

# HOWARD COUNTY ISSUES

A Civic Publication from the Independent Voter Group providing critical information on local issues. Distribution locations posted at [howardcountyissues.org](http://howardcountyissues.org).

## THE Local Liberty & Democracy ISSUE

Democrats, Republicans, and Independents are asking questions about the recent Howard County Board of Elections decision to reverse their own approval of 9,000+ signatures from Howard County voters. Outlook: No vote for voters.



From Paul Kendall

The issue of payment for those who collect signatures was decided once and for all by the Supreme Court of the United States of America in a case called Myers v. Grant. In that case the Supreme Court declared that it was unconstitutional to prevent persons from being paid to collect signatures. What is most interesting about that case is not so much what it decided, though critically important, but what the timing of that decision says about our government here in Howard County. What it says in my view is that our government here in Howard County takes a rather cavalier

attitude toward fundamental constitutional rights because it took Howard County 20 years to finally agree to follow the Supreme Court's ruling in this matter. It took two rather forceful letters from our board of elections (after 16 years) to Ken Ulman first as a council member and then as county executive to do something legislatively. Myers v. Grant was decided in 1988. What is actually most disappointing and serves to reinforce my sense of the failure of our elected officials to take their constitutional duties seriously is the fact that the legislative itself, did nothing more than repackage the very restrictions declared unconstitutional by Myers v. Grant and serve them up in only slightly different wrapping. That legislative disaster is now in Howard County Circuit court and will very soon be removed to Federal District Court.

The point is, I think everyone should think about the possibility that some of our elected officials may not be as entirely forthright as they should be about whose interests they represent. Maybe it is a lack of forthrightness, maybe just a plain lack of courage to do the right thing, or maybe intellectual laziness or invincible ignorance. One thing I feel very strongly about is that not one of the elected officials I have met or interacted with has demonstrated to me even the slightest idea of what true public service means. I don't even believe they have any accurate idea of what their election to public office means. From what I see, and, incidentally, what forms the basis of what I am challenging in various courts, our government officials have become, for whatever reason, divorced from true adherence to the fundamental principles on which our system of government rests and that, on all levels, these officials have ceased in their justification for holding office be-

Continued on page 14

From Betty Nordaas, Director  
Board of Elections

Decision to pause verification of referendum signatures came about through examination of the election law by Betty Nordaas, Director of the Board of Elections. Advice was sought from Gerald M. Richman, Esq., counsel for the Board, and BY the Board of Elections board members.

The process for verifying signatures includes investigating each signature and details relating to that signature in the Board of Elections database. When or if the verification is resumed, the verification will also research each record historically to validate based on the time the petition was signed.

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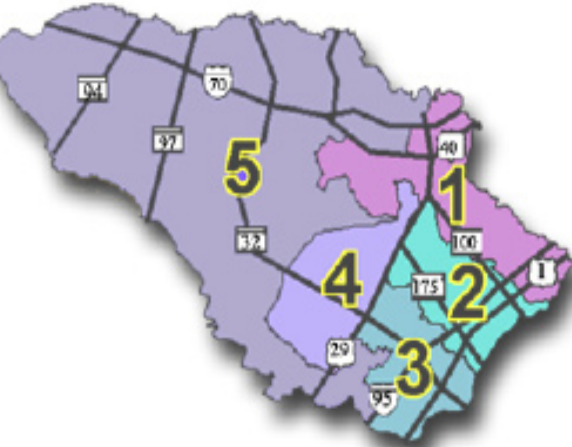
#### IN EACH ISSUE:

- Multiple views on the same issues
- Citizen written contributions
- Voting records of elected representatives
- Data and Commentary - where you live

# HOWARD COUNTY COUNCIL DATA

ANY EXPERIENCE IS NOT NECESSARILY GOOD EXPERIENCE

County District	County Council Member	Total Contribs Since Jan 2006	Average Contrib	Total LLC Contribs	Number Contribs Under \$100	Total Land Use Contribs	Contribs Immediately after election	Outside Howard Contribs
District 4	Mary Kay Sigaty	18,458	98.71	\$250	126	\$1,800	\$2,325	\$650
District 5	Greg Fox	66,716	137.28	\$2,275	131	\$5,250	\$150	\$4,685
District 3	Jen Terrasa	79,091	174.59	\$4,530	105	\$7,990	\$1,690	\$27,305
District 1	Courtney Watson	118,569	204.43	\$6,020	36	\$8,670	\$17,083	\$19,980
District 2	Calvin Ball	93,621	135.68	\$10,780	112	\$18,995	\$21,849	\$24,459



Data above reflects monetary contributions to our elected county council members since 1/1/2006. Average contribution amount is important because smaller more numerous contributions include higher numbers of voters. Land Use contribution sources are approximate and from individuals who depend on the council to represent their interests often to the exclusion of the citizenry. LLC Contributions are important because LLCs can mask contributor source names. Contributions just after the election have the appearance of money paid in exchange for extraordinary access and decisions that favor the contributor. Contributions outside of Howard County prompt questions regarding why another area of Maryland would have a stake in our elected leaders.

Visit Calvin Ball’s county internet location and you’ll see the folllowing links to his constituent communications, but open the newsletters and residents discover little difference between them:



## September 2008:

**\*\*Important Relocation Information\*\***  
We Want To Hear From You!  
How Can You Participate in Howard County Government?  
Report an Illegal Sign  
Department of Recreation & Parks Announces Deer Management Program for 2008-2009

## October 2008:

**\*\*Important Relocation Information\*\***  
We Want To Hear From You!  
How Can You Participate in Howard County Government?  
Report an Illegal Sign  
Department of Recreation & Parks Announces Deer Management Program for 2008-2009

## November 2008:

**\*\*Important Relocation Information\*\***  
We Want To Hear From You!  
How Can You Participate in Howard County Government?  
Report an Illegal Sign  
Department of Recreation & Parks Announces Deer Management Program for 2008-2009

Residents in District 2 where Calvin Ball was elected will have at least two candidates next year. See this issue for information on a candidate who has declared to run in District 2 for County Council.

Find political contributions from anyone, to anyone:  
[http://mdelections.umbc.edu/campaign\\_finance/contributions1.php](http://mdelections.umbc.edu/campaign_finance/contributions1.php)



# ELECTION TIME IN COLUMBIA

Wilde Lake Village Board	Harper's Choice Village Board	Oakland Mills Village Board	River Hill Village Board	Dorsey's Search Village Board	Long Reach Village Board	King's Contrivance Village Board	Owen Brown Village Board	Town Center Village Board
(5 seats available)	(5 seats open)	(7 open seats)	(4 seats open)	(2 seats open)	(2 seats open)	(4 seats open)	(3 seats open)	(3 seats open)
Bill Santos	Evan M. Rose	Jim Alvey	Trevor Greene	Michael Hughes	Nina Basu	Barb Seely	Ed Cosentino	Joel Broida
Nancy Alexander	Kevin L. Preston	Brian Donoughe	Frank Saletel		William A. Taylor	Evan Coren**	Summer Romack	Lee Richardson
Terry Kuhn	Ann H DeLacy	Abby Hendrix	Sunil Sinha			Sara Dillier		Hugh Tousey
Helen K. Kolbe**	John David Smith	Christopher Huza						
Vincent Marando		Michael McKenna						
Edwin (Ed) Sroka		Marcia White						
Wilde Lake* Columbia Council	Harper's Choice Columbia Council	Oakland Mills Columbia Council	River Hill Columbia Council	Dorsey's Search Columbia Council	Long Reach* Columbia Council	King's Contrivance Columbia Council	Owen Brown Columbia Council	Town Center Columbia Council
Linda Odum		Alex Hekimian**	Michael Cornell**	Daniel Woodruff	James Howard	Lorraine Kelly		
Philip Kirsch**				Kathleen Dragovich	Russ Swatek**	Shari Zaret		

			Saturday, April 25	Absentee ballots will				
				be mailed to every		No election		
		Saturday, April 25th,	Columbia Gym 8	household in Long	Elections will be on	scheduled,		No election
Election Day is April	Election day is	8:30 - 5 p.m. at The	a.m. - 12:15 p.m.,	Reach, Elections will	April 24 from 5-7 and	uncontested		scheduled,
25, 9am - 4pm at	Saturday, April 25	Other Barn in	Claret Hall 12:30 -	be held April 25 from	April 25 from 9-1 at	number of		uncontested number
Slayton House.	from 9 - 3.	Oakland Mills	3:00 p.m.	9:30 am to 12 noon.	Amherst	candidates		of candidates

Long Reach is having a Candidates' Night on April 14, 7 pm for the two persons running for the Columbia Council.

