MABE Advocacy in the 2023 Session & The Legislative Process

January 9, 2023
MABE’s Mission

• The mission of the Maryland Association of Boards of Education is to provide members with a strong collective voice, and to support local school board governance through professional development, advocacy and member services.
MABE’s Advocacy Vision

• MABE strives to be the primary voice for public education in Annapolis. The unity of 24 local school boards lends strength to our increasing importance in the legislative process, ensuring that the Governor and General Assembly turn to MABE to help determine what is best for school children.
MABE’s Advocacy Centers

ANNAPOLIS ADVOCACY CENTER

STATE BOARD ADVOCACY CENTER

FEDERAL ADVOCACY CENTER
• Public education funding in the state budget is constitutional mandate.
• School construction funding is a significant portion of the total capital budget.
• Education issues, from curriculum to student health to electric school buses, consistently dominate the legislative agenda. (Not to mention the Blueprint!)
• The 2022 legislative session saw the introduction of 1,487 House Bills and 1,011 Senate Bills. Of these 2,498 bills and resolutions, MABE monitored over 400 and provided testimony and advocated on nearly 90 house bills and 40 senate bills.
• The 2023 session follows an election year focusing on education issues and will be the first for a new Governor.
The General Assembly at a Glance

- 141 Delegates, 47 Senators
- 90-day regular legislative session (90 calendar days; from 2nd Weds. in Jan. – 2nd Monday in April)
- The House Speaker and Senate President assign all committee chairs and vice-chairs
- Leadership & Committee Chairs appoint subcommittee chairs, schedule bill hearings and votes
- Committee hearings, but not voting sessions, are printed in the hearing schedule
- All bills get a hearing, but not necessarily a vote
- Everyone who signs up to testify gets to speak, typically for 2 or 3 minutes
Key Committees

House:

- Ways and Means (policy)
  - Education & Early Childhood

- Appropriations (budget & policy)
  - Education & Econ. Development (PreK-12 $$ & Higher Ed. Policy)
  - Capital Budget (School Construction)
  - Pensions

Senate:

- Education, Energy, and Environment (policy)
  - Education

- Budget & Taxation (budget & policy)
  - Education, Business and Administration
  - Capital Budget (School Construction)
Title: Blueprint for Maryland's Future - Implementation Plans and Funds - Alterations

Sponsored by: Delegates McIntosh, Atterbeary, B. Barnes, and Washington

Status: Enacted under Article II, Section 17(b) of the Maryland Constitution - Chapter 33

Analysis: Fiscal and Policy Note (Revised)

Synopsis: Expanding the uses for certain grants under the Concentration of Poverty Grant Program; requiring the State Department of Education to collect certain data and submit a certain report by December 1, 2022; requiring the governing body of each county to appropriate a certain amount of funds to the school operating budgets for fiscal year 2023; requiring the Accountability and Implementation Board to release certain funds withheld from a local school system for fiscal year 2023 if a certain condition is met; etc.

Committees:
- Original: Appropriations
- Opposite: Budget and Taxation
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<td><strong>House</strong></td>
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<td>• Health and Government Operations</td>
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<td>• Banking, Consumer Protection, and Commercial Law</td>
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<td>• Health and Government</td>
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<td><strong>Other</strong></td>
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<td>• No. 4 - Baltimore County</td>
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<td>• Government Operations and Health Facilities Subcommittee</td>
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## General Assembly On-Line Resources

### Education, Health, and Environmental Affairs Committee (3/16/2022)

**Bill Hearing**

<table>
<thead>
<tr>
<th>Number</th>
<th>Title</th>
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</thead>
<tbody>
<tr>
<td>SB0925</td>
<td>Prince George's County - Special Elections Conducted by Mail - Voting Centers</td>
</tr>
<tr>
<td>SB0908</td>
<td>Harford County Board of Education - Appointment of Members - Alterations</td>
</tr>
<tr>
<td>SB1000</td>
<td>Harford County - Alcoholic Beverages - Class L License</td>
</tr>
<tr>
<td>SB0952</td>
<td>Frederick County - Board of Education - Vacancies</td>
</tr>
</tbody>
</table>
First, Second & Third Readers

First Reading
After a bill is introduced, it is “read across the desk” the first time and assigned to a committee. When a bill receives its first reading, a brief, one paragraph summary of the bill is included in daily Synopsis.

