



REPORT FROM STATE CIRCLE 2010

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UPCOMING BILL SIGNING DATES

MAY 4, 2010

MAY 20, 2010

HEALTH CARE

The Administration's False Claims bill, **SB 279**, went right down to the last week of the session. On Thursday, the Senate bill moved to the floor of the House where Delegate Shawn Tarrant offered an amendment to eliminate retroactive language, and then Delegate Todd Schuler special ordered it for the afternoon session. In the end the bill passed by a vote of 150-30. The Maryland Hospital Association (MHA) withdrew its objections following a compromise with the Department of Health and Mental Hygiene (DHMH) and its Health Services Cost Review Commission (HSCRC) that amounted to almost \$123 million in Medicaid spending.

The State needed to shift \$123 million in the State's share of the Medicaid spending somewhere. The HSCRC had to decide how to distribute the pain. Originally they said it would be divided 50-50 between the hospitals and the carriers. However, when the MHA agreed to the False Claims bill, the HSCRC came back and agreed to a 70-30 split meaning the hospitals gained another \$25 million in revenue, and the carriers have to make up the remainder, likely in patients' premiums. There is speculation that the DHMH has a case in mind already in which they think they will make a windfall.

SB 627, Medical Marijuana, made it out of the Senate Judicial Proceeding Committee by a vote of 7 to 4 and then passed the Senate 35-12. Advocates of the bill were extremely happy about the vote even though it did not pass the House. It sent a clear signal that the upper chamber is supportive and it is likely to be back next year.

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Health continued from page 1

HB 319/SB 484, State Board of Nursing – Nurse Practitioners – Certification Requirements and Authority to Practice, passed. A nurse practitioner must file an attestation with the Nursing Board identifying the physician and the agreement for collaborating, consulting, and referring with the physician. The legislation also codifies the scope of practice of nurse practitioners. The Board of Physicians may access the attestation as needed.

Physicians Assistants' agreements also changed with the passage of **SB 308/HB 323**. Physicians may now oversee four PAs in a hospital setting, but the physician must see the patient initially and every five visits. The Board of Physicians will continue to *monitor* PAs, but once credentialed by the hospital they can begin advanced duties.

SB 357/HB 541, Health Occupations – Wellness Practitioners – Exemption from Licensure as Physicians, would have allowed “Wellness Practitioners” to practice in Maryland. The legislation provided a “safe harbor” to these practitioners so long as they did not practice certain identified acts covered by the Medical Practice Act. The bills were killed in committee for lack of educational specifics.

SB 314, Assignment of Benefits, passed the Senate in plenty of time for the House Health and Government Operations Committee (HGO) to pass it, but the chairman and others were concerned about physicians balance billing patients. Acting Insurance Commissioner Elizabeth Sammis and Speaker Michael Busch forged a compromise with Chairman Peter Hammen the last weekend of the session. This pitted the physicians and the MIA against CareFirst and the Maryland Health Care Commissioner, Rex Cowdry. The Senate Finance Committee passed the bill in the afternoon and the Senate passed concurrence at the last possible minute. The compromise defined hospital-based and on-call physicians and how they will be paid if they accept assignment. The compromise also holds the patient harmless as physicians who accept assignment will not be able to balance bill. The bill has a delayed effective date of July 2011.

HB 114, Health Occupations Boards – Revisions, changes the disciplinary process for all health occupations boards. Each board must, if it does not already, establish a disciplinary subcommittee that investigates complaints, recommends any charges, and then participates in case resolution conferences. Second, the bill prohibits charges, with some delineated exception, being brought more than six years after the basis of the complaint was discovered or should have been discovered. It also defines response times following peer review and requires each board to adopt sanctioning guidelines to ensure some level of uniformity in its disciplinary actions.

HB 1017/SB 700, Health Insurance – Child Wellness Benefits, clarifies the child wellness mandated benefit to cover developmental screening and obesity evaluation and management visits. While some carriers had been appropriately covering developmental screening, CareFirst, refused to reimburse for screenings and few carriers recognized the diagnosis code for obesity.

HB 411, Statewide Advisory Commission on Immunizations – Membership, Duties, and Sunset Repeal, makes the Statewide Advisory Commission on Immunizations a permanent Commission and adds a consumer and pharmacist member. The bill specifies three-year terms for all Commission members, and the Secretary of Health will appoint the chairman.