No answer from Hickory Ridge

\* There are two races to watch: Columbia Council Wilde Lake and Long Reach

\*\* Endorsement from Howard County Issues

## Russ Swatek Candidate Statement:

In tough economic times CA will be pressed to maintain and improve the current levels of services. CA needs to find appropriate ways to support revitalization of the Village Centers; this will be particularly important to Long Reach when the large Wegmans grocery is built nearby. CA needs to deal with GGP’s Town Center development proposal so that residents are not burdened with the cost of necessary infrastructure.

I believe the CA Board should be open and have an absolute minimum number of closed meetings. Through frequent communications I plan to get more residents involved in the CA processes which have a big impact on our lives.

Please send your CA priorities to me at swatek1@yahoo.com or to 8141 Tamar Drive, Columbia MD 21045. Also please consider joining the LongReachIssues group at <http://groups.yahoo.com/group/LongReachIssues> for community discussions and consensus polling.

Let’s make Long Reach and Columbia better together.

Listen to voters on the issues from across the country, including Howard County callers at 90.1 FM starting at 7am daily on C-Span’s Washington Journal, or at [www.c-span.org](http://www.c-span.org).

## Endorsement from Howard County Issues

The priority order of evaluation criteria is found in this issue and was applied to those candidates above on whom we have sufficient information to make a determination.

It appears there are two races to watch in Columbia, though all Howard residents take note of the connection to your community as voiced by Barbara Russell also in this issue.

Long Reach and Wilde Lake each have two candidates on opposite sides of the issues running. **Phil Kirsch** has done an excellent job without running a personal agenda, representing all constituents equally, and so we support him for Columbia Council.

**Russ Swatek** is equally egalitarian minded and will be an excellent representative on the Columbia Council. Additionally, Swatek’s opponent, James Howard was vociferously aggressive in support for any and everything developer related in the PELU meetings, and so we believe he will not represent constituents fairly.

Long Reach gets the gold star for encouraging Democracy - they mailed a ballot to every household in Long Reach.

# BOARD of ELECTIONS

MINUTES Howard County Board of Elections 8900 100 Parkway Columbia, Maryland 21045 December 01, 2008 Present: Board: Ann M. Balcerzak, President Donna K. Thewes, Vice-President Raymond M. Rankin Member Charles M. Coles, Jr., Alternate Michael S. Molinaro, Board Attorney Vivian L. Dixon, Board Secretary Staff: Betty L. Nordaas, Election Director Guy C. Mickley, Deputy Director Guests: Derek Simmonsen, Howard County Times Marc Norman, Howard County Citizens for Open Government

Ms Balcerzak called the meeting to order at 4:04 pm. [...]

Director’s Report Cont’d: Advanced Petition Determination. The Board was given a copy of the letter for Marc Norman, from Ms. Nordaas. The signature form that was submitted met all legal requirements to circulate Petition, for signatures. The group sponsoring the petition may get signatures, and if within 60-days they are able to submit the 5,000 or 2500, depending on how well they handle their collection of signatures, the Bill will not become Law on the 61st day. There will be a Referendum on the ballot. Letter will be given to Mr. Norman, who was granted permission to address the Board on the Petition, and was scheduled to arrive between 4:15/4:30 PM. President: We will continue the order of business and allow Mr. Norman to speak when he arrives.

When is an answer, from the Attorney General’s Office, concerning inclusion of Howard County Language, anticipated?

Director: Verbal answer has been received, but nothing in writing to date.

Director deferred to Mr. Molinaro, for further comment.

Counsel: Telephonic contact Assistant Attorney General, Sandra Brantley, indicated she didn’t see any “preemption” problem with the extra requirement in Howard County Code and would be so advising State Board Officials. Also indicated she had not put anything in writing. Request for a copy of written advice was promised.

***President [Ann Balcerzak, nominated by the central committee]: Will the Petition, which addresses Council Bill 58-2008 and zoning changes for a Turf Valley Shopping Center, have a chilling effect?***

Attorney: The Board and Election Officials have statutory duties to perform and as far as the impact of those decisions, that’s not something that enters into the decision. [...] Respectively submitted, . Vivian L. Dixon 1/26/09 Board Secretary, Ann M. Balcerzak, President

Chilling [effect of referendum] ...is not something that enters into the decision

Per Board of Elections Director Nordaas, the word “oppose” refers to the position of MAEO, the lobbying organization to which our paid representative, Deputy Directory of the Board of Elections, Mr. Mickley is President.

<b>2009 Legislative Bills for Possible Discussion with Howard County Delegation March 25, 2009</b> <b>Petition Signatures:</b> Kittleman <b>Early Voting</b> <ul style="list-style-type: none"><li>• SB197 Rumored to be withdrawn</li><li>• SB5 57 Kasemeyer Comments</li><li>• HB 1179 Comments</li></ul> <b>Voting Systems</b> <ul style="list-style-type: none"><li>• SB415 Oppose</li><li>• SB814/HB863 Comments</li><li>• SB970/HB1211 Support</li><li>• HB738 Oppose</li><li>• HB893 Oppose</li></ul> <b>Same Day Registration</b> <ul style="list-style-type: none"><li>• SB514 Oppose</li><li>• HB476 Oppose</li></ul>	<b>Change of Party Deadline</b> HB589 Turner Support <b>Change Prim. Elec. date</b> HB1352 Comments <b>Election Judges</b> HB1394 Support/Oppose <b>Notary Public</b> SB126 Kittleman Support <b>Unfavorable Report</b> <b>Polling Place Regs.</b> HB459 Bates No position <b>Students’ Rights</b> SB693 Robey Comments <b>Access by minors</b> HB3 Turner, Guzzone Support <b>Voting Rights</b> HB391 Turner Comments <b>Audit, transparency</b> SB595/HB665 Kasemeyer, Bobo, Turner Oppose <b>Electioneering Boundary</b> HB671 Turner Oppose <b>Proof of ID</b> SB43/HB1066 Kittleman Comments
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See this issue for a listing of a sampling of bills and text from our State Legislature Spring 2009 session.  
Full list through HB653 are viewable on howard-countyissues.org

If liberty and equality, as is thought by some are chiefly to be found in democracy, they will be best attained when all persons alike share in the government to the utmost.

# BOARD of ELECTIONS

## Referendum Day from Chris Carnavos

There has been a lot of energy spent in recent years in Howard County and across the nation in an attempt to find the right mix of elected representative government and a means by which individuals can object to the decisions of representative government in the form of referendum.

An example of this type of vortex in Howard County revolves around the issue of CB58, which was passed unanimously by Howard County elected government. CB58 allows the developers in my neighborhood at Turf Valley to build a great Town Square with a sufficiently large food store as an anchor. Completion of the Town Square is eagerly anticipated by most of the residents.

Certain citizenry, mostly not from our neighborhood, used their legal prerogative to initiate a referendum effort to raise 5,000 signatures to put the issue of CB58 on the ballot for 2010 because they object to the County Council’s unanimous decision. It is the right of every citizen to do this and I do not disagree with the right to have a referendum. My point herein is that it is just as important that we ensure that there is no fraud, intentional or unintentional, as signatures are gathered. It is the means by referendum’s signature gathering process was conducted that is of great concern to me.

