



# The Legislative Wrap-Up

Library and Information Services, Department of Legislative Services

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## BILL INTRODUCTION AND DEADLINES

At the end of the second week of the 2006 session, a total of 392 bills had been introduced, 181 Senate bills and 210 House bills. Approximately 2,300 or more pieces of legislation will be “dropped in the hoppers” before the session concludes. However, even though there are no restrictions on the number of bills that may be introduced, there are deadlines that govern when bills may be introduced. Specific dates for this session include:

- January 24 – Bill request deadline for legislators to ask that bills be drafted;
- February 3 – Bill introduction deadline for Senators; and
- February 10 – Bill introduction deadline for Delegates.

## VETOES AND OVERRIDES

To date, the General Assembly had voted to override gubernatorial vetoes of 13 bills passed by the 2005 legislature:

- The Fair Share Health Care Fund Act, also known as the Wal-Mart bill, imposes an assessment on employers with 10,000 or more employees based on the provision of health insurance coverage ([SB 790/Ch 1, Acts of 2006](#) and [HB 1284/Ch. 3, Acts of 2006](#), both effective January 1, 2007);
- A minimum wage increase requires employers to pay the greater of the federal minimum wage or a wage that equals a rate of \$6.15 per hour to employees subject to federal or State minimum wage requirements ([HB 391/Ch 2 of the Acts of 2006](#), effective February 16, 2006);
- New election law procedures address counting provisional ballots by local boards of election and establishing a challenged voter’s identity ([SB](#)

[287/Ch 4 Acts of 2006](#), effective February 16, 2006);

- A five-day early voting period will be required prior to a general or primary election ([SB 478/Ch 5 Acts of 2006](#), effective February 16, 2006);
- Eligibility requirements will be eliminated for absentee voting, allowing any individual to vote using an absentee ballot unless prohibited by federal law ([HB 622/Ch 6 Acts of 2006](#), effective February 17, 2006);
- Requirements for the Department of Juvenile Services include promotion of predelinquent programs ([SB 468/Ch 7 Acts of 2006](#), effective February 17, 2006 and [HB 405/Ch 8, Acts of 2006](#), effective February 18, 2006), as well as mandatory timelines requiring the department to appear in court to explain why a child remains in a juvenile detention facility “pending placement” ([HB 979/Ch 11, Acts of 2006](#), effective February 18, 2006);
- The duties of the Office of the Independent Juvenile Justice Monitor will be transferred to the Office of the Attorney General to investigate whether the needs of the children under the Department of Juvenile Services jurisdiction are being met ([HB 1342/Ch 12 Acts of 2006](#), effective February 18, 2006);
- Changes concerning the Maryland Commission for Women will be made ([SB 257/Ch 9, Acts of 2006](#) effective February 18, 2006);
- Guidelines for access to the confidential records of children by the Baltimore City Health Department will be implemented ([HB 900/Ch 10 Acts of 2006](#), effective February 18, 2006); and
- Use of surveillance systems to enforce laws related to illegal dumping in Baltimore City will be allowed ([SB 312/Ch 13 Acts of 2006](#), effective February 18, 2006).

## COURTS AND CIVIL PROCEEDINGS

Maryland's Marriage Protection Act ([HB 48](#)) adds a new section to the Maryland Constitution to establish that only a marriage between a man and a woman is valid in the State and that a same-sex "marriage" validly entered into in another state or country is invalid in Maryland and against State public policy.

A method of electing judges to the circuit court on a nonpartisan basis, without regard to political party affiliation, is established under [SB 145](#), allowing voters registered as independent to fully participate in the election of circuit court judges.

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## CRIMES, CORRECTIONS, AND PUBLIC SAFETY

An Administration proposal, [SB 68](#), expands the list of crimes included in laws passed last year that establish a felony crime of witness intimidation and a hearsay exception for statements provided by unavailable witnesses. Added crimes include abuse, sexual abuse, and kidnapping of a child and incest.

Senate hearings this week focused on legislation concerning sexual offenders:

- [SB 1](#) (companion [HB 4](#)) extends parole supervision, expands community notification, and provides stricter penalties for parole violations for registered sexual offenders;
- [SB 13](#) increases penalties for registration violations;
- [SB 14](#) establishes a sex offender task force;
- [SB 15](#) restricts parole eligibility of those convicted of abuse or sexual abuse of a child;
- [SB 16](#) and [SB 49](#) require commitment of some sexually violent predators to an institution after release from prison;
- [SB 20](#) requires electronic tracking of some registered offenders; and
- [SB 45](#) makes it a misdemeanor to help a sex offender elude police in connection with registration requirement violations.