The Commission must also study the potential provider reimbursement barriers to increasing immunizations; relative effectiveness of outreach programs that educate the public about the benefits of immunizations; potential cost-shifting of immunization expenses for privately insured patients who receive immunizations at public health departments; and the potential administrative burdens associated with the State purchasing vaccines. The Commission must also make recommendations on how to increase immunizations, including catch-up immunizations among adults, adolescents and children.

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Health continued from page 2

HB 929/SB 855, Patient Centered Medical Home, establishes a Patient Centered Medical Home Demonstration Project through the Maryland Health Care Commission (MHCC). It will involve a diverse cross section of the primary care physician community, including diversity of practice size, demographics and geography. The MHCC will develop regulations to address payment mechanisms, evaluation tools and other aspects of the program.

No significant malpractice bills, good or bad, passed this session. The Apology bill again failed but so did the trial bar's attempt to end the cap on pain and suffering.

Neilson Andrews

ELECTIONS

Although a number of election related bills were heard in committees this year, very little passed legislation emerged from the session that relates to voting and elections. Several important bills were successful in the late days of the session, including **SB292/HB217 – Election Law – Voter Registration and Nomination by Petition - Requirements**. This legislation allows 16 and 17 year olds to register to vote, but specifies that they may not vote until they are 18 years old, except that they can vote before turning 18 in a primary election if they will be 18 by the date of the General Election. Additionally, these bills change the time frame in which voters can change their party affiliation from 12 weeks prior to an election to the close of voter registration. This means that a voter can change party affiliation anytime the voter registration rolls are open.

Also successful were two cross-filed bills that change the law relating to disqualification from voter registration for individuals under guardianship for mental disability. **SB28/HB816 - Honorable Lorraine M. Sheehan Act to Protect Voting Rights for Individuals Under Guardianship for Mental Disability** provide that a person under guardianship for mental disability is disqualified from registering to vote only if a court has specifically found by clear and convincing evidence that the person cannot communicate, with or without accommodations, her desire to participate in the voting process.

With the passage of SB 400 – No Representation Without Population Act, which has already been signed into law by Governor O'Malley, Maryland became the first state in the nation to legislate that incarcerated persons will be counted as residents of their home jurisdiction when new state and local legislative districts are drawn after the Census count. The U.S. Census counts incarcerated persons as resident of the prison location, unintentionally enhancing the weight of a vote cast in districts that contain prisons at the expenses of other districts. Maryland will now collect the home addresses of incarcerated people and correct the state-wide data for use in local and legislative redistricting.

One near miss in election-related legislation this year involved **SB114/HB266 – Voter's Rights Protection Act of 2010**. The League supported, with amendments, this bill that would authorize the Attorney General or any registered voter to ask a Circuit Court judge for preventive relief when a person, political committee or other organization has engaged in, or may engage in, specified violations of election law, such as distributing false information about polling places or election times. The bill passed the House; it passed the Senate on third reading on the last day of the session, but was Special Ordered to be held over by Senator Harris, and the Senate was unable to reach it before the final bell rang on the session.

Bills which would have allowed for voter registration at the polling place or during Early Voting did not make it out of committee, nor did a bill establishing a permanent Absentee Ballot list. Several bills relating to term limits for legislators and changes to the manner in which a U.S. Senate vacancy is filled in Maryland met the same fate.

On the plus side, a bill requiring a photo ID to vote and bills delaying the implementation of Early Voting also languished in committees, proving that no action by legislators is sometimes a good thing.

Lu Pierson

BUDGET AND REVENUES

SB 140 the state Budget Bill, **SB 141** the Budget Reconciliation and Financing Act (BRFA) and **SB 142** the Maryland Consolidated Capital Bond Loan of 2010 were all finally passed by the General Assembly. **SB 140**, the operating budget, decreased spending by \$298.7 million below last year.

Highlights of the operating budget include:

Public school education aid increased by 3.8% to \$5.7 billion. All programs were fully funded with the exception of school transportation which was decreased by \$4.3 million. Higher education received \$1.2 billion which will allow state colleges and universities to hold tuition increases to 3%. Community colleges received \$256.1 million, \$23.1 million below the governor's recommendation.