Currently, the whole CB58 issue is bogged down in a morass of lawsuits, controversy, with unnecessary energy being spent. In my opinion, CB58’s referendum signature-gathering process is a good example of how NOT to do it:

- Of the 26 people who gathered the first 3,000 or so signatures, 23 were from outside Howard County, and 6 of the 23 were from out of state.
- These 23 were members of Union 27 headquartered in Towson, which represents, among others, Safeway, Giant, and SuperFresh, all of which are union shops
- People who signed these petitions were told that the referendum was to keep out “big box” stores while these union people were standing inside or outside a grocery store the same size that CB58 allows. In other words, they were standing inside a grocery store the same size as Turf Valley wants to have and were telling people that Turf Valley wanted to build a much bigger store. I’m sure that many reading this who signed this petition will recognize this story.

Referendum Day Continued on p. 12

From Paul Kendall on the recent unprecedented action wherein the Howard County Board of Elections invalidated over 9,000 citizen signatures based on an outdated law which hasn’t been used in decades:

**Board of Elections Federal Action**

The decision of the Howard County Board of Elections struck a direct blow to the right of referendum in Howard County by creating, as a practical matter, an insurmountable barrier to achieving enough signatures on a referendum petition. They did it by applying a requirement that the signature of a person who signs a petition for referendum be identical to the way the signature appears on the voter registration card. The Board of Elections bolstered its interpretation with language from a recent decision of the Maryland Court of Appeals in Doe v. Montgomery County Board of Elections that took essentially the same narrow view.

The professed reason for the strictness of the signature requirement is prevention of fraud. However, there is no dispute that the vast majority of the signatures rejected were valid, true signatures of registered voters from Howard County. There is also no dispute that the effect of the interpretation for all practical purposes stymies most, if not all, petitions for referendum. In the Doe case, the rejection rate went from approximately 10% to over 35% when applying the strict rule. In the CB-58 case challenged here, the rejection rate went from approximately 22% to 87%, applying that same rule.

The lawsuit attacks the decision of the Board of Elections in three ways. The statute on which the Board relies is overbroad in that the mechanism employed to mitigate the articulated evil, voter fraud, ends up actually eliminating the vast majority of legitimate signatures. The desire to prevent fraud produces the absurd result of eliminating most of the valid signatures with no indication that fraudulent ones are eliminated as well. In this regard, the statute imposes an impermissible burden on the exercise of fundamental rights including the right to vote and the right to petition the government for redress of grievances. It also burdens freedom of association and speech in that a referendum, which represents the attempt by a group of citizens to associate and make their voices, as protected political speech, heard and effect change in governmental policy is thwarted. Because the decision of the Board of Elections

Continued From Kendall Federal Action p. 6



# ANTHONY JORDAN RUNNING IN DISTRICT 2

## COUNTY COUNCIL (Currently Calvin Ball’s District)

I am running for Howard County Council, in District 2. I want everyone to know what actions I will take, and the issues that I will bring to the County’s attention. I make a promise to the community, to serve the people with integrity and honesty, and make choices only beneficial to the people of Howard County.

Education is my number one priority. Howard County no longer has any schools is the Nations top 200 school listing, this will change. Not buy any tax increase to the tax payer, but cutting down on waste and frivolous spending. Over 60% of the County budget goes toward the schools, yet we are still beginning to fall behind in the needs of the children. I believe that an English as a second language, course be available to all incoming students and require a passing grade to enter. Like the saying goes “you are only as strong as your weakest link” and if schools have children struggling with understanding basic instruction, then teacher are going to devote more time to get “everyone” up to speed. This hinders progression and advancement of those waiting on the teacher. Funding for the ESL Summer course, has a very simple solution. The State is adamant about the implementation of speed cameras. We are told these are for “safety,” not money. Well if that is the case, any citation produced from these speed cameras, will go directly to the funding of ESL summer programs. If the State and County want to take away freedoms, such as the 4th Amendment (illegal search and seizure) and the 6th Amendment’s confrontation clause (the right to face your accuser) then let it not be in vain. Let all proceeds go toward educating our County school children, and bring Howard County Schools back to being the best, not only in the State, but the Nation.

Second Priority is is Safety of Howard County drivers and residents. Port Capitol Drive, off Rt 1, serves as the Delta for all incoming and outgoing traffic to roughly 3000 households, yet there is no traffic light to control the chaos. There is a new traffic light that has been placed on 175 and Oceano Ave. This expense to the County I do not understand. The truckers that will utilize this light most, have the ability to use the traffic light, just 500 yards West on 175, for the same purpose.

Third priority is Local businesses. I believe that in order for the economy of Howard County to thrive, changes are inevitable. Howard County has some of the most stringent laws in the State, when it comes to Advertising. I have spoke with several District 2 business owners, and the unified complaint is the inability to advertise, who they are and what services the can provide. A Business owner must place signs off the road, which most of the time takes away from visible traffic, preventing the ability to impact.

Fourth Priority is beautification of the County. If you drive on 175 East of Interstate 95 the scenery resembles that of a third world country. Unacceptable masses of debris encompass the woods and roadside. I have a solution to this problem. We need to put the county inmates to work. These inmates are receiving our tax dollars in the form of room and board. Tasks that are costing the County millions of dollars to complete, such as minor road work, litter pick-up, and tedious parks and recreation tasks, could also be completed by inmates. These tasks may serve as a dual purpose, it will help to beautify our community, and put our tax dollars to good use.

# SUPPORT NEW CANDIDATE FOR

## COUNTY COUNCIL

### ANTHONY JORDAN FUNDRAISER

May 2 2009  
at Houlihan’s in Columbia  
12-2pm  
Lite fare, spirits, and conversation  
Cost of the Fundraiser, it is \$35

<http://www.voteanthonyjordan.com/>

Continued From Kendall Federal Action p. 5

adversely affects a fundamental right, the government must show a compelling interest for its decision to pass constitutional muster. It should be pointed out that government decisions are rarely if ever upheld under this test.

The Board of Elections also failed to provide sufficient procedural and substantive due process in their decision making process. The abrupt decision to stop counting the votes without legal basis and ability to challenge that decision, their sudden reversal of their decision of January 22, 2009 at the March 12, 2009 meeting to apply this new standard, which had been announced almost three months earlier and finally, their failure to give notice and an opportunity to contest the decision of the 12th of March before it was to take effect violated the due process clause of the 14th Amendment to the U.S. Constitution.

Finally, the Board’s reliance on the Doe decision is misplaced. The controversy in Doe was whether the referendum petition was successful. The main issue was whether inactive voters were required to be included in the pool of registered voters to determine the necessary threshold number of signatures to place the referendum on the ballot. The Court of Appeals decided that the Montgomery County Board of Elections failed to properly include inactive voters in the pool of registered voters. And, when those inactive voters were placed in the pool, the Court of Appeals found that the threshold number of signatures necessary increased to such an extent that the number

# Impact of Ombudsman

Defined: An ombudsman (English plural: conventionally ombudsmen) is a person who acts as a trusted intermediary between an organization and some external constituency while representing the broad scope of constituent interests.

Usually appointed by the organization, but sometimes elected by the constituency, the ombudsman may, for example, investigate constituent complaints relating to the organization and, where possible, resolve them, usually by making recommendations (which may or may not be binding), but sometimes through mediation. Less frequently, the ombudsman pro-actively identifies organizational roadblocks which run counter to constituent interests.

<http://en.wikipedia.org/wiki/Ombudsman>

## From the Howard County Ombudsman to Constituent:

[Constituent Name],

To say that DPZ is “withholding readily available material from the Planning Board meeting” is simply not true. Hopefully, this message will make clear any communication that was confusing previously.

You are encouraged to utilize the services of our customer service counter to access/review the files you need to support your testimony for this evening’s meeting. As has been the practice on the numerous occasions you have visited DPZ’s customer service counter, you can even request copies be made of the documents included in the files.

