



# The Legislative Wrap-Up

Library and Information Services, Department of Legislative Services

---

Issue 09-3

January 26-30, 2009

---

*(Click on Issue above for previous Wrap-Ups)*

## INTRODUCTION OF BILLS

During the second full week of the 2009 session, the number of bills introduced and read across the desks reached 743 – 378 Senate bills and 365 House bills, and the General Assembly continued a busy schedule of hearings and briefings. Next Friday, February 6, is the Senate Bill Introduction Date after which Senate bills are referred to the Senate Rules Committee.

---

## STATE OF THE STATE ADDRESS

Governor Martin O'Malley delivered his third State of the State address to a joint session of the General Assembly on Thursday, January 29, in the House Chamber. Sounding a positive and optimistic tone, he remarked that "just as our challenges cannot be underestimated, neither can our strengths" and cited a "growing and renewed sense of hope and optimism, based on the values of our community and our sense of personal responsibility." However, the positive themes of his speech were tempered with the need for Marylanders to work together to "protect our shared priorities and strengthen Maryland's safety net for families in need during these tough economic times." He also pledged to protect Maryland's gains in public education, to focus on public safety initiatives, and to work with renewed efforts to meet the "interrelated challenges of protecting the health of Maryland's children and its environment."

---

## ADMINISTRATION BILLS

On behalf of the Governor, each session the President of the Senate and the Speaker of the House of Delegates sponsor the Administration's package of legislation. The 2009 legislation, introduced this week, addresses a number of topics. These include measures to tighten drunk and drugged driving penalties ([SB 259/HB 301](#), [SB 260/HB 307](#), [SB 262/HB 293](#), and [SB 263/HB 305](#)), restrict consumption of alcoholic beverages by underage individuals ([SB 261/HB 299](#)), and increase the minimum ages at which an individual may obtain a learner's instructional permit, provisional license, and full driver's license ([SB 265/HB 303](#)).

Other Administration legislation pertains to the surrender of firearms in relation to protective orders ([SB 267/HB 296](#), [SB 268/HB 302](#)), prohibition of State Police surveillance of individuals ([SB 266/HB 311](#)), and repeal of the death penalty ([SB 279/HB 316](#)). Additional bills seek to expand unemployment benefits to part-time workers ([SB 270/HB 310](#)), and increase protection for Maryland's natural resources under the umbrella of "Smart, Green, and Growing" measures especially related to planning and local jurisdictions ([SB 273/HB 294](#), [SB 276/HB 295](#), [SB 280/HB 297](#)). Other legislation targets greenhouse gas emissions reduction goals ([SB 278/HB 315](#)), continues the Maryland Heritage Structure Rehabilitation Tax Credit Program ([SB 258/HB 309](#)), authorizes speed monitoring systems ([SB 277/HB 313](#)), and specifies funding levels for the Higher Education Investment Fund, a fund that invests in public higher education and workforce development ([SB 275/HB 308](#)).

---

## ELECTIONS

A significant contingency of Maryland's deaf and hard of hearing community testified on [SB 97](#) this week. The legislation requires that closed captioning for deaf or hard of hearing viewers be included in any campaign advertisement distributed by a campaign finance entity by broadcast or cable television, or on its web site. The bill also requires that a transcript of the spoken content of any campaign advertisement distributed by a campaign finance entity by broadcast or cable radio be posted on the campaign finance entity's web site. The bill includes provisions allowing a campaign finance entity to be exempted from these requirements by the State Board of Elections.

Other states that have closed captioning requirements, and/or requirements that transcripts of radio or television content be provided for political advertisements include Florida, Minnesota, and Rhode Island. The National Association of the Deaf indicates that roughly 10% of Americans are deaf or hard of hearing.

## FISCAL MATTERS

The Governor has submitted his \$1.5 billion capital budget to the General Assembly, which includes a net borrowing of \$1.1 billion in general obligation bonds. The capital budget does not consist of one bill, but of \$1.1 billion in general obligation bond funds in the “Maryland Consolidated Capital Bond Loan of 2009” (HB 102/SB 167), approximately \$53 million in additional bond authorizations, funds in the Budget Bill (HB 100/SB 165), and academic revenue bonds. These figures exclude most transportation projects.

Under the capital budget as submitted, public school construction receives \$268.6 million largely in general obligation bond funds. State colleges and universities receive an additional \$204.9 million in general obligation bonds, plus an additional \$27 million in revenue bonds. Community colleges receive an additional \$84.3 million in general obligation bonds.

The Program Open Space, Rural Legacy programs, Department of Natural Resources park capital improvements, and the Heritage Conservation Fund allowance combined have an allowance of \$38 million in State special funds and \$11 million in federal funds. The Community Parks and Playgrounds program receives \$5 million in general obligation bonds. The Agricultural Land Preservation Program receives \$25.6 million in State and federal funds in the Budget Bill.

The Department of the Environment receives \$281 million for water and wastewater projects in HB 102/SB 167 and in the Budget Bill, including \$130 million for the Enhanced Nutrient Removal Program, \$106 million for the Maryland Water Quality Revolving Loan Fund, and \$1 million for sewer rehabilitation.

Other allocations in capital budget funds include:

- The Community Health Facilities Grant Program, which provides capital funds for mental health, developmental disabilities, and substance abuse community centers, receives \$8.4 million in general obligation bonds;
- The Partnership Rental Housing Program, a grant program to help construct low-income rental housing, receives \$6 million, and homeless shelters receive an additional \$1.5 million in grants;
- The Maryland State Police receive \$40 million in general obligation bonds to replace helicopters;
- Local detention centers receive \$23.1 million in general obligation bonds; and

- The Intercounty Connector receives \$146.9 million in general obligation bonds.

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

---

## TRANSPORTATION

Testimony was heard this week on HB 97, which creates the misdemeanor offense of criminally negligent manslaughter by vehicle or vessel. The bill increases penalties in reckless driving cases that result in deaths where the drivers have not shown “gross negligence.” New provisions give a maximum sentence of three years in jail and a \$5,000 fine.