Committee Action
The Presiding Officers (House Speaker and Senate President) assign bills to one of the principal standing committees. Committees must hold a bill hearing, before which DLS must issue a Fiscal & Policy Note. After the hearing, the bill may be referred to a subcommittee for discussion, amendments, and voting. Subcommittee reports are presented to the full committee for voting on whether to “report out” the bill to the floor.

Second Reading
When the committee chair presents a bill reported to the floor, the clerk reads its title for the second time. At this point, committee amendments are considered for approval by the full house/senate, and members may offer other amendments for consideration (floor amendments).

Third Reading
Bills are reprinted for third reading at the time they pass second reading in the house of origin. This “third reading file bill” includes any committee amendments or floor amendments adopted on second reading. If any amendments affect the fiscal impact or summary of the bill, the Fiscal Note and Synopsis are revised. No amendments may be offered on the third reading vote.
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Conference Committees

• If the chair moves not to concur in the amendments and the motion is adopted, then a message may request the opposite house to recede from the amendments or appoint a conference committee of 3 members from each chamber.

• A total of 4 members must agree in order to issue a conference report.

• If the conference committee reports a proposal to resolve the differences between the two houses, each house then votes either to accept the report without change or reject it.

• Following adoption of the conference committee report, the bill, as amended by the conference committee, is considered to be on third reading again and must be approved in each house.
**Enactment:** Bills that pass both houses are presented to the Governor, reviewed by the Attorney General for legal sufficiency, and by the Governor’s Legislative Office. Bills must be presented no later than 20 days after adjournment, and the Governor may sign, or veto, a bill within 30 days after presentment or allow it to become law without signing.

**Vetoes:** If a bill is presented to the Governor in the first 83 days of the session, the Governor has only 6 days (not including Sunday) to act before the bill automatically becomes law. If the Governor vetoes the bill, the legislature may override before adjournment by a three fifths majority. Otherwise, vetoed bills are considered for override at the opening of the next session.
Governor’s Role
The constitution requires the Governor to submit a budget to the General Assembly one week after the opening of the regular session. In a new Governor’s first year, an additional two days are provided.

Legislature’s Role (Historically)
Maryland’s budget bill appropriates funds for the legislature, judiciary, and all executive agencies. The General Assembly may increase or decrease appropriations relating to the legislature and the judiciary, which are relatively small components of the State budget, but may neither increase nor transfer funds from one program to another for the executive agencies. Consequently, the legislature’s role for over 98% of the appropriations in the budget is limited to reducing or restricting the amount requested by the Governor. The legislature may also restrict funds to be used for another purpose known as “fencing” but whether the funds may be distributed for the alternative purpose is at the discretion of the Governor.
Legislature’s Budget Role (*Beginning in the 2023 Session*)

• A constitutional amendment approved in 2020 authorizes the General Assembly, beginning with the FY 2024 operating budget, to increase appropriations made by the Governor and add items to appropriations for Executive Branch agencies.

• The total appropriation in the operating budget for the Executive Branch approved by the General Assembly cannot exceed the total proposed appropriation for the Executive Branch submitted by the Governor.

• The Governor is allowed to veto items increased or added by the General Assembly. The legislature may convene a special session to override such vetoes.
Conference Committee
Differences between the House and Senate versions of the budget are resolved by a conference committee of five senators and five delegates. However, conference committee action on the budget bill is limited to the subjects of disagreement between the houses.

Supplemental Budgets
The constitution provides that the Governor may amend or supplement the budget bill, with the consent of the General Assembly, before final action. These supplemental budgets automatically become part of the budget bill once accepted.

Enactment
With the approval by both houses of a conference committee report and final passage of the bill, the operating budget becomes law without further action.
How the Capital Budget Becomes Law

Consolidated Capital Bond Loan (Capital Budget)

The Department of Budget and Management (DBM) reviews all proposed projects and presents recommendations to the Governor for consideration. The final projects are placed into the “consolidated capital bond loan bill,” which is synonymous with the “capital budget,” and presented to the General Assembly.