Medicaid received a \$220 million increase to \$5.8 billion with no reduction in services or eligibility.

State employees received no cost of living or merit pay increases and will have furloughs as they did this past year. 568 positions were eliminated.

Highway User Revenues (aid to local governments for road repairs) were reduced by \$244.5 million.

BRFA authorizes the transfer of more than \$647.5 million in 2011 from special funds to the General Revenue Fund and reduces mandated appropriations. These include reducing the community college aid formula and transferring Highway User Revenues to the General Fund. Transferred to the General Fund were \$155 million for 2010 and \$45 million in fiscal 2011 from the Bay Restoration Fund ; \$133 million in 2010 and \$11.7 million from the University of System of Maryland and \$134.8 million in 2010 and \$54 million from Program Open Space. The transfer of \$350 million from the Local Reserve Account (local income tax) to the Education Trust Fund with the requirement that the funds be repaid during FY 2014-2020 was also authorized.

In lieu of a provision that would have begun the transfer of the costs of teachers' pension to local governments, a commission was established to study the issue. An interim report is due by December 15, 2010 and a final report on June 30, 2011.

Public school construction, state universities and colleges, community colleges, Project Open Space, the Department of the Environment, and the Intercounty Connector all received loan authorizations for the coming year.

The Governor has signed **SB 106** which establishes a state income tax credit for small business of \$5000 for each new hire with a maximum of \$250,000 per taxpayer and \$20 million for the entire program.

All of the bills that the League supported relating to increases in taxes died in committee as did **HB 591** which would have reduced the rates paid by employers for Unemployment Insurance and **SB 232** which would have extended the homestead property tax credit to a second dwelling located at least 90 miles from the original homestead. **HB 395** which moves the final reporting date for the report of the Maryland Business Tax Reform Commission to Dec 2010 did pass. Hopefully, this report will provide some impetus to resolving the combined reporting issue.

Barbara Hankins

GOVERNMENT

Open Government: HB 344 (Mizeur + 75 others)/**SB 407** (King + 30 others) Both the House and Senate bills failed to come out of their respective Rules committee and have their time "on the floor" despite the majority of representatives that co-sponsored the bills. These comprehensive bills required that individuals be allowed to sign up on the General Assembly website to present testimony on a bill; committee votes to be posted on the General Assembly website; bill hearings to be broadcast on the General Assembly website; The Board of Public Works to be broadcast on the Board's website and archived and the elimination of the Up-To-The-Minute fees. It has been said these bills impeded the process for committee chairs, and the rules committees are made up of all the standing committee chairs and some others.

Marjorie Slater-Kaplan

CAMPAIGN FINANCE

No Bills passed, and none made it to the floors for a vote.

There are several bills on Affiliated Business Entities attempting to close the loophole that allows a business to have multiple entities enabling them to exceed the candidate campaign contribution limits. **HB 373/SB 216** died in committee and **SB 216** was not heard at all. **SB 601/HB 917**, would have allowed expenditures to support or oppose a ballot questions both died in committee. **HB 380/SB 1170**, Prohibited people engaged in Gaming to make campaign contributions also didn't make it out of committee. **HB 725/SB 750** attempted to prohibit a foreign national from making a contribution to a campaign finance entity also died in committee.

Also not voted on or voted out of committee, a response to the most recent US Supreme Court ruling *Citizens United v. FEC*- governing corporate and union spending, **SB 570**, Campaign Material - Stockholder Approval required corporate campaign contributions materials to be true, the corporate board of directors to determine the best interests of the corporation, and the campaign material & expenditure of funds specifically approved by the stockholders by a vote.

And **HB 616**, Independent Campaign Expenditures Restriction Act, required independent campaign expenditures of at least \$10,000 have stockholders approval was not heard at all.

Marjorie Slater-Kaplan

TRANSPORTATION

The Blue Ribbon Commission on Funding Maryland Transportation bill (**SB 229/HB 710**) passed. Watch for hearings this summer and fall and make your ideas known.

The bill (**SB 760/HB 1155**) which alters the process and criteria for selecting transportation capital projects passed. Proposers of projects must give a rationale including how the project works with land use plans and the Climate Action Plan. The Department of Transportation must state the criteria by which they selected projects to be included in the six-year Consolidated Transportation Program.

