



Todd M. Turner  
Chair  
District 4

FEB 11 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  
Lowe 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 4, 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

## COMMITTEE OF THE WHOLE REPORT

The Prince George's County Council met on February 4, 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/MC 101-20</b>	MNCPPC – Mandatory Referral Review (Carr) - <b>SUPPORT</b>
<b>PG/MC 102-20</b>	Bi-County Commissions – Annual Reports – Conflicts of Interest and Lobbying (Carr) - <b>SUPPORT</b>
<b>PG/MC 103-20</b>	Washington Suburban Sanitary Commission – Discrimination – Prohibited - (Carr, Palakovich Carr) – <b>SUPPORT</b>
<b>PG/MC 105-20</b>	Income Tax – Subtraction Modification – Maryland–National Capital Park Police and WSSC Police Force (Luedtke, Jackson, Zucker) - <b>SUPPORT</b>
<b>SB 4</b>	Gaming - Sports Betting – Implementation (Zucker) - <b>SUPPORT</b>
<b>SB 58</b>	Expansion of Commercial Gaming - Referendum – Sports Wagering (West) – <b>SUPPORT</b>
<b>HB 3 / SB 233</b>	Business Regulation - Flavored Tobacco Products – Prohibition (Davis/President) - <b>SUPPORT</b>



# THE PRINCE GEORGE'S COUNTY GOVERNMENT

(301) 952-3700  
County Council

## POSITION STATEMENT

**HB394**  
**(PG/MC 101-20)**  
Delegate Carr

Maryland-National Capital Park and Planning  
Commission - Mandatory Referral Review

### POSITION:

### SUPPORT

**HB394 (PG/MC 101-20)** – Maryland-National Capital Park and Planning Commission - Mandatory Referral Review – Establishing that a referral to the Maryland-National Capital Park and Planning Commission is deemed approved under certain circumstances only if there is a complete submission or an explanatory narrative accompanied by architectural drawings that can be adequately reviewed by the Commission; requiring the Commission to notify a certain submitting entity within 3 business days regarding whether a certain submission or amendment to a submission is complete and accepted or rejected as incomplete; etc.

Currently, a public board, public body, or public official, cannot conduct certain activities in the regional district without a referral to and approval by the Commission of the proposed location, character, grade, and extent of the activity. The activities require acquiring or selling land, locating, constructing, or authorizing a public road, park, public roadway or ground, public building or structure (including federal), or a publicly or privately-owned utility. Additionally, a referral and approval must be completed for the changing of use, the widening, narrowing, extending, relocating, vacating, or abandoning of any of the previously mentioned facilities. If the Commission fails to act within 60 days of an official referral, the referral is deemed approved unless the entity that submitted the referral grants a longer period of time for the Commission to act.

This legislation clarifies that many such public projects are complex with a variety of stages in their development, planning, and implementation. Many of these stages are unknown at the earliest stages of development. This legislation would assure that all necessary information from the public body is included in each submission before the Commission is required to review and present to the public – therefore ensuring the Commission's comments are thorough, comprehensive, and address all regulatory issues and concerns prior to implementation.

For the foregoing reasons, the Prince George's County Council **SUPPORTS HB 394 (PG/MC 101-20)** and respectfully requests your favorable consideration of this legislation.

---

Prepared by: LA PEREZ CONSULTING  
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

## POSITION STATEMENT

**HB 370**  
**(PG/MC 102-20)**  
Delegate Carr  
Prince George's County  
and Montgomery County  
Delegations

Bi-County Commissions - Annual Reports - Conflicts  
of Interest and Lobbying

### POSITION:

### SUPPORT WITH AMENDMENT

**HB370 (PG/MC 102-20)**– Bi-county Commissions - Annual Reports - Conflicts of Interest and Lobbying – FOR the purpose of requiring certain bi-county commissions to report on conflict of interest issues and regulations during the previous calendar year on or before April 15th each year; requiring certain bi-county commissions to report on lobbying before the bi-county commission and regulation of that lobbying for the previous calendar year on or before April 15th each year; and requiring certain bi-county commissions to publish the reports on the website of the bi-county commission.