Governor & Legislature’s Role

- Unlike the operating budget, the General Assembly has long had the power to modify the capital budget bill in any manner. The projects proposed by the Governor may be deleted, the amounts allocated for specific purposes of a project may be increased or decreased, or the General Assembly may add specific projects and dollar amounts.

- The capital budget bill must contain an effective date (usually June 1 of the session year), and it is not enacted until signed by the Governor.

- The Governor has veto power or may exercise partial (line-item) veto of the capital budget.
Session Calendar & Dates of Interest

- January 11, 2023 - General Assembly Convenes (noon, Wednesday)
- 7th Day - Senate and House Bill Drafting Request Guarantee Date
- 10th Day - Final date for submission of Executive Orders reorganizing the Executive Branch of State Government; either Chamber may disapprove by resolution within 50 days
- 13th Day - Administration bills introduced in the Senate after this date referred to Senate Rules Committee
- 27th Day - Senate Bill Introduction Date - Senate bills introduced after this date referred to the Senate Rules Committee
- 31st Day - House Bill Introduction Date
- 55th Day - Final date for introduction of bills without suspension of Rules
- 63rd Day - Committee Reporting Courtesy Date Each Chamber’s committees to report their own bills by this date
- 69th Day - Opposite Chamber Bill Crossover Date
- 83rd Day - Budget bill to be passed by both Chambers
- April 10, 2023 - 90th Day - Adjournment “Sine Die” (Monday @ midnight)
Overview of MABE’s Legislative Process

Bill Analysis
- Legislative Process
- Daily Synopsis (DLS)
- Tracking Report (DLS)
- MABE Bill Report

Member Resources
- Legislative Committee Meetings
- Advocacy Website
- Trainings
- Education Advocate

Advocacy
- Direct Lobbying
- Leadership Meetings
- Testimony
- Talking Points
- Calls to Action
- Media
MABE’s Legislative Process

- Bill Synopsis (Staff)
- Analysis (GreenStreet)
- Fiscal Note (GreenStreet/CFOs)

- MABE’s Position (Staff/Chair/LC)

- Call to Action (Staff/Chair/LC)
- Bill Hearing & Follow-up (Staff/Chair/All)
- Votes (Sub. & Full Cmt./Floor/First Chamber, etc)

- Bill Tracking Report (Staff)
HB 750  Delegate D. Jones

EDUCATION – JOBS THAT REQUIRE DRIVING – REQUIREMENTS
(DRIVERS EDUCATION FOR GOOD JOBS ACT OF 2022)

Authorizing a county board of education to authorize a certain employee to transport a public school student in a vehicle; and requiring, on or before December 31, 2022, the Career and Technical Education Committee to establish a pathway for students to prepare for a career as a driver and an annual goal for the number of students who obtain the appropriate license for a career as a driver before they graduate high school.

EFFECTIVE JULY 1, 2022
ED, §§ 6-127 and 21-211 - added
Assigned to: Ways and Means
Title: Education - Jobs That Require Driving - Requirements (Drivers Education for Good Jobs Act of 2022)

Sponsored by: Delegate D. Jones

Status: In the House - Hearing 2/24 at 1:00 p.m.

Analysis: Fiscal and Policy Note

https://mgaleg.maryland.gov/mgawebsite/Legislation/Details/hb0750
FISCAL AND POLICY NOTE
First Reader
House Bill 750
(Delegate D. Jones)
Ways and Means

Education - Jobs That Require Driving - Requirements (Drivers Education for Good Jobs Act of 2022)

This bill requires the Career and Technical Education (CTE) Committee to establish, by December 31, 2022, a statewide CTE pathway for high school students to prepare for a career that requires driving skills and a driver’s license and that leads to the student achieving the required license. The CTE Committee must also establish an annual goal for the number of students who obtain the appropriate driver’s license before they graduate from high school. The bill also authorizes a local school board to allow an employee of the board, or an employee of a person that contracts with the board, to transport a public school student in a vehicle if the driver is at least 19 years and 6 months old and has at least three years of experience driving a vehicle. The bill takes effect July 1, 2022.
MABE’s Annapolis Advocacy Center

Advocacy Overview

Annapolis Advocacy Center
Continuing Resolutions
2022 Legislative Session
Legislative Committee
Archived Legislative Sessions
Priority Issues: The Blueprint for Maryland’s Future & Built to Learn
The Education Advocate
Background on the Kirwan Commission & Blueprint for Maryland’s Future

Federal And State Advocacy
State Board Advocacy Center
Federal Advocacy Center
MABE’s Legislative Committee

MABE’s Legislative Committee is led by Karen Yoho, Chair, and Brenda Wolff, Vice Chair, and includes representatives from all 24 boards of education.