The bill (**SB 775/HB 903**) which requires the State Highway Administration to develop guidance on the use of road salt passed both houses unanimously.

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Transportation continued from page 5

HB 1404 that asked the Department of Transportation to review best practices for giving priority treatment to transit on roadways passed the House, but received an unfavorable committee vote by the Senate Finance Committee.

Bicyclists did well this session. Bills passed which require an appropriate balance of funding between bicycle and pedestrian facilities and highways (**HB 282**), which assert the right of bicyclists to use shoulders and crosswalks (**SB 624/HB 1193**) and require motorist to give three feet of distance when passing bicycles, Segway-type vehicles and motor scooters (**SB 51/HB 461**).

The bill (**SB 979/HB 1370**) which increases General Assembly oversight of public-private partnerships passed both houses unanimously. Agencies which use public-private partnerships must notify committees before the notice of solicitation is published and submit an annual report on the status of all such partnerships.

Carol Filipczak

AIR QUALITY

Amendments to the administration bill (**SB 277/HB 471**) to increase slightly the solar energy requirement for public utilities by 2020 actually reduce the requirement. The bill (**SB 287/HB 464**) which extends tax credits for producing substantial amounts of energy from renewable sources passed unanimously in both houses. The bill (**SB 234/HB 1044**) which requires high performance building standard (LEEDS Silver rating) for community colleges in the state passed.

Carol Filipczak

BASIC HUMAN NEEDS AND AFFORDABLE HOUSING

This legislative session produced some good news and some bad news in the field of affordable housing/meeting basic human needs.

HB 103 (RSC 1) Real Property - Mobile Home Parks - Plans for dislocated residents was passed and enrolled.

SB 232 (RSC 1)/HB 805 (RSC 3) Property tax - Homestead tax credit- extension to second property did not get beyond first reader in either house.

HB 472 (RSC 2)/SB 276 Real property - Residential property foreclosure procedures – foreclosure mediation was passed and enrolled.

HB 869 (RSC 3)/SB 780 Real property – affordable housing land trusts were passed.

SB 142 - the capital budget included \$2,000,000 for the Maryland Affordable Housing Trust.

Ruth Crystal

MARRIAGE EQUALITY

For the third year, the legislature took no action on the same sex marriage bills in the House Judiciary Committee and the Senate Judicial Proceedings Committee.

On March 31, 2010 Delegate Don Dwyer introduced articles of impeachment against Attorney General Gansler for his opinion that same sex marriages performed in other states be recognized in Maryland. Speaker Busch pushed the issue to the House Judiciary Committee where it was defeated 15-5. Delegate Dwyer also failed to amend **HB 1187 Baltimore City – Marriage License Fee – Increase** to include language negating Gansler's opinion and adding that a marriage in Maryland can only be between a man and a woman.

Sherry Hyman

ENVIRONMENT, WATER, WASTE TREATMENT, LAND USE

In the final days of the Maryland Legislature passed one important land use measure, but there were disappointing results for two other bills which the LWVMD supported.

The Coal Ash Bill, **SB 653/HB 1467** regulating certain uses of coal combustion byproducts in landfill was defeated although there had been hopes for the amended version that would clarify the language so as not to affect cinder blocks and concrete. LWVMD supported the bill as it would be further protection against leaching of harmful substances into the water and dust in the air.

The Storm Water Utility Fee Bill **SB 686/HB 999** went down to defeat. LWVMD supported creating a stream of funding for retrofitting development with effective storm water management systems and repairing the great backlog of storm water damage to streams.

A happy victory was the final passage at sine die in the Senate of the Sustainable Communities Bill. **HB 475/SB 285** which continues the Historic Tax Credit, makes the application of it more flexible to further the Maryland Main Street Program and Community Legacy program. This major bill will expand the Subcabinet Department for sustainable communities to include three more departments for closer coordination for sustainable communities planning and programs.

Susan Cochran.

DEATH PENALTY

Only four bills relating to the Maryland death penalty were filed this year, all of which died in committee. No bills were filed by those who, like the League, favor repeal in the expectation that any chance at doing away with capital punishment awaits the election and a new legislature. Three of the 2010 bills would have increased the types of evidence allowed for a capital prosecution. The fourth, the so-called "personhood amendment", would have eliminated capital punishment but also the right to an abortion.

