

SB1030/594838/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1030
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Young” and substitute “Young, Peters, Zucker, Elfreth, McCray, and Guzzone”; in line 2, after “The” insert “Education”; in line 17, after “staff” insert “or provide certain coverage”; in the same line, after “funds;” insert “requiring a county that provides certain positions or services from funds outside of those made from a certain appropriation in a certain fiscal year to continue to provide certain positions or services in certain fiscal years;”; in line 19, after “school” insert “or to complete a certain assessment,”; in line 20, strike “schools” and substitute “school”; and in line 24, after “boards;” insert “renaming the Commission on Innovation and Excellence in Education Fund to be The Blueprint for Maryland’s Future Fund; altering the purpose and use of the Fund; altering the source of revenue distributed to the Fund to include revenues collected and remitted by marketplace facilitators and certain out-of-state vendors, under certain circumstances;”.

On page 2, in line 2, after “evaluation” insert “at a certain frequency”; in line 5, after “Program;” insert “requiring the Department to report, on or before certain dates, certain information about the Program to the Governor and the General Assembly; establishing the Maryland Office of the Inspector General of Education; providing that the Office is an independent unit of the State; providing for the purpose of the Office; requiring all expenses and operations related to the Office to be separately identified and independent of any other unit of State government; establishing the Inspector General in the Office; providing for the eligibility, professional qualifications, appointment, term, and removal of the Inspector General; providing for the salary of the Inspector General and funding for the Office; providing for the Inspector General’s duties and powers when investigating the management and affairs of certain entities; prohibiting the Inspector General from taking certain actions under certain circumstances; authorizing a person to have an attorney present during contact with”.

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the Inspector General; providing that a certain circuit court may grant appropriate relief after conducting a certain hearing; prohibiting certain entities from taking adverse, retaliatory action against an individual because the individual cooperated with or provided information to the Inspector General; providing that certain records produced by the Inspector General are not subject to the Public Information Act; authorizing the Inspector General to appoint and employ certain professional and clerical staff; requiring the Office, on or before a certain date each year, to submit a certain report to the State Superintendent, the State Board of Education, the Interagency Commission on School Construction, the Governor, and the General Assembly;”; in line 10, after “board” insert “, including the Baltimore City Board of School Commissioners.”; in line 13, after the comma insert “including”; in line 14, after “years;” insert “providing that a county board that did not receive a certain grant in a certain fiscal year must submit certain documentation to apply for a grant in a certain fiscal year; requiring certain funding that is not needed for a certain purpose to be used for another purpose; establishing the Workgroup to Study the Maryland State Department of Education and the Maryland Higher Education Commission; providing for the membership, chair, staffing, and purpose of the Workgroup; requiring the Department and the Maryland Higher Education Commission to provide information to the Workgroup, as requested; requiring the Workgroup to report its findings and recommendations to the Governor and the General Assembly on or before a certain date;”; in line 15, strike “and” and substitute “, including”; in the same line, after “Commissioners” insert a comma; in line 21, after “date;” insert “stating the intent of the General Assembly that the Governor transfer or release certain funds that are restricted in a certain fiscal year budget bill for certain purposes in accordance with this Act; providing that, if the Governor does not transfer or release certain funds for certain purposes, a certain amount shall be distributed in a certain fiscal year in addition to certain funds required to be distributed under this Act; requiring each county board, including the Baltimore City Board of School Commissioners, to report on or before certain dates to the House Committee on Ways and Means, the House Appropriations Committee, the Senate Education, Health, and Environmental Affairs Committee, and the Senate Budget and Taxation Committee on how certain funds were distributed and spent;”; in the same line, strike “for a” and substitute “in”; in line 22, strike “year” and substitute “years”; in the same line, after

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the semicolon insert “stating the intent of the General Assembly that the Commission on Innovation and Excellence in Education include in its final report a certain implementation schedule;”; in line 25, after “Education;” insert “providing that The Blueprint for Maryland’s Future Fund is the successor of the Commission on Innovation and Excellence in Education Fund; providing that a certain name of a certain fund in laws and other documents means the name of the successor fund; requiring the publisher of the Annotated Code, in consultation with a certain State entity, to correct cross-references and terminology in the Code that are rendered incorrect by this Act;”; in line 27, strike “another Act” and substitute “certain other Acts”; in line 32, strike the first “and”; in the same line, after “6–123” insert “; and 9.9–101 through 9.9–105 to be under the new title “Title 9.9. Maryland Office of the Inspector General for Education””; in line 42, strike the second “and”; and in the same line, after “5–218” insert “, and 5–219”.

On page 3, after line 24, insert:

“BY repealing and reenacting, with amendments,

Article - Education

Section 5-219

Annotated Code of Maryland

(2018 Replacement Volume and 2018 Supplement)

(As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,

Article - Tax - General

Section 2-1303

Annotated Code of Maryland

(2016 Replacement Volume and 2018 Supplement)”.

AMENDMENT NO. 2

On page 5, in line 5, strike “AT NO COST”; and in line 6, strike “FROM LOW-INCOME FAMILIES”.

