George's County Council **SUPPORTS HB 1072 (PG 410-20) with AMENDMENT** and respectfully requests your favorable consideration of its position.

---

Prepared by: LA PEREZ CONSULTING  
On behalf of Prince George's County Council



# THE PRINCE GEORGE'S COUNTY GOVERNMENT

(301) 952-3700  
County Council

## POSITION STATEMENT

**HB 281 (PG 305-20)**  
Delegate Fisher  
Economic Matters  
Committee

Prince George's County - Alcoholic Beverages –  
Multiple Licenses Prohibition - Exemptions

### POSITION:

### SUPPORT

HB 281 (PG 305-20) – Prince George's County - Alcoholic Beverages – Multiple Licenses Prohibition - Exemptions – FOR the purpose of adding to the list of licenses for which the prohibition against issuing multiple licenses for the same person or premises in Prince George's County does not apply, and generally relating to alcoholic beverages licenses in Prince George's County.

This bill removes the prohibition against the Prince George's County Board of License Commissioners issuing multiple Class B-BW (on-sale) or Class B-BWL (on-sale) alcoholic beverages licenses to the same person or premises. Due to the current prohibition, there are 28 Class B-BW and 317 Class B-BWL licenses. The County Council believes that the Board of License Commissioners should have the authority to approve additional licenses in these classes for existing applicants that meet established criteria and plan to expand their operations to multiple locations in response to increased demand from the community.

The Prince George's County Council is confident that this additional authority will not diminish the ability of the Board of License Commissioners to administer and enforce the Alcoholic Beverage Laws of the State of Maryland and the Rules and Regulations for the Prince George's County. These licenses can be an important ingredient in the success of existing commercial/entertainment venues as well as future economic development endeavors in the County.

For the foregoing reasons, the Prince George's County Council **SUPPORTS HB 281 (PG 305-20)** and respectfully requests your favorable consideration of this legislation.

---

Prepared by: Carrington & Associates, LLC  
On behalf of the Prince George's County Council

**County Administration Building – Upper Marlboro, Maryland 20772**



# THE PRINCE GEORGE'S COUNTY GOVERNMENT

(301) 952-3700  
County Council

February 25, 2020

Honorable Mary Lehman, Chair  
Law Enforcement Subcommittee  
Prince George's County House Delegation  
Lowe House Building, Room 318  
Annapolis, Maryland 21401

Re: **HB 291 (PG 308-20) - Prince George's County – Alcoholic Beverages  
Licenses for Supermarkets (Delegate Fisher)**

Dear Chair Lehman:

I write on behalf of the Prince George's County Council ("Council") to highlight issues raised by the Prince George's Delegation's consideration of House Bill 291 (PG 308-20) – Prince George's County – Alcoholic Beverages – Licenses for Supermarkets, proposed by Delegate Wanika Fisher. As proposed, the bill would authorize the Prince George's County Board of License Commissioners ("Board") to issue a Class A beer and light wine license for use in a supermarket that has a minimum investment of at least \$500,000 in the supermarket facility(s). The Council understands that several amendments may be offered to increase the amount of the minimum investment and/or authorize the amount of licenses available in the County.

The Council is well aware of the issues related to the operations, attraction, retention and recent closings of grocery stores in the County. The County has utilized our economic development strategy and enacted incentives under State law to encourage a full range of options for County residents. The Council also supports local businesses and current license holders which have invested in the County, particularly those that conduct their business operations with a goal towards serving the needs of the community. As drafted, HB 291 (PG 308-20) is an overbroad bill that may negatively impact current local businesses and license holders throughout the County, according to testimony from stakeholders

As such, the Council generally supports the concept of allowing the issuance of Class A beer and light wine licenses to qualifying grocery stores. The Council believes, however, that a more effective bill will apply a narrowly tailored approach to address the problems regarding licensing in the County. The Council supports that the following recommendations be considered:

- Allow licenses only in designated low access food areas (formerly known as "food deserts") as an additional incentive for grocery stores in those designated areas of the County;
- Develop a focused approach to addressing the issues, including allowing the Board to examine the potential impact existing businesses where a grocery store

**County Administration Building – Upper Marlboro, Maryland 20772**

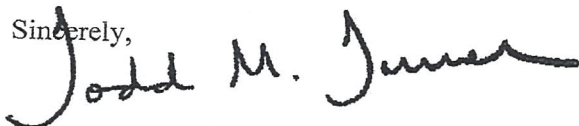
license is proposed or requiring geographic limitations between license holders (i.e. within 1,000 feet of each other);

- Consider encouraging joint or partnership efforts or co-location between existing license holders and potential grocery stores (ex. Bowie Harris Teeter and Crescent Wine & Beer).

The Council is well aware of both past and ongoing efforts by the Delegation to review distribution and impacts of alcohol licenses in the County (see Prince George's County - Workgroup on Alcohol Outlet Density Zones - HB 1157/PG 303-19 (Chapter 353 Laws of 2019)).