Currently, each bi-county commission is required to prepare an annual report on its conflict of interest issues and regulations during the covered year. Subsequently, each bi-county commission is required to submit the annual report to the governing body of each county in which the bi-county commission operates. Additionally, each bi-county commission is required to prepare an annual report on the lobbying done before the bi-county commission and the bi-county commission's regulation of lobbying. Like the annual report on conflicts of interest, each bi-county commission is required to submit the annual report to the governing body of each county in which the bi-county commission operates.

The Council is aware of an amendment to change the required reporting date to April 30<sup>th</sup>, to match other existing reporting requirements, providing consistency for all commissions throughout the state.

For the foregoing reasons, the Prince George's County Council **SUPPORTS HB370 (PG/MC 102-20) with the above Amendment** and respectfully requests your favorable consideration of this legislation.

---

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



# THE PRINCE GEORGE'S COUNTY GOVERNMENT

(301) 952-3700  
County Council

## POSITION STATEMENT

**PGMC103-20**  
Delegates Carr &  
Palovich Carr  
Prince George's County  
Delegation

**Washington Suburban Sanitary Commission –  
Discrimination – Prohibited**

## POSITION:

## SUPPORT WITH AMENDMENTS

**PGMC103-20** – Washington Suburban Sanitary Commission – Discrimination – Prohibited– For the purpose of prohibiting the Washington Suburban Sanitary Commission from discriminating against a person on the basis of genetic information or the presence of children; requiring that a certain nondiscrimination provision in contracts entered into by the Commission prohibit certain discrimination based on genetic information; defining a certain term; and generally relating to prohibiting discrimination by the Washington Suburban Sanitary Commission (the Commission) and to nondiscrimination provisions in contracts entered into by the Commission.

This legislation includes a friendly amendment from the Commission to include an existing definition in state law to define "genetic information." In addition, the legislation specifies that the Commission may not discriminate in any manner against an employee or an applicant for employment on the basis of sex, race, creed, color, age, mental or physical disability, sexual orientation, religion, marital status, gender identity, or the presence of children. These are technical language changes supported by the Commission to be included as statutory language in all contracts.

By preemptively providing expanded statutory language in all contracts, the Commission is helping to promote better business and hiring practices, allowing equal rights opportunities to all qualified applicants thus further complying with Title VII of the Civil Rights Act of 1964 and U.S. Equal Employment Opportunity Commission. All persons deserve to be evaluated based on technical skills and qualifications and the additional language provided in this legislation would do just that. It is the responsibility of governments to hold respective businesses (such as the Commission) accountable for fair and nondiscriminatory hiring practices.

For the foregoing reasons, the Prince George's County Council **SUPPORTS PGMC103-20 with the adopted amendments** and respectfully requests your favorable consideration of this legislation.

---

Prepared by: LA PEREZ CONSULTING  
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

## POSITION STATEMENT

**HB276**  
**(PG/MC 105-20)**  
Delegates Luedtke, M.  
Jackson & Zucker  
Prince George's County  
and Montgomery County  
Delegations

Income Tax - Subtraction Modification - Maryland-  
National Capital Park Police and Washington  
Suburban Sanitary Commission Police Force

### POSITION:

### SUPPORT

**HB276 (PG/MC 105-20)** – Income Tax - Subtraction Modification - Maryland-National Capital Park Police and Washington Suburban Sanitary Commission Police Force – Expanding a subtraction modification under the Maryland income tax for certain law enforcement officers to include law enforcement officers who are members of the Maryland-National Capital Park Police or the Washington Suburban Sanitary Commission Police Force and reside in a political subdivision that lies wholly or partially within certain districts and in which the crime rate exceeds the State's crime rate; applying the Act to taxable years beginning after December 31, 2019; etc.