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On page 6, in line 7, strike “**CAREER**” and substitute “**SUBJECT TO ITEM (III) OF THIS ITEM, CAREER**”; in line 11, after “**INCLUDE**” insert “**AN APPRENTICESHIP OR OTHER**”; in lines 11 and 12, strike “**OR AN APPRENTICESHIP**”; in line 14, strike “**AND**”; and in line 15, after “**(III)**” insert “**CAREER AND TECHNOLOGY OPPORTUNITIES THAT INCLUDE EXPANDED OPPORTUNITIES FOR SCIENCE-BASED, CERTIFIED AGRICULTURE EDUCATION; AND**

(IV)”.

AMENDMENT NO. 3

On page 10, in line 10, after “**ELIGIBLE**” insert “:

(I) FOR FISCAL YEAR 2020,”;

in line 11, strike “**2016–2017**” and substitute “**2017–2018**”; in the same line, after “**YEAR**” insert “;**AND**

(II) FOR FISCAL YEAR 2021, FOR FREE OR REDUCED PRICE MEALS IN THE:

1. 2017–2018 SCHOOL YEAR; OR

2. 2018–2019 SCHOOL YEAR.”;

in line 19, after “**(IV)**” insert “**ESTABLISHING OR EXPANDING SCHOOL-BASED HEALTH CENTER SERVICES;**

(V)”;

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and in line 29, after the second comma insert **“LANGUAGE CLASSES, WORKFORCE DEVELOPMENT TRAINING.”**.

On page 10 in lines 21, 24, and 28, and on page 11 in lines 1, 3, 4, 5, and 7, strike **“(V)”**, **“(VI)”**, **“(VII)”**, **“(VIII)”**, **“(IX)”**, **“(X)”**, **“(XI)”**, and **“(XII)”**, respectively, and substitute **“(VI)”**, **“(VII)”**, **“(VIII)”**, **“(IX)”**, **“(X)”**, **“(XI)”**, **“(XII)”**, and **“(XIII)”**, respectively.

On page 11, in line 18, strike **“EACH”** and substitute **“EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF THIS PARAGRAPH, EACH”**; after line 19, insert:

“(III) IF A LOCAL SCHOOL SYSTEM HAS AT LEAST 40 ELIGIBLE SCHOOLS, THE COUNTY BOARD MAY, ON BEHALF OF ELIGIBLE SCHOOLS, EXPEND THE FUNDS DISTRIBUTED BY THE STATE UNDER THIS PARAGRAPH, PROVIDED THAT A PLAN IS DEVELOPED IN CONSULTATION WITH THE ELIGIBLE SCHOOLS THAT ENSURES THAT THE REQUIREMENTS OF SUBSECTION (D) OF THIS SECTION ARE MET.”;

in line 23, after **“(1)”** insert **“(I)”**; in line 24, strike **“SCHOOLS”** and substitute **“SCHOOL”**; strike beginning with **“AND”** in line 24 down through **“POSITION”** in line 25; after line 25, insert:

“(II) 1. EACH ELIGIBLE SCHOOL SHALL PROVIDE FULL-TIME COVERAGE BY AT LEAST ONE PROFESSIONAL HEALTH CARE PRACTITIONER DURING SCHOOL HOURS, INCLUDING ANY EXTENDED LEARNING TIME, WHO IS A LICENSED PHYSICIAN, A LICENSED PHYSICIAN’S ASSISTANT, OR A LICENSED REGISTERED NURSE, PRACTICING WITHIN THE SCOPE OF THE HEALTH CARE PRACTITIONER’S LICENSE.

2. A HEALTH CARE PRACTITIONER PROVIDING COVERAGE UNDER THIS SUBPARAGRAPH MAY WORK UNDER A SCHOOL HEALTH

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SERVICES PROGRAM, A COUNTY HEALTH DEPARTMENT, A SCHOOL-BASED HEALTH CENTER, OR A COMMUNITY-PARTNERED SCHOOL BEHAVIORAL HEALTH SERVICES PROGRAM.

3. THIS SUBPARAGRAPH MAY NOT BE CONSTRUED TO:

A. REQUIRE THAT AN ELIGIBLE SCHOOL HIRE A FULL-TIME HEALTH CARE PRACTITIONER STAFF POSITION; OR

B. PRECLUDE THE HIRING OF ANY OTHER HEALTH CARE PRACTITIONERS THAT MEET THE NEEDS OF THE STUDENTS.”;

in line 27, strike “POSITIONS REQUIRED” and substitute “REQUIREMENTS”; in line 29, after “POSITIONS” insert “AND PROVIDE THE COVERAGE”; in line 30, strike “SHALL” and substitute “MAY ONLY”; in line 31, strike “WRAPAROUND” and substitute “:

(I) WRAPAROUND”;

and in the same line, after “SCHOOL” insert “; **AND**

(II) THE ASSESSMENT REQUIRED UNDER SUBSECTION (E) OF THIS SECTION”.