As a result of the recommendations above, the Prince George's County Council has not taken a formal position on HB 291 (PG 308-20) at this time. The Council appreciates having the opportunity to express our thoughts to the Prince George's County Delegation and the Law Enforcement Subcommittee and stands ready to assist as needed. Should you have any questions or need additional information please do not hesitate to contact my office.

Sincerely,



Hon. Todd M. Turner  
Council Chair

cc: Hon. Angela D. Alsobrooks, County Executive  
Hon. Erek L. Barron, Chair, Prince George's County House Delegation  
Hon. Joanne C. Benson, Chair, Prince George's County Senate Delegation  
Hon. Wanika B. Fisher, Delegate, 47<sup>th</sup> District



# THE PRINCE GEORGE'S COUNTY GOVERNMENT

(301) 952-3700  
County Council

## POSITION STATEMENT

**HB 516**  
Delegate Walker  
Ways & Means  
Committee

Public School Students – Daily Physical Activity  
(Student Health and Fitness Act)

### POSITION:

### SUPPORT

**HB 516** – Public School Students – Daily Physical Activity (Student Health and Fitness Act) – FOR the purpose of requiring a public school student in elementary school to be provided a daily program of physical activity totaling 150 minutes each week to include physical education and developmentally appropriate, moderate-to-vigorous activity, including recess and at least 90 minutes each week of physical education; requiring that the program of physical activity for a certain category of students be consistent with the student's Individualized Education Program; etc.

This bill requires that each public elementary school in the state of Maryland shall create and designate a physical activity leadership team to coordinate efforts to increase physical activity within schools. There is a growing body of evidence to suggest that increasing student opportunities for physical activity throughout their day can lead to an improvement in test scores and overall academic achievement.

Under current law, every public school must have a program of physical education that is given in a planned and sequential manner to all students in order to develop their good health and physical fitness and improve their motor coordination and physical skills. The specific curriculum and course of study is set by each local board of education. Maryland regulations require a physical education comprehensive program to provide a developmentally appropriate instructional program that advances student knowledge, confidence, skills, and motivation to enjoy a lifetime of healthful physical activity.

The County Council has expressed concerns with implementation of this concept only in Prince George's County, but supports the sponsor's commitment to the health and wellness of our student population on a statewide basis. Consistent physical activity offers numerous health benefits for individuals both young and old, and the County Council believes initiatives such as this are important steps toward improving the overall health of our citizens and our community.

For the foregoing reasons, the Prince George's County Council **SUPPORTS HB 516** and respectfully requests your favorable consideration of this legislation.

---

Prepared by: Evans & Associates  
On behalf of Prince George's County Council

**County Administration Building – Upper Marlboro, Maryland 20772**



# THE PRINCE GEORGE'S COUNTY GOVERNMENT

(301) 952-3700  
County Council

## POSITION STATEMENT

**SB 542**  
Senator Young  
Education, Health &  
Environmental Affairs  
Committee

Public School Students – Daily Physical Activity  
(Student Health and Fitness Act)

### POSITION:

### SUPPORT

**SB 542** – Public School Students – Daily Physical Activity (Student Health and Fitness Act) – FOR the purpose of requiring a public school student in elementary school to be provided a daily program of physical activity totaling 150 minutes each week to include physical education and developmentally appropriate, moderate-to-vigorous activity, including recess and at least 90 minutes each week of physical education; requiring that the program of physical activity for a certain category of students be consistent with the student's Individualized Education Program; etc.

This bill requires that each public elementary school in the state of Maryland shall create and designate a physical activity leadership team to coordinate efforts to increase physical activity within schools. There is a growing body of evidence to suggest that increasing student opportunities for physical activity throughout their day can lead to an improvement in test scores and overall academic achievement.

Under current law, every public school must have a program of physical education that is given in a planned and sequential manner to all students in order to develop their good health and physical fitness and improve their motor coordination and physical skills. The specific curriculum and course of study is set by each local board of education. Maryland regulations require a physical education comprehensive program to provide a developmentally appropriate instructional program that advances student knowledge, confidence, skills, and motivation to enjoy a lifetime of healthful physical activity.

The County Council has expressed concerns with implementation of this concept only in Prince George's County, but supports the commitment to the health and wellness of our student population on a statewide basis. Consistent physical activity offers numerous health benefits for individuals both young and old, and the County Council believes initiatives such as this are important steps toward improving the overall health of our citizens and our community.

For the foregoing reasons, the Prince George's County Council **SUPPORTS SB 542** and respectfully requests your favorable consideration of this legislation.

---

Prepared by: Evans & Associates

On behalf of Prince George's County Council

**County Administration Building – Upper Marlboro, Maryland 20772**





# THE PRINCE GEORGE'S COUNTY GOVERNMENT

(301) 952-3700  
County Council

## POSITION STATEMENT

**HB 388** Criminal Procedure - Civil Immigration Enforcement -  
Delegate Peña-Melnyk Restrictions  
Judiciary Committee

### POSITION:

### SUPPORT

**HB 388** – Criminal Procedure – Civil Immigration Enforcement - Restrictions – FOR the purpose of prohibiting law enforcement agents from (1) inquiring about an individual's immigration status, citizenship status, or place of birth during a stop, search, or an arrest; or (2) transferring an individual to federal immigration authorities unless required by federal law. The bill also prohibits a law enforcement agent, without a judicial warrant, from taking specified actions pursuant to a request by federal immigration authorities made solely for immigration enforcement purposes. These prohibited actions include (1) transferring an individual to federal immigration authorities; (2) detaining an individual; (3) notifying federal immigration authorities of an individual's location, address, or release date; or (4) otherwise using law enforcement resources to further civil immigration enforcement.

