



# The Legislative Wrap-Up

Library and Information Services, Department of Legislative Services

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## BILL INTRODUCTIONS AND DEADLINES

The 2008 session bill counts have reached 150 in the Senate and 154 in the House and may be expected to reach the 2,500 mark as upcoming deadlines approach:

- Administration Bill Deadline (**January 18**) requires that Administration bills, i.e. those from the Governor, introduced after this date be referred to the Senate Rules Committee;
- Bill Request Guarantee Date (**January 22**) requires legislators to request that bills be drafted by this date to guarantee preparation for the bill introduction deadlines;
- Senate Bill Introduction Date (**February 1**) requires that Senate bills introduced after this date be referred to the Senate Rules Committee; and
- House Bill Introduction Date (**February 8**) requires that House bills introduced after this date be referred to the House Rules and Executive Nominations Committee.

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## IN MEMORIAM

On Thursday, January 17, the Senate of Maryland, joined by members of the House of Delegates and her family and friends, paid tribute to Senator Gwendolyn T. Britt (District 47, Prince George's County) who passed away suddenly on January 12, 2008. During the ceremony, the Governor joined a number of Senator Britt's colleagues in praising her courage, dignity, and determination to stand up for her beliefs.

First elected to the Senate in 2002, Senator Britt's current leadership positions included Assistant Deputy Majority Leader and Chair of the Prince George's County Delegation. Principal committee assignments included the Education, Health and Environmental Affairs Committee, the Joint Committee on Administrative, Executive and Legislative Review, and the Joint Committee on Access to Mental Health Services. Additionally, Senator Britt had most recently served as the Secretary of the Legislative Black Caucus of Maryland and had been active in the Women Legislators of Maryland, serving as 1st Vice-President. This session she was slated to lead the movement to pass

legislation to legalize same-sex marriages. During the 2007 session, she spearheaded the successful passage of legislation that restored voting rights to ex-offenders.

A native Washingtonian, Senator Britt was a life-long activist in the civil rights movement, beginning in 1960 when she was arrested for trying to ride the merry-go-round at Glen Echo Park. Later, she gave up her studies at Howard University to join the Freedom Riders and was jailed for 40 days in Mississippi for sitting in a whites' only train station. Subsequently, Senator Britt married, raised two children, retired as a human resources and personnel manager for Giant Food, and earned a degree from Bowie State University. She remained a prominent and dedicated community activist until her death.

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## COMMITTEE BRIEFINGS

During the first weeks of the 2008 session, the principal standing committees were briefed on issues of interest related to each committee. Representatives from Maryland State agencies, local governments, statewide and local nonprofit organizations, and the National Conference of State Legislatures presented information on a wide range of issues. These included Base Realignment and Closure (BRAC), Medicaid, mortgage foreclosures, gasoline sales practices, electric restructuring, speed cameras, lead paint, Real ID Act, Chesapeake Bay 2010 Trust Fund, StateStat, child welfare, long term care, green buildings, Maryland ports, and oysters and the Bay, as well as the use of electronic health records and the shortage of nurses in the State.

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## CRIMES, CORRECTIONS, AND PUBLIC SAFETY

Testimony was presented this week on legislation to:

- expand hate crime prohibitions to include the hanging or placing of a noose on the property of a person or group because of the race, color, religious beliefs, sexual orientation, or national origin of the person or group ([HB 41](#) and [HB 80](#));
- remove the entitlement to diminution credits for prisoners serving time in a State prison or local jail for committing a violent crime and also increase the

mandatory minimum sentence for first degree rape and first degree sexual offense committed against a child under 13 by a person 18 or older ([HB 34](#)); and

- require, with specific exceptions, the electronic recording of custodial interrogations of persons suspected of committing murder, rape, or a sexual offense ([HB 6](#)). If a court finds that a suspect's unrecorded statement is in violation of this requirement, the statement is inadmissible as evidence. The companion bill, [SB 76](#), is not yet scheduled for a hearing.

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## **ECONOMIC AND BUSINESS ISSUES**

This week a committee heard [SB 3](#), the "Fallen Soldier Privacy Act of 2008," which prohibits for a period of 50 years the use of the name, portrait, picture, or image of an active duty military member who has been killed in the line of duty, without the consent of the surviving spouse, personal representative, or majority heirs of the deceased soldier. A person convicted of violation is guilty of a misdemeanor and subject to a fine of up to \$2,500, up to one year imprisonment, or both. Other states including Arizona, Louisiana, Oklahoma, and Texas have passed similar laws. The companion bill, [HB 64](#), will be heard at the end of the month.

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## **FISCAL MATTERS**

Governor O'Malley has submitted the \$31.6 billion fiscal 2009 Budget Bill ([SB 90/HB 100](#)) to the General Assembly. The Maryland Constitution requires that the budget be balanced and that the General Assembly pass the Budget Bill by the 83rd day, which is March 31 this year, or the Governor must proclaim an extended session if the Budget Bill 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 budget by the 90<sup>th</sup> day, requiring an extended session. The General Assembly may reduce the Governor's proposed amounts for the Executive Branch but may not increase them. The Senate and the House alternate years in moving the Budget Bill. This year the Senate bill ([SB 90](#)) will be the measure that is enacted.

The fiscal 2009 budget increases spending by about 4% over the fiscal 2008 budget using the General Assembly's Spending Affordability Committee's framework, while keeping the proposal below the Spending Affordability Committee's recommendations.

Among the highlights of the proposed budget are:

- \$182 million in additional aid to education, including \$76 million for the Geographic Cost of Education Index, bringing the amount of State aid to elementary and secondary education to \$5.3 billion;
- \$3.6 million for nonpublic school textbook aid;
- \$134 million as an increase 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 with a total allowance of \$4.4 billion;
- \$5.5 billion for the medical assistance program including \$195 million for the Maryland Children's Health Program, and \$109 million for the new Health Care Coverage Fund established by Chapter 7 of the 2007 Special Session;
- \$50 million for the Chesapeake Bay 2010 Trust Fund plus a \$60 million increase to \$280 million for the Department of the Environment;
- \$125 million for improving health care access by expanding Medicaid eligibility and subsidizing small business coverage, including the \$109 million for the Health Care Coverage Fund;
- \$210 million to fund costs of future retirees' health benefits;
- \$23 million for the Stem Cell Research Fund in the Maryland Technology Development Corporation's budget; and
- \$85 million for the Intercounty Connector in the State Reserve Fund's Dedicated Purpose Account.

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## **NEXT WEEK**

On Wednesday, January 23, Governor Martin O'Malley will deliver his State of the State address to the General Assembly assembled jointly in the chamber of the House of Delegates. A number of fiscal briefings by staff of the Department of Legislative Services are slated for the coming week, along with bill hearings and additional briefings.