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**Revised - Legislative Report • March 2, 2007**

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**Maryland General Assembly - 2007 Session Calendar**

March 5<sup>th</sup>            Final Bill Introduction Date  
March 26<sup>th</sup>        Opposite Chamber Bill Crossover Date  
April 9<sup>th</sup>            Adjournment "Sine Die"

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**New in this Issue**

**CORRECTION on HB 441**  
**Hearing Date scheduled for SB 762 - Handgun Permits**

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**Session Update - Hearings Next Week**

**SB 518 & HB 455 - Castle Doctrine**

These important "Crossfiled" bills are being heard by both committees on **Wednesday, March 7th at 1:00 PM.**

**Note:** a "crossfiled" bill means the identical bill is filed in both the Senate and the House (bill numbers do not have to be the same, only the text of the bill)

An effort is being made to have the committee chairmen coordinate the bill hearings in order to give everyone an opportunity to present testimony to both committees.

**HB 441 - Assault Weapon Tax**

Plan to set aside time in your schedule to attend the hearing on **Wednesday, March 14<sup>th</sup>** and show your **opposition** to this bill.

**SB 762 - Handgun Permits-Repeal Finding Requirement**

Of the 2 concealed carry bills sponsored this year, SB 762 is by far the better bill (it has no additional fee provision). However, the very "late in the session" hearing date (3-21-07) will have a detrimental impact on this bill's chances of successfully navigating the dangerous waters of the General Assembly.

Plan to set aside time in your schedule to attend the hearing on **Wednesday, March 21<sup>st</sup>** and show your support for this bill.

**Committee Hearing Dates - Gun Bills**

**House Judiciary Committee**

HB 808 . . . . . 03-06-07, Tuesday @ 1 PM  
  
HB 455 . . . . . 03-07-07, Wednesday @ 1 PM  
  
HB 228 . . . . . 03-09-07, Friday @ 1 PM  
HB 583 . . . . . 03-09-07, Friday @ 1 PM  
HB 617 . . . . . 03-09-07, Friday @ 1 PM  
  
HB 1194 . . . . . not scheduled

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**House Ways & Means Committee**

HB 441 . . . . . 03-14-07, Wednesday @ 1 PM

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**Senate Judicial Proceedings Committee**

SB 518 . . . . . 03-07-07, Wednesday @ 1 PM  
  
SB 624 . . . . . 03-14-07, Wednesday @ 1 PM  
SB 762 . . . . . 03-21-07, Wednesday @ 1 PM  
SB 938 . . . . . not scheduled

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**Hearings Completed**

**House Judiciary Committee**

HB 992 . . . . . 02-27-07

**Senate Judicial Proceedings Committee**

SB 214 . . . . . 02-07-07  
SB 43 . . . . . 02-27-07  
SB 497 . . . . . 02-27-07  
SB 563 . . . . . 02-27-07

## 2007 Session - Gun Related Bills

### Pro Gun Bills

#### **HB 228** - Handguns - Wearing Carrying or Transporting

*Repealing the requirement that a person have a good and substantial reason for wearing, carrying, or transporting a handgun before receiving a permit to wear, carry, or transport a handgun; requiring the Secretary of State Police to charge for a specified purpose a fee payable when an application is filed for a handgun; and requiring the Governor to appropriate specified funds to programs to combat criminal gang violence.*

While this may appear to be a pro-gun bill that will expand the right to carry a concealed firearm, **it contains a fatal flaw that makes it dangerous to gun owners.**

Specifically, it empowers the Secretary of the Maryland State Police to set an additional fee for concealed carry permits. **Nothing in the bill prevents the Secretary from establishing an exorbitant fee that would be economically prohibitive for the average citizen.**

**DO NOT SUPPORT**

#### **SB 762** - Public Safety - Handgun Permits...

*Repealing the requirement that the Secretary of State Police find that a person has a good and substantial reason to wear, carry, or transport a handgun before issuing a handgun permit to the person.*

Unlike HB 228, this bill does not contain any provision for an additional fee on permits.