Additionally, ALL of the maps that you are requesting for tonight’s Planning Board meeting are available to you via the County’s Division of Central Services on the ground floor of the Howard building. I am confident that the Central Services staff are able to assist you with your request for maps.

As always, thank you for your work to benefit the [] community.

Best,  
Kim Flowers

## The Washington Post’s Ombudsman:

For exemplary Ombudsman writing, visit any of Deborah Howell’s contributions to the Washington Post during 2008 where she regularly took her superiors to task for biased reporting and other activities that served to frustrate rather than inform the Post’s readers.

# BE ON THE RIGHT SIDE OF HISTORY

READ HOWARD COUNTY ISSUES

“To those who cling to power through corruption and deceit and the silencing of dissent, know that you are on the wrong side of history, but that we will extend a hand if you are willing to unclench your fist,”

President Obama

[http://news.yahoo.com/s/afp/20090121/ts\\_afp/uspoliticsobamachinaspeechcensorshipinternet\\_20090121081136](http://news.yahoo.com/s/afp/20090121/ts_afp/uspoliticsobamachinaspeechcensorshipinternet_20090121081136)

“There is an inverse relationship between reliance on the state and self-reliance.”

“The best defense against usurpatory government is an assertive citizenry.”

William F. Buckley, Jr.

[http://thinkexist.com/quotes/william\\_f.\\_buckley,\\_jr./](http://thinkexist.com/quotes/william_f._buckley,_jr./)

The great enemy of the truth is very often not the lie-deliberate, contrived and dishonest - but the myth-persistent, persuasive, and unrealistic.

JOHN F. KENNEDY

<http://www.thenation.com/doc/20070709/kutler>

# THE COLUMBIA PLAN AND AN ELLICOTT CITY REFERENDUM

## EITHER DECISION WILL IMPACT RESIDENTS COUNTYWIDE

From Barbara Russell

I have been following the discussion on CB 58 and the petition and I know it has a direct impact on the people who live in close proximity to the grocery store in question -- its in your back yard -- and both sides feel very passionate about the outcome. However, are you thinking about the impact on your community if the county were to approve ZRA 113 and the General Plan Amendment that has been submitted by General Growth Properties to develop downtown Columbia?

You may think that is Columbia's problem. Its not; its your problem too. I believe the impact of Columbia's downtown development would possibly be even greater on your community than the issues surrounding the grocery store. Every taxpayer in the county, and that includes the residents of Turf Valley's development, will be paying for the very expensive infrastructure that will be required if the county gives GGP an additional 5500 residential density and the zoning that will allow it to be built -- not to mention the additional commercial and office development

Unlike the agreement that the County Commissioners made with the Rouse Company 40+ years ago, GGP's proposal doesn't agree to pay for basically any county expenses. If the County Council/Zoning Board doesn't amend the legislation to make GGP responsible for paying for roads, sidewalks, parking structures, open space amenities, police and fire structures, school(s), other infrastructure expenses and affordable housing, every county taxpayer will be paying those bills, not just the residents of Columbia.

In addition, those who travel Routes 29, 32, 108, 175 and other thru roads in the county will also feel the impact and inconvenience of too much traffic. Also, there will be a need for increased county services such as police, fire, teachers, road maintenance, etc. which most likely will not be covered by the additional taxes generated by downtown development.

Finally, if GGP were to file for bankruptcy or sell its property (at a great profit) after being granted additional density and favorable zoning, it is questionable whether or not the county could hold GGP or possible new owners liable for any agreements that had been made.

From Diane Butler

I find it really sad that the referendum process is dead in Howard County and in Maryland. Lawyers are allowed to continually throw darts at the citizen process until they find one that sticks. A referendum is a direct vote in which an entire electorate is asked to either accept or reject a particular proposal. It is a form of direct democracy favoring the majority (of the citizens not the legislators). The referendum process is one that protects the citizens of Maryland's first amendment rights to petition our government. By continually throwing out every referendum that the citizens have tried to bring to the voters the Board of Elections prompted by the State Court of Appeals has removed a valuable tool that is our right as citizens of Maryland.

I find it amazing that you do not even need an ID to vote for the President but you darn better be sure of how your name appears on your voter's registration when you are attempting to exercise your rights as a citizen of this great nation.

Editor's Note: The Referendum represents 9,000+ Howard County voter signatures to have the Turf Valley developer request to triple-size a grocery placed on a voter ballot for residents to decide, following the council passing cb58 allowing the triple-sizing. Our Board of Elections validated the first set of signatures, and then reversed it's own decision and invalidated the signatures based on an outdated law not applied to any petition for decades. See this issue for Board of Elections personnel involvement one-sided in lobbying efforts.

Continued From p. 6

of signatures gathered was no longer sufficient to meet the threshold. Once this determination was made, all that was necessary to decide the case had been done. Beyond that, the Court's decision was, technically speaking, judicial dicta, or not necessary to reach resolution of the case.

This argument might be considered by some as nothing more than a sop to the Court of Appeals to save face from its poorly thought out rationale in Doe concerning the signature requirements. Presumably, the theory would be that if the Court had actually thought it through carefully, even with the facts available, it would have seen the unnecessary burden placed on First Amendment rights and avoided reaching the issue. Although Maryland has old decisions stating that even dicta may be precedential, the counter argument is that under most theories of judicial restraint, courts must avoid deciding constitutional questions if not directly challenged or necessary to the decision of the case. It must necessarily follow then that courts should refrain from deciding issues that reach unconstitutional results, especially, where, as in Doe, the issue was not necessary for resolution of the case.

Democracy is two wolves and a lamb voting on what to have for lunch. Liberty is a well-armed lamb contesting the vote!

BENJAMIN FRANKLIN



# EDITORIAL

## IRONY

From Mona Eurice

Following last quarter's published assessment of the council's service to Howard County constituents in 2008 we asked the council members if they would like to provide a 'state of the district' to constituents as Courtney Watson had, and let them know we'd post to the [howardcountyissues.org](http://howardcountyissues.org) website. Posting something positive about our local politicians seemed in order for the sake of balance. The Howard County Issues assessment included council actions that were less than positive and resulted in a less than flattering picture in the Winter 2008/2009 Issue.

After weeks and no responses from four of the council members, we searched the internet for something to post beginning with Mary Kay Sigaty and came upon a number of very upset residents of Harpers Forest apartments including photos of horrendous living conditions. The housing authority visited the most vocal complainer once, though he was difficult to reach consistently, the visit was a year ago. Residents in Mary Kay Sigaty's district had apparently complained to her and were intensely unsatisfied with her response – this was irksome from the perspective that our council serves constituents, i.e., performs public service.

And then I read about this devastating situation. A woman in Harpers Forest had written an evaluation of the apartment conditions describing filth and infestations, and then she mentioned her child. A child living in these conditions with a parent pained over providing for the child was not remotely excusable for anyone who had the power to resolve these conditions.

Again we underline the importance of local information and not voting party or voting incumbents back into office in these circumstances.

The second irony came with the discovery that, while also excavating for something positive to print for Calvin Ball we came upon his "newsletters" to constituents. But after reading them it was apparent that very little communication was actually occurring as they were nearly the same with a few announcements peppered into various months.

We relented, and just printed what we found in the campaign finance database by performing additional analyses for voters to digest.

2009 is off to a rocky start for the County Council members though we searched for something more positive.

Pledge to Celebrate Earth Day, April 22, 2009



Over the last few years, the State, the County and the Columbia Association (CA) have all enacted green and environmentally friendly programs, from limiting farm waste runoff into the Bay, rebates on energy efficient cars and solar panel systems, to increasing the fuel efficiency of vehicle fleets and increased watershed management projects.

Did you know:

- The County is planning to build a solar facility at The New Cut Road landfill?
- The State is considering legislation to remove restrictions on outdoor laundry drying?
- The Columbia Association recently received a grant for watershed restoration?

CA has even been discussing setting a long term for a carbon neutral footprint. While ambitious, CA understands that without community involvement, the goal will continue to be a dream.

