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Economic Matters Committee

Business Regulation Subcommittee

Consumer Protection and
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Property and Casualty
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UPDATE ON THE 2009 LEGISLATIVE SESSION
of the Maryland General Assembly

(The 426th Session began January 14, 2009 and adjourned April 13, 2009)

Dear neighbor:

Thank you again for the honor that you have given me to serve as your State Delegate in the Maryland General Assembly. I appreciate your interest in the Legislative Session, and I welcome the opportunity to update you on the progress that we have made on a range of issues that affect you, your family and your community:

A FISCALLY RESPONSIBLE STATE BUDGET

Despite the challenges that all states face in light of the ongoing recession, we passed a balanced State Budget for FY2010. I worked hard to identify and reduce wasteful spending, and supported a General Fund budget of \$13.8 billion, which is fully 3.3% leaner than our FY 2007 budget. This left the State with a fund balance of \$96.2 million above our \$650 million Rainy Day Fund balance. In all, I supported \$825 million in reductions in order to contain spending while also protecting our shared priorities and programs that serve those most vulnerable among us.

HEALTH CARE REFORM

Reforming health care has been my highest legislative priority throughout my tenure in public office. This year I supported a range of successful health care initiatives, including: strengthening Maryland's world renowned EMS System and funding to begin replacing our aging Medevac helicopter fleet; expanding substance abuse treatment for an additional 27,000 low income Marylanders; curbing predatory hospital bill practices by mandating a uniform charity care policy; and protecting our previous expansion of Medicaid for low income Marylanders. In addition, following on the heels of major reforms that I introduced or passed in 2007 and 2008, including a Medicare Part D subsidy program (HB1073/HB37, preceding Executive legislation) and legislation to end health care (genetic) discrimination in the long-term care industry (HB29), this year I advanced several initiatives to increase coverage and strengthen patient protections:

- 1. Small Business Health Insurance Expansion Act (HB4):** The rising cost of health insurance is making it harder for small businesses to provide the coverage that their workers need. That's why I introduced HB4, an initiative to substantially expand insurance coverage to small businesses and their workers. A key priority of Maryland chambers of commerce, health care reform groups, Attorney General Douglas Gansler, the Maryland Health Commission, and Health and Government Operations Committee Chairman Peter Hammen, HB4 passed both the House and Senate on "3rd Reading", although different versions passed each chamber. To reconcile those differences, the House and Senate produced a "conference report", which passed the House just minutes before the legislature adjourned *Sine Die*.
- 2. Health Care Discrimination Working Group:** Passage of my "Long-Term Care Genetic Nondiscrimination Act" (HB29) last year closed a major loophole in the Maryland health insurance code which allowed insurance companies unfettered ability to discriminate against long-term care policy applicants based on their genetic information. That landmark legislation sparked a great deal of debate in the area of health care discrimination, and prompted me to introduce a package of bills in 2009 (HB1, HB2, HB11, and HB12) to close the remaining loopholes in Maryland. To address this issue comprehensively,

3. Chairman Hammen recently impaneled an interim working group on health care discrimination, which will include myself, and representatives from Johns Hopkins, the University of Maryland, the insurance industry, and the Maryland Insurance Administration. The 2009 group will examine the myriad of issues raised by the bills that I have authored, and will make legislative recommendations to the General Assembly in 2010.
4. **End-of-Life Care Counseling (HB30):** Terminally ill patients are often misinformed about the range of end-of-life options available to them. HB30 sought to require that doctors of terminally ill patients provide those patients with the comprehensive options available under end-of-life care, including hospice care.

ENVIRONMENTAL STEWARDSHIP

Last year I was honored by the Maryland League of Conservation Voters and Environment Maryland for the second year in a row for receiving a perfect 100% environmental score, making me one of only five sitting Delegates in Maryland with a perfect 100% lifetime environmental rating. This year I sponsored a range of environmental initiatives, including legislation prohibiting the State from purchasing oil from "Oil Sand" producers (HB10); legislation to advance local natural gas aggregation agreements (HB38); legislation to expand penalties under the 2007 ban on phosphates in dishwashing detergent (HB1187); and legislation requiring the State to perform "life cycle" performance assessments through our procurement process (HB1163). I also strongly supported a range of other environmental initiatives, including: Governor O'Malley's Smart, Green and Growing legislation to limit sprawl and to create green jobs; improved Chesapeake Bay cleanup efforts by requiring new and replacement septic systems in critical areas (1000 feet from a water line), to include new nitrogen removal systems; continued funding for preservation of open space; and \$130 million for enhanced nutrient removal through the Bay Restoration Fund. Two of my efforts are particularly notable:

1. **Maryland Organic Transition Investment Pilot Program ("MO-TIPP", HB449):** Organic farming advances significant public benefits, including higher revenues for small/family-owned farms, green space preservation, healthier lifestyles, job growth, and environmental sustainability. That's why I introduced the Maryland Organic Transition Investment Pilot Program ("MO-TIPP"), an innovative state-federal partnership to assist Maryland farmers in transitioning to organic agriculture. A key priority of farmers, agribusiness and environmentalists, MO-TIPP passed both the House and Senate and is now before the Governor for his signature.
2. **Leadership on Greenhouse Gas Reduction:** Maryland's 3,100 miles of shoreline are vulnerable to rising water levels and flooding directly attributable to global warming and greenhouse gas emissions. During the 2008 legislative session, I was one of two members of the Economic Matters Committee to vote for the "Global Warming Solutions Act", landmark legislation to reduce greenhouse gases in the State. Over the summer, I was asked by environmental groups to broker a conversation between environmental leaders and labor leaders whose work relationship had become fractured during consideration of the 2008 bill. In addition, I participated in numerous mediated work-sessions of the "G15" (Group of Fifteen) group of stakeholders coordinated by Governor Martin O'Malley and the Maryland Department of the Environment. After several months of negotiations, we emerged with an ultimate agreement to reduce global warming pollutants by 25% (below 2006 levels) by year 2020. Passage of this year's Greenhouse Gas Emissions Reduction Act of 2009 was the product of those sessions.

LABOR AND WORKFORCE DEVELOPMENT

In 2008, I was honored by the Washington D.C. Building and Construction Trades Council (AFL-CIO) as "2008 Legislator of the Year", and also by the Progressive Maryland Fund for Education as "Champion of Working Families", receiving the second highest legislative/leadership score the General Assembly. A great deal of my leadership focused on labor and workforce development issues, and helped to position the following measures introduced this year:

- 1. Apprenticeship Opportunity Act (HB644):** Workforce development is critical in ensuring that Maryland's workers have the very best training to succeed in the highly competitive regional and global economies. That's why I introduced the "Apprenticeship Opportunities Act", a consensus initiative to require that State contractors either provide or contribute to state-approved apprenticeship training programs, or contribute to a new state Apprenticeship Training Fund created by this legislation. A key priority of labor unions and non-labor contractors, HB644 passed both the House and Senate, and is now before the Governor for his signature.
- 2. Shift Break Worker Relief Act (HB16):** For the third year in a row, I introduced the "Shift Breaks" bill (HB16), perhaps the most sweeping public health measure considered in the Maryland General Assembly. This legislation became a top labor priority in 2007, 2008 and 2009, and sought to ensure that Maryland workers receive adequate breaks during the course of their work shifts, limiting injuries and worker compensation claims, while increasing overall productivity.
- 3. Workplace Religious Freedom Act (HB13):** Workers sometimes have difficulty obtaining reasonable religious accommodations in the workplace. Legislation to address this challenge has failed on the federal level because it was believed to be overbroad and frustrated civil liberties. That's why I partnered with faith-based groups and civil liberties advocates in introducing the narrowly-tailored "Workplace Religious Freedom Act" (HB13) for Maryland, to ensure that reasonable workplace accommodations are made for employees, while related hardships are mitigated for employers.

EDUCATION

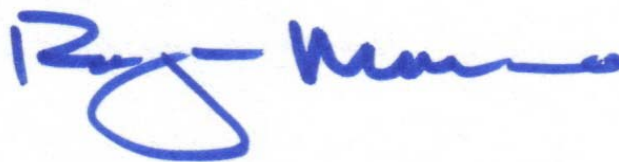
This year Maryland was ranked No. 1 in the nation in education by *Education Week*. To maintain this position, we must continue our investments in our schools, teachers and support staff. That's why I was vigilant in supporting measures that protect our education priorities, including: increasing overall education funding by \$132 million; fully funding the Geographic Cost of Education Index formula; securing \$260 million in new school construction funding; freezing tuition for a 4th straight year at Maryland colleges and universities; increasing aid to Community Colleges to accommodate increased enrollment; and continuing funding for Aging Schools program. I was also extremely active in strategizing efforts to oppose legislation that sought to burden counties, like Montgomery, with an increased share of teacher pension funding.

CONSUMER PROTECION

Maryland Antitrust Act (HB657/SB239): Consumers and businesses sometimes fall victim to price-fixing by unscrupulous retailers, wholesalers, and distributors. A recent controversial U.S. Supreme Court ruling, however, frustrated the ability of states, like Maryland, to address this issue and protect their resident consumers. That's why Senator Frosh and I introduced HB657/SB239 to codify and clarify Maryland laws that relate to illegal and unscrupulous price-fixing. HB644 passed both the House and Senate and was signed by the Governor on April 14, 2009.

I hope you found this legislative update useful. As always, please do not hesitate to contact me or my staff if we can be of any assistance to you, your family or community.

Very sincerely at your service,



Roger Manno
Maryland State Delegate
19th Legislative District