While immigration is controlled by federal law, the Department of Homeland Security (DHS) and the U.S. Immigration, Customs, and Enforcement Division (ICE) have initiated numerous programs that involve state and local law enforcement agencies as allies and additional resources. For example, DHS's Priority Enforcement Program (PEP) was established in 2014 to enable DHS to work with state and local law enforcement to take custody of individuals who pose a danger to public safety before those individuals are released. Under the PEP program, after an individual was arrested and booked for a criminal violation, state and local law enforcement officers would send data to ICE so that ICE could determine whether the individual was a priority for removal, consistent with the DHS enforcement priorities. Under PEP, ICE would seek the transfer of a removable individual when that individual had been convicted of a specified offense, had intentionally participated in an organized criminal gang to further the illegal activity of the gang, or posed a danger to national security. Another initiative, authorized under Section 287(g) of the Immigration and Naturalization Act, allows the Secretary of Homeland Security to enter into written agreements to delegate limited immigration enforcement authority to state and local law enforcement officers. In Maryland, 287(g) programs have been established in three jurisdictions – Cecil, Frederick, and Harford counties.

Despite the President's increased focus on undocumented immigrants, federal law still does not mandate that state and local law enforcement agencies become involved in immigration efforts. The Office of the Attorney General of Maryland reissued a letter of advice in December 2018 pertaining to immigration detainees. Such detainees are notices sent from ICE to state or local law enforcement agencies that request the agency to continue to hold the person named in the detainer for up to 48 hours past the date that the individual is otherwise eligible for release. The letter noted that relevant federal regulations

**County Administration Building – Upper Marlboro, Maryland 20772**

**Page 2**

specify that the detainer is a request that a state or local agency advise DHS, prior to the detainee's release, in order for DHS to arrange to assume custody in situations in which gaining immediate physical custody is impracticable or impossible. The letter advised that state and local jurisdictions may exercise discretion when determining how to respond to individual immigration detainees.

The Prince George's County Council has long supported our undocumented population and do not believe that our local law enforcement officials should enforce federal immigration law. The Council firmly believes that the policies being proffered by the President with respect to our immigration laws are flawed. Thankfully, Maryland's Attorney General has provided advice to the Council that our law enforcement officers are not required to participate in these initiatives. This bill simply codifies the Council's position in state law.

For the foregoing reasons, the Prince George's County Council **SUPPORTS HB 388** and respectfully requests your favorable consideration of this legislation.

---

Prepared by: Carrington & Associates, LLC  
On behalf of the Prince George's County Council



# THE PRINCE GEORGE'S COUNTY GOVERNMENT

(301) 952-3700  
County Council

## POSITION STATEMENT

### **SB 772**

Senator Patterson  
Education, Health and  
Environmental Affairs  
Committee

State Procurement - Small Business Reserve Program

### POSITION:

### SUPPORT

**SB 772**– State Procurement - Small Business Reserve Program – FOR the purpose of increasing the minimum percentage of a unit's total dollar value of contracts that is, to the extent practicable, to be made directly to small businesses; providing that certain preferences do not apply to certain procurement contracts; requiring a certain unit to apply a certain percentage price preference on certain procurement contracts under certain circumstances; providing for the application of this Act; defining certain terms; and generally relating to the Small Business Reserve Program.

This bill (1) raises the goal for the Small Business Reserve (SBR) Program from 15% to 25% of the value of agency procurements and (2) for specified SBR procurements, requires agencies to apply a 5% price preference for "resident small businesses." The bill establishes that reciprocal price preferences in current law do not apply to SBR procurements. "Resident small business" means a small business whose principal office is located in the State. "Principal office" means a primary place of business that is staffed on a regular basis to provide goods or services that are requested by a unit in an SBR procurement. It does not include a satellite office. The 5% price preference authorized by the bill is allowed only for SBR-designated procurements in which the award is made to the bid or proposal that is deemed most favorable to the State; it is not authorized for SBR procurements in which price is the only basis for the award. The bill applies only prospectively and has no effect on SBR procurements advertised to the public before its October 1, 2020 effective date.

The County Council supports the effort to provide a benefit to small business in the State from a greater proportion of State contracts being designated for the Small Business Reserve, and the application of a 5% resident price preference on specified SBR procurements. We also support and encourage the objective of incentivizing small businesses to establish primary offices in the state of Maryland.

For the foregoing reasons, the Prince George's County Council **SUPPORTS SB 772** and respectfully requests your favorable consideration of this legislation.

---

Prepared by: J. Kenneth Battle, Director, General Assembly Committee  
On behalf of Prince George's County Council

**County Administration Building – Upper Marlboro, Maryland 20772**