Chapter 519 of 2016 established a subtraction modification of up to \$5,000 of the income earned by a law enforcement officer if (1) the officer resides in the political subdivision in which the officer is employed and (2) the crime rate in the political subdivision exceeds the State's crime rate. A law enforcement officer is an individual who (1) in an official capacity is authorized by law to make arrests and (2) is a member of a law enforcement agency, including a law enforcement officer who serves in a probationary status or at the pleasure of the appointing authority of a county or municipality.

This legislation includes the Maryland National Park Police (M-NCPPC) and Washington Suburban Sanitary Commission (WSSC) Police in the definition of law enforcement officers eligible for this favorable income tax incentive designed to attract and reward law enforcement officers who work and reside in communities with elevated crime levels. WSSC currently employs 20 officers that reside in Montgomery County or Prince George's County and M-NCPPC currently employs 211 officers that reside in Montgomery or Prince George's County.

For the foregoing reasons, the Prince George's County Council **SUPPORTS HB 276 (PG/MC 105-20)** and respectfully requests your favorable consideration of this legislation.

---

Prepared by: LA PEREZ CONSULTING  
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

## POSITION STATEMENT

**SB 4** Gaming - Sports Betting - Implementation  
Senator Zucker  
Budget & Taxation  
Committee

### POSITION:

### SUPPORT WITH AMENDMENTS

**SB 4** – Gaming - Sports Betting - Implementation – For the purpose of authorizing sports wagering license holders to accept wagers on sporting events from individuals located at the licensee's video lottery facility or online by an individual physically located in the State; requiring the State Lottery and Gaming Control Commission to regulate sports wagering in the State; requiring an applicant for a certain sports wagering license or the renewal of the license to pay a fee of \$2,500,000 for the license or \$250,000 for renewal; submitting the Act to a referendum of the qualified voters of the State; etc.

The Prince George's County Council has been following the issues regarding sports betting since the landmark Supreme Court case in May 2018. As expected, many states, Delaware being the first, immediately implemented legislation hoping to capture a new source of gaming revenue. Recognizing our proximity to states that will have had their programs operational for 3 years or more, the Council appreciates the quick implementation that is possible under the parameters of the bill. We urge the Committee to retain the language in the bill that refers to costs associated with application, renewal and the tax rate Maryland will collect for the Education Trust Fund. It is important for revenues from sports wagering operations in Prince George's County to be subject to the County's local amusement tax as well.

The Council requests amendments to: allow the application for a sports wagering license by an existing NFL stadium in Prince George's County; include goals for the participation of minority and local firms, and; provide for a local share of revenues from sports wagering (similar to the local impact grants from casino operations). The Council understands that the Committee has established a work group of stakeholders and interested parties to review a variety of issues, including potential licensing opportunities for horse racing facilities. The Council wholeheartedly supports the inclusion of Rosecroft Raceway if this scenario is approved.

As discussions continue on the expansion of gaming in the State, the Council encourages efforts to revisit existing "hold harmless" provisions that continue to limit revenue distribution to local jurisdictions and communities directly impacted by gaming facilities. Due to the inequities created by these funding limitations, we look forward to the revision, and ultimate elimination of existing hold harmless clauses.

For the foregoing reasons, the Prince George's County Council **SUPPORTS SB 4 WITH AMENDMENTS** and respectfully requests your favorable consideration of its position.

---

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

## POSITION STATEMENT

**SB 58** Expansion of Commercial Gaming - Referendum  
Senator West Sports Wagering  
Budget & Taxation  
Committee

### POSITION:

### SUPPORT WITH AMENDMENTS

**SB 58** – Expansion of Commercial Gaming – Referendum - Sports Wagering – For the purpose of providing that the General Assembly may authorize, by law, the State Lottery and Gaming Control Commission to issue certain sports wagering licenses; providing that a license may be issued only to certain entities; declaring the intent of the General Assembly that certain revenues be used for dedicated purposes; submitting this Act to a referendum of the qualified voters of the State; requiring the State Board of Elections to do certain things necessary to provide for and hold the referendum.

