



# The Legislative Wrap-Up

Library and Information Services, Department of Legislative Services

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## BILL INTRODUCTIONS

During the first full week of the 2009 session the number of bills introduced and read across the desks reached 358–215 Senate bills and 143 House bills. The General Assembly continued a heavy schedule of hearings and meetings during the week, while making time for many legislators to attend President Barack Obama's inauguration and related festivities. Also, during the week the chambers honored Rev. Martin Luther King, Jr. with speeches commemorating his legacy and accomplishments.

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## FISCAL MATTERS

Meeting the constitutionally mandated deadline of the third Wednesday in January, on January 21, Governor O'Malley submitted the \$31.6 billion Budget Bill ([HB100/SB165](#)) for fiscal year 2010 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 April 6 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 bill 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 House will move the Budget Bill this year.

The fiscal 2010 budget increases spending by 2.5% over the fiscal 2009 budget and includes a net reduction of 1,175 positions. The General Fund of \$14.4 billion represents a 1.3% decrease over fiscal 2009. The Governor's proposal is below the General Assembly's Spending Affordability Committee recommendations.

Language in the Budget Bill requires the Governor to develop a schedule to reduce the appropriations for the Executive Branch by \$30 million, which may be the authority to reduce State employee positions by 700, but the language does not specify the nature of the reductions and the language neither specifically requires nor excludes layoffs.

Among the highlights of the proposed budget are:

- \$4.6 billion in direct aid to education representing a \$71 million (1.5%) decrease over fiscal 2009. The budget includes \$759 million in retirement payments, bringing the amount of State aid to elementary and secondary education to \$ 5.4 billion;
- \$2.4 million for nonpublic school textbook aid;
- \$1.2 billion in general funds for the State four-year universities and colleges enabling them to maintain an in-state tuition freeze;
- \$5.7 billion to the medical assistance program;
- \$191 million for newly eligible parents in the Medicaid expansion, known as Medical Assistance for Families. This budget item assumes an additional \$350 million in federal funds;
- \$39 million in additional funds for services for individuals with developmental disabilities;
- \$25 million for the Chesapeake Bay 2010 Trust Fund;
- \$299.6 million for the Department of the Environment, an increase of \$21.3 million, including a 33% increase for the Water Management Administration to \$38.4 million;
- \$18.4 million for the Stem Cell Research Fund in the Maryland Technology Development Corporation's budget;
- \$38 million in State funds for Program Open Space plus an additional \$11 million in federal funds for a total allowance of \$49 million; and
- \$63 million for the Intercounty Connector in the State Reserve Fund's Dedicated Purpose Account with language that the allowance be reduced by this amount and general obligation bonds be used instead.

Additionally under the budget, State employees receive no cost of living adjustment (COLA), merit increases, and no deferred compensation match, contingent upon language in the Budget Reconciliation and Financing Act, also known as BRFA ([HB 101/SB 166](#)). A balanced budget is contingent upon changing the allocation of

revenue, reducing required expenditures, and increasing revenue. BRFA reduces required expenditures by \$214 million and increases General Fund revenues by \$646 million. Among its changes, BRFA:

- increases the monthly supervision fee for the Drinking Driver Monitor Program from \$45 to \$55;
- reduces the required appropriation for the Joseph A. Sellinger Program of State aid for private universities and colleges;
- reduces the required State aid for public libraries;
- reduces the required appropriation for tobacco use reduction programs;
- transfers \$366.8 million from the Local Reserve Account of income tax revenues to the General Fund; and
- reallocates a portion of the revenue dedicated to the Chesapeake Bay 2010 Trust Fund.

## **NEXT WEEK**

Tuesday, January 27, the 14<sup>th</sup> day of the 2009 session, is the Senate and House bill request guarantee date. A legislator who requests that a bill be drafted by the 14<sup>th</sup> day is guaranteed that the bill will be prepared for introduction by the bill introduction deadlines of February 6 for the Senate and February 13 for the House of Delegates.

On Thursday, January 29, at noon legislators will gather in the chamber of the House of Delegates to hear Governor O'Malley deliver the State of the State address.

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## **ECONOMIC AND BUSINESS ISSUES**

At the federal level and in other states, legislation has been sought to limit the use of foreign-made American and state flags. Following suit, [SB 7](#), heard by committee this week, requires flags of the United States and the State of Maryland that are displayed on State property to be manufactured in the United States. The companion bill, [HB 7](#), will be heard next week. On a related topic, [SB 20](#), scheduled to be heard February 4, prohibits selling a flag of the United States or a State flag in Maryland unless it is manufactured in the United States.

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## **TRANSPORTATION**

The safety issue of driving while using a cell phone has returned, with four bills introduced to date on the topic. [SB 98](#) and [HB 72](#) both prohibit using a text messaging device to write, send, or read a text message while operating a motor vehicle. [SB 103](#) addresses the use of handheld telephones and [SB 143](#) specifies the use of wireless communication devices. In another safety-related issue, companion bills have been introduced to restrict the roads of operation for motor scooters ([SB 18/HB 25](#)).