On page 12, in line 2, strike “INDIVIDUALS IN THE POSITIONS” and substitute “AN INDIVIDUAL IN A POSITION OR HAS THE COVERAGE”; in line 3, after the first comma insert “AT LEAST”; in the same line, after “THE” insert “SAME AMOUNT OF”; in the same line, after “FUNDS” insert “SHALL BE PROVIDED TO THE ELIGIBLE SCHOOL TO BE”; in the same line, after “THOSE POSITIONS” insert “OR COVERAGE IN FISCAL

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YEARS 2020 AND 2021"; strike beginning with "AS" in line 3 down through "SCHOOL" in line 5; in line 6, strike "SCHOOLS" and substitute "SCHOOL"; and strike beginning with "THE" in line 11 down through "PROGRAM" in line 14 and substitute "THE ASSESSMENT PERFORMED UNDER THIS SUBSECTION SHALL:

(I) BE DONE IN COLLABORATION WITH THE PRINCIPAL AND SCHOOL HEALTH CARE PRACTITIONER; AND

(II) INCLUDE AN ASSESSMENT OF THE PHYSICAL, BEHAVIORAL, AND EMOTIONAL HEALTH NEEDS OF STUDENTS AND THEIR COMMUNITIES.

(F) A COUNTY THAT PROVIDES A SCHOOL NURSE, SCHOOL HEALTH SERVICES, OR COMMUNITY SCHOOL SERVICES FROM FUNDS OUTSIDE OF THOSE MADE IN THE FISCAL YEAR 2019 LOCAL APPROPRIATION TO THE COUNTY BOARD SHALL CONTINUE TO PROVIDE AT LEAST THE SAME RESOURCES TO AN ELIGIBLE SCHOOL IN FISCAL YEARS 2020 AND 2021".

AMENDMENT NO. 4

On page 14, after line 13, insert:

"5-219.

(a) In this section, "Fund" means [the Commission on Innovation and Excellence in Education] THE BLUEPRINT FOR MARYLAND'S FUTURE Fund.

(b) There is [a Commission on Innovation and Excellence in Education] THE BLUEPRINT FOR MARYLAND'S FUTURE Fund.

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(c) The purpose of the Fund is to assist in providing adequate funding for early childhood education and primary and secondary education to provide a world-class education to students so they are prepared for college and a career in the global economy of the 21st century, based on the [final] recommendations of the Commission on Innovation and Excellence in Education.

(d) The Department shall administer the Fund.

(e) (1) The Fund is a special, nonlapsing fund that is not subject to § 7-302 of the State Finance and Procurement Article.

(2) The State Treasurer shall hold the Fund separately, and the Comptroller shall account for the Fund.

(f) The Fund consists of:

(1) Revenue distributed to the Fund under § 2-605.1 of the Tax – General Article;

(2) Money appropriated in the State budget for the Fund; and

(3) Any other money from any other source accepted for the benefit of the Fund.

(g) The Fund may be used only to assist in providing adequate funding for early childhood education and primary and secondary education [through revised education funding formulas] based on the [final] recommendations of the Commission on Innovation and Excellence in Education, **INCLUDING REVISED EDUCATION FUNDING FORMULAS.**

(h) (1) The State Treasurer shall invest the money of the Fund in the same manner as other State money may be invested.

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(2) Any interest earnings of the Fund shall be credited to the Fund.

(i) Expenditures from the Fund may be made only in accordance with the State budget.”.

AMENDMENT NO. 5

On page 15, in line 24, after “DESIGN” insert “**AND IMPLEMENT AT LEAST TWO OF THE FOLLOWING**”.

On page 17, in line 9, after the second comma insert “**RELIGIOUS TOLERANCE,**”; in line 15, after the semicolon insert:

“(VI) AWARENESS OF AND SENSITIVITY TO THE SEXUAL ORIENTATION AND GENDER IDENTITY OF STUDENTS;

(VII) IMPLEMENTING INDIVIDUALIZED EDUCATION PROGRAMS AND 504 PLANS FOR STUDENTS WITH DISABILITIES;

(VIII) AWARENESS OF TRAUMA-INFORMED APPROACHES TO MEET STUDENTS’ NEEDS;

(IX) RECOGNITION OF STUDENT MENTAL HEALTH DISORDERS;”;

and in line 16, strike “(VI)” and substitute “**(X)**”.

On page 18, in line 14, after “OF” insert “**AT LEAST TWO OF THE PROPOSED:**

1.”;

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in the same line, strike “**THE PROPOSED PRACTICUM**” and substitute “**PRACTICUM**”; in lines 16, 18, 20, and 24, strike “**(II)**”, “**(III)**”, “**(IV)**”, and “**(V)**”, respectively, and substitute “**2.**”, “**3.**”, “**(II)**”, and “**(III)**”, respectively; in line 16, strike “**A DESCRIPTION OF THE PROPOSED PROFESSIONAL**” and substitute “**PROFESSIONAL**”; in line 17, after the semicolon insert “**OR**”; and in line 18, strike “**A DESCRIPTION OF THE PROPOSED PEER**” and substitute “**PEER**”.

On page 19, in line 7, after “**EVALUATION**” insert “**AT LEAST ONCE DURING EACH GRANT PERIOD**”; and after line 20, insert:

“(G) ON OR BEFORE DECEMBER 1, 2019, AND ON OR BEFORE DECEMBER 1 OF 2020 AND 2021, THE DEPARTMENT SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY ON:

(1) THE NUMBER OF GRANT APPLICATIONS RECEIVED UNDER THE PROGRAM;

(2) THE NUMBER OF GRANTS AWARDED UNDER THE PROGRAM;
AND

(3) THE CURRENT STATUS OF EACH GRANTEE AND THE GRANTEE’S ACTIVITIES FUNDED UNDER THE PROGRAM.”.

