

January 10, 2014

### In this issue:

- **MABE's Annual Legislative Day Luncheon is Wednesday, January 29<sup>th</sup> – Mark your calendars!**  
(Scroll to the end for complete details.)
- The Session Ahead
- Legislative Committee
- Prekindergarten Expansion Anticipated
- Common Core Legislation
- Budget Process Tips and Pointers
- MABE Resources

### The Session Ahead

During the 90-day session that began on January 8th, MABE will monitor 300 to 350 bills relating to public education, and testify and lobby on a significant number of key funding and policy issues.

MABE leadership, represented by the Executive Committee and Legislative Committee Chair, are meeting regularly with legislative leaders to advocate for MABE's priorities and listen and learn about their respective priorities and concerns. Our priorities and specific positions outlined in the [2014 Legislative Positions](#) publication are well

received by legislators and provide a clear platform for taking positions on the vast majority of bills introduced.

MABE's top priorities for the 2014 Legislative Session include:

- Support for continued governance autonomy for local boards of education to set education policy and school budgets; and opposition to unfunded mandates;
- Support for full State funding for Maryland's outstanding public schools;
- Support for robust State funding for school construction and renovation projects; and
- Support for sustained local government investments in education.

Major policy issues being widely discussed as the focus of the 2014 session include the education policy and funding initiative to expanding Prekindergarten, and several other issues including: raising the minimum wage (statewide, regionally and/or locally); tax reform (lowering estate and income taxes); expanding access to medical marijuana (revising last year's bill to accelerate patient access); and addressing environmental issues impacting the Chesapeake Bay such as storm water fees and poultry waste.

### Legislative Committee Calendar

- January 29, 2014 - MABE Legislative Day Luncheon in Annapolis (Miller Senate Building)  
**\*\*Legislative Committee meets 10:00-11:00 a.m. on-site\*\***
- February 10, 2014
- February 24, 2014
- March 17, 2014
- March 31, 2014  
(Session ends April 7, 2014 - Sine Die)
- April 28, 2014 (Session Wrap-Up)

Meetings are held from 10:00 a.m. to Noon in the MABE office in Annapolis, unless otherwise indicated.)

Highlights of the opening of the 2014 Session included remarks by Governor O'Malley, Lt. Governor Anthony Brown, Speaker of the House Mike Busch and Senate President Mike Miller. Support for public education, especially expanding Prekindergarten, was a central issue for the Governor, Speaker and President in their remarks at a live broadcast of the Marc Steiner Show on the morning of the opening day of Session. Later in the day, these sentiments were reiterated in opening statements to the General Assembly. House Speaker Busch was emphatic that "Maryland's support for public education is unwavering."

Of course, the fact that 2014 is an election year will influence the tenor of the 2014 session, as many legislators and office holders are candidates for reelection or running for other offices, including several elections in which incumbents are poised to run against one another. The filing deadline for candidates is February 25<sup>th</sup>, and the primary elections are to be held on June 24, 2014.

### **Legislative Committee Update**

MABE's Legislative Committee met on Monday, January 6 and for those who braved the cold (a day before the vortex arrived) the meeting provided an opportunity to receive updates on priority issues and to support and learn from others, including the Public School Superintendents Association. MABE strongly encourages local board participation on the Legislative Committee, which provides an opportunity for dialogue and decision-making on pending legislative issues throughout session. Information and meeting materials are posted on [Legislative Committee](#) section of the MABE website.

### **MABE Bill Report & Positions**

The GreenStreet Coalition met on Friday, January 10<sup>th</sup> and reviewed and discussed the bills pending for hearings in the coming weeks. The [updated bill tracking report](#) (as of Friday, January 10, 2014) is available on MABE's website and will be updated weekly throughout session.

