

Maryland Library Association, Legislative Advisory Panel
Minutes
February 3, 2012, 10:00 a.m.
Anne Arundel County Library Headquarters
Annapolis, MD 21401

Attending: Darryll Batson, Mary Baykan (Chair), Joan Bellestri, Alan Bogage, Margaret Carty, Denise Davis, Mark de Jong, Natalie Edington, Jim Fish, Valerie Gross, Mary Hastler, Sharan Marshall, Irene Padilla, Glennor Shirley, Mary Somers, Evelyn Tchiyuka and Linda Williams. Donna Denny was the recording Secretary.

Minutes - Jim moved to approve the minutes of the January 6 meeting. Sharan seconded the motion. The minutes were approved.

Federal Legislation

Natalie reported the following:

- The Strengthening Kids' Interest in Learning and Libraries (SKILLS) Act was reintroduced on July 6, 2011 and was referred to the Senate's Health, Education, Labor, and Pensions Committee (HELP). This SKILLS Act includes key provisions to support school libraries. These measures in the legislation highlight many of the provisions that the library community believes are needed in the reauthorization of the Elementary and Secondary Education Act (ESEA). Its companion bill in the Senate was dropped due to lack of support. There is an online White House petition on school libraries. It specifically petitions the Obama administration to "ensure that every child in America has access to an effective school library program." 25,000 signatures are required by tomorrow in order for this petition to be viewed by White House staff. Linda Williams was pleased to note that this goal has been met.
- Thank you in advance to everyone who will be helping to make Maryland's efforts at National Library Legislative Day a success. This year's event will be held on Monday, April 23 and Tuesday, April 24, 2012 at the Liaison Hotel on Capitol Hill in Washington, DC. The event will keep the traditional format, Monday is a briefing day, Tuesday is designated for legislator visits.

Mark reported that two controversial anti-piracy bills: The Stop Online Piracy Act (SOPA) and its Senate companion, the Protect IP Act (PIPA) have been tabled due to strong counteraction. These bills may reappear piecemeal as parts of other legislation. A current alternative is the OPEN Act (Online Protection and ENforcement of Digital Trade Act), HR 3782 and S 2029. It offers more transparency, as public feedback is solicited via keepthewebopen.org. Glennor suggested forwarding this information to interested groups.

State Legislation of Interest

Library Highway Signage

Mary reported that this issue was brought to the recent MAPLA meeting. The Maryland State Highway Administration no longer installs library logo directional signs. Public libraries are community assets the public should be able to locate in communities, especially in an emergency. This is a very frustrating problem when new libraries are built. Legislation to identify libraries as essential services in Maryland may help. The Federal Emergency Management Agency (FEMA) has declared libraries to be essential services, based on how integral they can be to assist victims of emergencies by providing access to the internet and other resources. The Maryland Emergency Management Agency (MEMA) will be asked to recognize that this is a safety issue. Further action will be planned.

Increasing Counsel Fees for Anne Arundel Circuit Court

Joan reported that HB161 and SB198 are bills about increasing to \$20 from \$10 specified *appearance of counsel fees* collected or charged by the Clerk of the Circuit Court for Anne Arundel County. These fees help provide revenue to support the Law Library. This is a local bill for Anne Arundel County, but will go through the legislature. A letter of support from MLA might be helpful. Sharan noted that MLA is sensitive about becoming involved in local bills, as they can be contentious. It may be best supported with assistance from Anne Arundel County library advocates.

HB390 – An Act Concerning Libraries - Maryland Deaf Culture Digital Library

The bill is for the “purpose of establishing collaboration between DLDS and the Governor’s Office of the Deaf and Hard of Hearing to assist in establishing the Maryland Deaf Culture digital Library.” A copy of the bill was provided to the panel. Maryland’s deaf culture does not believe the Library for the Blind and Physically Handicapped is adequate to their needs. It is important to know that they do not wish to be included with the handicapped population in general, but as a distinct culture. Their vision is having their own library, but there are no funding sources. Because this bill is not cross-filed, it may have a hearing but it will likely be tabled. It would be good to provide information about what resources currently are available and accessible to the deaf culture. Unfortunately, DLDS cannot take on an unfunded mandate. Further study should occur before enacting this legislation.

Budget Reconciliation and Financing Act (BFRA) (SB152 – HB87) - County Payments on Behalf of Local School, Library, and Community College Boards

The Governor’s annual budget recommendations sometimes require laws to be changed, and that is what the BFRA represents. Mary noted that this year it is the Senate’s turn to lead the budget agenda. Noting that “the devil is in the details,” Mary

provided a copy of a page showing the pushed down pension payments over time and by county, as prepared by the Department of Legislative Services last month.