The Department of Legislative Services (DLS) notes that retail sports betting revenues in Delaware, New Jersey, Pennsylvania, and West Virginia average approximately 2% of those states' total gaming revenues from video lottery terminals and table games. Thus, if sports betting revenues in Maryland total 2% of Maryland's gaming revenues, gross revenues after payouts to bettors could increase by \$36.5 million in fiscal 2022. Assuming that the current table games tax rate of 20% is applied, the State share of gross revenues in fiscal 2022 would be \$7.3 million. However, authorizing mobile sports betting could significantly increase revenues. Based on mobile sports betting revenues in surrounding states, DLS estimates that gross revenues could increase by \$91.1 million in fiscal 2022, totaling 5% of Maryland's gaming revenues, if sports betting is authorized both online and at Maryland casinos and racetracks. Assuming a 20% tax rate, the State share of revenues in fiscal 2022 would be \$18.2 million.

The Council understands that the Committee has established a work group of stakeholders and interested parties to review a variety of issues related to the establishment of sports wagering. We hope these discussions will result in amendments regarding: potential licensing opportunities for the professional football franchise in Prince George's County; the inclusion of goals for the participation of minority and local firms, and; a local share of revenues from sports wagering (similar to the local impact grants from casino operations).

For the foregoing reasons, the Prince George's County Council **SUPPORTS SB 58 with Amendments** and respectfully requests your favorable consideration of its position.

---

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

## POSITION STATEMENT

**HB 3** Business Regulation – Flavored Tobacco Products -  
Delegate Dereck E. Davis Prohibition  
**SB 233**  
Senate President

### POSITION:

### SUPPORT

#### **HB 3/SB 233 Business Regulation – Flavored Tobacco Products - Prohibition**

FOR the purpose of providing that licenses to manufacture, sell, buy, and store cigarettes, other tobacco products, and electronic smoking devices do not authorize the licensee to manufacture, ship, import, or sell into or within the State, a tobacco product with a taste or smell of fruit, mint, candy, or other non-tobacco flavors. It prohibits the sale of such products in vending machines. It also mandates that a licensee that issues a public statement that cigarettes, other tobacco products, or electronic smoking devices have or produce a certain smell or taste, creates presumptive evidence that the items identified are flavored tobacco products. The legislation establishes criminal penalties (misdemeanor criminal liability) with penalties including \$1000.00 fine and up to 30 days imprisonment or both. Finally, the legislation excludes a drug, device, or combination product authorized for sale by the United States Food and Drug Administration (FDA) under the Federal Food, Drug, Drug, Drug, and Cosmetic Act.

Cigarettes with specific characterizing flavors were prohibited in the United States on September 22, 2009, as part of the Family Smoking Prevention and Tobacco Control Act (TCA) that gave the FDA authority over tobacco products. Before the TCA, tobacco companies aggressively marketed cigarettes with flavors, images, and names that appealed to young people. Despite the FDA's ban on flavored cigarettes, the overall market for flavored tobacco products has continued to grow. Tobacco companies in recent years have significantly increased the introduction and marketing of flavored other tobacco products (OTPs), particularly e-cigarettes and cigars, as well as smokeless tobacco and hookah. They use colorful packaging and sweet flavors, making flavored tobacco products difficult to distinguish from the candy displays which are frequently placed in retail outlets. Tobacco companies claim to be responding to adult tobacco users' demand for variety, but studies have shown that flavored tobacco products play a key role in enticing new users, particularly teens, to a lifetime of addiction.

The Prince George's County Council has enacted a prohibition against distributing tobacco products to minors, pursuant to Section 12-202 of the Prince George's County Code. Section 12-202 prohibits the sale or other distribution of tobacco products or electronic cigarettes to minors and it imposes civil penalties for violations. The Council supports expanding the protections to include flavored tobacco products and electronic smoking devices. It also agrees with increasing the penalties for violating the law, because of the aggressive marketing practices directed towards minors.

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

**Prince George's County Council Position Statement – PG 502-20 - SUPPORT**

**Page 2**

For the foregoing reasons, the Prince George's County Council **SUPPORTS HB 3** and respectfully requests your favorable consideration of this legislation.

---

Prepared by: Monica Best-James, Esq.  
On behalf of the Prince George's County Council