

## Message from Bill Frank

April 10, 2007

Dear Constituents:

Thank you for corresponding with me during the 2007 Maryland General Assembly session on one or more issues. I've provided below a brief synopsis of some of the major initiatives of the session.

***State Operating Budget.*** The General Assembly passed a fiscal year 2008 budget totaling \$29.8 billion. Several important projects were contained in either the operating or capital budgets for the 42nd district: Hopewell Cancer Institute: \$100,000 matching grant; Forbush School, \$150,000 matching grant; \$52.5 million for school construction for Baltimore County Public Schools (out of \$400 million statewide); \$13.5 million for a new College of Liberal Arts complex for Towson University.

Unfortunately, the budget also contained a \$1 billion transfer from the Rainy Day Fund to the general fund in order to fund this year's operating expenses. These funds are supposed to be reserved for true economic downturns which is not the case with our current economic situation.

The House Republican Caucus introduced and supported a significant amendment to the State budget that provided fiscal responsibility without cutting programs or raising taxes. Instead, recognizing the severity of the State's structural deficit, the amendment attempted to stretch-out the last year of the landmark Thornton funding for K-12 education over a two year period while also slowing the growth of spending in several State agencies. Unfortunately, the amendment failed on a largely party-line vote, but had it been enacted, there would have been no need for a major tax increase next year.

State government must begin to live within its means, just as our families must do. When you read news accounts over the next several months that a major tax increase next year is "inevitable," don't believe it! We can live within our means if we have the will to do it. State government continues to spend more money than is necessary.

In the end, despite many misgivings about the budget, I reluctantly voted for it. I'm concerned that next year's budget will be balanced on the backs of the taxpayers, with massive tax increases.

**State Capital Budget.** Highlights of the fiscal year 2008 capital budget (House Bill 51) include \$400 million for public school construction, \$207.3 million in funding for higher education facilities, \$28.2 million for environmental programs, and \$31.8 million for hospital, State health facilities, senior centers and juvenile detention facilities. I voted for the capital budget.

**Jessica's Law.** I'm pleased to report that Jessica's Law was passed this session. Jessica's Law provides for stiff mandatory minimum sentences without the possibility of parole for violent sexual predators who prey on our children. I was a co-sponsor of the bill, voted for it in the House Judiciary Committee and on the floor of the House of Delegates, and I'm pleased to report that it passed unanimously in committee and in the House. This is a major step forward in our efforts to protect children.

**Electoral College.** I'm disappointed that the General Assembly passed into law a terribly misguided bill (House Bill 148) that totally subverts the U.S. Constitution by doing an end-run around the Electoral College, while not perfect, has served this nation well for centuries. Under the provisions of HB 148, Maryland would form a voluntary compact with a majority of states to reward its electoral votes to the popular vote winner for president.

Under this scenario, the Democratic nominee for president (who is likely to win in Maryland, based on recent history), upon victory would have his/her electoral votes awarded to the Republican nominee, should he/she win the national popular vote. This would prove to be a disaster, effectively disenfranchising Maryland's voters. I voted against this terrible bill.

**Parole for Drug Dealers.** House Bill 992 almost became law but, fortunately, there was enough opposition to derail it. The bill would have allowed for the possibility of parole during a ten year mandatory minimum sentence for a second drug dealing offense for violent offenders. The bill also falls short in that it does not contain funding for drug treatment. I voted against this bill because I believe it is too lenient for those who prey upon the vulnerable in our society by dealing them dangerous drugs.

**Death Penalty.** Efforts to repeal Maryland's death penalty statute fell short when the Senate Judicial Proceedings Committee voted against the bill. We considered the House version of the bill in the House Judiciary Committee where I serve, but we didn't vote on the bill once

the Senate committee defeated it. I believe that it is appropriate for Maryland to continue with a death penalty statute for the most heinous crimes.

***Statewide Smoking Ban.*** After years of trying, the General Assembly finally passed a statewide ban on smoking in all bars, restaurants and taverns, as well as private organizations like the American Legion and VFW halls. Once Baltimore City passed its own ban, the momentum was strong for a statewide ban. This year, the bill was introduced in a new committee, House Economics Matters, where it received a favorable report. As in years past, I opposed this bill because I believe that a statewide ban with no exceptions simply goes too far. While I recognize the important health implications, there are other important issues involved: property rights, freedom of choice, and over-regulation by government.

***Clean Cars Bill.*** This bill requires that any new cars sold in Maryland must conform with stricter emissions standards. The bill requires the Department of the Environment, in consultation with the MVA, to adopt regulations by December 31, 2007 to establish a low emissions vehicle program applicable to specific vehicles. I voted for the bill.

***Tax Increases.*** House Bill 448, which was introduced this session, would have introduced a new sales tax on 43 individual services, including real estate transactions, accounting services, dry cleaning and a whole host of other services. While this bill did not pass, it is clear that a major push will be made next year to dramatically increase the levels of taxation on both individuals and corporations.

***Tuition Benefits for Illegal Immigrants.*** Fortunately, we did not pass House Bill 6, which would have provided in-state tuition benefits to illegal immigrants. A similar bill passed in 2004 but former Gov. Ehrlich wisely vetoed it. This is an issue of fundamental fairness, in my view. Why should we provide in-state tuition benefits to illegal residents in the same manner as we provide them for legal residents?

With a finite number of spaces available in the University System of Maryland, it is clear that illegal residents will – by definition – take the place of legal residents. I voted against HB 6 and was pleased that it failed on the last day of session due to a threatened filibuster in the Senate.

***Special Session.*** There has been much speculation about the possibility of the Governor calling a special session of the legislature.

The purposes of the special session would be to deal with the State's structural deficit, primarily by raising taxes. I'm skeptical that we will ultimately have a special session because I believe it's unlikely that the Senate President and House Speaker would agree to a specific plan beforehand to deal with the deficit. To date, President Miller and Speaker Busch have been far apart on how to balance next fiscal year's budget deficit.

*Thank you for your interest in the various issues we have addressed during the 2007 session. Should you ever have a question or concern, I invite your phone call on 410-841-3793.*

Sincerely,

William J. Frank