AMENDMENT NO. 6

On page 19, before line 21, insert:

“TITLE 9.9. MARYLAND OFFICE OF THE INSPECTOR GENERAL FOR EDUCATION.

9.9-101.

(A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "INSPECTOR GENERAL" MEANS THE INSPECTOR GENERAL IN THE MARYLAND OFFICE OF THE INSPECTOR GENERAL FOR EDUCATION.

(C) "OFFICE" MEANS THE MARYLAND OFFICE OF THE INSPECTOR GENERAL FOR EDUCATION.

9.9-102.

(A) THERE IS A MARYLAND OFFICE OF THE INSPECTOR GENERAL FOR EDUCATION.

(B) THE OFFICE IS AN INDEPENDENT UNIT OF THE STATE.

(C) THE PURPOSE OF THE OFFICE IS TO PROVIDE ACCOUNTABILITY AND TRANSPARENCY IN THE EXPENDITURE OF PUBLIC FUNDS FOR EDUCATION IN THE STATE.

(D) ALL EXPENSES AND OPERATIONS RELATED TO THE ADMINISTRATION OF THE OFFICE SHALL BE SEPARATELY IDENTIFIED AND INDEPENDENT OF ANY OTHER UNIT OF STATE GOVERNMENT.

9.9-103.

(A) THERE IS AN INSPECTOR GENERAL IN THE MARYLAND OFFICE OF THE INSPECTOR GENERAL FOR EDUCATION.

(Over)

(B) (1) AN INDIVIDUAL IS ELIGIBLE TO BE THE INSPECTOR GENERAL ONLY IF THE INDIVIDUAL EXECUTES AN AFFIDAVIT STATING THAT THE INDIVIDUAL WILL NOT ACCEPT APPOINTMENT TO, OR BE A CANDIDATE FOR, A STATE OR LOCAL OFFICE:

(I) DURING THE PERIOD OF SERVICE AS THE INSPECTOR GENERAL; AND

(II) FOR AT LEAST 3 YEARS IMMEDIATELY AFTER THE INDIVIDUAL LAST SERVES AS THE INSPECTOR GENERAL.

(2) THE INSPECTOR GENERAL SHALL RENEW THE AFFIDAVIT EVERY 2 YEARS DURING THE PERIOD OF SERVICE.

(3) A FAILURE TO RENEW THE AFFIDAVIT UNDER THIS SUBSECTION SHALL SUBJECT THE INSPECTOR GENERAL TO REMOVAL FROM OFFICE UNDER THIS SECTION.

(C) (1) THE INSPECTOR GENERAL SHALL BE APPOINTED BY A MAJORITY VOTE OF THE GOVERNOR, THE ATTORNEY GENERAL, AND THE STATE TREASURER, SUBJECT TO THE ADVICE AND CONSENT OF THE SENATE.

(2) THE TERM OF THE INSPECTOR GENERAL IS 5 YEARS, BEGINNING JULY 1 AFTER THE APPOINTMENT OF THE INSPECTOR GENERAL.

(3) AT THE END OF A TERM, THE INSPECTOR GENERAL SHALL CONTINUE TO SERVE UNTIL A SUCCESSOR IS APPOINTED.

(4) IF A VACANCY OCCURS IN THE OFFICE, AN INTERIM INSPECTOR GENERAL SHALL BE APPOINTED AS A SUCCESSOR TO SERVE FOR THE REMAINDER OF THE UNEXPIRED TERM.

(D) THE INSPECTOR GENERAL MAY BE REMOVED BY A MAJORITY VOTE OF THE GOVERNOR, THE ATTORNEY GENERAL, AND THE STATE TREASURER FOR:

(1) MISCONDUCT IN OFFICE;

(2) PERSISTENT FAILURE TO PERFORM THE DUTIES OF THE OFFICE; OR

(3) CONDUCT PREJUDICIAL TO THE PROPER ADMINISTRATION OF JUSTICE.

(E) THE INSPECTOR GENERAL SHALL BE PROFESSIONALLY QUALIFIED THROUGH EXPERIENCE OR EDUCATION IN AT LEAST ONE OF THE FOLLOWING AREAS:

(1) LAW;

(2) AUDITING;

(3) GOVERNMENT OPERATIONS;

(4) FINANCIAL MANAGEMENT; OR

(5) EDUCATION POLICY.

(F) (1) THE INSPECTOR GENERAL IS ENTITLED TO THE SALARY PROVIDED IN THE STATE BUDGET.

(2) FUNDING FOR THE OFFICE SHALL BE AS PROVIDED IN THE STATE BUDGET.

9.9-104.

(A) THE INSPECTOR GENERAL SHALL BE RESPONSIBLE FOR EXAMINING AND INVESTIGATING THE MATTERS LISTED IN SUBSECTION (B) OF THIS SECTION WITH RESPECT TO THE MANAGEMENT AND AFFAIRS OF THE FOLLOWING ENTITIES:

(1) COUNTY BOARDS, LOCAL SCHOOL SYSTEMS, AND PUBLIC SCHOOLS;

(2) NONPUBLIC SCHOOLS THAT RECEIVE STATE FUNDS;

(3) THE DEPARTMENT; AND

(4) THE INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION.

