

## General Assembly Sine Die Update – April 14, 2009

The 2009 General Assembly Session was the busiest and most difficult session that I have experienced in my three years in Annapolis. It was filled with tough issues: budget, environmental, social and economic. Complete information, fiscal notes, amendments and roll call votes (if it was voted upon on the House Floor, on any bill can be found on the General Assembly website at [www.mlis.state.md.us](http://www.mlis.state.md.us). I will share with you my thoughts on several of the issues considered, but will be happy discuss any of these issues in more detail with you.

### The Budget

The most important issue of the 2009 General Assembly Session was the 2010 budget; it truly took the entire session. Information seemed to change daily, with decreasing State revenue projections and news from the Federal Government on Stimulus funds. In the end, a balanced budget of \$13.8 billion was passed, 3.3% less than the FY 2007 General Fund budget. The "Rainy Day Fund" was increased by \$96.2 million to a total of \$650 million. We cut \$825 million but still funded \$260 million for new school construction and kept college tuition level for the fourth year.

District 32 received bond funding for the Veterans' Memorial and for the Benson Hammond House repairs. Also, the Historical Rosenwald School, Freetown Elementary, received funding for the renovation of the school.

### Speed Cameras, Texting, and Young Drivers

On April 10, the House of Delegates voted on Senate Bill 277. This bill authorizes all counties and municipalities to install speed monitoring cameras in work and school zones. Montgomery County has had great success with changing driver habits and now the entire State will be able to harness its positive benefits. The Montgomery County results showed that drivers adopted safer driving behaviors in school and construction areas. For

school zones, this is enabling legislation. This means the County Council will need to introduce a bill, hold public hearings and vote to revise the County Code to install speed cameras in school zones.

While many bills were introduced concerning use of cell phones, text messaging, distracted driving and use of electronic equipment while driving, in the end, a Senate Bill prohibiting text messaging did pass. If you are cited for "texting while driving" a \$500 fine could be imposed.

House Bill 303, Teen Driver Safety, teens must now have nine months of driving experience before obtaining a drivers license, so this changes the minimum driving age to sixteen years, six months. It also expands the timeframe for a "Provisional License" to age eighteen if the driver is convicted of a moving violation. The bill also added requirements for criminal history checks and fingerprints for driving instructors.

## **Real ID**

House Bill 387 and Senate Bill 369 remained in conflict literally until the "eleventh hour" of the General Assembly. In the end, the House Bill passed with many amendments from the Senate. The important part of this legislation is that persons that in Maryland without "Legal Presence" will not be eligible for a driver's license after June 1, 2009. All license renewals will need to be documented and those without documents will only be able to renew until June 30, 2015. Here is the MVA website for the new driver's license requirements.

<http://www.marylandmva.com/DriverServ/Apply/lawfulpresence.htm>. While I am not happy about the long compliance period, I think it is important to know that Maryland will stop issuing driver's licenses to people that are not in Maryland legally. MVA estimates that Maryland was issuing 2000 driver's licenses per week to undocumented applicants.

## **Preakness**

On Saturday, April 10, the Senate voted to use eminent domain to save the Preakness and the Pimlico, Laurel, and Bowie Race Courses. On Monday, April 13, Sine Die, the House confirmed the vote. By taking this precaution, the State has one last step to attempt to keep our long-running Preakness in the State for Marylanders to enjoy. As Governor O'Malley has stated, eminent domain will only be used if no other bidders enter the market to purchase the race tracks. I did not vote for this legislation because I was not pleased with prospect of MEDCO running the racetrack or obtaining bonds. MEDCO is the organization that developed Compass Point Golf Course and Rocky Gap. I did not want to support MEDCO in another similar development.

### **Standing Bill**

House Bill 1569 establishes new guidelines for judicial review on the part of Maryland Department of the Environment (MDE) regarding issuance, denial, renewal, or revision of specified permits and by MDE with respect to a license to dredge or fill in State wetlands. This bill will allow for those who have a stake in the permitting of a certain environmental project to be a part of the permitting process, given they fall under certain federally establishing standing guidelines. It also expands standing in the Critical Area where a variance is required. This is an important change in the law for citizens and associations. I am pleased to share that my Chairman, Maggie McIntosh, created this bill and it took a great deal of work to bring everyone to consensus. I was a member of this work group and there were literally hours of testimony.

### **Re-regulation**

In this day of ever increasing energy costs, the Administration supported Senate Bill 844, which would return Maryland to a regulated electricity market. However, the House of Delegates did not get this bill until the last week of session and the Chairman of the Economic Matters Committee felt that this issue was too important for a quick decision. Significant discussion

took place on both sides of the issue. Many believed that even with re-regulation, utility bills would not be reduced and therefore probably not a good change for consumers. Maryland is just starting to see opportunities for competition from deregulation and a significant number of businesses wanted to be exempt from the change. Personally, I am reviewing options to change my electricity provider and see if competition really works.

### **Critical Area Septic Systems**

Senate Bill 554 and House Bill 176 passed with amendments. As amended, the bills require that all new on-site sewage disposal systems, installed in the Chesapeake and Atlantic Coastal Bays Critical area, be a "nitrogen removing system." Nitrogen removal technology for new septic systems has been a requirement in Anne Arundel County since the zoning code was re-written in 2003 (17-8-203). This change in State law conforms to existing Anne Arundel County Code for new construction, while providing property owners access to an additional funding mechanism geared toward reducing their out-of-pocket costs. The funding assistance for the extra expense of the Nitrogen Reducing Systems is provided in this order of priority:

- 1) Replacement of existing septic systems in critical areas,
- 2) Replacement of existing septic systems in any area, and
- 3) New septic systems for new homes.

This change is one more small piece to reduce pollutants in the Chesapeake Bay.

### **Medevac**

Senate Bill 650 was written to privatize part of the State's helicopter fleet that responds to emergencies requiring Medevac assistance to be transported to shock trauma. This service is run by the Maryland State Police because they use the helicopters for emergency medical services, law enforcement, homeland security, and other pertinent issues. Senate Bill 650, with Senate Bill 649, died in the Senate on March 28 by a vote of 22 for and 24 against. This means that Maryland's Medevac service, the finest Medevac service in the nation, will maintain operations with the men and women of the Maryland State Police who

actively protect Maryland on a daily basis. Three new Medevac copters will be purchased in 2010 for a cost of \$52.5 million. The House workgroup, Chaired by Delegate John Bohanan, recommended other important changes to the Medevac fleet. The complete report can be found on the General Assembly website.

## **Death Penalty**

The repeal of the Death Penalty was a controversial issue that received many hours of debate and deliberation. Senate Bill 279 - Criminal Law - Death Penalty - Evidence, originally sought to repeal the death penalty. The bill was amended to restrict the use of the death penalty to cases in which the State presents the court or jury, with biological or DNA evidence, a video recording linking the defendant to the murder, or a videotaped voluntary confession. It also prohibits the death penalty in a case in which the State relies solely on evidence provided by eyewitnesses. I believe this bill was the best compromise. It protects the innocent while at the same time retains the death penalty for the most egregious of crimes.

Please continue to contact me with your questions and concerns. By email: [Pamela.Beidle@house.state.md.us](mailto:Pamela.Beidle@house.state.md.us), by phone 410-841-3370, or my mail. Just a reminder, my Legislative Assistant, Nancy Crawford, is part-time when we are not in session. She will most likely be in the office on Tuesday, Wednesday and Thursday. Thank you for your input to issues and continued support.