## EDUCATION

[HB 70](#) limits the average class size for each grade in public school systems to not more than 15 students in kindergarten through third grades and not more than 25 students in grades four through 12. The bill exempts classes in voice and music, art, and physical education from the provision.

[HB 74](#) changes mandatory school attendance from 16 to 18 years unless the student has graduated from high school before the age of 18.

[SB 21](#) prohibits persons required to register as a child sex offender from residing in housing that is located within one mile of an elementary or secondary school. It also forbids such persons from entering elementary or secondary school property or a park where children usually gather.

The Veterans Advocacy and Education Act of 2006 ([HB 3](#)) establishes a Veterans of the Afghanistan and Iraq Conflicts Scholarship to include veterans or sons, daughters or spouses of veterans of the Afghanistan or Iraq conflicts. The bill also establishes an Outreach and Advocacy Program in the Department of Veterans Affairs to help veterans and their dependents become aware of and access services and benefits relating to taxes, health care, disabilities, pensions, and education.

[HB 25](#) exempts from State sales tax any textbook that is bought by a full or part-time student at an institution of higher education.

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## ENVIRONMENT, NATURAL RESOURCES, AND AGRICULTURE

[SB 5/HB 2](#) implement the recommendations of the Agricultural Stewardship Commission. The bills establish programs meant to preserve farmland and farming in the State and call for increased funding of agriculture and farm run-off programs.

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## FISCAL MATTERS

Governor Ehrlich has submitted the \$29.6 billion Budget Bill ([SB 110/HB 150](#)) for fiscal 2007 to the General Assembly. The Constitution requires that the budget be balanced and that the General Assembly pass the budget by the 83<sup>rd</sup> day, which is April 3 this year, or the Governor must proclaim an extended session if the

budget does not pass by the 90<sup>th</sup> day. During the extended portion of the session the General Assembly may deal only with the Budget Bill and with the costs of the extended session. Only in 1992 did the General Assembly not pass the bill by the 90<sup>th</sup> day requiring an extended session. The General Assembly may reduce the Governor's proposed amounts but may not increase them. The Senate will move the Budget Bill this year.

The fiscal 2007 budget increases spending by 12% over the fiscal 2006 budget. The bill assumes no general tax increases and no revenue from new forms of gambling (slot machines). According to preliminary estimates, the proposed budget is more than \$200 million over the Spending Affordability Committee's recommended spending guidelines for fiscal 2007.

Among the highlights of the proposed budget are:

- \$462 million in additional direct aid to education bringing the amount of State aid to elementary and secondary education to \$4.5 billion;
- \$3.9 million for nonpublic school textbook aid;
- \$172 million additional general fund money for the State's colleges and universities;
- \$4.5 billion to the medical assistance program;
- \$180 million for State employee salary adjustments, including a 2% cost of living adjustment (COLA), funding for step increases of 2 to 4%, and funds for salary enhancements for selected groups employees;
- \$100 million to fund costs of future retirees' health benefits;
- \$301.4 million for Program Open Space and \$84.6 million for agricultural land preservation;
- \$35.6 million in additional money for the Department of Juvenile Services; and
- \$20 million for the Stem Cell Research Fund in the Maryland Technology Development Corporation's budget.

## GAMING, RACING, AND SPORTS

[SB 42](#) requires that a question be placed on a statewide ballot in the next general election to determine whether voters support the licensing of commercial video lottery terminals (slot machines) in the State.

[SB 132](#) allows statewide fraternal, religious, or war veterans organizations that have been located in the State for at least five years to operate slot machines. Currently only eligible organizations in Caroline, Cecil, Dorchester, Kent, Queen Anne's, Somerset, Talbot, and Wicomico Counties may operate such machines.

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## HEALTH CARE AND HEALTH INSURANCE

Several legislative initiatives are pending with respect to state-funded stem cell research. [SB 144/HB 1](#), the Maryland Stem Cell Research Act of 2006, specifically deal with embryonic research. [HB 136](#) allocates funding from the Cigarette Restitution Fund for research using adult and cord-blood-derived (CBE) embryonic-like stem cells. The Governor recently included funding in his FY 2007 budget proposal for stem cell research grants.

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## NEXT WEEK

Slated for next week are fiscal briefings, bill and budget hearings, and Governor Robert L. Ehrlich, Jr.'s State of the State address. Governor Ehrlich will address Senators and Delegates in the chamber of the House of Delegates at noon on Thursday, January 26.