



The Legislative Wrap-Up

Library and Information Services, Department of Legislative Services

Special Session

June 14-23, 2006

2006 SPECIAL SESSION

On June 12, 2006, Governor Robert L. Ehrlich, Jr. issued Executive Order 01.01.2006.05 convening the General Assembly of Maryland into a special session on June 14, 2006 “for the purpose of passing legislation to mitigate the expected increase in electricity rates and for the purpose of passing legislation to protect Maryland’s families and children from sexual predators.”

Despite efforts in the closing moments of the 2006 regular session, the General Assembly was not able to reach agreement on relief from the 72% increase in electricity rates scheduled for July 1 for residential customers of Baltimore Gas & Electric Company (BGE), nor on increased penalties for and supervision of convicted child sexual offenders, another much debated issue during the 2006 session.

IN MEMORIAM

Two members of the House of Delegates were remembered by their colleagues during the 2006 special session. Each will be greatly missed on both sides of the aisle and in both chambers.

Delegate John S. Arnick (D-District 6, Baltimore County), who had resigned from the House in April, was a member of the General Assembly from 1967 to 1979, 1983 to 1992, and 1993 to 2006. Most recently, he served as the House Chairman of the Joint Committee on Legislative Ethics and as a member of the Environmental Matters Committee and the Rules and Executive Nominations Committee. He passed away on June 13.

Delegate Bennett Bozman (D-District 38B, Wicomico and Worcester Counties) became a member of the House in 1991 and served until his death on April 27. He was a Deputy Majority Whip and a member of the Ways and Means Committee, Chairman of its Education Subcommittee, and Chairman of the Worcester County Delegation. He also served on the Joint Committee on Federal Relations and the Joint Audit Committee.

VETO OVERRIDES, BILL INTRODUCTIONS, AND SUCCESSFUL MEASURES

The legislature sustained all of the gubernatorial vetoes of 2006 legislation from the regular session except for three that were overridden. The new laws address:

- Maryland Transportation Authority – Membership ([SB 52](#)/Chapter 1, Acts of 2006 Special Session, effective January 1, 2007); and
- Baltimore Corridor Transit Study – Red Line – Requirements and Citizens’ Advisory Council ([SB 873](#)/Chapter 2, Acts of 2006 Special Session and [HB 1309](#)/Chapter 3, Acts of 2006 Special Session). The last two enactments are effective July 14, 2006.

Ten bills were introduced in the Senate and 15 bills were dropped in the House hopper at the beginning of the special session. Two measures, [SB 1](#)/Chapter 5 and [HB 2](#)/Chapter 4, dealing with the electric industry and sexual offenders, respectively, were passed and enacted.

PUBLIC SERVICE COMMISSION – ELECTRIC INDUSTRY RESTRUCTURING

[SB 1](#), an emergency bill, changes provisions governing electric industry operations and State oversight including altering the appointment process for the Public Service Commission (PSC) and Office of the People’s Counsel (OPC). Electric companies must continue to provide standard offer service (SOS) to residential and small commercial customers. Provisions relating to SOS include requiring studies by the PSC, changing the electricity supply bid process, and specifying the framework for rate increase stabilization plans that allow for long-term securitization of electricity costs.

The bill also establishes provisions for a required rate stabilization plan for electric companies whose rate caps expire June 30, 2006 (*i.e.*, BGE) and related deferral recovery and mitigation of deferral payments. Specifically, the increase in the rates charged to customers is held to 15% from July 1, 2006 through May 31, 2007, followed by, at the choice of the customer,

rates either at the full market rate or an intermediate level opt-in plan until full market rates start January 1, 2008.

Additionally, the legislation contains review requirements for specified mergers (i.e. Florida Power and Light and Constellation Energy) that involve the PSC and the Office of the Attorney General. The funding level of the Electric Universal Service Program (EUSP) is enhanced and program eligibility is expanded.

The General Assembly recessed, rather than adjourned, the special session in order to return, if necessary, to Annapolis to take up overriding gubernatorial vetoes. When legislation is presented to the Governor for consideration during a session, the Governor has six days, excluding Sunday, to veto legislation or let it become law with or without his signature. [SB 1](#) was presented to the Governor at 1:00 a.m. on June 15. He vetoed that legislation on June 22. On June 23, the General Assembly reconvened to consider the gubernatorial veto. Subsequently, the Senate voted 34 to 10 to override and the House voted 87 to 37 to override. [SB 1](#) took effect June 23, 2006 and is Chapter 5, Acts of the 2006 Special Session.

nonpublic school to knowingly employ a person required to register.

SINE DIE

The 2006 special session convened on June 14, 2005, recessed on June 15, 2006, and adjourned *sine die* June 23. Floor sessions were held on June 14 into the early hours of June 15, and again on June 23.

SEXUAL OFFENDERS – SUPERVISION, NOTIFICATIONS, AND PENALTIES

Final passage of [HB 2](#), legislation related to registered sexual offenders, occurred in the early morning hours of June 15. The bill was presented to the Governor at 3:00 p.m. on June 15 and was signed on June 22. [HB 2](#), effective June 22, is Chapter 4, Acts of the 2006 Special Session.

The new law extends parole supervision for specified sexual offenders and requires, when the victim is under age 13, a mandatory minimum, nonsuspendable 25-year sentence for a person at least 18 years old convicted of first degree rape or first degree sexual offense. A similar 5-year sentence is required under the same circumstances for second degree rape or second degree sexual offense, excluding statutory rape situations.

Other provisions include various changes to current community notification provisions, a requirement that offenders register in person every six months and provide an updated photograph at least once a year, except for sexually violent predators who must register every three months. Another provision prohibits a person who contracts with a county board of education or