What does carbon neutral mean for you? A healthier environment, reduced energy costs, cleaner water, and a revitalized Chesapeake Bay!

So, what can you do?

**Start in your own front and back yard!**

Our runoff – and all the contaminants that go with it, drain into the little Patuxent, local lakes, and the Chesapeake Bay.

- Use rain barrels for watering gardens and lawns ...
- Minimize the use of herbicides and pesticides ...
- Plant a rain garden to help filter water into the water table Start a garden. Grow your own vegetables! You'll save money and eat healthier.
- Start a composting bin. Its great for plants – and that garden!
- Plant more ground cover and local native species. Grass is a very inefficient and environmentally unfriendly plant – not nearly as ideal for controlling run off.
- Switch from gas powered to electric powered or people powered lawn care equipment
- Use a people-powered push, or reel, mower. While it's a little more work, you won't be throwing gas emissions and fumes into the air, and won't wake your neighbors mowing the lawn at 7 am.
- Dry your laundry outside. It reduces your energy bills and makes your laundry smell clean and fresh!

Alternatively, think even bigger! Help your office, congregation, condominium or cu-de-sac start a recycling or greening program.

To learn even more, volunteer or donate to green programs, visit [www.earthday.net](http://www.earthday.net).

Pledge to celebrate Earth Day in whatever way you can.

Please, help protect the earth ... it's the only home we have!

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# Benefits Connections

## AAUW Howard County Branch

The American Association of University Women (AAUW) is a national organization founded in 1881 by a group of women who had done the unusual - graduated from a university at a time when men considered that detrimental to a woman's health. Their goal was to foster education among women. Since then, the mission has evolved into advancing equity for women through advocacy, education and research. Research has shown that inequity still exists, as you probably know. Women with the same education and qualifications earn much less than men, even in the progressive state of Maryland. Maryland is 19th among the states in earnings for women, yet 3rd in education and 5th in median income.

To find out more about what research has established, go to [www.aauw.org](http://www.aauw.org) and click on "Research." The Howard County branch of AAUW was founded in 1964 and we have a variety of members - we're up to 52 now - but we're always looking for more. If any of you are interested, we'd love to have you join us if you have an Associate's Degree or the equivalent or higher from a regionally accredited educational institution. Contact Jennifer Ingram, Membership Vice-President, at [jenniferingram@comcast.net](mailto:jenniferingram@comcast.net) for information.

If you want to check out the AAUW, come to our regular meeting on April 14 at 7 PM at the Ellicott City Senior Center on Frederick Road. Jon Traunfield from the University of Maryland Home and Garden Center will speak about the New Certified Green Building.

We support the community and our mission through things like providing a scholarship to a Howard Community College student who is going on to a 4 year college. We're holding a Fashion Show on April 18 at Vantage House in Columbia from 1 PM to 3 PM to raise money for this. Tickets are \$15. Contact Jennifer to purchase tickets.

We also host a yard sale once a year in September to raise money for various projects. Last year, the money went to the Legal Advocacy Fund, which supports women who are filing discrimination suits, like Lily Ledbetter. Actually, one of our members won a discrimination suit against George Washington University last year after battling for 7 years. The Legal Advocacy Fund supported her in her endeavor.

We support equity through education with various events, like the Girl Power Career Fair that was held on March 1. The Women's Giving Circle of Howard County coordinated this event, which was held to encourage middle and high school girls to study and find a career in science, technology, engineering or math. We volunteered at the event and helped with the students. In April, we're helping out with the Pre-School Discovery Fair for 3-5 year olds that the library



is hosting. We'll be doing science projects with them to help encourage them to study science.

AAUW also has a wide variety of social events during which members and guests can network and socialize. It is a good way to meet members in an informal setting. On the last Thursday of the month, we have lunch at Nordstrom's Café at 11:30, with no reservations needed. We're having dinner on April 7 at 6:30 at Dimitri's Restaurant. Contact Jennifer if you want to come to dinner.

AAUW Howard County welcomes you to come and meet us and join!



## STEP INTO SPRING FASHION SHOW

*Fashions by*  
**Lord and Taylor**  
*Columbia Mall*

**1 pm - 3 pm**  
**Saturday, April 18, 2009**  
**Vantage House**  
**Columbia, Maryland**

*Donation: \$15.00/ticket*  
*Refreshments will be served*

*Sponsored by the AAUW Howard County Branch to benefit  
AAUW scholarship fund and the activities of the Howard*



## ATTENTION ADVERTISERS!!!

Current circulation is 5-10,000 and ad rates are low. This publication is produced quarterly, currently delivering thousands of copies to homes, all six Howard County Libraries, various retail locations, grocery stores, and Columbia Village Centers.

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# BOTH SIDES OF THE TURF VALLEY ISSUE DIGGING IN FOR LONG HAUL

From Gina Ellrich, Spokesperson for the Turf Valley Developer following Howard County Issues query on the placement of the port-a-potty March 10, 2009:

Every winter due to freezing concerns Turf Valley Operations close the permanent golf course restrooms and place temporary facilities on the course like the one you are describing. When the weather breaks (as it has recently) the temporary facilities are removed. The facility that was sent in the email to you was moved closer to Resort Road for pickup that was scheduled for today. Turf Valley has not received any calls from any of the neighbors inquiring about the temporary facilities -- however this email was broadcast to county officials. This is simply a perfect illustration of the unconstructive, constant criticism Turf Valley has endured while trying to effectively run its business in the county. In addition, this widely disseminated allegation needlessly usurped valuable County time and resources.



Portable Outhouse placed behind the home of Marc Norman, frequent critic of the methods employed by the Turf Valley developer, including concealing carcinogenic ground contamination.

Referendum Day Continued from p. 5

As well, people were not presented an unbiased view of the issue. They were not told that essentially, they were signing a document which opposed the unanimously approved decisions of the Howard County DPZ, Planning Board, and County Council. They were given a story by 23 of the 26 people, who are union organizers, to stop the probability of having a non-union grocery store at Turf Valley. Many people I know who signed this petition are upset because they believe they were duped.

Now, as a result, there is:

- A Federal lawsuit challenging Board of Elections decisions
- A new bill being introduced in the State Legislature to change the law retroactively on referendum signature law
- And whatever is next...

All of this unnecessary waste of taxpayer money is a result of a poorly conducted referendum process and could have been avoided. When one turns to lawyers and courts to resolve issues, it is a sign your process does not work.

Putting aside the specifics of CB58, how do we improve the process in the future?

I am proposing that we have the concept of a “Referendum Day” – meaning that on a periodic basis, the Board of Elections (BOE) administers a properly sponsored voting process for those who want to propose a referendum. There would be BOE officials there and BOE policy would be followed:

- Voter identity verification would be the same as any other “full” election, thus eliminating the written signature-on-the paper debacle
- There would be a BOE-approved “fair-and-unbi-

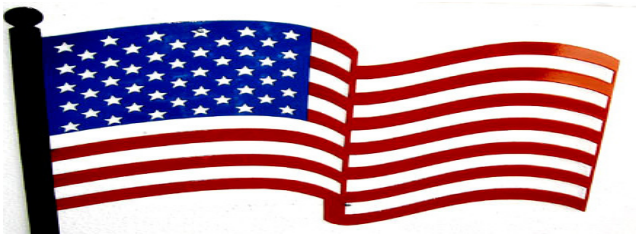
Referendum Day Continued on p. 13

Precariously teetering on the hill





One of the things we want to do in the Independent Voter Group is to outline how we will rate candidates by focusing on electing people who will represent citizens. Included to the right is a chart of attributes that would rate candidates and the level of priority of each. The 8th item is lowest on the list, but because it made the list, it is very important. Please send feedback on things you'd like to see in future candidates.



