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tain nonprofit organizations can legally have up to five slot machines.

The Senate is expected to take a final vote on that bill early Monday before shipping it back to the House. If the House does not agree to the Rosecroft amendment, the bill will head to a conference committee.

A similar committee will meet Monday to try to reach agreement on bills to overhaul the state's child-support guidelines for the first time in more than 20 years. The Senate has passed a version that would allow parents to begin petitioning for more money in October if the amount they could receive under the new guidelines would increase by 25 percent or more. The House bill would apply only to future child-support arrangements, and it would not take effect until October 2011.

Busch at center of term's legacy

Plenty of work left before tomorrow's adjournment

Capital 4-11-10
By MIAM FARRELL
Staff Writer

The General Assembly has just one more day before adjournment to cement the legacy of this year's three-month session and the record of its four-year term.

Whatever bills manage to wend their way through the labyrinthine legislative process before the clock hits midnight tomorrow night, the General Assembly's work this year — and every year since the last elections in 2006 — will indelibly bear the imprint of House Speaker Michael E. Busch.

The Annapolis delegate is finishing his second term as speaker of the House, a position that puts him in the triumvirate of power with Gov. Martin O'Malley and Senate President Thomas V. Mike Miller Jr., D-Calvert. The post provides an ability to shape the laws of Maryland, but it

can also be a focal point of criticism within and outside the State House's marble walls.

Busch inspires great loyalty among his peers, often appearing at news conferences flanked by a two-deep group of House leaders. At the same time, some Republicans have become more vocal about the way he runs the chamber, with Del. Don Dwyer, R-Glen Burnie, at one point even bringing up the notion of impeaching Busch because of his decision to send impeachment charges against the attorney general to committee.

On the one hand, he was at the forefront of a historic expansion of health care in the state, but he also had to lead the way on O'Malley's controversial tax plan in 2007.

"You take credit and blame for what takes place as the presiding officer," he said during an interview yesterday.

In that post, Busch has had to maintain both a macro and micro mind-set, keeping an eye on local issues and needs while gathering votes for the legislation coming out of committee. Often this is revealed in Annapolis and Anne Arundel County's prominent place within capital budgets, such as money this year for a new track at Bates Middle School and new field lights at South River High School.

"I've always looked at myself as a member of the community first," he said. "I try to be more of a neighbor and a friend than I try to be an elected official when I am out in the community."

Seeing both sides

Such efforts are emblematic of what very well could be Busch's prime electoral task — persuading people to see both sides of the state's ledger: not just taxes, but also where the money is going.

Republicans have made little secret of their message for November's statewide elections. They have continually said over the past four years that Democrats have an insatiable appetite that is driving Maryland down an unsustainable spending path, reflected in future projected budget gaps approaching \$2 billion. The minority party repeatedly has said that more tax increases on a struggling populace will be the inevitable result.

Del. Nic Kipke, R-Pasadena, said all Democrats who voted for tax increases will have to explain why that didn't solve the state's deficit problems as originally envisioned. Voters will have to look at whether "this legislature prepared us for the looming financial challenges," he said.

"This legislature has placed us in a situation where tax increases will take place unless a Republican governor is elected," Kipke said.

Not surprisingly, Busch does not agree with this scenario, frequently saying Maryland's tax structure will operate fine when the economy rebounds.

And at some level, he has a fundamental disagreement with people who say the state's spending has been unnecessarily high. When asked about the term's successes, he ticks off the retention of a top bond rating, growth in education spending that has helped drive Maryland's public schools to a top national ranking, and a freeze on in-state college tuition.

Money also plays a role in Annapolis' "Safe Streets" program, which was spearheaded by the speaker and credited with helping to significantly drive down crime in the city.

"For the voter who is making the deliberative choice regardless of party affiliation, he wants to know what the alternatives are if you don't fund education, if you don't fund your health care system, if you don't help fund your law enforcement agencies," Busch said. "It is easy to stand against everything, but very few of those critics ever have an answer to how they are going to maintain the institutions that I think citizens rely on."

Work left

Of course, the General Assembly still has plenty to do before moving onto the campaign trail, including finishing up legislation on gangs.

The Senate unanimously passed a version of Busch's bill to increase communication between law enforcement and schools on gang-related crime yesterday, but it differs from the House version.

Gangs have become a priority this session because of incidents such as the 2009 death of 14-year-old Christopher Jones of Crofton, which police have said was gang-related.

The House bill would expand the number of offenses reportable to schools upon a student's arrest, including malicious destruction of property and simple assault. Other provisions include requiring a court to notify school administrators if that court places a child under the su-

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Supervision or custody of a local social services agency or the state Department of Juvenile Services.