(B) THE INSPECTOR GENERAL MAY RECEIVE AND INVESTIGATE COMPLAINTS OR INFORMATION CONCERNING:

(1) INSTANCES OF FRAUD, WASTE, OR ABUSE INVOLVING THE USE OF PUBLIC FUNDS AND PROPERTY;

(2) VIOLATIONS OF CIVIL RIGHTS, AS DEFINED IN FEDERAL OR STATE LAWS, OF STUDENTS OR EMPLOYEES OF THE ENTITIES LISTED IN SUBSECTION (A) OF THIS SECTION;

(3) WHETHER POLICIES AND PROCEDURES GOVERNING THE PREVENTION AND REPORTING OF CHILD ABUSE AND NEGLECT COMPLY WITH APPLICABLE FEDERAL AND STATE LAWS ON CHILD ABUSE AND NEGLECT; AND

(4) COMPLIANCE WITH OTHER APPLICABLE FEDERAL AND STATE LAWS.

(C) (1) THE INSPECTOR GENERAL MAY NOT DISCLOSE THE IDENTITY OF THE SOURCE OF A COMPLAINT OR INFORMATION PROVIDED UNDER SUBSECTION (B) OF THIS SECTION UNLESS THE INSPECTOR GENERAL:

(I) OBTAINS THE WRITTEN CONSENT OF THE SOURCE; OR

(II) DETERMINES THAT DISCLOSURE OF THE IDENTITY OF THE SOURCE IS NECESSARY AND UNAVOIDABLE DURING THE COURSE OF THE INVESTIGATION.

(2) IF THE INSPECTOR GENERAL DETERMINES THAT DISCLOSURE OF THE IDENTITY OF A SOURCE IS NECESSARY AND UNAVOIDABLE, THE INSPECTOR GENERAL SHALL NOTIFY THE SOURCE IN WRITING AT LEAST 7 DAYS BEFORE DISCLOSURE.

(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, DURING AN INVESTIGATION CONDUCTED IN ACCORDANCE WITH

(Over)

THIS TITLE, THE INSPECTOR GENERAL SHALL HAVE ACCESS TO ALL RECORDS, DATA, REPORTS, CONTRACTS, CORRESPONDENCE, OR OTHER DOCUMENTS OF AN ENTITY LISTED UNDER SUBSECTION (A) OF THIS SECTION THAT IS THE SUBJECT OF THE INVESTIGATION.

(2) THE INSPECTOR GENERAL MAY NOT ACCESS OR COMPEL THE PRODUCTION OF DOCUMENTS THAT ARE:

(I) PROTECTED UNDER THE ATTORNEY-CLIENT PRIVILEGE;
OR

(II) CONFIDENTIAL OR PRIVILEGED UNDER APPLICABLE PROVISIONS OF FEDERAL OR STATE LAW.

(E) (1) (I) DURING AN INVESTIGATION CONDUCTED IN ACCORDANCE WITH THIS TITLE, THE INSPECTOR GENERAL MAY:

1. SEEK AND OBTAIN SWORN TESTIMONY; AND
2. ISSUE SUBPOENAS AS NECESSARY TO COMPEL THE PRODUCTION OF DOCUMENTS AND RECORDS OR THE ATTENDANCE OF WITNESSES.

(II) A SUBPOENA MAY BE SERVED IN THE SAME MANNER AS ONE ISSUED BY A CIRCUIT COURT.

(2) (I) A PERSON MAY HAVE AN ATTORNEY PRESENT DURING ANY CONTACT WITH THE INSPECTOR GENERAL.

(II) THE INSPECTOR GENERAL SHALL ADVISE A PERSON OF THE RIGHT TO COUNSEL WHEN A SUBPOENA IS SERVED.

(3) (I) 1. THE INSPECTOR GENERAL IMMEDIATELY MAY REPORT THE FAILURE OF A PERSON TO OBEY A LAWFULLY SERVED SUBPOENA TO THE CIRCUIT COURT OF THE COUNTY THAT HAS JURISDICTION.

2. THE INSPECTOR GENERAL SHALL PROVIDE A COPY OF THE SUBPOENA AND PROOF OF SERVICE TO THE CIRCUIT COURT.

(II) AFTER CONDUCTING A HEARING AT WHICH THE PERSON WHO ALLEGEDLY FAILED TO COMPLY WITH A SUBPOENA HAS AN OPPORTUNITY TO BE HEARD AND REPRESENTED BY COUNSEL, THE CIRCUIT COURT MAY GRANT APPROPRIATE RELIEF.

(F) A STATE OR LOCAL AGENCY, COUNTY BOARD, OR PUBLIC OFFICIAL MAY NOT TAKE ADVERSE, RETALIATORY ACTION AGAINST AN INDIVIDUAL BECAUSE THE INDIVIDUAL COOPERATED WITH OR PROVIDED INFORMATION TO THE INSPECTOR GENERAL.

