

From Annapolis: McDonough, Republicans, played good defense; Burns calls session 'most contentious'

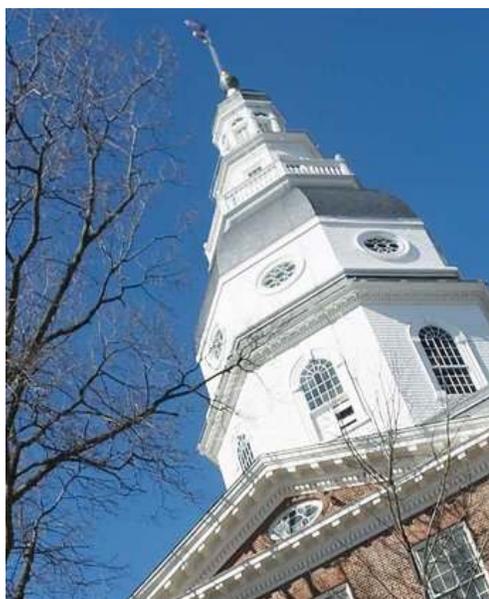
Reports from the close of the 2011 General Assembly session

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Reporter Steve Schuster was in Annapolis for the final day of the 2011 session ...

10:39 p.m. -- Many hours before the 2011 legislative session drew to a close, two Baltimore County delegates reflected on this year's assembly.

Second-term 7th District Republican Del. Patrick McDonough, who represents portions of Baltimore as well as Harford County, said there have been controversial issues this year -- same sex marriage, transgender rights, gasoline tax and massive budget spending -- but one of the biggest challenges of the session remains the same every year.

"There is a massive philosophical difference between the Democrats and the Republicans," he said.

"Democrats have 98 votes, we (Republicans) only have 43 -- so, we play defense a lot."

Most of the Democrats ... (especially) from Montgomery and Prince George's County are tax-and-spend, big government liberals -- and with redistricting they are going to become even bigger. So, Baltimore County in essence is becoming a stepchild," he said.

His proudest accomplishment? Good Republican defense.

I think you have to give us an A+ on defense. As I say we are outnumbered."

On the other side of the aisle, Dist. 10 Democrat Del. Emmett Burns Jr., who represents Randallstown, Woodlawn and part of Catonsville, called this session "the most contentious" since he first served as a legislator in 1995.

"The new delegates have a Tea Party mentality and they don't give deference to the civility of the House as we once knew. I'm afraid we have reached the divide today in that regard," Burns said.

Burns is most pleased however, that the same-sex marriage bill did not pass. "I fought that," he said.

Despite the current economic climate --- Burns remains hopeful.

"All in all, we are broke as state and we have patched together a budget that maintains our AAA (bond) rating. But, hopefully we will be in a better shape when we come back next year," Burns said.

Olszewski sees red on alcohol tax; Stein sees green on energy bills

9 p.m. -- As the Senate chamber was busy discussing SB 690 -- a bill on renewable energy -- a couple local members of the House of Delegates offered their reflections on the 2011 session in Annapolis.

Baltimore County delegation chair Del. John Olszewski Jr., who represents 6th District (Dundalk), said his highlights for the session include that:

"We successfully passed legislation that will study the school board selection method, require more transparency and accountability for contracts issues by the school board, and (will) allow our state wineries to visit farmer's markets around the county to provide samples of their products," he said.

But he wasn't happy with tax and fee measures.

"I was surprised to see the legislature take up any new taxes this session, especially in light of a summer full of campaign promises not to head down this road," Olszewski said.

"I'm most disappointed that the legislature opted to significantly increase spending in areas such as in-state tuition, while also pushing to take more in tax revenue from our small businesses and citizens through a 50 percent increase in the alcohol tax," he said.

Meanwhile, Del. Dana Stein, of the 11th District (Owings Mills), said he was happy with an energy bill -- HB 972, which "allows local jurisdictions to adopt the International Green Construction Code. The code provides for more 'green' and energy efficient features in building construction," he said.

But Stein said he was disappointed with passage of House Bill 1121, which "puts energy from incinerators on the same par as clean energy (solar, wind, etc.) in the state's renewable energy statute.

"I've been an advocate for expanding Maryland's use of clean energy," he said, "and this bill sets back our efforts to develop clean energy."

Speaking of energy, Stein said too much was expended on partisan politics.

"This session, the debate was more partisan than in previous years. Perhaps it was the issues we were debating," he said.

Doctor in the House lauds passage of medical marijuana defense bill

8:10 p.m. -- State Del. Dan Morhaim of the 11th District - the only physician serving in the General Assembly - gave a good prognosis on Monday at 8 p.m. regarding several bills he has pressed this session, including one to allow a legal defense for people who use marijuana for medical purposes.

The bill, House Bill 291/Senate Bill 308, sets up study for Maryland model medical marijuana bill and allows for affirmative defense for sick people who can prove medical necessity.

The bill allows individuals diagnosed with debilitating medical conditions, such as cancer or multiple sclerosis, to avoid conviction if charged with the non-public use or possession of one ounce or less of marijuana.