The Legislative Committee holds monthly meetings to guide the association’s lobbying activities in Annapolis, and invites policy and legislative leaders as guest speakers to exchange ideas. During the legislative session, MABE’s bill testimony reflects the association’s resolutions as annually updated and adopted by the full membership, and legislative priorities and positions as adopted by the Legislative Committee.

On November 15, 2021, the Legislative Committee adopted MABE’s Legislative Priorities and Positions for the 2022 Session.

Committee Schedule

- Oct. 7, 2022 (MABE Conference Legislative Committee Breakfast)
- Nov. 14, 2022
- Dec. 12, 2022
- Jan. 9, 2023
- Jan. 23, 2023 (Legislative Luncheon - date TBD)
- Feb. 13, 2023
- March 6, 2023
- March 27, 2023
- April 24, 2023

MABE’s Legislative Committee
MABE’s Legislative Committee Process

• Committee Meetings: Bill Highlights, Advocacy Reports, Budget Updates, Guest Speakers, and Votes on Bill Decisions.

• Bill Decisions by the Legislative Committee: Staff recommends positions for the Committee’s action on selected bills.
  
  ➢ Examples: Governor/Leadership-sponsored bills, major new initiatives, bills involving inter-jurisdictional issues, and requests for MABE positions on local bills.

  ➢ Note: Most MABE bill positions are determined by staff in accordance with adopted Resolutions & Positions.

• Committee Chair/Vice Chair: Attend leadership meetings & present testimony on priority bills.
Legislative Positions

- Local Board Governance
- State Education Funding
- School Facilities Funding
- Local Funding
- Special Education
- Student Health
- Employee Relations
- Testing & Curriculum
- School Safety & Security
- Student Behavior
- Federal Education Funding
- Charter Schools
- Vouchers & Private School Funding
- Unfunded Mandates
- Boards of Education Structure
LOCAL FUNDING & MAINTENANCE OF EFFORT

MABE POSITIONS
The Maryland Association of Boards of Education, representing all local boards of education in Maryland:

☑ Supports growth in local funding in addition to the minimum maintenance of effort amounts, including the increases called for in the Blueprint for Maryland’s Future law for prekindergarten, English learners, low-income students, and students receiving special education services.

☑ Supports the maintenance of effort law enacted in 2012 because it provides for a legally enforceable minimum amount of local funding, allows for multiple exceptions and waivers, and provides reasonable state and local mechanisms to increase education funding.

☒ Opposes legislation to provide additional school budget authority to local governments or weaken the maintenance of effort law.

Link to Legislative Position Statement:

Link to Continuing Resolution:
House Bill 248  
TITLE: Legionnaires' Disease Prevention Act  
POSITION: Oppose  
MABE Testimony  
DATE: February 2, 2022  
COMMITTEE: Environment and Transportation

House Bill 314  
TITLE: County Boards of Education - Voting Members - Requirements  
POSITION: Oppose  
MABE Testimony  
DATE: February 10, 2022  
COMMITTEE: Ways and Means

House Bill 365  
TITLE: Public School Construction - Fossil Fuel-Based Energy System Costs - Prohibition  
POSITION: Oppose  
MABE Testimony  
DATE: February 8, 2022  
COMMITTEE: Appropriations

House Bill 415  
TITLE: Operating Budget - Funding - Scholarships for Nonpublic School Students  
POSITION: Oppose  
MABE Testimony  
DATE: March 1, 2022  
COMMITTEE: Appropriations
The Maryland Association of Boards of Education (MABE) opposes House Bill 194, which would require that an age-appropriate education program on the risks of sexting be developed and implemented by the State Board of Education, and each that each public school implement this curriculum in every grade in which Family Life and Human Sexuality curriculum is taught.