(G) RECORDS OR INFORMATION PROVIDED TO, PREPARED FOR, OR OBTAINED BY THE INSPECTOR GENERAL IN CONNECTION WITH AN INVESTIGATION ARE CONFIDENTIAL AND NOT SUBJECT TO DISCLOSURE UNDER THE PUBLIC INFORMATION ACT.

(H) IF THE INSPECTOR GENERAL FINDS OR HAS REASONABLE GROUNDS TO BELIEVE THAT THERE HAS BEEN A CRIMINAL VIOLATION OF FEDERAL OR STATE LAW, THE INSPECTOR GENERAL SHALL NOTIFY AND REFER THE MATTER TO THE APPROPRIATE FEDERAL, STATE, OR LOCAL LAW ENFORCEMENT

AUTHORITY, LOCAL STATE'S ATTORNEY'S OFFICE, OFFICE OF THE ATTORNEY GENERAL, OFFICE OF THE STATE PROSECUTOR, OR FEDERAL AGENCY.

(I) IF THE INSPECTOR GENERAL IDENTIFIES AN ISSUE OF CONCERN THAT WOULD NOT CONSTITUTE A CRIMINAL VIOLATION OF STATE LAW, THE INSPECTOR GENERAL MAY REPORT THE ISSUE OF CONCERN TO THE STATE SUPERINTENDENT, THE STATE BOARD, THE INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION, THE GOVERNOR, AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

(J) THE INSPECTOR GENERAL MAY APPOINT AND EMPLOY PROFESSIONAL AND CLERICAL STAFF, INCLUDING ATTORNEYS, ACCOUNTANTS, AUDITORS, ANALYSTS, AND INVESTIGATORS, AS APPROPRIATED IN THE ANNUAL STATE BUDGET, TO CONDUCT THE WORK OF THE OFFICE.

9.9-105.

(A) ON OR BEFORE DECEMBER 1 EACH YEAR, THE OFFICE SHALL SUBMIT A REPORT TO THE STATE SUPERINTENDENT, THE STATE BOARD, THE INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION, THE GOVERNOR, AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

(B) THE REPORT SHALL INCLUDE INFORMATION ON:

(1) THE OFFICE'S GOALS AND PRIORITIES FOR THE UPCOMING YEAR;

(2) THE OFFICE'S ACTIVITIES DURING THE PRECEDING YEAR;

(3) THE NUMBER OF INCIDENTS, IN THE AGGREGATE, AND A GENERAL SUMMARY OF THE NATURE OF THE REPORTED INCIDENTS, REFERRED TO THE APPROPRIATE FEDERAL, STATE, OR LOCAL LAW ENFORCEMENT AUTHORITY, LOCAL STATE’S ATTORNEY’S OFFICE, OFFICE OF THE ATTORNEY GENERAL, OFFICE OF THE STATE PROSECUTOR, OR FEDERAL AGENCY DURING THE PRECEDING YEAR;

(4) SPECIFIC FINDINGS AND RECOMMENDATIONS RELATING TO:

(I) INSTANCES OF FRAUD, WASTE, OR ABUSE INVOLVING THE USE OF PUBLIC FUNDS AND PROPERTY;

(II) VIOLATIONS OF THE CIVIL RIGHTS OF STUDENTS OR EMPLOYEES;

(III) POLICIES AND PROCEDURES RELATED TO CHILD ABUSE AND NEGLECT AND COMPLIANCE WITH APPLICABLE FEDERAL AND STATE LAWS; AND

(IV) COMPLIANCE WITH OTHER APPLICABLE FEDERAL AND STATE LAWS; AND

(5) ANY REGULATORY OR STATUTORY CHANGES NECESSARY TO ENSURE COMPLIANCE WITH APPLICABLE FEDERAL AND STATE LAWS.”.

AMENDMENT NO. 7

On page 22, after line 10, insert:

(Over)

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“SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Education

5–219.

- (a) In this section, “Fund” means The Blueprint for Maryland’s Future Fund.
- (b) There is The Blueprint for Maryland’s Future Fund.
- (c) The purpose of the Fund is to assist in providing adequate funding for early childhood education and primary and secondary education to provide a world–class education to students so they are prepared for college and a career in the global economy of the 21st century, based on the recommendations of the Commission on Innovation and Excellence in Education.
- (d) The Department shall administer the Fund.
- (e) (1) The Fund is a special, nonlapsing fund that is not subject to § 7–302 of the State Finance and Procurement Article.

(2) The State Treasurer shall hold the Fund separately, and the Comptroller shall account for the Fund.
- (f) The Fund consists of:
 - (1) Revenue distributed to the Fund under [§ 2–605.1] §§ 2–605.1 AND 2–1303 of the Tax – General Article;
 - (2) Money appropriated in the State budget for the Fund; and

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(3) Any other money from any other source accepted for the benefit of the Fund.

(g) The Fund may be used only to assist in providing adequate funding for early childhood education and primary and secondary education based on the recommendations of the Commission on Innovation and Excellence in Education, including revised education funding formulas.

(h) (1) The State Treasurer shall invest the money of the Fund in the same manner as other State money may be invested.

(2) Any interest earnings of the Fund shall be credited to the Fund.

