



March 16, 2012

STAGE NEARLY SET FOR BUDGET NEGOTIATIONS

On Tuesday, the Education and Economic Development Subcommittee of the House Appropriations Committee met to consider several FY 2013 budget decisions already approved by the Senate. The subcommittee reported to the full Appropriations Committee this afternoon.

Details of the full Appropriations Committee actions are not available at this writing. It's also very important to remember that budget items that are in conflict are subject to further negotiations in conference committee between House and Senate leaders.

The committees in both the House and the Senate begin with original recommendations from the Department of Legislative Services (DLS). A compilation of selected House Subcommittee actions budget actions are as follows:

- The House Subcommittee **did not concur** with the Senate's \$5.3 million General Fund cut to USM and accepted a DLS-recommended cut of \$11.6 million.
- The House and Senate **did not concur** in a DLS recommendation to cut an additional \$4 million to the Chancellor's office budget based upon the sense of DLS that USM could "bill institutions for some services."
- The House subcommittee voted to reduce USM's fund balance by \$7.775 million – an action not considered by the Senate.

- The House subcommittee did not concur with a Senate proposal to restrict \$250,000 from the University of Maryland, Baltimore's Office of the President. The funding could be used only to establish an agricultural law clinic at the University of Baltimore (UB) to assist farmers with "estates and trusts issues, compliance with environmental laws, and other matters necessary to preserve family farms."
- The House subcommittee adopted a budget narrative to restrict \$1 million of USM's general fund appropriation to provide incentive funding to USM institutions that "choose to offer new programs at any of the non-USM regional higher education centers."
- The House Appropriations subcommittee voted to restrict the Maryland Higher Education Commission's (MHEC) general fund appropriation by \$100,000. The funds are withheld until MHEC approves or disapproves the proposed Towson University off-campus site located on Harford Community College's west campus on or before August 1.

As House and Senate conferees begin to organize, USM and campus officials will continue to work diligently and attend to any issues that may arise in the conference committee deliberations.

COMPETENCY BASED EDUCATION BILL HEARD IN SENATE COMMITTEE

On Wednesday, Senate Bill 839 was heard in the Education, Health, and Environmental Affairs Committee. SB 839 would require MHEC to develop a plan to promote competency-based postsecondary education by December 31, 2012. These actions include, but are not limited to: analyzing and eliminating regulatory and policy barriers; evaluating and recommending potential statutory changes; convening a workgroup to analyze specified regulations; and developing and implementing a plan for soliciting and engaging out-of-state institutions of higher education that may want to partner with in-state institutions of postsecondary education to offer joint programs. The bill would also mandate that MHEC execute a binding memorandum of understanding with Western Governors University (WGU) and Excelsior College to perform the above goals.

The USM testified in opposition to SB 839 along with representatives from the independent and community college sectors. SB 839 would bring a host of academic program approval challenges by allowing the out-of-state institutions named in the legislation to operate outside the regulatory scope of MHEC.

In addition, the health educators who oversee required supervised clinical learning experience before graduation made the shortcomings of this legislation clear. In 2011, the Maryland State Board of Nursing established a workgroup to study licensing graduates from competency-based nursing education programs such as Excelsior College. Specifically, the workgroup examined whether to change the definition of "substantially equivalent" relating to the requirement for supervised clinical learning experiences. The

majority of the workgroup members voted against changing the definition or making any related changes to the existing requirements for registered nurse licensure by endorsement (a form of reciprocity for nurses initially licensed in other states).

MHEC offered an amendment to the bill that would allow for a study of competency-based education in lieu of a specific plan as prescribed by SB 839.

CONTAINMENT LABORATORIES EXEMPT FOLLOWING USM AMENDMENT

Senate Bill 758, Department of Health and Mental Hygiene-Containment Laboratories-Oversight, was heard before the Senate Finance Committee on Thursday. The USM supported an amended version of the legislation, which, without the amendment, would have allowed the Department of Health and Mental Hygiene to have oversight over level III biomedical research laboratories in the USM.

A proposed amendment would exempt USM institutions that have biomedical research laboratories that are subject to federal oversight or regulation, as well as those managed “in compliance with the Centers for Disease Control and Prevention and National Institutes for Health.” This would prevent the Department of Health and Mental Hygiene from further complicating an already complex issue within each of our major research institutions.

Currently, each of our biomedical laboratories in the USM is subject to federal regulation and oversight from the CDC, USDA, and NIH to ensure maximum safety and security when handling sensitive biological material. The USM holds each of its institutions to the highest standard when dealing with the operation of containment laboratories and appreciates the intent of this bill, but believes that those institutions subject to existing federal regulations should be exempt from this bill.

TEXTBOOK TAX HOLIDAY RECEIVES A HEARING

Last Friday, the Ways and Means committee heard a bill that would establish tax-free periods for textbooks at public senior higher education institutions and regional higher education centers statewide. The bill, proposed by the Chair of the Committee, Delegate Sheila Hixon, and cross-filed as SB 309 by Senator Rich Madaleno, would establish essentially the two weeks surrounding the onset of each academic semester as a tax-free holiday for textbooks required for courses at these institutions.

Students from the USM Student Council and representatives from Student Government Associations throughout the USM came out to support the bill and urged legislators to do the same. Proponents of the bill believe that this will not only help students, but boost sales for campus bookstores that are struggling to compete with online vendors exempt from having to pay state sales tax.

UPCOMING BILL HEARINGS

SB 809: Textbook Tax Holiday re-scheduled for 3/19 in Senate Budget & Taxation B&T @ 2pm

HB 669: MHEC Employee Tuition Waiver 3/20 in House Appropriations @ 1pm

HB 1381: MHEC Proposed 2+2 facility on a community college campus – Approval required 3/20 in House Appropriations @ 1pm

SB 675: Tuition Cap and College Opportunity Act of 2012 3/21 in Budget & Taxation @ 1pm

SB 945: UMB Environmental Law Clinic – Reimbursement of Lawsuit Expenses 3/21 in Budget & Taxation @ 1pm

SB 977: IHEs and State Employee Facilities – Bicycle and Pedestrian Access 3/21 in Senate Finance @ 1pm

SB 1036: Academic Facilities Bonding Authority 3/21 in Budget & Taxation @ 1pm