



# The Legislative Wrap-Up

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## BILL INTRODUCTIONS

To date 206 Senate bills and 202 House bills have been introduced, or in legislative lingo, “dropped in the hopper” or “read across the desk.” More bills are expected before the 90-day session reaches the Senate Bill Introduction Date (February 2) and the House Bill Introduction Date (February 9).

### ADMINISTRATION LEGISLATION

Because only a member may introduce legislation, bills that originate from the Governor are designated, for Senate legislation, “The President (By Request – Administration)” and, for House legislation, “The Speaker (By Request – Administration).” Additional sponsors, if any, are then listed. The Administration legislative package always includes the operating budget bill ([SB 55/HB 50](#)) and the capital budget bond bill ([SB 56/HB 51](#)).

Also this session there are bills to:

- increase emission standards for cars ([SB 103/HB 131](#));
- restore the Chesapeake Bay’s oyster population ([SB 148/HB 133](#));
- prohibit new ground rents ([SB 106/HB 172](#));
- freeze tuition for the next academic year for University System of Maryland colleges and universities and Morgan State University ([SB 108/HB 134](#)); and
- phase-in a formula to increase aid to jurisdictions with education costs above the State average ([SB 109/HB 139](#)).

Other measures establish a Base Realignment and Closure (BRAC) Subcabinet in State government ([SB 110/HB 136](#)); implement a State performance accountability program (StateStat) modeled after Baltimore’s CityStat ([SB 102/HB 137](#)); and increase negotiating authority for State workers ([SB 111/HB 129](#)).

Administration health care proposals seek to:

- expand health care coverage for children under the Children’s Health Insurance Program (CHIP);
- require companies to allow parents to insure their dependents up to age 25 on the parents’ policies under certain circumstances; and
- help small businesses provide more affordable insurance for their employees ([SB 149/HB 132](#)).

Other measures establish a Maryland Life Sciences Advisory Board ([SB 104/HB 135](#)), institute use of a Universal Vaccine Purchasing System ([SB 105/HB 140](#)), and set up a system to generate funds to assist in reimbursing nursing homes ([SB 101/HB 130](#)). Several of the Administration bills are already moving through the committee process toward consideration on the Senate or House floor.

### GUBERNATORIAL APPOINTMENTS

More gubernatorial selections for cabinet secretaries were announced this week. They include:

- Higher Education – James E. Lyons, a former President of Bowie State University, 1983 – 1992, who will leave his current post as President of California State University, Dominguez Hills;
- Labor, Licensing, and Regulation – Thomas E. Perez, former Montgomery County Council President and attorney in the federal departments of Justice and Health and Human Services during the Clinton administration, who was recently a candidate for Attorney General. Perez is also the first Hispanic to be selected; and
- Public Safety & Correctional Services – Gary D. Maynard, most recently the head of corrections in Iowa, who has worked in corrections since 1970 including service in Oklahoma, Arkansas, and South Carolina.

Seven proposed cabinet secretaries are slated to appear before the Senate Executive Nominations Committee for confirmation early next week.

## ENVIRONMENT, NATURAL RESOURCES, AND AGRICULTURE

Testimony was heard this week on bills that require the Department of the Environment (MDE) and the Motor Vehicle Administration to establish a low emission vehicle program in the State applicable to vehicle model years 2011 and beyond. Both [SB 51](#) and [SB 103](#), the Administration bills, allow MDE to adopt related regulations and procedures used in California. [SB 51](#) also requires MDE to work with other states and the District of Columbia toward the regional adoption of low emission vehicle programs. Testimony will be heard on the crossfiled bills, [HB 44](#) and [HB 131](#), respectively, on February 1.

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## FISCAL MATTERS

Governor O'Malley has submitted the \$30 billion Budget Bill ([SB 55/HB 50](#)) for fiscal 2008 to the General Assembly. The General Assembly may reduce the Governor's proposed amounts but may not increase them. The House will move the Budget Bill this year.

The Maryland Constitution requires that the budget be balanced and that the General Assembly pass the Budget Bill by the 83rd day of the session, which is April 2 this year. If the Budget Bill does not pass by the 90<sup>th</sup> day, the Governor must proclaim an extended session. 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 budget by the 90<sup>th</sup> day requiring an extended session.