After the election pro-repeal groups are expected to ask Governor Martin O'Malley to commute the sentences of those on death row to life in prison without hope of parole. Awaiting action also is an administrative recommendation on lethal injection protocols approvable by the Maryland Court of Appeals. Without these protocols a moratorium on Maryland executions continues in effect.

Marcia Reinke

GUNS

Of the 33 bills relating to firearms filed this year, only those allowing an exception to "wearing, carrying or transporting" laws and one allowing firearms applications to be transferred electronically were passed. The exception is for a person about to surrender a firearm under a court order. Electronic transfers are added to those done by fax or certified mail.

Killed in committee early in the 2010 session were bills which would have established weapons-free zones around Maryland schools of higher education, and to reestablish an assault weapons ban. An attempt to increase the number of valid firearms licenses by allowing Delaware, Pennsylvania and Virginia licenses to be valid in Maryland died in committee; as did a bill which would have allowed licenses issued by another state to members of the armed forces to be valid in Maryland.

Marcia Reinke

ADMINISTRATION OF JUSTICE

There will be two constitutional amendments in the area of Administration of Justice. One deals with increasing the amount in controversy in a civil action in which a party may not demand a jury trial. The current constitution amount is \$10,000 and the proposed constitutional amendment would increase that amount to \$15,000. (**SB 118 & SB 119**). The House amended the Senate Bills reducing the proposed change from \$20,000 to \$15,000, vote 112-27, and the Senate concurred with the House amended Bill on 4/9, 35-11.

The second Constitutional Amendment deals with qualifications for Baltimore City Orphans Court Judges (**HB 417**). The cross-filed **SB 770** received an unfavorable report from JUD on 4/12, failure of a motion. The proposed requirements for Baltimore City Orphans Court Judges are US citizenship, City residents for 12 months and admitted to practice law in MD and members in good standing of the MD Bar. JPR committee voted favorable. Senate on 4/1 passed 45-2.

Last minute conference committee and amendment enabled the Maryland Legal Services Fund-Surcharge legislation to pass (**HB 106 & SB 248**) SB 248 passed the House on 3/30 with amendments. A conference committee 3 Senators, Frosh, Gladden & Raskin and 3 Delegates Anderson, B. Kramer & Schuler reached agreement on amendments changing the amounts of fees compromising on difference in both bills. The conference committee report was adopted on 4/12 at 11:27pm in the House, vote 96-46.

HB 436 Jury Trials in Civil Actions Amount in Controversy. Passed House 3/24 120-18, amendment changed amount from \$20,000 to \$15,000, current amount is \$10,000. Senate passed the bill with amendment changing the amount back to \$20,000 4/5 35-11. No conference committee: Bill failed.

Update from RSC 5:

SB 684 & HB 1556 Courts-Veteran's Treatment Court Pilot Program Establishment(s Senator Peters plus 11) (Delegate Hubbard, Holmes & Levi) Pilot Program for Wicomico, Frederick & Prince George's counties for veteran's who exhibit substance abuse or mental health problems and defendant charged with non-violent crimes diversion to Veteran's Treatment Court. (JUD unfavorable report, HB 1556, 4/1 but committee vote showed 12 votes yes and 6 no) No action on SB684. Bills failed.

HB 769 Orphan's Courts Minors Guardianship. Passed the House 2/5 136-1 assigned (JPR 3/31 hearing) No action. Bill Failed.

HB 208 County Administrative Judge Responsibility Passed House 2/18 134-2 sent to (JPR 2/19) no hearing scheduled. Bill failed.

HB332 Orphans Judges Qualifications. Unfavorable JUD 3/24. Withdrawn.

SB 220 Circuit Court Real Property Records Improvement. (B&T 2/19 hearing) no action. Bill failed

SB874 Circuit Courts and District Court-Creation in Areas of Greatest Need (3/23 JPR hearing) No action. Bill failed.

SB 833 (Request of Attorney General and 15 Senators) & HB 1385 (Cardin) Circuit Court Judges- Election, Qualifications, and Terms of Office. Amends the Constitution to alter the method of election of Circuit Court Judges to be retention elections. (JPR 3/9 hearing) (JUD hearing 3/17) no action. Bills failed.

HJR4 & SJR4 Judicial Compensation Commission Recommendations Bills passed both Houses amended no increases.