Printing/distribution Statistics

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Howard County Libraries  
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Internet Availability: Indefinitely  
SITE: HowardCountyIssues.org  
  
Editor-In-Chief: Mona Eurice-Brinegar  
Design Editor: Michael Cornell  
Content Editor: Fred Zeller

We are a volunteer organization with no exclusionary inner circle. If you are looking for a way to support voter knowledge, civic involvement, free speech, or interested in levelling the field between those with influence and citizens, contact us:  
443 889-9070  
mona@howardcountyissues.org

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Ellicott City, MD 21042

Referendum Day Continued from p. 12  
ased” representation of the issue presented with input from all sides – the county government, the proponent of the bill which is passed, and the objector of the bill. This eliminates the non-controlled, biased messaging that took place during the signature gathering process for CB58. Clearly, for example, CB58 is not about a “big box store” – it is about a Town Square.

- It would be easier for those who want a referendum to carry it out. They do not have to get people from unions to come and solicit signatures. They put the notices out on the web and, if people are interested enough to vote, they go to the elections site and vote under normal BOE rules. Simple.

Referendum Day can be held as often as is prudent and I hope that we can do something like this and eliminate the poor process we have now and use the government assets we have already invested in the BOE to do it right. We need to stop needlessly spending taxpayer money deciding whether John Doe signed his name right and whether he knew what he was signing. Referendum Day would have a good return on investment and would be a program to decrease the tension between elected government and the individual citizen.

Doughoregan Update From Courtney Watson:  
  
The state has a circle planned for Rt 144 and Marriottsville Road as well as one for Folly Quarter and Rt 144.

RATING CANDIDATES

Importance	Rating Description
1	Has history of working for citizens
2	Handles power responsibly
3	Demonstrates egalitarian treatment of all citizens without regard for power
4	Specifies support for increasing voter turnout, election system integrity
5	Campaign fund amounts are small, and from private citizens
6	Demonstrates energy
7	Demonstrates intelligence
8	Background with <i>successful</i> experience applicable to position

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**We print your writing contributions. Send your thoughts to editor@howarcountyissues.org. Any writing contribution is appreciated in this publication that connects citizens and government.**

From Angela Beltram, Prior County Council Member and Planning Board Member, former Zoning Board Chair

## THOUGHTS ON THE RIGHT TO REFERENDUM IN HOWARD COUNTY

It is important for citizens of Howard County to understand what occurred in the recent action of the Howard County Board of Elections (HCBE) regarding the petition to referendum of Council Bill 58.

In the fall of 2008, the County Council, by a stroke of the pen, increased the size of a food store in Turf Valley from 18,000 to 55,000 square feet. This was not a “zoning change” that would require evidence of “change or mistake” based on case law in Maryland. The County Council in a number of cases has used this method to change land use - a benefit to a developer who is not encumbered by stricter “rezoning” laws.

Because of a number of issues involved in this decision, for example: the need when there are 6 large food stores in the Route 40 corridor and another exactly one mile from the proposed site; the process of a Zoning Regulation Amendment (ZRA) did not require a traffic study that would enumerate the impact of increased traffic through the older existing neighborhood; an evaluation based on a comprehensive plan; and, in my opinion, a haphazard approach to growth and development.

As a result, a group of citizens chose to employ the “right to referendum” as the only redress they had to attempt to place this bill on the ballot in the 2010 election so that citizens throughout the county could vote for or against it.

## ELECTION BOARD ACTIONS

After validating the required number of signatures of registered voters of Howard County, the HCBE reversed its decision on advice from a “contract” attorney who noted a recent court case where certain election laws were cited. (The case was not a test of this law). The law has NEVER been applied or required by the State Board of Elections to any jurisdiction in Maryland prior to HCBE’s application. All advice, regulations, etc. were followed and as stated earlier met all the requirements according to the approval of the Supervisor of Elections. The law that has been ignored and never applied states that an individual sign the name as it appears on the statewide voter registration list or the individual surname of the registration and at least one full given name and the initials of any other names. However, the HCBE has determined in the more recent review of those names already validated that the name also has to match to “printed” name. As you can see, that is not required based on the law cited above.

It needs to be pointed out that this is the second time in the last 4 years that this HCBE has thwarted the citizens’ right to referendum. Must the HCBE agree with the attorney when their past practice has not changed in its responsibility to validate signatures in determining whether one is a registered voter of Howard County? It remains to be seen whether the numerous lawsuits filed in both Circuit and Federal courts will support the basic right to referendum.

## WHAT REALLY OCCURS AT THE HCBE?

Because the retained attorneys for many years are employees of one of the largest “land use and development” firms in the county, they have had to recuse themselves from the advice they are charged to perform. A “contract” attorney is then hired to perform these duties. You have to wonder why it is that the HCBE is entrenched in the attitude that elected officials, the County Council are to be protected from the actions of citizens. Why aren’t the citizens afforded the same equal protection? Finally, based on my experience dealing with the leadership (or lack thereof) of the Chairperson, Ann Balcerzak, and her anti-citizen attitude demonstrated by her actions, she ought to resign.

Kendall on Rights Continued from p. 1  
cause they have broken the public trust in fundamental ways that do violence to the very social contract that we as citizens accept as part of our participation in organized society. In a small way, I hope my legal actions will serve a larger purpose of educating the public about what exactly these principles are and why these officials no longer serve or deserve the public trust.  
To all of you out there who say we elected these folks and that our duty lies in accepting their decisions (and, let’s be honest, in particular, decisions that these apologists know and support for entirely selfish reasons), I say to you one thing: Brown v. Board of Education, and the whole long tradition of our judicial branch of government who have been called upon time and time again to rectify actions of our executive branch officials that have reached unconstitutional proportions or in lesser ways become arbitrary, capricious and thus illegal. When you say to me, I must accept unreasonable restrictions on the exercise of my constitutional rights: I ask you with all sincerity: Can you possibly be serious? Have you forgotten what our tripartite form of government is all about? I cannot imagine a more uninformed and disappointing point of view than that expressed by those who say that people like me should sit down and accept the decisions of our “masters.” You may be willing to accept such restrictions but I say with every ounce of conviction I can muster: NO!  
NO! NEVER! As long as I breath, NEVER! People throughout our history and tradition fought and died to say exactly what I

Kenall on Rights Continued on p. 15



Kendall on Rights Continued from p. 14

say to you tonight. I feel the commitment these forbearers gave to this struggle, those people who sacrificed to establish these principles on which we operate. I urge everyone to think about what our constitutional rights mean even in the context of this parochial battle here in Turf Valley and recognize that the Constitution applies to issues grand and small and that here in Howard County the right of referendum is a constitutionally recognized reservation of power by the people, from which all power in our government emanates, to secure certain defined rights and privileges, and is, therefore, a most profound and fundamental right that should be approached with great respect and deference for whatever issue it finds application.

In the absence of leadership in the county, problems with process, law, and preferential treatment continue to mount. At the time of this writing, SB 1067 was placed in a committee that had served to stall other citizen-centered bills in the past, and talk of removing the retroactivity is mounting. Dusting off a law to apply selectively is one more situation that underscores claims in the US Federal District Court lawsuit by Kendall and Gray, to be decided outside of Howard County influence, connections, and money to campaigns. Kevin Enright’s response to the lawsuit is below, and SB1067 is posted on this page.

“This is not a land use case. It goes well beyond zoning and is an attempt to enmesh the federal court in the day to day administration of county government. Plaintiffs have sued personally several current and former County employees who have done nothing wrong -- rather, they have been dedicated public servants for decades, working hard to provide essential government services. It is shameful that they have been sued, and that the County has been put in the position of having to devote resources to defending this kind of meritless lawsuit.” -Kevin Enright, County Spokesperson



SENATE BILL 1067

G1

EMERGENCY BILL

9lr3476

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By: **Senator Kasemeyer**

Constitutional Requirements Complied with for Introduction in the last 35 Days of Session

Introduced and read first time: March 20, 2009

Assigned to: Rules

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A BILL ENTITLED

AN ACT concerning

Election Law – Petition Signatures

FOR the purpose of repealing provisions of law that require an individual to sign the individual’s name on a petition in a certain manner; providing that the petition signature of an individual shall be validated and counted if the identity of the individual reasonably can be determined in accordance with certain requirements; clarifying a certain provision of law relating to the residence of a petition signer; prohibiting an election authority from invalidating a petition signature under certain circumstances; requiring an individual’s name on a petition to match exactly the individual’s surname of registration; providing for the application of this Act; making this Act an emergency measure; and generally relating to petition signature requirements.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 6–203  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

From State Delgate Warren Miller

Thank you for paying attention to the 2009 Regular Session of the Maryland General Assembly. I wanted to update you on the problems the State has moving forward with the Annual Budget.