The fiscal 2008 budget increases spending by 5.7% over the fiscal 2007 budget and contains a net increase of 1,071 new positions. The budget assumes no general tax increases and no revenue from new forms of gambling (slot machines), but does transfer \$978 million from the Revenue Stabilization Account (Rainy Day Fund). The Governor's proposal is below the General Assembly's Spending Affordability Committee recommendations.

Among the highlights of the proposed budget are:

- \$683 million in additional aid to education, including increased retirement payments, bringing the amount of State aid to elementary and secondary education to \$5.2 billion;
- \$3.9 million for nonpublic school textbook aid;

- \$68 million in additional assistance for the State's colleges and universities, including \$16 million for an in-state tuition freeze for the University System of Maryland and Morgan State University;
- \$4.7 billion for the medical assistance program, plus an additional \$190 million for the Maryland Children's Health Program;
- \$111 million for State employee salary adjustments, including a 2% cost of living adjustment (COLA);
- \$100 million for costs of future retirees' health benefits; and
- \$25 million for the Stem Cell Research Fund in the Maryland Technology Development Corporation's budget.

The Governor also submitted his \$1.5 billion capital budget to the General Assembly, which includes a net borrowing of \$810 million in general obligation bonds. The capital budget does not consist of one bill, but of the \$806.8 million in general obligation bond funds in the "Maryland Consolidated Capital Bond Loan of 2007" ([SB 56/HB 51](#)) and approximately \$23 million in additional bond authorizations. The remainder consists of funds in the Budget Bill and academic revenue bonds. These figures exclude transportation projects.

The Maryland Constitution does not allow a bond bill to pass until the Budget Bill has passed. In a bond bill, the General Assembly may increase the authorization for a project, or add a project, as well as delete or reduce projects.

Under the capital budget, public school construction receives \$388.2 million almost entirely in general obligation bond money. State colleges and universities receive an additional \$180.1 million, and community colleges an additional \$56.4 million.

Program Open Space receives \$172.6 million in State funds and \$4 million in federal funds in the Budget Bill. The Rural Legacy Program receives \$25.9 million in the Budget Bill and the Community Parks and Playgrounds Program receives \$5 million in bond funds. The Chesapeake Bay Water Quality Project Funds receive \$24.3 million in bond money. The Agricultural Land Preservation Program receives \$70 million in State and federal funds in the Budget Bill.

## **HEALTH CARE AND HEALTH INSURANCE**

Reintroduced this year, the Clean Indoor Air Act of 2007 ([SB 91](#)) expands the locations, including restaurants and bars, in which individuals are not allowed to smoke and increases the fines for smoking in nonsmoking areas.

Over a 10-year period, the Environmental Tobacco Smoke Elimination and Waiver Act ([HB 78](#)) phases in a smoking ban in Maryland jurisdictions that do not already prohibit smoking in restaurants and bars.

Following a national health trend, [HB 91](#) generally bans the use of artificial trans fat in foods prepared in restaurants.

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## **STATE GOVERNMENT**

Legislation to name June 20 as Maryland Charter Day has moved to the House after passing the Senate earlier in the week ([SB 5](#)).

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## **TRANSPORTATION**

Banning drivers from activities that are distracting has been a major concern for the past several years. Under consideration this session, [SB 30](#) prohibits the driver of a motor vehicle from engaging in distracted driving and restricts the use of wireless communication devices by drivers of moving vehicles. [SB 44](#) and [HB 86](#) prohibit a driver of a motor vehicle that is in motion from using a “hand-held” wireless communication device. However, a school bus driver who is in motion with passengers, or a person 18 years or older who has a learner’s instructional permit or provisional driver’s license, may not use any wireless communication device.

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## **ELECTION OF THE STATE TREASURER**

As required by Maryland law, a special joint legislative committee will conduct interviews of applicants for the position of State Treasurer on January 30. On February 1, the General Assembly will elect the Treasurer by joint ballot of the Senate and the House, as required by the Maryland Constitution at the beginning of each term.