**SUPPORT**

### Anti Gun Bills

#### **HB 441** - Assault Weapon Tax

*Imposing a tax on the sale of an assault weapon in the State; establishing the rate of the assault weapon tax at 10% of the taxable price of the assault weapon; distributing the revenues from the tax to a special fund, 80% to be used for education aid and 20% to be used for victim services; including the assault weapon tax under the administration of the sales and use tax; exempting from the tax sales of assault weapons to police forces and other governmental agencies; requiring assault weapons dealers to file specified returns; etc.*

This bill amounts to nothing but a “sin tax” intended to discourage the purchase of certain firearms. The tactic is no

different from excessive taxes placed on cigarettes to make cigarettes prohibitively expensive. This bill is assigned to the **Ways and Means Committee** as an “end run” to get around the House Judiciary Committee where it would almost certainly be defeated.

**OPPOSE**

#### **HB 617** - Mont. Co. Firearms - Preemption Exceptions

*Authorizing Montgomery County to enact specified ordinances regulating the purchase, sale, taxation, transfer, manufacture, repair, ownership, possession, and transportation of specified firearms; authorizing Montgomery County to enact specified ordinances regulating the sale of a regulated firearm; authorizing Montgomery County to enact specified ordinances regulating the possession by a private party of a regulated firearm; etc.*

This is a dangerous bill that could eventually lead to a plethora of different gun laws that would vary from one jurisdiction to the next. It will have a major impact on the law-abiding and no impact on criminals or crime.

**OPPOSE**

#### **SB 43** - Maryland Assault Weapon Ban of 2007

*Designating specified firearms as assault weapons; prohibiting with specified exceptions a person from transporting an assault weapon into the State or possessing, selling, offering to sell, transferring, or receiving an assault weapon; requiring the Handgun Roster Board to compile and maintain a roster of prohibited assault weapons; etc.*

Nothing new here, the same old bill to ban some long guns deemed cosmetically offensive to anti-gun liberals and also ban virtually all semi-automatic pistols.

**OPPOSE**

### Other Bills Relating to Guns

#### **HB 455** - Protection of Persons and Property - Immunity (crossfiled as SB 518)

*Providing that a person is justified in using non-deadly force under specified circumstances; providing that a person is justified in using deadly force under specified circumstances; providing that a person who is justified in using force is immune from criminal prosecution and civil action; etc.*

**SUPPORT**

**HB 583** - 2nd Gun Offense Prohibit Pre-trial Release

Prohibiting a District Court commissioner from authorizing the pretrial release of a defendant charged with a specified crime involving the use or possession of a firearm if the defendant has been previously convicted of a specified crime involving the use or possession of a firearm.

**SUPPORT**

**HB 808** - Criminal Law-Weapons-Places of Confinement

*Prohibiting a person detained or confined in a place of confinement from possessing a weapon.*

**SUPPORT**

**HB 992** - Drug Related Offenses - Repeal Mandatory...

*Repealing specified mandatory minimum sentences for specified drug- related offenses; providing that a person convicted of specified drug- related offenses is not prohibited from participating in a specified drug treatment program; providing that a specified person may grant a hearing and sentence review; repealing a prohibition against a person possessing a regulated firearm if the person was previously convicted of specified drug-related offenses; etc.*

**OPPOSE**

**HB 1194** - Unauthorized Possession of Contraband...

*Prohibiting a person from knowingly possessing contraband in a place of confinement without authorization by the managing official of the place of confinement; prohibiting a person detained or confined in a place of confinement from knowingly possessing a weapon or contraband to effect an escape or possessing or receiving an alcoholic beverage or controlled dangerous substance; prohibiting a person from delivering a telecommunication device to a person detained or confined in a place of confinement; etc*