This reporter appreciated the fact that we could view the committee votes on line.

Grace Kubofcik

JUVENILE JUSTICE

Some success for juvenile justice advocates came this year from the Executive branch. As mentioned in last month's RSC, slots for multi-systemic therapy for juveniles who have entered the juvenile system are being expanded. These youths will remain in their own homes where they will receive intensive services, thus avoiding incarceration and saving the State considerable expense. Secretary DeVore of DJS has announced that 20 new slots will come to PG County. In addition, the State will not expand Victor Cullen, a facility for delinquent youth, until its program conforms to best practices in the field of juvenile justice. The building of two other juvenile jails has been delayed for program review.

These bills passed:

HB 75 which makes it a crime to escape from privately operated secure facilities

SB 330 which imposes a 48 bed limit on private detention facilities for juveniles, similar to the limit on public facilities.

These bills failed:

HB 394 requiring programs for females to be equal to those for males.

HB 609 Jurisdiction over juvenile offenders was reported unfavorably from the House Judiciary Committee. (In the last issue of RSC this bill was mistakenly reported to have been voted on favorably by the House Judiciary Committee.)

Deborah Ehrenstein

EDUCATION

Education Reform Act of 2010 - Maintenance of Effort - Safe Schools Act of 2010 - all three were major education bills before the General Assembly this year, but their fates were not decided until the final hours and minutes before Sine Die.

The Senate and House versions of the Education Reform Act of 2010 (RSC 3) were reconciled by a conference committee late Monday night. The purpose of these bills is to strengthen Maryland's chances of getting a grant under the federal Race to the Top program although direct reference to the program has been deleted from the bills. The probationary period for a teacher to attain tenure will now be three years with a requirement for well trained mentors to be appointed to help beginning teachers who need it and for portability within the state. The State Board of Education (SBE) must establish standards for performance evaluations for certificated teachers and principals. Local boards must establish performance criteria agreed to by the school system and the teachers' union. These criteria must include data on student growth, but no criterion may count for more than 35% of the total. The SBE must also establish a program for locally negotiated incentives to be paid to highly effective teachers and principals who work in Title 1 schools.

Although the maintenance of effort bills (RSC 2) that waived the penalty for FY 2010 for any county that did not achieve that standard this year passed, the companion bills that would have added criteria for determining future eligibility for a waiver failed in the waning moments of the session despite conference committee agreement. The report included the criteria proposed in the bill (RSC 2), gave the State Superintendent authority to provide a preliminary assessment of a waiver application to the SBE and required the bill to sunset on June 30, 2013.

The Safe Schools Act of 2010, although amended to make notification of a rescinded commitment order by the court to the public schools permissive, still increases sharing of information among courts and schools regarding juvenile delinquency and suspected gang activity and includes the other provisions described in RSC 3. An amendment also defines school security officer to include the principal or other administrator, as well as a police officer or other employee designated by the principal to maintain safety and security in the schools.

Update:

RSC 1

SB 74 - Comprehensive master plans - Passed with technical amendment - Chpt. 25
SB 76 - Repealed required state funding for disruptive youth programs - Passed - Chpt. 27
SB 87 - Date change re: reporting disabled students' PE programs - Passed - Chpt. 33
SB 128 - GED Options - Unfavorable
SB 204/HB 11 - Changed "emotional disturbance" to "emotional disability" - Passed
HB 17 - Bullying report by principals - No Action
HB 39/SB 986 - Data collection system based on how many students graduate in 3, 4 or 5 years - No Action
HB 97 - Hearing and vision screening before entering public schools - No Action