(i) Expenditures from the Fund may be made only in accordance with the State budget.

Article – Tax – General

2–1303.

(A) After making the distributions required under §§ 2–1301 through 2–1302.1 of this subtitle, the Comptroller shall pay:

(1) revenues from the hotel surcharge into the Dorchester County Economic Development Fund established under § 10–130 of the Economic Development Article; [and]

(2) **SUBJECT TO SUBSECTION (B) OF THIS SECTION, TO THE BLUEPRINT FOR MARYLAND’S FUTURE FUND ESTABLISHED UNDER § 5–219 OF THE EDUCATION ARTICLE, REVENUES COLLECTED AND REMITTED BY:**

(Over)

(I) A MARKETPLACE FACILITATOR; OR

(II) A PERSON THAT ENGAGES IN THE BUSINESS OF AN OUT-OF-STATE VENDOR AND WHO IS REQUIRED TO COLLECT AND REMIT SALES AND USE TAX AS SPECIFIED IN COMAR 03.06.01.33B(5); AND

(3) the remaining sales and use tax revenue into the General Fund of the State.

(B) FOR EACH FISCAL YEAR, THE COMPTROLLER SHALL PAY INTO THE GENERAL FUND OF THE STATE THE FIRST \$100,000,000 OF REVENUES COLLECTED AND REMITTED BY:

(1) A MARKETPLACE FACILITATOR; OR

(2) A PERSON THAT ENGAGES IN THE BUSINESS OF AN OUT-OF-STATE VENDOR AND WHO IS REQUIRED TO COLLECT AND REMIT SALES AND USE TAX AS SPECIFIED IN COMAR 03.06.01.33B(5)."

AMENDMENT NO. 8

On page 22, in line 11, strike "3." and substitute "4."; in line 14, after "include" insert "one-time"; in the same line, after "stipends" insert "or payments"; in line 15, strike "or" and substitute a comma; in the same line, after "promotions" insert "retirement benefits, or other benefits"; and in line 17, after the third comma insert "interval movements, pathway movements.".

On page 23, in line 12, strike "July 1" and substitute "June 30"; in the same line, after the second comma insert "and on or before June 30, 2020."; in lines 12 and 30, in each instance, after "board" insert ", including the Baltimore City Board of School Commissioners."; in line 13, after "grant" insert "for the immediately following fiscal year"; in line 15, after "(2)" insert "(i)"; in lines 16, 18, 21, 23, and 27, strike "(i)", "(ii)",

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“(iii)”, “(iv)”, and “(v)”, respectively, and substitute “1.”, “2.”, “3.”, “4.”, and “5.”, respectively; in line 18, strike “The” and substitute “Except as provided in subparagraph (ii) of this paragraph, the”; in line 20, after the second comma insert “interval movements, pathway movements,”; in line 22, strike “negotiated and”; in line 25, after the first comma insert “interval movements, pathway movements,”; after line 28, insert:

“(ii) For a school system that has a personnel system with interval movements and pathway movements for teachers, the application shall include the planned and funded salary increases for the current and next fiscal years.”;

and in line 29, after “subsection” insert “and except as provided in paragraph (4) of this subsection”.

On page 24, in line 9, after “(4)” insert “(i)”; after line 12, insert:

“(ii) For a county that did not receive a State grant in fiscal year 2020, in order to apply for the grant in fiscal year 2021 the county board must submit documentation showing that the salary increase required in paragraph (1) of this subsection will be funded in fiscal year 2021.”;

in line 13, strike “provide \$75,000,000” and substitute “distribute \$75,000,001”; and in line 14, after “boards” insert “that are eligible”.

AMENDMENT NO. 9

On page 25, strike in their entirety lines 12 through 16, inclusive; in line 17, strike the second comma and substitute “:

(a) Subject to subsection (b) of this section,”;

in line 19, strike “\$137,500,000” and substitute “\$65,468,589”; in line 20, after “amount” insert “, rounded to the nearest whole dollar,”; in line 21, strike “and” and substitute “, including”; and in the same line, after “Commissioners” insert a comma.

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On page 26, strike line 5 in its entirety and substitute:

“(11) Frederick County.....4.53%”;

after line 18, insert:

“(b) If any of the funding provided in subsection (a) of this section is not needed to fully implement individualized education programs and 504 plans for students with disabilities, each county board of education, including the Baltimore City Board of School Commissioners, shall use the remaining funding to implement other recommendations made by the Commission on Innovation and Excellence in Education in the Commission’s January 2019 Interim Report.

SECTION 6. AND BE IT FURTHER ENACTED, That, for each of fiscal years 2020 and 2021, in addition to the State aid provided under Title 5, Subtitle 2 of the Education Article, the State shall distribute to each county board of education, including the Baltimore City Board of School Commissioners, \$83,333 to fund a full-time mental health services coordinator staff position as required under § 7-1511 of the Education Article.

SECTION 7. AND BE IT FURTHER ENACTED, That:

(a) There is a Workgroup to Study the Maryland State Department of Education and the Maryland Higher Education Commission.

(b) The Workgroup consists of the following members:

(1) two members of the Senate of Maryland, appointed by the President of the Senate;

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(2) two members of the House of Delegates, appointed by the Speaker of the House; and

(3) three members appointed by the Governor.