**SUPPORT**

**SB 214** - Crimes - Unauthorized Possession of Contraband

*Prohibiting a person from knowingly possessing specified contraband to effect an escape, or possessing a weapon, an alcoholic beverage, a controlled dangerous substance, or a telecommunication device in a place of confinement without authorization by a managing official; defining "telecommunication device"; and establishing penalties for a violation of the Act.*

**SUPPORT**

**SB 497** - Public Safety - Disposal of Handguns...

*Authorizing a law enforcement agency to dispose of a handgun owned by the agency by selling, exchanging, or transferring the handgun to a manufacturer; and defining "manufacturer".*

This bill will provide law enforcement agencies with the option of "trading in" used firearms to the manufacturer rather than destroying them.

**SUPPORT**

**SB 518** - Protection of Persons and Property - Immunity (crossfiled as HB 455)

*Providing that a person is justified in using non-deadly force under specified circumstances; providing that a person is justified in using deadly force under specified circumstances; providing that a person who is justified in using force is immune from criminal prosecution and civil action; etc.*

**SUPPORT**

**SB 563** - Criminal Law - Use of a Firearm...

*Prohibiting the use of specified firearms in the commission of specified crimes of violence or felonies.*

**SUPPORT**

**SB 938** - Public Health - Injury Reports - Statewide

*Repealing the provision that limits the applicability of specified injury reporting requirements to specified counties.*

**NO POSITION**

**What YOU can do:**

Contact the members of the Committees that will be hearing the bills listed in this report and politely but firmly state your position in support or opposition to the bills.

Make plans to attend the committee hearing in Annapolis

**Join the AGC email Network:** [agcbalto@bcpl.net](mailto:agcbalto@bcpl.net)

## **Committee Testimony - Requirements**

### **Senate Judicial Proceedings Committee**

Anyone wishing to testify on any bill must sign the witness register before 12:45 p.m. If you have written testimony, please submit 20 copies to the staff for distribution by 12:30 p.m. The order that bills are listed on the schedule is not necessarily the order in which they will be heard. Materials submitted for the Committee's consideration should not include plastic covers, binders or other materials that cannot be easily re-used or recycled.

### **House Judiciary Committee**

Anyone wishing to testify on any bill must sign the witness register before the hearings begin. If you have written testimony, please submit 35 copies to the committee clerk for distribution at least 60 minutes before the bill hearings begin. The order that bills are listed on the schedule is not necessarily the order in which they will be heard.

### **House Ways and Means Committee**

Anyone in the hearing room must have proper ID displayed at all times and all electronic devices must be turned off before entering. Anyone wishing to testify on any bill must sign the witness register before the hearing begins. If you have written testimony, please submit 35 copies to the committee staff for distribution one hour prior to the hearing. The order that bills are listed on the schedule is not necessarily the order in which they will be heard.

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### **Testimony Before Legislative Committees**

During this brief quiet time before testimony on gun bills is presented to the Senate and House Judiciary Committees as well as the House Ways and Means Committee, it is appropriate to again review some of the important considerations as well as some of the do's and don'ts regarding testimony before the Committees.

While many believe that testimony impacts the course a bill will take, this is seldom the case. The odds of changing a committee member's vote on a bill are so remote as to be non-existent. In the political reality of things, quiet behind the scenes negotiations are what make or break a bill.

The hearings are essentially a venue for the proponents and opponents to demonstrate a public show of force for the benefit of the committee members as well as the news media. This is where the real value of a large turnout for or against a bill can be demonstrated.

### **Testimony Do's**

Be respectful to the committee members, especially the committee chairman.

Confine your testimony to the bill and only the bill.

If you represent a group or organization and are speaking on behalf of that group or organization state that fact at the beginning of your testimony.

Support your statements with factual written data whenever possible.

Provide written testimony if possible (35 copies in the House Judiciary, 35 copies in the House Ways and Means, and 20 copies in the Senate Judiciary)

Remember that written testimony is a matter of public record and available to all including our opponents as well as the news media.