### **Prekindergarten Expansion**

Candidates for Governor have highlighted their support for a variety of approaches to expanding Prekindergarten. According to campaign materials and media reports, Delegate Heather Mizeur proposes to offer Prekindergarten to all 4-year-olds and expand access to 3-year-olds through four phases in which income and age eligibility would be expanded over time. Attorney General Doug Gansler would expand Prekindergarten by offering full-day preschool to disadvantaged children, with a long-term goal to allow every 4-year-old to start public school in Prekindergarten. Lt. Governor Anthony Brown supports expanding full-day Prekindergarten in the same way the state implemented the current half-day program, by targeting economically disadvantaged families and then expanding access as additional funding becomes available. Gubernatorial David Craig has voiced caution regarding mandating any increased investments in prekindergarten in light of K-12 funding needs.

MABE is focused on moving forward to adequately and equitably fund the current, and any expanded, prekindergarten program by enacting a clear and consistent per pupil funding allocation for students attending prekindergarten, including a 0.5 FTE for half-day students and 1.0 FTE for full-day students. Prekindergarten students represent more than 30,000 of the 860,000 students for whose education we are responsible, and today they are not counted as enrolled students and therefore receive no per pupil funding allocation from the state of local governments.

MABE anticipates considerable legislative activity in the 2014 session around the widely supported initiative to expand access to Prekindergarten.

## **Common Core Legislation**

Delegate Luedtke has introduced [House Bill 117](#), legislation to intervene in the Maryland State Department of Education's development and submittal of a renewed waiver application to the U.S. Department of Education. The waiver in question relates to waiving provisions of the Elementary and Secondary Education Act (ESEA), which means waiving provisions of federal law formerly known as the No Child Left Behind Act and focus instead on implementing the Common Core. Most controversially, the waiver being developed by MSDE will include commitments to USDE regarding student assessments and the use of assessment results to inform and influence teacher and principal evaluations as Maryland transitions from using the Maryland State Assessments (MSAs) to the PARCC Common Core assessments. In this context, Delegate Luedtke's bill would mandate the following:

"That the State Department of Education shall request a waiver from the U.S. Department of Education from specific provisions of the Elementary and Secondary Education Act that require the Department to administer the Maryland School Assessment in the spring of 2014. The waiver shall be requested within 15 days of enactment of this Act."

The bill further states:

"That if the State Department of Education has not received a waiver or a response from the U.S. Department of Education (USDE) 2 weeks before the Maryland School Assessment (MSA) is scheduled to be administered, the Department may not administer the MSA unless the Department determines that the penalty the Department would receive from USDE for not administering the MSA is more than the savings or benefits the Department would receive from not administering the MSA."

House Bill 117 has not yet been scheduled for a hearing. MABE anticipates much more discussion among MSDE and the Maryland State Education Association other educational organizations in the coming weeks.

More information on [Maryland's ESEA flexibility waiver](#) on available on MSDE's website

## **Legislative Process & Operating and Capital Budget Process Primers**

As a new session commences, a refresher is usually in order. The "how a bill becomes a law" process may be second nature to some, but in Maryland the 90 day session leaves 9 other months to focus on other things. The Department of Legislative Services (DLS) has a wealth of information, including a [2-pager on the legislative process](#), which is a useful quick resource; and a series of Legislative Handbooks, with [Volume 1, the Maryland Legislator's Handbook](#), containing 150 pages designed to give members of the General Assembly an overview of the legislative process, the organization of the General Assembly, and the services and facilities available to legislators.

On the advocacy front, MABE's [Advocacy Toolkit](#) is intended to complement board and board member efforts by providing a portable guide to assist in lobbying local, state, and federal officials on behalf of Maryland's outstanding public schools and students. Members can obtain a copy of the toolkit by contacting Sandi Barry, [sbarry@mabe.org](mailto:sbarry@mabe.org).

## **Operating Budget Process**

Under the Maryland Constitution, the Governor must submit a budget to the General Assembly on the third Wednesday in January (or by the tenth day of session in the first year of a term). The budget consists of a detailed statement of revenues and intended spending and a bill making the appropriations proposed. The budget must be balanced when submitted. In other words, the proposed appropriations must be supported by estimated revenues.