(c) (1) The Governor, the President of the Senate, and the Speaker of the House jointly shall select the chair of the Workgroup.

(2) If the Governor, the President of the Senate, and the Speaker of the House have not jointly selected the chair of the Workgroup on or before August 1, 2019, the President of the Senate and the Speaker of the House jointly shall select the chair of the Workgroup.

(d) The Department of Legislative Services, in consultation with the Governor's Office, shall provide staff for the Workgroup.

(e) (1) The Workgroup shall study and make recommendations regarding the capability of the Maryland State Department of Education and the Maryland Higher Education Commission to carry out their responsibilities and duties and to implement The Blueprint for Maryland's Future described in Title 1, Subtitle 3 of the Education Article, as enacted by Section 1 of this Act.

(2) The Maryland State Department of Education and the Maryland Higher Education Commission shall provide information to the Workgroup, as requested.

(f) On or before December 31, 2019, the Workgroup shall report its findings and recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.”;

in line 19, strike “6.” and substitute “8.”; in line 21, strike “performing” and substitute “performing”; and in line 24, after “support” insert “for struggling learners”.

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On page 27, in line 3, strike “and”; in line 4, after “tutoring” insert “; and”

3. screening, identifying, and addressing literacy deficits”;

in line 7, strike “and” and substitute “, including”; and in line 8, after “Commissioners” insert a comma.

On page 28, in line 8, strike “and” and substitute “, including”; in line 9, after “Commissioners” insert a comma; and in line 19, strike “7.” and substitute “9.”.

AMENDMENT NO. 10

On page 29, after line 5, insert:

“SECTION 10. AND BE IT FURTHER ENACTED, That it is intent of the General Assembly that the Governor transfer or release the funds that are restricted in the fiscal year 2020 operating budget bill (Chapter _____ of the Acts of the General Assembly of 2019) for the purposes stated in the budget bill in accordance with this Act. If the Governor does not transfer or release the funds restricted in the fiscal year 2020 operating budget bill (Chapter _____ of the Acts of the General Assembly of 2019) for the purposes specified in this Act, that amount shall be distributed in fiscal year 2021 in addition to the fiscal year 2021 funds required to be distributed under this Act.

SECTION 11. AND BE IT FURTHER ENACTED, That, on or before December 1, 2019, and on or before December 1, 2020, each county board of education, including the Baltimore City Board of School Commissioners, shall report, in accordance with § 2–1246 of the State Government Article, to the House Committee on Ways and Means, the House Appropriations Committee, the Senate Education, Health, and Environmental Affairs Committee, and the Senate Budget and Taxation Committee on how the funds distributed in accordance with this Act were spent, including funds spent at the school level, to begin to implement The Blueprint for Maryland’s Future and the

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policy recommendations of the Commission on Innovation and Excellence in Education, as identified in its January 2019 Interim Report.”;

in lines 6, 10, 19, 25, and 30, strike “8.”, “9.”, “10.”, “11.”, and “12.”, respectively, and substitute “12.”, “13.”, “15.”, “18.”, and “20.”, respectively; strike beginning with the second comma in line 6 down through “recommendations” in line 9 and substitute “:

(a) The Governor shall appropriate \$57,000,000 to The Blueprint for Maryland’s Future Fund in fiscal year 2021, in addition to the \$298,000,000 otherwise required to be distributed in fiscal year 2021 by this Act.

(b) The Governor shall appropriate \$370,000,000 to The Blueprint for Maryland’s Future Fund in fiscal year 2022. In addition, the Governor shall appropriate \$130,000,000 to The Blueprint for Maryland’s Future Fund in fiscal year 2022, contingent on additional revenues available as a result of legislation enacted in the 2019 and 2020 legislative sessions to implement the recommendations of the Commission on Innovation and Excellence in Education.”;

after line 18, insert:

“SECTION 14. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Commission on Innovation and Excellence in Education include in its final report an implementation schedule that phases in the final recommendations of the Commission as evenly as practicable over the phase-in period.”;

after line 24, insert:

“SECTION 16. AND BE IT FURTHER ENACTED, That, as provided in § 5–219 of the Education Article, as enacted by Section 1 of this Act:

(a) The Blueprint for Maryland’s Future Fund is the successor of the Commission on Innovation and Excellence in Education Fund.

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(b) In every law, executive order, rule, regulation, policy, or document created by an official, an employee, or a unit of the State, the name of that fund means the name of the successor fund.

SECTION 17. AND BE IT FURTHER ENACTED, That the publisher of the Annotated Code of Maryland, in consultation with and subject to the approval of the Department of Legislative Services, shall correct, with no further action required by the General Assembly, cross-references and terminology rendered incorrect by this Act. The publisher shall adequately describe any correction made in an editor's note following the section affected.”;

after line 29, insert:

“SECTION 19. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take effect contingent on the taking effect of Chapter (S.B. 728/H.B. 1301) of the Acts of the General Assembly of 2019, and if Chapter (S.B. 728/H.B. 1301) does not take effect, Section 3 of this Act, with no further action required by the General Assembly, shall be null and void.”;

and in line 30, strike “Section 11” and substitute “Sections 18 and 19”.