

April 11, 2012

TO: THE PEOPLE OF LEGISLATIVE DISTRICT 8

THE 2012 GENERAL ASSEMBLY: A HISTORY - MAKING SESSION

The 2012 General Assembly session made history. Unfortunately, the historic nature of the session was negative. When it adjourned on April 9, the Assembly failed to pass the revenue portion of the budget, known as the Budget Reconciliation Financing Act (BRFA). Therefore at this time, there is no money to balance the budget. We have an unbalanced budget, which must be cut by \$500 million to bring it into balance. The Governor will need to call a special session some time before July 1, when the present “doomsday” budget will become effective. In addition to the budget, other legislation may also be considered.

Among those issues sure to be debated will be a state income tax increase for Marylanders whose annual income exceeds \$100,000. This income tax increase was contained in one version of the BRFA. Additionally, the Governor’s plan to make the counties bear the cost of the teachers’ pensions was also included in the BRFA and therefore, will not take effect unless is brought up in a special session.

The Assembly also doubled the “flush” tax. Marylanders on septic systems who now pay a \$30 annual tax, will now pay \$60 annually. People who are connected to public water now pay a monthly tax of \$2.50, which will be increased to \$5.00 a month (\$60 a year). The revenue from the tax goes into the Bay Restoration Fund to bring state wastewater treatment up to federal standards. While it’s hard to argue with this use of the tax revenue, I do not feel there are necessary assurances that those funds will not be transferred to help balance future budgets. I also opposed hitting Marylanders with yet another tax increase.

Legislation was approved to require residents of the ten largest subdivisions, which includes Baltimore County, to pay an undetermined fee to implement the watershed plan. This will reduce the amount of polluted rainwater flowing into the Bay from impervious surfaces, such as roads, driveways and pavements. The bill makes the large counties impose an annual fee on property owners, based on the value of their property, to pay for the watershed plan, estimated to cost \$11 billion. I opposed this measure as well as Maryland property owners would again be forced to bear the high cost of this environmental program.

One of the positive outcomes in the 2012 session was the defeat of the Governor’s effort to impose the state’s 6% sales tax on the price of per gallon gas. Both the Senate and the House, including this delegate, refused to budge on opposition to the gas tax. When the Governor knew his gas tax was dead, he quickly proposed a one cent increase on the 6 cent sales tax. I also opposed this measure and the idea was promptly shot down.

There was a measure to restrict development in rural areas by limiting the number of new septic systems home builders could install. The Governor’s bill originally gave the State the authority to overrule the counties on zoning and land planning decisions. However, the approved bill was changed to prohibit the state from overturning county zoning and land development plans.

Maryland became the sixth state to approve same-sex marriages.

The state ensured continued local support of education with the approval of legislation to require local government to spend at least as much on funding education as they did in the previous year. If they cannot afford to meet the maintenance of effort funding level, the local government can obtain a waiver from the Board of Education.

I supported online password and privacy protection by voting in favor of a bill that makes it illegal for any employer or potential employer to require the disclosure of usernames or passwords used to access online accounts. This practice most commonly targeted the login information of social networking sites, such as Facebook and Twitter. In my opinion, the forced disclosure of such personal information or the information protected by these accounts constitutes an invasion of privacy. This legislation passed both the House and Senate and is awaiting the Governor's signature.

The Governor's bill to establish an offshore wind farm, which I have fought against for two years, failed again to obtain approval. Many people have been talked into supporting the legislation as a clean energy bill. Indeed, it is a clean energy bill, but one the average residential electric user cannot afford. Wind power is the most expensive and least dependable form of energy. A study, commissioned by the New Jersey Division of Rate Counsel, revealed the project was not in the public's best interest, would have a negative impact on the state's economy, costing New Jersey \$1 billion and 30,000 jobs lost and increased electric rates by \$15 million to \$37 million. The bottom line is the cost to the consumer of wind power, estimated at 20 cents to 26 cents per kilowatt hour. We now pay between 8 cents and 9 cents per kilowatt hour.

I supported the Governor's bill allowing the state to form public-private partnerships to finance, build, operate and maintain roads, bridges, schools and public buildings. Had the bill passed, it would have made it state policy to seek out private partners for the State of Maryland. I see this as a very good opportunity to create jobs in this struggling economy.

While none of us look forward to a special session, and while I would have hoped that the leadership in the Senate and House could have come to a compromise before the session ended, I will continue to oppose unneeded spending and tax increases. I will also continue to push for alternative revenue sources that do not increase in taxes or fees.

I hope you found this brief wrap up of the 2012 Legislative Session useful. If you would like to receive a more comprehensive 29 page wrap up, please let me know and I will be happy to send it to you. If you have any questions regarding these or any other legislative issues, please do not hesitate to contact me. I continue to encourage and welcome your input.