RSC 2

SB 230/HB 413 - Requires SBE to set standards in specific subjects for Braille mastery, not just its use - Passed thus amended
SB 239 - Higher age for compulsory attendance - Passed Senate only with amendment re: funding
SB 264/HB 764 - Financial literacy - Passed Senate with amendments deleting the requirement for a semester long course and requiring that the SBE develop content standards for personal financial literacy to be taught in each local school system; no House action
SB 310/HB 304 - Maintenance of effort waiver procedure additions - Passed Senate with conference committee report (see above)
SB 385/HB 946 - BOAST - passed Senate; no House action. League members' action, based on testimony and several Action Alerts, helped to defeat this bill!
SB 403 - Maintenance of effort penalty - No Action
SB 410/HB 276 - Veterans Day as holiday - Unfavorable Report
SB 452/HB 439 - Innovative Schedules - Passed with House amendments encouraging local school boards to use models that most effectively enhance student achievement and deleting required state funding of these new programs
SB 453/HB 440 - National Board Certified Teacher Pilot Program - SB 453 passed Senate with technical amendment; no action on House bill
SB 476/HB 223 - Repeals maintenance of effort 2010 penalty - Passed
HB 335/SB 1030 - Financial literacy - No action in House; Unfavorable Report in Senate
HB 410 - Maintenance of effort waiver for 2011 - No action
HB 505 - Academic requirements for sports participation - No Action
HB 632 - Maintenance of effort waiver for 2010 - No Action

RSC 3

SB 814/HB 932 - Required an environmental plan for new school construction - Unfavorable
SB 836 - Prohibited specific school attendance for reportable offense - Passed Senate amended; no House action
SB 866/HB 1036 - Changed average daily attendance calculation in funding formula - No Action
SB 888/HB 1179 - Scholarships for student school board members - Unfavorable Report
SB 899/HB 1263 - Education Reform Act - Passed with amendments (see above)
HB 853/SB 1060 - Financial literacy - No action
HB 1131 - Maintenance of effort appeal process - No Action
HB 1154 - Changed average daily attendance calculation in funding formula - No Action
HB 1160 - Safe Schools Act - Passed with amendments (see above)
HB 1371 - defining student gang members - Unfavorable

RSC 4

SB 834/HB1484 - Charter Schools on federal military bases- Senate bill passed with amendments requiring off base students to comprise at least 35% of available space if students are admitted by lottery
SB 1014 - Maintenance of effort waiver and appeal process - No Action

HB 1228 - Change definition of full time enrollment in funding formulas - No Action
HB 1430 - Student health and fitness - No Action

RSC 5

SB 275/HB 467 - Maryland Longitudinal Data System established as a statewide data system with individual student data and workforce data from all levels of education and the state's workforce to help qualify Maryland public schools for the Race to the Top federal program - Senate bill passed with conference committee amendments; no action on House bill.

Lois Stoner

CHILDREN & FAMILIES

SB 252/HB 500 - (both passed) Child Support Revision - revises the schedule of basic child support obligations used to calculate child support. The bills provide a higher maximum income of parents included in the schedule.

HB 465 (passed) - Collective negotiations by Family Child Care Providers authorizes collective bargaining negotiations for providers who participate in the Maryland Child Care Subsidy Program. As amended and passed, the legislation contains provisions relating to service fees for non-members, a fund to protect providers against hardship & loss of livelihood due to late payments, and a requirement to study and report to the General Assembly about it's results.

SB 717/HB 832 - (both failed) the Lorraine Sheehan Health and Community Services Act - would have increased taxes on alcoholic beverages, using the revenue to support services for the developmentally disabled, addiction treatment and prevention mental health care, etc..

Local Management Boards - (LMB's) - Governor's Office for Children (GOC) - A proposal by GOC to substantially reduce administrative funding for the LMB's (which exist in every local jurisdiction) and would have effectively given control of these funds back to the state, and reduce local administration, was defeated. \$600,000 for LMB administration was restored, and they will retain the Early Intervention and Prevention funding for now.

Currently the Children's Cabinet will be approving the distribution of the now \$3M to each jurisdiction on April 22. The Early Intervention and Prevention Funding and decision-making has been returned to the jurisdictions in the proportional amount as in the current fiscal year, given some reductions due to federal funding cuts and transfer of some funding to LMB administration. Each LMB will be submitting it's proposal for the use of the funds by May 17 to the Governor's Office for Children in order to negotiate it's FY2011 Community Partnership Agreement.. Resource & Referral (R&R) funds have also been cut, but MSDE (MD State Dept. of Education) plans to use federal funds to minimize these cuts. It is clear from the outcry this issue generated, that local control is of major concern to all jurisdictions. The roster of child and family services under Local Management Boards is impressive, and needs to be protected.

THE FEDERAL LEVEL - President Obama has proposed a \$1.6 billion increase in funding for the Child Care & Development block grant (CCDBG) - which would compensate for the almost \$10 million which will be cut due to ending of federal stimulus money.

Pat Plunkett