### **Testimony Don'ts**

Never argue or debate with a committee member, especially the committee chairman.

Never use testimony as a soapbox to pontificate on the 2<sup>nd</sup> Amendment, vent your frustrations on gun control, etc., this wastes time and irritates the committee chairman.

Know your audience, don't antagonize the committee by identifying yourself as belonging to a political party or party central committee if the majority of the committee members belong to a different party.

Don't relate some anecdotal experience unless that specific experience is directly related to the bill.

If you are questioned and don't know the answer simply say you don't know and offer to research the question. Note: if you offer to research the question you must do it promptly or you will lose credibility.

Avoid giving interviews to the media whenever possible.



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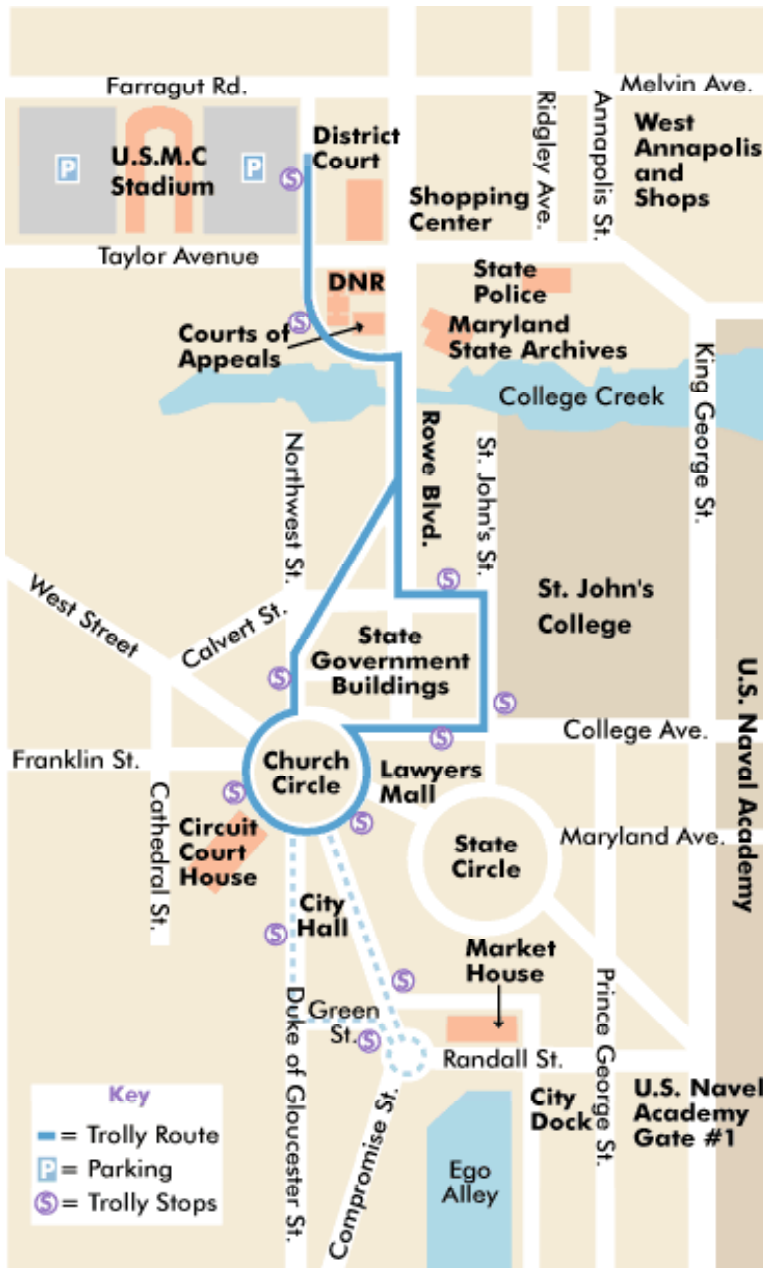
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