Mary noted counties don't have any more control over teacher pay than the state does. Each county's Board of Education is responsible instead. Unfortunately, many legislators can't comprehend the impact it will cause to libraries if pension costs hit the counties. Libraries do not have the protection of the Maintenance of Effort (MOE) law. Whatever happens, libraries are going to have to make sure this does no damage. It is unfair to pass on liabilities without passing on any means to help handle them.

A discussion ensued and Mary asked if the State Library could research the origins of the payment arrangements as published. Were allowances made for poorer counties? Mary recalled that similarly, in the early 90's and during another recession when things were more modest, including wages, pensions, etc. - social security costs were pushed down to the counties.

Mary said the issue was impacted by *No Child Left Behind*, which set benchmarks for schools to meet that were nearly impossible. So BOEs are trying to ramp up the quality of teaching with better pay and benefits and escalating costs.

Some counties say the figures in the bill concerning librarians in the pension system are different than what their audits show. Community Colleges are opposing this shift as well.

The legislators hoped slots would pay for everything. They had already increased sales tax just before the recession. Salaries are now hitting up against the pensions. Pensions were originally improved to be competitive by countering less-than-market salaries. This attracts government employees who might make less than similarly-skilled private industry employees.

Mary asked the group what the counties are saying. A discussion ensued and Denise noted that shifting the pensions makes them more visible and more vulnerable to attack. Other things will happen as a result of this huge bill. Anne Arundel County Executive John Leopold has said he may not be able to eliminate county worker furloughs if it passes. The implications of the shift could create tension and a threat to pensions, especially for those without MOE behind them. MOE could be broken by this push down. It is too much to expect counties to meet MOE and bear pension costs too.

Mary said that some legislators she has spoken with seem shocked that libraries would be affected by the pension pushdown. A few *do* get it and they hopefully will help us opt out. The Panel will monitor the situation to see what transpires. Meanwhile, we know the shift is not good. They just reformed the pension; let it stay where it is. The pension fund made 14% on investments this year. They should wait to see what happens with the investments. More proposals will drop. MLA's official stance will not be ready until more is known. Will MLA testify? We will watch to see what the counter offers are. The vote will be at end of March.

MLA Legislative Day Wrap Up

Mary said it was one of the strongest Legislative Day events ever thanks to the participation of libraries of all kinds and their supporters. There were many board members in attendance and Alexander Sanchez, Secretary of Labor, Licensing, & Regulation, was there too. Dr. Sandusky, the acting superintendent of Schools was also there and needs to receive a thank you note from MLA.

The Panel expressed it thanks to Joanie for use of her library, which is so strategic to the success of the day.

A total of 141 guests, including 39 elected officials, attended the evening reception, which is an increase over the last three MLA receptions. The guests lingered a while too, even with competition from corporate receptions. It was wise to hold the event earlier in the session, because fewer legislators were in committee meetings as occur later in the legislative session.

Margaret thanked Valerie for raising 10K to fund the reception. Expenses are still coming in, but we came out in the black. Mary thanked Skip for getting the Maryland House of Representatives to recognize *Maryland Library Day*. Thanks were given to Sharan for shepherding everyone into the Senate and House galleries for the presentations. This was the first time the Senate ever offered to reserve seats for us and they also invited Lucy to speak. Senator Edward Kasemeyer was very welcoming and effusive. One-half of us went to each session, so we had a packed balcony in both chambers. Sharan noted that the Department of Legislative Services recorded it and it can be listened to online on the Senate website. Margaret passed around a contact sheet of photos from the event.

MLA President - No report as Lucy Holman was unable to attend.

MLA Executive Director

Margaret reported the following:

- The Lieutenant Governor's aide, Lucinda Ware, has a mom who is a librarian in Montgomery County. Her name is Fran Ware. Lucinda has expressed an interest in working with us on library issues.
- The MLA Annual Conference catalogs are receiving good positive feedback with registrations flowing in. Please book your hotel by as soon as possible to take advantage of the special price. A discussion ensued on bandwidth problems at hotels in Ocean City

Other

Denise asked if a new State Superintendent of Schools has been selected. Jay said the search is still ongoing.

MD Library Consortium met recently to report on its success in creating savings. This information cannot come at a better time to show legislators how efficient and cost effective we are.

The meeting adjourned at 11:44 a.m. The next meeting will be held on Friday, March 2, 2012.

Respectfully submitted by Donna Denny, Executive Assistant, AACPL.