



The Legislative Wrap-Up

Library and Information Services, Department of Legislative Services

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BILL INTRODUCTIONS

The 2007 session bill counts have reached 73 in the Senate and 58 in the House and may be expected to reach the 2,500 to 3,000 mark as upcoming deadlines approach:

- Bill Request Guarantee Date (**January 23**) requires legislators to request that bills be drafted in order to guarantee preparation for the bill introduction deadlines;
- Senate Bill Introduction Date (**February 2**) requires that Senate bills introduced after this date be referred to the Senate Rules Committee; and
- House Bill Introduction Date (**February 9**) requires that House bills introduced after this date be referred to the House Rules and Executive Nominations Committee.

GUBERNATORIAL INAUGURATION

On Wednesday, January 17 in the Senate Chamber, Chief Judge Robert M. Bell of the Maryland Court of Appeals administered the oath of office to Martin O'Malley, who became the 61st Governor of Maryland. Anthony G. Brown, Maryland's new Lt. Governor, was also sworn in by Chief Judge Bell. The Governor and Lt. Governor then made their way to the west portico of the State House where Governor O'Malley delivered his inaugural address before a welcoming crowd of Marylanders.

The Governor's remarks stressed a theme premised on "One Maryland." Governor O'Malley stated, "As we rise as One Maryland to meet the perils and possibilities of our own times, we do so knowing that Maryland's strengths are more than equal to the challenges before us." Further, he stated, "In our One Maryland, progress is always possible; and, together we can make real progress – as we have before – with respect for one another, with truth about ourselves and the problems we face, and faith in our ideals as a people." The inaugural festivities continued with a Parade of Counties and with a reception for the public at Government House. An evening Inaugural Ball was held in Baltimore.

CABINET APPOINTMENTS

Several gubernatorial cabinet appointments have been announced with more expected in the coming weeks. The nominees will appear before the Senate Executive Nominations Committee that is charged to examine appointments made by the Governor that require Senate confirmation. The committee reports its recommendations to the full Senate. To date, the O'Malley nominees named as departmental secretaries include:

- Department of Budget and Management – T. Eloise Foster, who served as Budget Secretary from 2000 to 2003 and earlier, 1991-1995, as Assistant Secretary of the Department of Budget and Fiscal Planning;
- Department of the Environment – Shari T. Wilson, a former employee of the department with expertise in Smart Growth and other environmental issues, who most recently served as an attorney for the City of Baltimore;
- Department of Health and Mental Hygiene – John M. Colmers, who previously held positions as Executive Director of the Maryland Health Care Commission and the Maryland Health Services Cost Review Commission;
- Department of Natural Resources – John R. Griffin, who held the same office under former Governor Glendening and also had a long tenure as Deputy Secretary of the department, as well as service as General Manager of the Washington Suburban Sanitary Commission;
- Department of Planning – Richard E. Hall, a long-time manager in the department, who has significant experience in planning and Smart Growth; and
- Department of Transportation – John D. Porcari, who served as Secretary from 1999 to 2003 and as Deputy Secretary from 1997-1998.

CRIMES, CORRECTIONS, AND PUBLIC SAFETY

A person arrested, detained, or confined by a law enforcement unit on or after October 1, 2007, and then released without being charged with a crime is entitled to automatic expungement of all related police records under [HB 10](#). Currently, the person must request the expungement and must waive or release all tort claims the person has that arise from the incident. The bill is scheduled for a committee hearing at the end of the month.

EDUCATION

[HB 6](#) establishes that, with a few exceptions, individuals may be exempted from nonresident tuition at a public institution of higher education if they attended a secondary school in Maryland for at least two years, graduated from a high school in the State, or received a high school equivalency diploma. Conditions include making an application to attend a public institution of higher education no later than five years after graduating from high school or receiving an equivalency degree.

ELECTIONS

An August 2006 court ruling invalidated Maryland's early voting law, first enacted in 2006, as unconstitutional. This session legislators will consider a measure ([SB 1](#)) proposing to amend the Maryland Constitution to give the General Assembly the power to enact a process to allow qualified voters to vote at polling places in or outside their election districts or wards, and on certain days prior to an election day. If the legislation is successful, the amendment must be approved by the voters at the next general election in November 2008. Other legislation related to problems encountered during this past November's general election mandates the creation of voter-verified paper trails ([HB 18](#)) and addresses absentee ballot applications and voter registration deadlines ([HB 16](#)).

ENVIRONMENT, NATURAL RESOURCES, AND AGRICULTURE

Bills that call for stricter emissions standards on cars registered in the State were introduced this week. [SB 51/HB 44](#) require the Department of the Environment (MDE) and the Motor Vehicle Administration to establish a low emission vehicle program applicable to 2011 model year vehicles; and allow MDE to adopt

California regulations, procedures, and certification data by reference. A similar bill was introduced in 2005. Testimony will be heard on [SB 51](#) on January 25.

GAMING, RACING, AND SPORTS

[HB 17](#) requires the State Lottery Commission to regulate the operation of 16,000 video lottery terminals (slot machines) at five race tracks and a location in Allegany County. Forty percent of the proceeds will go to the public school construction fund.

REAL PROPERTY, ESTATES, AND TRUSTS

Legislation has been introduced that deals with the issue of eminent domain. [SB 3](#) requires a government unit to make certain findings in writing before condemning and transferring private property to another private party for economic development purposes. The bill allows damages to be awarded for the taking of property used for a business or farm operation and includes damages for loss of "goodwill."

STATE GOVERNMENT

In recognition of the day in 1632 when King Charles I granted Cecelius Calvert, the second Lord Baltimore, a charter for the Maryland Colony, the Senate gave a preliminary okay to [SB 5](#) that designates June 20 as Maryland Charter Day. 2007 will mark the 375th anniversary of the granting of the charter. The official inception of Maryland is celebrated on March 25, marking the date in 1634 when the first English settlers landed on St. Clement's Island.

INTRODUCTION OF BUDGET BILLS

As required by the Maryland Constitution, Governor O'Malley's Budget Bill ([SB 55/HB 50](#)) for fiscal 2008 was introduced on the 10th day of session, Friday, January 19. Budget briefings will begin next week in both the House Appropriations Committee and in the Senate Budget and Tax Committee. In odd numbered years, i.e. 2007, the House of Delegates moves its Budget Bill to the floor first, and [HB 50](#) will be the measure that ultimately passes. In 2008, the Senate will handle the Budget Bill first.

On Friday, Governor O'Malley also submitted the Maryland Consolidated Capital Bond Bill of 2007 ([SB 56/HB 51](#)), which finances the majority of the State's capital programs.