We talked to Morhaim via email as the action picked up on Monday evening, but in a statement issued by the Washington-based marijuana project, Morhaim said, "Today's vote is a move toward compassion for those who might benefit from this drug."

"A growing body of evidence suggests marijuana is helpful in treating certain conditions, and seriously ill people who use marijuana to treat such conditions on the advice of their physician should not be considered criminals," he said in the statement.

In addition, a work group consisting of medical, legal and law enforcement representatives will be convened to recommend legislation for next year.

In his correspondence with us, Morhaim also touted several other measure he's supported during this session:

HB 82 - Morhaim said this bill helps with end-of-life care by empowering patients and families to make their wishes known and followed.

HB 286 - sets standards in hospitals and ambulatory surgery centers to help prevent unnecessary procedures.

HB 941- gives restaurants discretion in allowing dogs in outdoor patio restaurants under certain rules. Morhaim said it would help "create jobs, revenues (and) economic activities."

HB 456 - a measure he said was focused on minority and women business opportunities.

Brochin proud of stricter prohibition on texting while driving

7:20 p.m. -- Within the past hour on the floor of the Senate, state Sen. Jim Brochin said he was feeling fairly proud about two accomplishments this legislative session -- not raising taxes and the passage of a measure (SB424) that further restricts texting while driving.

"Texting and driving don't mix," Brochin said.

Brochin, who represents Towson in the 42nd District, was talking with other legislators and reporters moments before the bells rang this evening -- indicating that the session was about to begin again.

The texting bill was co-sponsored by Brochin, and was cross-filed with a House bill whose lead sponsor was Del. Jim Malone of the District 12A District (Catonsville and Arbutus).

Current Maryland law only prohibits writing and sending text messages and is a secondary offense -- secondary offenses are only enforced when a motorist is stopped for a different offense such as speeding.

Under the new law, which will take effect Oct. 31, reading text messages while driving -- along with writing and sending them -- will also be prohibited as a primary offense, Brochin said.

As we spoke, aides and pages were seen running through the aisles back and forth with papers for legislators.

It was unclear if any were texting while running, but that carries no penalty in Annapolis -- especially on the final day of the session.

Kamenetz says county should get healthy slice of any alcohol tax revenue

In the closing hours of the 90-day General Assembly on Monday, Baltimore County Executive Kevin Kamenetz held court in Annapolis, offering his take on the session.

Kamenetz said the county could receive additional millions in funds for school construction if lawmakers increase the state's alcohol tax - proposed to rise from 6 percent to 9 percent - an issue that's still being debated among lawmakers on the final day.

Kamenetz said Baltimore County is a leader in consumption and alcohol purchases, and that the county should receive a good share of the new revenue.

"We just want the General Assembly to take recognition that a lot of the revenue will be derived from Baltimore County," Kamenetz said.

Kamenetz, who will unveil his first budget as county executive later this week, said, "This is probably the most challenging fiscal year in my 16 1/2 years in local government.

"It's a tight year, and it's going to get even tighter next year."

Kamenetz expressed concern with the shifting of some state costs to Baltimore County.

"I obviously was not so pleased with the state's efforts to pass along their costs on to the local counties," he said.

"The governor included in his original budget bill a \$4.8 million invoice to Baltimore County for the cost of the 90 percent of the operations of the state department of assessments and taxation ... employees who do assessment work in Baltimore County," he said.

"In addition, the General Assembly budget bill added to those invoices to the local jurisdictions," Kamenetz said. "In Baltimore County, we are going to be sent a bill for \$2.5 million to cover the cost of the state retirement agency pension administrators.

"Baltimore County will also have to pay (another) \$1.07 million for its share ... because the General Assembly recently approved a measure to extend unemployment benefits," he said.

Still, the executive said he doesn't want to complain, given current economic conditions.

"I recognize the difficult fiscal decisions that (legislators) have to make, considering we started the session with the threat of passing along all of the teachers' pensions back to the local counties," he said.

"I will look at an \$8 million bill ... as a lot better than a \$40 million bill," the county executive said.

Scoring on Hampton

Kamenetz said legislators came through with his top priority for the session.

"We came into the session with approximately \$25 million for school improvements and our No. 1 priority during the session was to obtain \$6.5 million to complete the funding for our addition to Hampton Elementary," Kamenetz said.

"We do have assurances that we are going to receive the entire \$6.5 million and that will enable us to start the construction process right away ... so we can have extra seats there in the fall of 2012," he said.

He said that, in the final hours of the session, he was still working on trying to secure additional funds for projects at three county high schools, including projects at Milford Mill and Parkville high schools, and the new Dundalk-Sollers Point Technical High School.

"If we get some of our money back for funding (those), that will be the trifecta for school capital projects," he said. "Obviously, we will be very pleased."

Kamenetz said he was in Annapolis on a weekly basis advocating for Baltimore County. Looking back over the past 90 days, he said he was "grateful" for additional school aid.

"By and large, I view the session as a great win for Baltimore County ... in terms of developing relationships in the General Assembly."

"People have been very responsive to our requests," he said. "I view that as a win."



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