After submission of the budget bill, the Governor may change proposed appropriations by submitting one or more supplemental budgets. Supplemental budgets permit the Governor to correct errors and omissions in the original budget. Supplemental budgets are also used to reallocate funds deleted by the General Assembly. Although customarily accepted, supplemental budgets may only be attached to the budget by consent of the legislature. The budget bill is introduced in both houses. By custom, the House and Senate move the bill in alternate years – the House moves the budget in odd numbered years and the Senate moves the budget in even numbered years. The budget bill will start in the Senate in the 2014 legislative session.

## Capital Budget Process

Unlike the operating budget, the capital budget is regarded as a supplementary appropriation bill; as such, it may be introduced in accordance with and subject to rules and timelines applicable to other bills. Because the capital budget is regarded as a supplementary bill, under the constitution, the capital budget bill has several characteristics and requirements that are distinct from the operating budget bill:

- the capital budget must be introduced as a separate bill;
- the bill must contain a single work, object, or purpose;
- the bill must be signed by the Governor and is subject to the Governor's line-item veto power; and
- the bill must include a tax revenue by which the appropriations contained in the bill are to be paid.

The capital budget bill is typically introduced by the presiding officer of each house as an administration bill by the twentieth day of each session. Similar to the operating budget, it is customary for the House and Senate to move the bill in alternate years. The capital budget, as with any other supplementary appropriation bill, may not be finally acted upon until after the operating budget has passed.

## MABE Resources

MABE resources during session include the [GreenSheet legislative newsletter](#) and the [Advocacy](#) pages on the website. As session progresses, MABE will provide legislative updates and Calls to Action via the GreenSheet, and continuously update the website to provide all bill testimony and other resources, in order to facilitate the advocacy efforts of local boards and board members.

- MABE's [Annapolis Advocacy Center](#) features MABE [Bill Testimony](#), [GreenSheet](#) legislative newsletters, and [Calls to Action](#) on pending legislation.
- MABE's [Priority Issues](#) page provides more detailed information on MABE's top legislative priorities, and hot topics such as student discipline.

Also available on MABE's Website:

- [State Board Advocacy Center](#) and [Federal Advocacy Center](#)
- MABE's [Advocacy Toolkit](#) in PDF - For a hard copy of this publication, please contact the MABE office at 410.841.5414, or email Sandi Barry at [sbarry@mabe.org](mailto:sbarry@mabe.org).
- [The Monitor](#): MABE staff produces this newsletter on the State Board of Education's monthly meeting. Meeting handouts (regulations, memos, and briefing materials) are available on the MABE website.
- For any additional information regarding legislative matters, please contact John Woolums, MABE's Director of Governmental Relations at (410) 841-5414, (800) 841-8197, or [jwoolums@mabe.org](mailto:jwoolums@mabe.org).

MABE's Annual Legislative Day Luncheon provides a forum for legislative leaders to share their perspectives and positions on education funding and policy issues and for local board members to advocate for MABE's legislative priorities. The President of the Senate, Speaker of the House, and education and budget committee chairs and vice-chairs present remarks, share lunch, and engage local board members in lively discussions. All members of the House and Senate are invited and many attend looking for their local boards and their input on pending bills.

# MABE's Annual Legislative Day Luncheon

Sponsored by Senator Roy Dyson

Wednesday Jan. 29, 2014  
11:00 a.m. – 1:00 p.m.

Miller Senate Building, Annapolis, MD  
Pre-Luncheon Meeting for Legislative Committee Members  
10:00 a.m. - 11:00 a.m.

Convenient parking at [Navy/Marine Corps Stadium](#)  
Details of scheduled speakers to follow.  
For additional information please contact  
Tracy Oldaker, 410.841.5414 or [toldaker@mabe.org](mailto:toldaker@mabe.org)



Maryland Association of Boards of Education  
*Serving & Supporting Boards of Education Since 1957*