

2008 End of Session Report

The Legislative Black Caucus fought vigorously to protect the rights of the innocent and falsely accused under the Administration's DNA bills, **SB 211/HB 370- Public Safety-Statewide DNA Data Base System-Crimes of Violence and Burglary-Sample Collections on Charge-Post Conviction DNA Testing**. The Caucus amended the Governor's original version of the bill to include the following: 1- collection of DNA samples at charge, not arrest; 2- automatic expungement for those who were not convicted or arraigned; and 3- post conviction DNA testing to help exonerate the innocent.

Priorities:

HB 139- Taskforce to Study Issues Related to Students Subject to Multiple Suspensions

Sponsored by Delegate Melvin Stukes

This bill establishes a Task Force to Study Issues Related to Students Subject to Multiple Suspensions to study the feasibility and fiscal impact of requiring student services teams to provide case management to students who incur suspensions that result in 10 or more days of absences during a school year. The task force must make recommendations about this requirement and about parental involvement in matters related to student suspensions. The Maryland State Department of Education has to provide staff support, and a final report is due by January 15, 2009. The bill takes effect June 1, 2008 and terminates May 31, 2009.

SB 438/HB 905-Institutions of Higher Education-Plans for Cultural Diversity

Sponsored by Senator Verna Jones and Delegate Ana Sol Gutierrez

This legislation requires each institution of higher education in the State of Maryland, to develop and implement a plan for a cultural diversity program. This plan will enhance the programming and sensitivity to cultural diversity through instruction and training at the institutions. These plans must include implementation strategies and timetables for meeting the goals of the plans. Each institution is required to submit their plans to the Maryland Higher Education Commission, to be monitored for implantation and compliance to the law. Cultural diversity programs will help institutions address and improve on the underlying racial tensions on college campuses

SB 606/HB 1277-State Government-Brokerage and Investment Banking Services-Use of Minority Business Enterprises

Sponsored by Senator Catherine Pugh and Delegate Jay Walker

This bill requires the State Treasurer, the Maryland Automobile Insurance Fund, the Injured Workers' Insurance Fund, and the State Retirement and Pension System to attempt to use minority business enterprises (MBE) to the greatest extent feasible to provide brokerage and investment management services. The four entities' use of MBEs must be consistent with MBE purchasing standards in current law and with their respective fiduciary responsibilities. The bill also requires the four entities to work with the Governor's Office of Minority Affairs (GOMA) to develop guidelines to implement the bill's provisions and to submit annual reports to GOMA and the General Assembly on their use of MBE brokerage and investment firms and their efforts to encourage greater use of MBE firms. Those efforts must include the use of a wide variety of media, including their web sites, to publicize the brokerage and investment management services they use.

Caucus Supported Legislation:

HB 29- Long-term care Insurance-Discrimination Based on Genetic Tests-Prohibited

Sponsored by Delegate Roger Manno

This bill prohibits a "carrier" from discriminating against an applicant or insured based on genetic information or the results of a genetic test in the issuance or renewal of long-term insurance unless the use is actuarially justified. Genetic testing creates social categories used to evaluate individuals based on stereotypes/predictions of future health rather than individual merits.

SB 77/HB169- Education-Children in Informal Kinship Care Relationships

Sponsored by Senator Delores Kelley and Delegate Adrienne Jones

This bill allows a child to attend a public school outside of the attendance area of the child's permanent residence if the child is living in the school's attendance area with a relative who is providing informal kinship due to a serious family hardship. The relative must verify the informal kinship care relationship through a sworn affidavit. The majority of kinship care cases affect African American families.

SB 264- Education-High School Dropouts-Alternative Education Programs and GED Requirements

Sponsored by Senator Catherine Pugh

This bill requires the appropriate representative of a local board of education to provide, to the extent possible, information on alternative education and General Educational Development (GED) programs to each individual who has dropped out of high school, is known to be preparing to drop out of high school, or who has participated in an exit interview at a public high school without obtaining a high school diploma or certificate.

SB 701/ HB 1100- Insurance Producers-Life and Health Insurance Examinations-Annual Reports

Sponsored by Senator Verna Jones and Delegate Shawn Tarrant

This bill requires the Maryland Insurance Commissioner or a designee to prepare and publish a report summarizing statistical information relating to the life and health insurance producer examinations administered during the preceding calendar year and the test forms used. It addresses the disparity in pass and fail rates among African American and Caucasian examinees.

HB 811-State Board of Dental Examiners-Nomination of Members-Investigation and Disciplinary-Data Collection

Sponsored by Delegate Shirley Nathan Pulliam

This bill is designed to rectify racial discriminatory practices in the practice of dentistry and dental hygiene. This bill would require practitioners to submit to the Governor specified lists of nominees for membership on the State Board of Dental Examiners and that this specified list reflects the diversity of the State.

HB 942- Health Disparities- Institutions of Higher Education Report

Sponsored by Delegate Shirley Nathan Pulliam

This bill mandates that institutions of higher learning with students in the fields of medicine, nursing, pharmacy and dentistry include cultural competency in their curriculum and submit a report to the Senate Finance Committee, House Health and Government Operations Committee and the Office of Minority Health and Health Disparities.