Maryland’s Governor O’Malley has submitted the largest budget in Maryland history. In spite of its already bloated proportion, rest assured there will be several amendments offered which will include huge infusions of Federal stimulus money. Keep in mind Governor O’Malley believes the solution for Maryland’s budget problems is Barack Obama. You may recall he made this known just before the stimulus bill was signed. Unfortunately, it is not President Obama’s job to solve Maryland’s budget crisis. It is Mr. O’Malley’s job to do that. It is time for Maryland’s leaders to take responsibility for their irresponsible actions perpetrated on the citizens of this fine state. How shameful it is for us to see our Governor approaching the President for money to bail us out. We can stand on our own, but we must stand responsibly and with fiscal discipline.

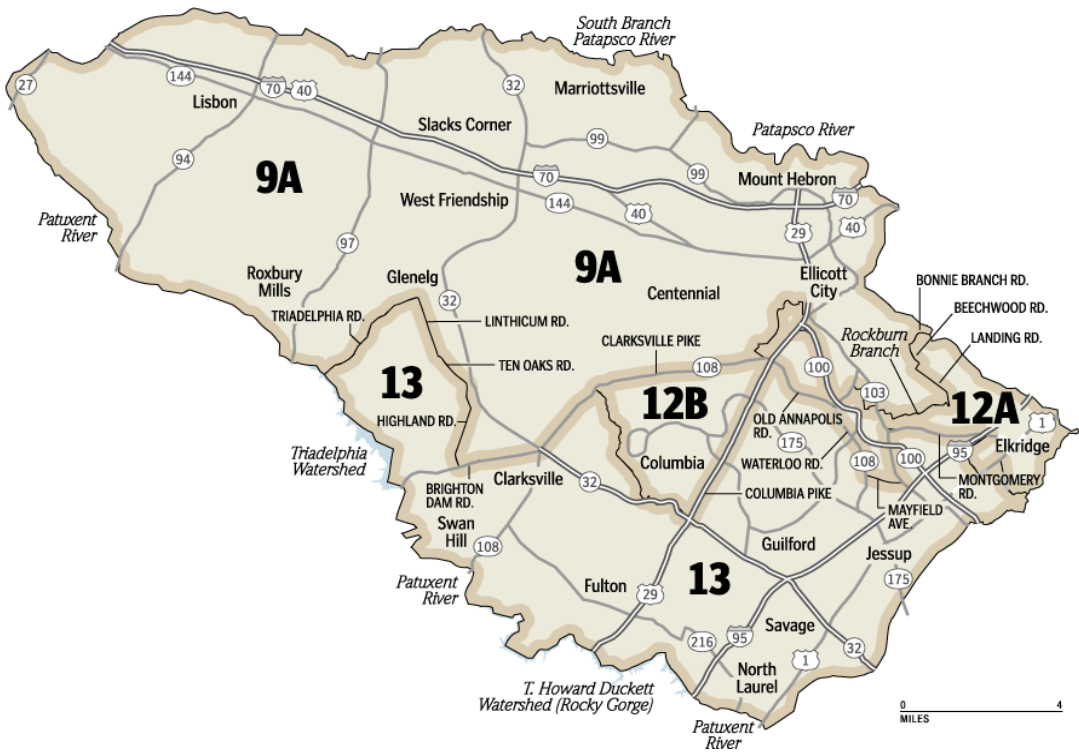
I am very concerned about the size and scope of spending and the state of Maryland’s current economy. I have many neighbors and friends who are currently without work. In reviewing the new budget I see a heavy reliance on welfare assistance for the poor, but I am not witnessing the supposed creation of new shovel ready jobs that would put many people in Howard County back to work. I see this budget as a shovel digging a financial hole that will require years of sacrifice and discipline to fill. I do not believe this Governor has the discipline or the will to lead us to recovery.

I look back to the massive trifecta of tax increases a little over a year ago and am not shocked at how much Maryland has lost in collection of Property, Income, and Sales tax. This type of nonsensical economic mismanagement can only take

us in one direction. At some point we must stop punishing our small business owners with burdensome regulation and unfair taxation so that they can get back to creating new jobs. Prosperity is not selfish, but rather, a reward for a lifetime of hard work. I am appalled that as a State we are spending well beyond our means. I would like to share with you my determination to once again vote against the States massive \$31,600,000,000 budget. For those of you who are much like me and not used to seeing numbers this large, this budget amounts to thirty one billion six hundred million of your hard earned dollars; much of which will be spent without your knowledge or permission.

Maryland is the 19th largest State in the country based on population and yet the non-partisan Tax Foundation ranks Maryland as the state with the 4th highest State and Local Tax burden. This is an equation that can only equal disaster. There is no logical reason why this should be. The Foundation study goes onto rank Maryland as having the 45th worst economic environment for Business taxes. If this administration were as interested in the human plight as they are carbon footprints, this truth may not exist. Unfortunately, businesses of all sizes will likely find greener pastures from which to graze and move out of Maryland to find new hope and change.

In closing, I would like to thank you for paying attention to issues in the General Assembly that are important to you and as always I love to listen to your views. I will continue to fight wasteful spending and high taxes so that Maryland can begin the process of recovery.



State districts (county districts on page 2)

House Bill No.	Senate Bill No.	Maryland Legislature Bill Summary
HB300	SB274	Authorizing specified political subdivisions to finance the costs of public improvements in or supporting specified transit-oriented developments in specified manners; providing for the establishment and termination of specified special taxing districts; providing for the uses of specified special funds established for the improvement and maintenance of specified transit-oriented developments through tax increment financing and other specified mechanisms; etc.
HB615	SB525	FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000,the proceeds to be used as a of Howard County for certain development or improvement purposes; providing grant to the County Executive and County Council
HB616		FOR the purpose of specifying that personnel needed in Howard County to carry out the duties of the Appointed to serve both the Appointed Alcoholic Beverage Hearing Board and the Board of License that requires the director of a certain agency to provide a single administrator supervised by the County Council Administrator; repealing a provision of law Commissioners be included in the staff of the County Council and Alcoholic Beverage Hearing Board and the Board of License Commissioners; repealing a provision of law that authorizes the director of a certain agency to provide certain staffing; and generally relating to the regulation of alcoholic beverages in Howard County.
HB617	SB524	FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the County Executive and County Council of Howard County for certain development or improvement purposes;
HB618		Creation of a State Debt - Howard County - Living Farm Heritage Museum Ho. Co. 05-09
HB619	SB523	Creation of a State Debt - Howard County - Ellicott City Post Office Ho. Co. 02-09
HB620	SB526	Authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Directors of the Linwood Center, Inc. for the planning and design of a new school building at the Linwood Center, located in Ellicott City; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; etc.
HB1	SB2	Repealing an exemption for disability insurance policies from the scope of provisions of law governing the use of specified genetic tests and the use and disclosure of specified genetic information or the results of specified genetic tests by an insurer, a nonprofit health service plan, or a health maintenance organization in connection with health insurance policies and contracts; and altering the definition of “genetic information”.
HB2	SB1	Prohibiting an insurer from requesting or requiring a genetic test or from using a genetic test, the results of a genetic test, genetic information, or a request for genetic services to deny or limit life insurance coverage or benefits or to charge a different rate for the same coverage or benefits under an annuity contract; defining terms; and providing for an exception if the use is based on sound actuarial principles.
HB3		Increasing the maximum age at which a minor may accompany a voter in the voting room and voting booth at a polling place to 17; and requiring that a minor who accompanies a voter may not be eligible to vote in that election.
HB4		Altering the subsidy requirements for small employers and the employees of small employers under the Small Employer Health Benefit Plan Premium Subsidy Program; and altering the eligibility requirements for small employers under the Program.
HB5		Requiring that State building cooling systems be regulated to maintain an inside air temperature that is no colder than 78 degrees Fahrenheit; requiring that State building cooling systems, during specified periods on level 1 and level 2 load reduction days, be regulated to maintain inside air temperatures that are no colder than specified minimum temperatures; providing for a delayed effective date for specified provisions of the Act; etc.
HB6	SB206	Requiring a driver who is approaching a traffic control signal with no visible lighted indication to reduce speed and prepare to yield to other vehicles in or approaching the intersection under specified circumstances; etc.