Local boards of education are committed to providing programs of instruction, health services, school facilities, and school meals designed to promote the physical and mental health and fitness of students and to prepare them to maintain a healthy lifestyle as adults. In this light, MABE appreciates the intent of this bill, but opposes adopting a specific student health instruction standard in this manner.

Again, MABE’s opposition to this bill does not rest on an evaluation of the merits of teaching any specified subject matter, certainly not education about sexting, but rather on the association’s opposition to statutorily mandating the teaching of any one concept or content item.
Regarding House Bill 750, MABE is concerned with the very prescriptive nature of the mandated career pathway to be established by the new CTE Committee established by the Blueprint for Maryland’s Future Act. Specifically, MABE requests the removal of the last provision of the bill which requires annual goals for the numbers of students obtaining a CDL and bus driver’s certification before graduating from high school.

For these reasons, MABE requests a favorable report on House Bill 750 with the amendments described above.
# MABE’s Bill Tracking Report

## 2022 Education Legislation
### MABE Positions & Bill Status

*Current Status 2022 Regular Session*
*Total: 440 April 8, 2022*

<table>
<thead>
<tr>
<th>Category</th>
<th>Bill Number</th>
<th>Bill Title</th>
<th>Delegate</th>
<th>Status</th>
<th>Committee</th>
</tr>
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<tbody>
<tr>
<td>Oppose</td>
<td>HB0827</td>
<td>Education - Public Schools - Instruction in Print and Cursive Handwriting</td>
<td>Delegate Boteler</td>
<td>Hearing 3/03 at 1:00 p.m.</td>
<td>Ways and Means 3/3/2022 - 1:00 p.m.</td>
</tr>
<tr>
<td>Local</td>
<td>HB0828</td>
<td>Baltimore County Board of Education - Legal Counsel and Chief Budget Analyst</td>
<td>Delegate Boteler</td>
<td>Unfavorable Report by Ways and Means; Withdrawn</td>
<td>Ways and Means</td>
</tr>
<tr>
<td>No Position</td>
<td>HB0832</td>
<td>Education - Maryland Homeschool Advisory Council - Establishment</td>
<td>Delegate Ruth</td>
<td>Hearing 3/03 at 1:00 p.m.</td>
<td>Ways and Means 3/3/2022 - 1:00 p.m.</td>
</tr>
<tr>
<td>Support w/ Amendments</td>
<td>HB0836 (SB0638)</td>
<td>Public Schools - Student Athletics - Requirements and Emergency Action Plans (Elijah Gorham Act)</td>
<td>Delegate Lierman</td>
<td>Second Reading Passed with Amendments</td>
<td>Ways and Means Education, Health, and Environmental Affairs</td>
</tr>
<tr>
<td>Oppose</td>
<td>HB0848</td>
<td>Education - Public Charter Schools - Virtual Learning Programs</td>
<td>Delegate Boteler</td>
<td>Hearing 3/03 at 1:00 p.m.</td>
<td>Ways and Means 3/3/2022 - 1:00 p.m.</td>
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Legislative Communications

MABE’s Weekly Newsletter & Calls to Action

MABE’s Bill Report

MABE’s Testimony
The Education Advocate (weekly)
- Articles & Resources
- New Bill Highlights
- Bill Tracking Report
- Alerts

Alerts (as needed)
- Calls to Action
- Talking Points
- Contacts
- Specific Action
- Feedback Loop
Taking Action

**Who to contact ...**
- Legislator text/email/phone/in-person
- Contacts provided in The Advocate

**What to say/ask ...**
- Use MABE Testimony and/or Talking Points

**Urgency ...**
- Prompt action & informing staff adds to overall effectiveness
Legislative & Regulatory Resources

- Maryland General Assembly
- Department of Legislative Services (DLS)
- MSDE & State Board
- Accountability and Implementation Board (AIB)
- IAC & Maryland Public School Construction Program
- Maryland Center for School Safety
- Public School Labor Relations Board (PSLRB)
- Professional Standards Teacher Education Board (PSTEB)
- Division of State Documents – COMAR Regulations and Maryland Register
Thank you!

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