The Senate deleted the custody and supervision provision, made student offenses reportable upon being charged, and made an allowance for expungement upon graduation and other conditions. All those differences have to be hammered out between the two chambers before being passed into law.

Another gang bill that still needs final Senate approval spurred vigorous debate in the chamber yesterday. The legislation, already passed by the House, would define a criminal gang as a group or association of three or more people who aim to commit certain offenses within a pattern of criminal behavior and an organizational structure.

Sen. Catherine Pugh, D-Baltimore City, said the definition would encompass "casual or unwitting single encounters."

"We want to focus on the essential gang prosecutions," she said.

Supporters of the bill said narrowing the definition by necessitating an "ongoing" relationship would make the gang statute unworkable, since a prosecutor would have to account for any gaps in a relationship.

"We might as well take the gang statute and throw it away (by changing the bill's definition)," said Sen. James Robey, D-Howard.

LEGISLATIVE SCORECARD

Here are how some of the major issues stand as the General Assembly heads toward adjournment tomorrow:

BOND BILLS

The Senate had voted to eliminate local project appropriations known as "bond bills" for fiscal 2012 and fiscal 2013, but a conference committee with the House decided to strike that provision from its budget agreement.

SCHOLARSHIPS

The House originally voted to end the controversial legislative scholarship program by moving the \$11.5 million set aside for delegates and senators into other aid run by the Maryland Higher Education Commission. The Senate did not agree, however, and a conference committee decided to still allow legislators to disburse the scholarship money.

LAND PRESERVATION

The Senate eliminated large swaths of money used for preserving land, alarming some environmentalists. The House was more tempered in its reductions, and the issue will have to be resolved in a conference committee.

PENSIONS

The Senate voted to begin shifting some of the cost of teacher pensions to county governments in fiscal 2012, but the House lacked the bipartisan support necessary to make it happen. A conference committee created a commission to study the issue as part of a broad look at state retirement obligations.

GANGS

Legislation to crack down on gangs, including an effort from House Speaker Michael E. Busch, D-Annapolis, still have to be reconciled between the two chambers. For example, the House and Senate differ over whether students should be reported to schools upon arrest or upon being charged for certain crimes, respectively.

CELL PHONES

The Senate and House voted to prohibit a driver from using a cell phone while a vehicle is in motion unless a hands-free device like a headset is being used. The ban would only be

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enforced as a secondary offense and would carry a fine of \$40 for a first violation and \$100 for subsequent violations.

PRIVATE SCHOOLS

The fate of an initiative to give tax credits for some nonprofit organization and business contributions to private schools is still hanging in the balance. Although the Senate passed the bill, a House committee remains divided.

SEX OFFENDERS

The House and Senate have passed separate laws to toughen sentencing for sex offenders, and the differences need to be addressed in conference committee. The House has voted to increase the mandatory minimum sentence for a person 18 years or older convicted of second-degree rape or sexual offense against a victim younger than 13 years old from five years to 15 years. The Senate voted for 20 years.

ARTS FUNDING

Neither the House nor the Senate included any funding in the capital budget for the proposed performing arts center at the Park Place development located at West Street and Taylor Avenue in Annapolis.

MEDICAL MARIJUANA

The Senate approved a bill that would make medical marijuana legal in the state, but the House is expected to send a similar measure to additional study.

STORMWATER RULES

Requirements for stormwater pollution controls on new developments was the top environmental issue this session. Lawmakers ended up not passing any bills after a joint House-Senate committee approved administrative rules that allow more grandfathering to projects "in the pipeline."

STORMWATER TAX

A bill requiring counties to assess a stormwater tax on property owners has seen no action. The bill would have let counties set the amount of the fee.

BAG TAX

Lawmakers killed a bill that would have put a 5-cent tax on paper and plastic bags given out to customers. The money would have gone to Chesapeake Bay restoration.

BOAT WASTE

A bill to establish the Chesapeake Bay as a "no discharge zone" for toilet waste from boats was amended in a Senate committee last week to turn it into a study on the issue. Over in the House, the bill remains as written and has seen no action.

CHICKEN LAWSUIT

The University of Maryland Law School's Environmental Law Clinic must submit a report about its work, although there is no financial penalty for not doing so. Lawmakers had considered withholding funding in order to get the report after law school students sued an Eastern Shore chicken farm and Perdue for alleged water pollution violations.

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OYSTERS

Several oyster-related bills failed this session. Just last week, though, a provision was tacked onto an oyster poaching bill that bans the state from establishing any new oyster sanctuaries until April 1, 2011. That measure has passed the Senate and is in the House.