HB7	SB7	Requiring a flag of the United States or a State flag to be manufactured in the United States if the flag is displayed on State property.
HB8	SB9	Establishing that a material, compound, mixture, or preparation that contains Salvia divinorum is a Schedule I controlled dangerous substance.
HB9	SB99	Altering the definition of "sexual conduct" for purposes of child pornography provisions to include displaying the genitals of an individual for purposes of sexual arousal or gratification; increasing the penalties for possessing a film, videotape, photograph, or other visual representation depicting a minor engaged in specified activity or state; and making the possession of child pornography a felony under specified circumstances.
HB10		Prohibiting the State from using motor fuel produced from unconventional sources of oil to fuel State vehicles.
HB11	SB57	Authorizing an individual who is injured by an insurer's violation of provisions of law prohibiting discrimination based on genetic tests, the results of genetic tests, or genetic information to recover specified equitable relief, monetary damages, court costs, and attorney's fees in an action brought in a court of competent jurisdiction.
HB12	SB54	Prohibiting a person from knowingly collecting, analyzing, or retaining a DNA sample from an individual, performing a DNA analysis, or retaining or disclosing the results of a DNA analysis without written informed consent; exempting the collection and analysis of DNA samples for specified purposes from the prohibition; providing that the DNA sample and the results of the DNA analysis are the exclusive property of the individual from whom the sample is collected; etc.
HB13		Authorizing employees of specified employers to use specified leave for observance of religious beliefs under specified circumstances; establishing that an employer is not required to pay specified premium wages or benefits under specified circumstances; providing that an employee who uses leave under the Act must comply with the terms of a collective bargaining agreement or employment policy; providing a specified exemption for an undue hardship; etc.
HB14	SB184	Prohibiting, on or after January 1, 2010, the manufacturing, processing, selling, or distributing of a new product or a flame- retardant part of a new product that contains a specified amount of decabrominated diphenyl ether; and providing that the prohibition does not apply to specified processing of specified recyclables, specified manufacturer replacement service parts or other products, specified vehicles, or specified products or parts for use in vehicles.
HB15		Prohibiting the manufacture, sale, or distribution of specified toys or child care articles containing bisphenol-A; requiring a person to use the least toxic alternative; prohibiting a person from using specified carcinogens or specified reproductive toxicants when complying with the Act; providing for a penalty; etc.
HB16		Requiring employers to provide a specified nonworking or working shift break to an employee under specified circumstances; requiring that a shift break count towards an employee's work hours for a specified day; providing for civil penalties; authorizing the Commissioner of Labor and Industry to provide specified exemptions by regulation; etc.
HB17	SB17	Amending the Maryland Constitution to provide that legislative districting shall, to the greatest extent practicable, result in a resident delegate from every county; and submitting the amendment to the qualified voters of the State for their adoption or rejection.
HB18	SB191	Authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the National Center for Children and Families, Inc. for the construction and capital equipping of the Youth Activities Center, located in Bethesda; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; etc.
HB19	SB146	Altering the threshold amount of revenues a municipal corporation or taxing district created by the State may receive while remaining eligible to have a specified audit conducted every 4 years instead of annually; altering the threshold amount of expenditures a special taxing district created by and situated in a county may make before being subject to specified auditing rules and regulations; etc.

HB20		Changing references to mental retardation to an intellectual disability; changing references to a mentally retarded individual to an individual with an intellectual disability; renaming State residential centers for the mentally retarded to be State residential centers for individuals with an intellectual disability; renaming an intermediate care facility for the mentally retarded (ICF-MR) to be an intermediate care facility for individuals with an intellectual disability (ICF-ID); altering definitions; etc.
HB21		Exempting fantasy competitions from Maryland gaming prohibitions.
HB22		Adding abandoned property delivered to the State Comptroller under the laws relating to the disposition of abandoned property to provisions of law requiring the State Comptroller to withhold the amount of specified child support arrearages from payments due to obligors and to forward the amount withheld to the Child Support Enforcement Administration.
HB23		Altering the requirements for records that all junk dealers and scrap metal processors must keep for each purchase of specified junk or scrap metal in the State; providing that the Act applies to specified automotive dismantlers and scrap metal processors; providing for the applicability of the record keeping requirements; providing for the form and content of the records; requiring that specified records be kept electronically; making the Act an emergency measure; etc.
HB24		Eliminating a requirement that specified fees must be paid to reinstate registration as an individual tax preparer; and clarifying a qualification for a waiver of a specified examination requirement for individual tax preparers.
HB25	SB184	Altering regulations relating to the operation of motor scooters on roadways so that a person may not operate a motor scooter on a roadway where the posted maximum speed limit is more than 30 miles an hour and may not operate a motor scooter at a speed in excess of 30 miles per hour.
HB26		Requiring principals of public schools that have children attending the schools who have been identified as having anaphylactic allergies to take specified actions to reduce specified risks; requiring school principals to monitor specified files; requiring the monitoring of individualized health plans; etc.
HB27		Requiring the Governor to include a specified appropriation to the Transportation Trust Fund under specified circumstances; prohibiting the Department of Transportation and the Maryland Transportation Authority from financing the Intercounty Connector; requiring the Authority to retire specified bonds secured by a pledge of future federal aid in a specified manner; repealing provisions of law concerning the financing of the Intercounty Connector; etc.
HB28		Prohibiting the Secretary of Transportation from closing to the public all or part of a transportation facility of the Maryland Transportation Authority without prior approval from the Authority unless the Secretary provides a specified certification to the Governor and provides specified notice to the public; requiring the Secretary to notify and allow participation by members of the General Assembly in deliberations, as specified; providing an exception; etc.
HB29		Establishing a Task Force to Study Traffic Accident Clearance Procedures; providing for the membership and duties of the Task Force; providing for the staffing of the Task Force; prohibiting a member of the Task Force from receiving specified compensation; authorizing a member of the Task Force to receive reimbursement for specified expenses; requiring the Task Force to report to the General Assembly by December 31, 2009; providing for the termination of the Act; etc.
HB30		Requiring a physician or surgeon who diagnoses a patient with a terminal condition to inform the patient that the patient may receive counseling regarding terminal condition care options available under the law; requiring terminal condition care counseling to include specified information; etc.
HB31	SB633	Providing a subtraction modification under the State income tax for income from specified sales that result in the creation of specified minority business enterprises; providing for the recapture of the subtraction modification under specified circumstances; defining terms; applying the Act to taxable years beginning after December 31, 2008; etc.
HB32		Expanding the applicability of specified provisions of law that limit the imposition of specified preexisting condition provisions by specified carriers to a policy or certificate issued to an individual; applying the Act to policies and contracts issued, delivered, or renewed in the State on or after October 1, 2009.

# GO GREEN

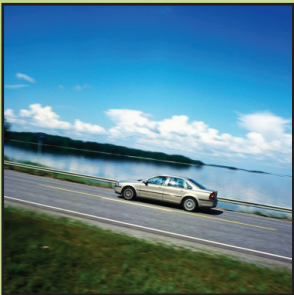
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